

# CABINET

## MAYOR

Mayor John Biggs

## CABINET MEMBERS

Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Brexit)
Councillor Amina Ali	(Cabinet Member for Adults, Health and Wellbeing)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

[The quorum for Cabinet is 3 Members]

## MEETING DETAILS

**Wednesday, 29 January 2020 at 5.30 p.m.**  
**C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG**

**The meeting is open to the public to attend.**

## Further Information

The public are welcome to attend meetings of the Cabinet. Procedures relating to Public Engagement are set out in the 'Guide to Cabinet' attached to this agenda.

### Contact for further enquiries:

Matthew Mannion, Democratic Services,  
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG  
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Web: <http://www.towerhamlets.gov.uk>

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## Public Information

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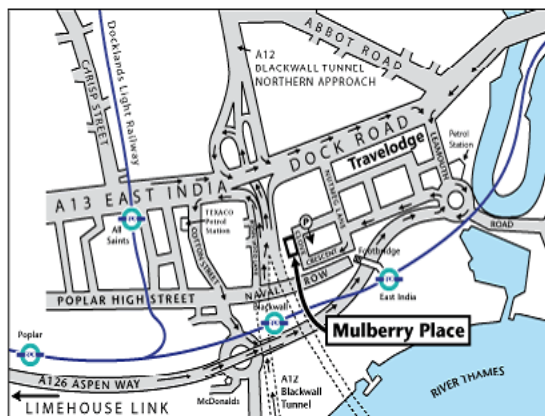
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## A Guide to CABINET

### **Decision Making at Tower Hamlets**

As Tower Hamlets operates the Directly Elected Mayor system, **Mayor John Biggs** holds Executive powers and takes decisions at Cabinet or through Individual Mayoral Decisions. The Mayor has appointed nine Councillors to advise and support him and they, with him, form the Cabinet. Their details are set out on the front of the agenda.

### **Which decisions are taken by Cabinet?**

Executive decisions are all decisions that aren't specifically reserved for other bodies (such as Development or Licensing Committees). In particular, Executive Key Decisions are taken by the Mayor either at Cabinet or as Individual Mayoral Decisions.

The constitution describes Key Decisions as an executive decision which is likely

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, above £1million; or
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

Upcoming Key Decisions are published on the website on the 'Forthcoming Decisions' page through [www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee)

### **Published Decisions and Call-Ins**

Once the meeting decisions have been published, any 5 Councillors may submit a Call-In to the Service Head, Democratic Services requesting that a decision be reviewed. This halts the decision until it has been reconsidered.

- The decisions will be published on: **Friday, 31 January 2020**
- The deadline for call-ins is: **Friday, 7 February 2020**

Any Call-Ins will be considered at the next meeting of the Overview and Scrutiny Committee. The Committee can reject the call-in or they can agree it and refer the decision back to the Mayor, with their recommendations, for his final consideration.

### **Public Engagement at Cabinet**

The main focus of Cabinet is as a decision-making body. However there is an opportunity for the public to contribute through making submissions that specifically relate to the reports set out on the agenda.

Members of the public may make written submissions in any form (for example; Petitions, letters, written questions) to the Clerk to Cabinet (details on the front page) by 5 pm the day before the meeting.

**LONDON BOROUGH OF TOWER HAMLETS**

**CABINET**

**WEDNESDAY, 29 JANUARY 2020**

**5.30 p.m.**

	<b>Pages</b>
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive any apologies for absence.	
<b>2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b>	<b>11 - 14</b>
To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.	
<b>3. UNRESTRICTED MINUTES</b>	<b>15 - 22</b>
The unrestricted minutes of the Cabinet meeting held on 8 January 2020 are presented for approval.	
<b>4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR</b>	
<b>5. OVERVIEW &amp; SCRUTINY COMMITTEE</b>	
<b>5.1 Chair's Advice of Key Issues or Questions</b>	
Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to unrestricted business to be considered.	
<b>5.2 Any Unrestricted Decisions "Called in" by the Overview &amp; Scrutiny Committee</b>	
(Under provisions of Article 6 Para 6.02 V of the Constitution).	

## 6. UNRESTRICTED REPORTS FOR CONSIDERATION

<b>6 .1</b>	<b>Liveable Streets Bethnal Green consultation outcome report</b>	<b>23 - 82</b>
<p><b>Report Summary:</b> This item presents the results of the Bethnal Green Liveable Streets project which was taken to public consultation on Monday 28 October 2019 until Monday 25 November 2019.</p> <p>This item seeks a decision on the next stages of the Liveable Streets project in Bethnal Green.</p> <p><b>Wards:</b> St Peter's; Weavers <b>Lead Member:</b> Cabinet Member for Environment <b>Corporate Priority:</b> All Priorities</p>		
<b>6 .2</b>	<b>Report on the outcome of public representations received in response to the statutory proposal to close Raines Church of England Foundation School</b>	<b>83 - 206</b>
<p><b>Report Summary:</b> This report informs the council of the outcome of the four week period of public representation in response to the statutory notice on the proposal to close Raine's Foundation Church of England School. It recommends for the Mayor in cabinet to consider a decision on whether or not to formally proceed with plans for the School to close on the 31st August 2020. The report includes a summary of representations received and any responses made; risk and opportunities; officer's recommendations; decisions available to the Mayor in Cabinet</p> <p><b>Wards:</b> All Wards <b>Lead Member:</b> Cabinet Member for Children, Schools and Young People <b>Corporate Priority:</b> People are aspirational, independent and have equal access to opportunities</p>		
<b>6 .3</b>	<b>Proposal to consult on the amalgamation of Smithy and Redlands Primary Schools</b>	<b>207 - 260</b>
<p><b>Report Summary:</b> The item proposes a public consultation on the closure of Smithy Street and the expansion of Redlands Schools to enable a decision on the amalgamation of these two schools from September 2020.</p> <p><b>Wards:</b> All Wards <b>Lead Member:</b> Cabinet Member for Children, Schools and Young People <b>Corporate Priority:</b> TH Plan 1: A better deal for children and young people: aspiration, education and skills</p>		

<b>6 .4</b>	<b>Report on the Proposal to consult on the amalgamation of Guardian Angels and St Anne’s Primary Schools</b>	<b>To Follow</b>
<p><b>Report Summary:</b>  This report presents the outcomes of the preliminary stakeholder consultation (pre-statutory) relating to the proposal to establish a single two form entry primary school, through the amalgamation (merger) of Guardian Angels one form entry and St Anne’s 1 ½ form entry Primary schools from September 2020.</p> <p>The report explains the background and reasons for the first stage of the consultation; the responses received with the views of parents, pupils, staff and the general public. It recommends for the Mayor in cabinet to agree to proceed to the next stage of the process, which would be to issue a statutory notice.</p> <p>The report includes a summary of representations received and any responses made; risk and opportunities; officer’s recommendations; decisions available to the Mayor in Cabinet.</p> <p><b>Wards:</b> All Wards  <b>Lead Member:</b> Cabinet Member for Children, Schools and Young People  <b>Corporate Priority:</b> TH Plan 1: A better deal for children and young people: aspiration, education and skills</p>		

<b>6 .5</b>	<b>The Council’s Draft 2020-21 Budget Report and Medium Term Financial Strategy 2020-23</b>	<b>261 - 414</b>
<p><b>Report Summary:</b>  This report sets out the draft budget for the financial year 2020-21.</p> <p>The report reviews and updates the assumptions made in setting the Medium Term Financial Strategy (MTFS) for the years 2019-22 and incorporates a new financial year, 2022-23, to maintain the Council’s three year MTFS. The report includes the Housing Revenue Account and the Capital Programme.</p> <p><b>Wards:</b> All Wards  <b>Lead Member:</b> Cabinet Member for Resources and the Voluntary Sector  <b>Corporate Priority:</b> All Priorities</p>		

**6 .6 Adoption of fixed penalty notices for fly-tipping****415 - 434****Report Summary:**

Fly-tipping is the unauthorised dumping of waste and is a criminal offence under section 33 of the Environmental Protection Act, 1990.

In Tower Hamlets, fly-tipping is a growing problem with a significant negative impact on local environmental quality, borough cleanliness and resident satisfaction.

Regulations introduced in 2016 granted Local Authorities the power to issue fixed penalty notices (FPNs) for fly-tipping offences, with discretion to set the maximum value and level of early payment discount.

This report recommends adoption of the maximum £400 FPN for fly tipping offences, and asks the mayor and cabinet to consider and agree on the level of early payment discount in line with government guidelines. This will provide a more immediate, efficient and proportionate response to tackling fly-tipping across the borough.

**Wards:** All Wards  
**Lead Member:** Cabinet Member for Environment  
**Corporate Priority:** All Priorities

**6 .7 Local Government and Social Care Ombudsman, Determination of Outcome****435 - 458****Report Summary:**

Cabinet will be asked to note the report and action taken by the Housing Options Team to address the concerns raised by the Local Government and Social Care Ombudsman (LGO).

**Wards:** All Wards  
**Lead Member:** Statutory Deputy Mayor and Cabinet Member for Housing  
**Corporate Priority:** A borough that our residents are proud of and love to live in

**Report Summary:**

The Children’s Integrated Commissioning Team, the Clinical Commissioning Group (CCG) and Children’s Social Care (CSC) are working towards establishing a fully integrated Children and Adolescent Mental Health Service (CAMHS) by expanding the current Section 75 (S.75) agreement between Tower Hamlets Council and Tower Hamlets CCG bringing all funding contributions for CAMHS into one expanded S.75 agreement with the CCG from April 2020.

**Wards:** All Wards  
**Lead Member:** Cabinet Member for Children, Schools and Young People  
**Corporate Priority:** People are aspirational, independent and have equal access to opportunities

**Report Summary:**

This report provides an overview of the strategic approach being taken to coordinate and deliver regeneration across the borough. It highlights the context driving regeneration as well as the area based approach currently being adopted by the council through the development of governance structures and delivery plans.

**Wards:** All Wards  
**Lead Member:** Mayor  
**Corporate Priority:** All Priorities

**Report Summary:**

The Council is seeking to confirm two Article 4 directions which would remove planning permitted development rights for the change of use from town centre uses (A1, A2, betting office or pay day loan shop, a mixed use as set out in the legislation) to residential (C3 Use Class) and the change of use from dwellinghouses (C3 Use Class) to small houses in multiple occupation (C4 Use Class).  
 The Article 4 directions would result in the need for planning permission to be obtained for the above changes of use.

**Wards:** All Wards  
**Lead Member:** Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty  
**Corporate Priority:** All Priorities



**7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

**8. EXCLUSION OF THE PRESS AND PUBLIC**

Should the Mayor in Cabinet consider it necessary, it is recommended that the following motion be adopted to allow consideration of any exempt/restricted documents.

“That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the Press and Public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government, Act 1972”.

**EXEMPT/CONFIDENTIAL SECTION (PINK)**

The Exempt / Confidential (Pink) Committee papers in the Agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

**9. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**10. OVERVIEW & SCRUTINY COMMITTEE**

**10 .1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to exempt/confidential business to be considered.

**10 .2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

(Under provisions of Article 6 Para 6.02 V of the Constitution).

**11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

Nil items.

**12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

**Next Meeting of the Committee:**

Wednesday, 26 February 2020 at 5.30 p.m. in C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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# Agenda Item 2

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part C of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer. Tel 020 7364 4800

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 8 JANUARY 2020**

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Brexit)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

**Other Councillors Present:**

Councillor James King	
Councillor Dan Tomlinson	Mayoral Advisor for Highways and Public Realm
Councillor Andrew Wood	(Leader of the Conservative Group)

**Officers Present:**

Allister Bannin	(Head of Strategic and Corporate Finance)
Kevin Bartle	Interim Divisional Director of Finance, Procurement and Audit
Adam Boey	(Senior Strategy & Policy Manager - Corporate)
Stephen Bramah	(Deputy Head of the Mayor's office)
Michael Diop	Communications Officer
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Christine McInnes	(Divisional Director, Education and Partnership, Children's)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Corporate Director, Place)
Will Tuckley	(Chief Executive)
Neville Murton	Corporate Director of Resources
Matthew Mannion	(Head of Democratic Services, Governance)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Amina Ali, Cabinet Member for Adults, Health and Wellbeing
- Councillor David Edgar, Cabinet Member for Environment
- Debbie Jones, Corporate Director, Children and Culture for whom Christine McInnes, Divisional Director, Education and Partnerships was deputising.

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interest.

## 3. UNRESTRICTED MINUTES

### RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 18 December 2019 be approved and signed by the Chair as a correct record of proceedings.

## 4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

There were no announcements.

## 5. OVERVIEW & SCRUTINY COMMITTEE

### 5.1 Chair's Advice of Key Issues or Questions

Councillor James King, Chair of the Overview and Scrutiny Committee provided Cabinet with a brief update on Scrutiny's work and its plans to review the Mayor's draft budget proposals. The Committee had circulated a number of technical questions in relation to the budget which would help their deliberations at their upcoming meeting.

He also highlighted a number of questions in respect of the Fees and Charges report on the agenda in particular around whether the equalities impact assessments were properly looking at the overall impact of the changes rather than just each individual fees increase and also whether increases were being looked at generally to ensure they did not adversely impact the most vulnerable.

The **Mayor** thanked him for the update and agreed to continue these discussions with Overview and Scrutiny.

### 5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

Nil items.



## 6. UNRESTRICTED REPORTS FOR CONSIDERATION

### 6.1 Mayor's Foreword to the Council's Budget Report

The **Mayor** introduced his Foreword to the budget. He highlighted the national and local context for the budget with significant reductions in government financial support whilst the Council was also experiencing large increases in demand for services, especially in adult and children's social care.

However, the budget also set out many areas where the Council was bringing big improvements in support to residents and was succeeding in delivering his manifesto commitments.

#### RESOLVED

1. To note the Mayor's Foreword to the Council's Budget.

### 6.2 The Council's 2020-21 Budget Report and Medium Term Financial Strategy 2020-23

Councillor Candida Ronald, Cabinet Member for Resources and the Voluntary Sector, introduced the Council's draft budget proposals. In particular she highlighted the responses to the Council's budget consultation exercise and how those had been taken account of when drafting the budget proposals.

Members discussed the report and noted a number of issues including:

- The importance of working with Scrutiny especially on the best timing for engagement.
- The importance of clarity on who was responsible for cross-directorate savings proposals.
- The continued need for affordable housing.
- How the budget built on the Good OFSTED rating of Children's Social Care looking to improve the life chances of young people.
- The continued support for skills training for all age groups.
- The need to provide safe, secure communities and to invest in the future.
- That the Council Tax Reduction Scheme was unchanged.
- The level of Reserves was noted.

The **Mayor** welcomed the report. He thanked officers and Members for their hard work in putting the budget together and the improvements to services that had been secured. He then **agreed** the report explaining that it would now be presented to the Overview and Scrutiny Committee for their views. Submissions would be considered at the Cabinet meeting on 29 January before the final budget proposals were agreed and submitted to Council.

**RESOLVED**

1. To propose a draft General Fund Revenue Funding Requirement of £352.846m subject to any changes arising from the technical consultation and the final Local Government Finance Settlement.
2. To propose a Band D Council Tax of £1,060.35 for 2020-21 to be referred to Full Council for consideration.
3. To agree the proposal of an average housing rent increase of 2.7% based on the September 2019 Consumer Price Index plus 1% to take effect from the first rent week of April 2020. This equates to an average rent increase of £2.94 per week for 2020-21.
4. To agree the proposal that the average weekly housing tenanted service charge will increase by 2.7% from the first rent week in April 2020. This is consistent with the new Social Housing rent standard rent policy and will lead to an average weekly increase in tenanted service charges of approximately £0.23.
5. To agree the proposal that the Local Council Tax Reduction Scheme be recommended to Council for consideration, recommending that Council agrees no changes to the current Local Council Tax Reduction Scheme for 2020-21.
6. To note the following:

**The General Fund revenue budget for 2020-21 and Medium Term Financial Strategy 2020-21 to 2022-23**

The initial budget proposals and Council Tax for 2020-21 together with the Medium Term Financial Strategy set out in Appendix 1

**Budget Consultation**

The outcome of consultation with business ratepayers, residents and other stakeholders as set out in Section 3.13 and Appendix 6

**Funding**

The funding available for 2020-21 and the indications and forecasts for future years as set out in Section 3.4.

**Growth and Inflation**

The risks identified from the potential growth and inflation commitments arising in 2020-21 and future years as set out in Section 3.5 & Appendix 3.

**Savings**

New proposed saving items to be delivered in 2020-23 as set out in Section 3.6 and Appendix 4 of the report.

**Financial Risks: Reserves and Contingencies**

The strategic budget risks and opportunities as set out in Section 3.7.

### **Reserves**

The reserves policy and proposed approach to the strategic use of reserves as set out in Section 3.8.

### **Schools Funding**

The position for schools' funding including the Dedicated Schools Budget as set out in Section 3.9.

### **Housing Revenue Account**

The proposals for Housing Rent and Tenanted Service Charge Setting 2020-21 are set out in Section 3.10.

7. To note the Equalities Impact Assessment and specific equalities considerations as set out in Section 4 of the report.

## **6.3 Fees & Charges 2020-21**

Councillor Candida Ronald, Cabinet Member for Resources and the Voluntary Sector, introduced the report. She highlighted that the report set out clearly all the fees and charges and their proposed rates, including where those rates were being increased. Individual Cabinet Members had reviewed the proposals with the relevant Corporate Directors.

During discussion the **Mayor** noted the questions about the timing of the inflation calculation and on the overall equalities impact of the changes proposed. He noted that the report contained equalities information but he proposed that the Overview and Scrutiny Committee should review this area as part of its work programme in the coming year and he would welcome any proposals they had arising from that. On that basis he **agreed** the recommendations.

### **RESOLVED**

1. To approve the proposed increase to discretionary fees and charges by a minimum of CPI (1.7%) or RPI (2.6%) rounded up to the nearest 5p, 10p etc., with effect from 1<sup>st</sup> April 2020
2. To approve proposed increases above CPI 1.7% for the following areas;
  - Arts and Music
  - Parental Engagement and Support
  - Sports & Physical Activity
  - Parking
  - Street Trading
  - Environmental Commercial Services
  - Strategic Planning - CADAP
  - Development Management - Pre-application advice

- Registration of Births, Deaths & Marriages - Marriage & Civil Partnership
  - Idea Stores Learning - Skills Funding Agency contract: non-accredited ESOL courses funded through Adult Community Learning grant
3. To approve New Charges proposed in the following areas;
- Sports & Physical Activity
  - Environmental Commercial Services - HMO Licensing and Animal Welfare
  - Strategic Planning - New Tower Hamlets Local Plan
  - Development Management - Planning Performance Agreement (PPA)
  - Academies - charges for conversions
4. To note the detailed list of proposed changes within

**Health, Adults & Community** as set out in Section 3.2 and **Appendix 1** to the report.

**Children & Culture** as set out in Section 3.3 and **Appendix 2** to the report.

**Place** as set out in Section 3.4 and **Appendix 3** to the report.

**Governance** as set out in Section 3.5 and **Appendix 4** to the report.

**Resources** as set out in Section 3.6 and **Appendix 5** to the report.

5. To note the revised Statutory fees and charges as set out in Appendix 6 to the report with effect from 1<sup>st</sup> April 2020.

#### 6.4 Calculation of Council Tax Base 2020-21

The **Mayor** introduced the report. He noted the phenomenal growth rate in the Borough over recent years and how it was likely to continue in the near future as well. He **agreed** the recommendation as set out.

#### RESOLVED

1. To approve, in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012, that the amount calculated by the London Borough of Tower Hamlets as its Council Tax Base for the year 2020-21 shall be 102,266.

#### 7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

**8. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

**9. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**10. OVERVIEW & SCRUTINY COMMITTEE**

**10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

Nil items.

**10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.


**11. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

Nil items.

The meeting ended at 6.38 p.m.

MAYOR JOHN BIGGS

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<b>Cabinet</b>  29 January 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Ann Sutcliffe – Corporate Director, Place	<b>Classification:</b> Unrestricted
<b>Bethnal Green, Liveable Streets</b>	

<b>Lead Member</b>	<b>Mayor John Biggs</b>
<b>Originating Officer(s)</b>	Dan Jones, Divisional Director, Public Realm Chris Harrison, Programme Director
<b>Wards affected</b>	St Peter’s and Weavers
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	19 November 2019
<b>Reason for Key Decision</b>	Financial Threshold
<b>Strategic Plan Priority / Outcome</b>	Priority 2 – A borough that our residents are proud of and love to live in. Priority 3 – A dynamic, outcomes-based council using digital innovation and partnership working to respond to the changing needs of our borough.

## Executive Summary

On Wednesday 30 October 2019 Cabinet approved the Liveable Streets programme, governance and delivery plan for 17 project areas.

The Liveable Streets programme will make fundamental improvements to roadway infrastructure, open spaces and encourage sustainable travel behaviour for residents, businesses and visitors to Tower Hamlets.

Through an online engagement forum, community meetings, co-design workshops, and liaison with Ward Councillors, the Liveable Streets team created a series of proposals to carry out improvements in the Bethnal Green area. These proposals were presented to the Bethnal Green community for comment through a public consultation from Monday 28 October to Monday 25 November 2019.

The consultation attracted over 2,000 responses. All the proposals gained broad public support, with at least two thirds of all responses falling into ‘supportive’ or ‘very supportive’ categories. Various alternatives were suggested through the consultation period which have been considered by the project team and recommended, where feasible.

This report details the results of the public consultation, the alternatives considered and the reasons why they have or have not been included, seeks approval on the

final design and outlines the next steps.

## **Recommendations:**

For the reasons set out in this report, and having regard to the Council's public sector equality duty The Mayor in Cabinet is recommended to:

1. Receive and conscientiously consider the results of the engagement to date and public consultation of Bethnal Green Liveable Streets.
2. Approve the final scheme design for the Bethnal Green area as part of the Liveable Streets programme (Appendix B).
3. Approve the use of using existing frameworks or term contracts to award an order up to a value of £2.7million for the completion of the works.

## **1 REASONS FOR THE DECISIONS**

- 1.1 This project will make fundamental improvements to infrastructure on the street, public spaces and change the travel behaviour of residents, businesses and visitors to Tower Hamlets. These changes seek to address the following known issues:
  - Air pollution which in areas is at unhealthy levels, affecting children and adults' health and life expectancy
  - Through-traffic which equates to 57% of all vehicle journeys in the area
  - Anti-social behaviour, drug dealing and crime particularly around Arnold Circus and Middleton Green
- 1.2 An extensive engagement process has been undertaken over the past eight months involving residents, businesses, tenant and resident associations, emergency services and internal council services. The outcome of this extensive engagement process shows overall support for the proposals.
- 1.3 As part of the 30 October 2019 Cabinet approval, the decision making for the Liveable Streets programme is:
  - Under £250k – decision to be made by Divisional Director, Public Realm.
  - Over £250k-below £1 million – Decision to be made by Divisional Director, Public Realm in consultation with the Mayor and Lead Member.
  - Over £1 million or significant impact on two or more wards – decision to cabinet for political decision.
- 1.4 Due to the estimated spend of Bethnal Green proposals being £2.7 million this is for Mayor in Cabinet.

## **2 ALTERNATIVE OPTIONS**

- 2.1 Through the public consultation, we have received suggestions and



alternative proposals which have been assessed by the project team for viability and alignment with the Liveable Streets objectives. These options and recommendations can be found in Appendix E.

- 2.2 The key alternative proposals that have not been included are:
- Removal of bus stand on Arnold Circus
  - Closure of Redchurch Street
  - Allowing through traffic on Squirries Street and Warner Place
  - Resident only gates
- 2.3 In summary, these options are either not helping to achieve the aims of the Liveable Streets programme; outside the council control or will not be delivered as part of the initial Liveable Streets scheme but will be considered as we review the scheme after implementation.

### **3 DETAILS OF THE REPORT**

#### **Engagement and consultation**

- 3.1 Starting in April 2019, Tower Hamlets council has been undertaking an extensive engagement process in the Bethnal Green area. This has included (a full report can be found in Appendix C):
- 3.1.1 Early engagement to obtain information about people's travel habits, key issues in the area and suggestions for improvement. This was carried out using an online survey, interactive map, drop-in sessions and meetings with groups in the community. Over 650 local residents responded. A walkabout was carried out with Ward Councillors. Leaflets were delivered to the area, and over 100 stakeholder emails were sent.
- 3.1.2 In June and July 2019, two co-design workshops took place with over 40 attendees. The attendees were presented with plans showing suggestions to improve the area and tackle issues based on feedback from residents, businesses, schools and other stakeholders during early engagement. The workshops consisted of two exercises, the first focussed on reducing rat-running through the area, past schools and residential properties and the second focussed on improving the pedestrian environment, accessibility to public transport and public spaces. Attendees were asked to feedback on the plans to further develop the designs to the desires and needs of the community.
- 3.1.3 Throughout the engagement period, we met with emergency services, council departments, Safer Neighbourhood Teams and Transport for London.
- 3.1.4 A public consultation exercise was carried out from Monday 28 October to Monday 25 November. Consultation packs were delivered to over 10,000 addresses, over 20 social media tweets were made, and the exercise received local press coverage. Emails were sent to 579 people on the Bethnal Green Liveable Streets mailing list on Tuesday

29 October and Thursday 7 November 2019 to encourage participation. Information was also featured in the council's resident newsletter on Thursday 31 October and Friday 15 November which goes out to circa 25,000 residents. Two drop-in sessions were well attended (over 100 residents) on Saturday 9 November and Thursday 14 November 2019. The sessions provided the opportunity for attendees to review the proposals with the project engineers and suggest/discuss any tweaks. The project team also visited schools to discuss the proposals with parents/guardians, attended TRA meetings and other stakeholder meetings.

### **Proposals**

- 3.2 The proposals seek to improve the area for walking, cycling and public transport, improve air quality and help to discourage through-traffic and anti-social behaviour.
- 3.3 The final design proposals can be seen on the map in Appendix B. The objectives are to be achieved through a combination of road closures, traffic directional changes, creation of shared public spaces, greening and safety improvements. The key elements of the final scheme are:
- Pedestrianising Arnold Circus and associated road closures
  - Closure of Gosset Street and Columbia Road junction to vehicles and creation of a new public space
  - Closure of Old Bethnal Green Road, between the Warner Place and Squirries Street
  - Closure of Old Bethnal Green Road, east of the junction with Clarkson Street and streetscape improvements
  - Closure of Punderson's Gardens
  - Closure of Sale Street to vehicles and introduction of an improved public space
- 3.4 The key elements that have changed through the consultation are:
- Closure of Ropley Street
  - Closure on Clare Street, south of junction with West Street and related changes to traffic movements
  - Undertaking a further consultation on the location of the Barnet Grove and Columbia Road closure
  - A school Street on Pollard Street
  - Contra-flow cycling on one-way streets

### **Consultation results and final design**

- 3.5 Over the four-week consultation period we received 2,036 responses to the consultation. The responders included:
- 1370 residents
  - 90 business
  - 200 visitors
  - 296 working in the area and

- 71 not stated

Overall, 1052 responses were received from within the consultation area. A breakdown of each area and each question is provided in Appendix D, Consultation Results. The results from those responding from within the area showed 68% were supportive of the scheme, 18% unsupportive and 14% neutral or don't know.

Communications will be sent to all respondents to the consultation and those living in the area informing them of the outcome.

### **Finance**

- 3.6 The funding of the Bethnal Green area is to be split over the 2019/20 and 2020/21 financial years.
- 3.7 A report was submitted and approved by Cabinet on Wednesday, 25 September 2019 detailing the financial business case for £2 million Capital Investment in the Liveable Streets programme for the financial year 2019/20. Further funding is being identified within the TfL local implementation fund and S106 monies. The total cost of the scheme is estimated to be £2.7million.

### **Governance**

- 3.8 As part of the Cabinet decision on Wednesday 30 October 2019, the decision making for the Liveable Streets programme is:
- Under £250k – decision to be made by Divisional Director, Public Realm
  - Over £250k-below £1 million – Decision to be made by Divisional Director, Public Realm in consultation with the Mayor and Lead Member
  - Over £1 million or significant impact on two or more wards – decision to Mayor in Cabinet for political decision

## **4 EQUALITIES IMPLICATIONS**

- 4.1 The Bethnal Green project will provide enhanced opportunities for vulnerable road users, with one of the main objectives to make it safer and easier to walk and cycle within the borough. All designs will be compliant with the Disability Discrimination Act design guidance. A full EqIA has been carried out for the proposals taking into account the final design and can be found in Appendix F.

## **5 OTHER STATUTORY IMPLICATIONS**

- 5.1 Many of the proposals will require changes to the highway and therefore traffic regulation orders will need to be made. These will be advertised and consulted on in accordance with the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996, or the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 in respect of temporary orders.

- 5.2 As part of the design we will consider Section 17 of the Crime and Disorder Act 1998, to ensure that we do all that is reasonable to mitigate the impacts of crime and disorder, substance misuse and reoffending.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The funding of the Bethnal Green liveable streets programme is estimated at £2.7m and will cover financial years 2019/20 and 2020/22. The spend will be capital in nature.
- 6.2 A report was submitted and approved by Cabinet on Wednesday, 25 September 2019 detailing the financial business case for £2 million Capital Investment in the Liveable Streets programme for the financial year 2019/20. Further funding is being identified within the TfL local implementation fund and S106 monies. This will be utilised to meet any expenditure in 2019/20.
- 6.3 A further £6.401m has been allocated within the capital programme for liveable streets in 2020/21, funded from £1m CIL income and £5.401m capital receipts. The residual Bethnal Green liveable streets expenditure will be spent against this allocation.
- 6.4 At present it is not anticipated to borrow to fund these works. If this were to change when the capital programme is reviewed then there would be a revenue implication from borrowing and in such a case resources would need to be identified to cover this revenue cost before borrowing these monies.

## **7 COMMENTS OF LEGAL SERVICES**

- 7.1 The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996, or the Road Traffic (Temporary Restrictions) Procedure Regulations 1992( in respect of temporary orders) sets out the legal process to be satisfied when making traffic orders. The legal procedure includes provision for calling a Public Inquiry where appropriate. The Road Traffic Regulation Act 1984 section 1, 6 and Schedule 1 sets out the purposes for which a Road Traffic Regulation Order may be made. Legal services will provide advice in relation to each such Order at the time that they are proposed to be made.
- 7.2 This report seeks the authority of Cabinet to receive the results of the engagement and consultation exercise undertaken to date in respect of the Bethnal Green Liveable Streets programme set out in paragraph 3.1 and evidenced in Appendix C, and to approve the final scheme design. Further, Cabinet is asked to approve the use of using existing frameworks or term contracts to award an order to finance the completion of the works as set out in paragraph 6.1.
- 7.3 The common law provides that a public body must adopt a fair procedure to decision-making to ensure that members of the public, affected by a potentially adverse decision, are given a fair and informed opportunity to

make representations and provide their comments before the decision comes into effect. If a public body embarks on a consultation procedure, the outcome of which may be to deprive someone of a benefit that they previously enjoyed, then the common law imposes basic criteria that must be satisfied in order for that procedure to be considered lawful and fair.

- 7.4 The case of *R. v Brent London Borough Council, ex. p. Gunning* [1985] 84 LGR 168 established the following basic criteria (now known as the Sedley criteria), that all fair consultations must satisfy:
1. consultation must be undertaken at a time when proposals are still at a formative stage;
  2. sufficient reasons must be given for any proposal to allow an intelligent consideration of and response to the proposal;
  3. adequate time must be given for consideration and response; and
  4. responses must be conscientiously taken into account in finalising any proposal.
- 7.5 It is also worth noting that more recent case law has suggested that "consulting about a proposal does inevitably involve inviting and considering views about possible alternatives," and "sometimes... discarded alternative options."
- 7.6 Paragraph 3.1 and Appendix C of the report sets out the extent of the consultation exercise undertaken and demonstrates a fair and legally robust process. Further, paragraphs 2.1-2.3 of the report and Appendix E set out the assessment of the alternative options undertaken and that "intelligent consideration" was provided by the Council in its review and account of consultation responses. Full reasons are provided where particular options are not being pursued which demonstrates the fairness of the consultation process thereby satisfying the legal tests set out in paragraph 7.4 above.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

Appendix A – Consultation document  
Appendix B – Final design map  
Appendix C – Engagement process

Appendix D – Consultation results  
Appendix E – Alternatives considered  
Appendix F – EQIA

**Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None

**Officer contact details for documents:**

Chris Harrison – Liveable Streets Programme Director



**LOVE**  
YOUR  
NEIGHBOUR  
HOOD



TOWER HAMLETS

# LIVEABLE STREETS BETHNAL GREEN

Liveable Streets is a multi-million pound borough-wide street and public space improvement programme. The residents of Tower Hamlets deserve quieter, safer and less polluted streets.

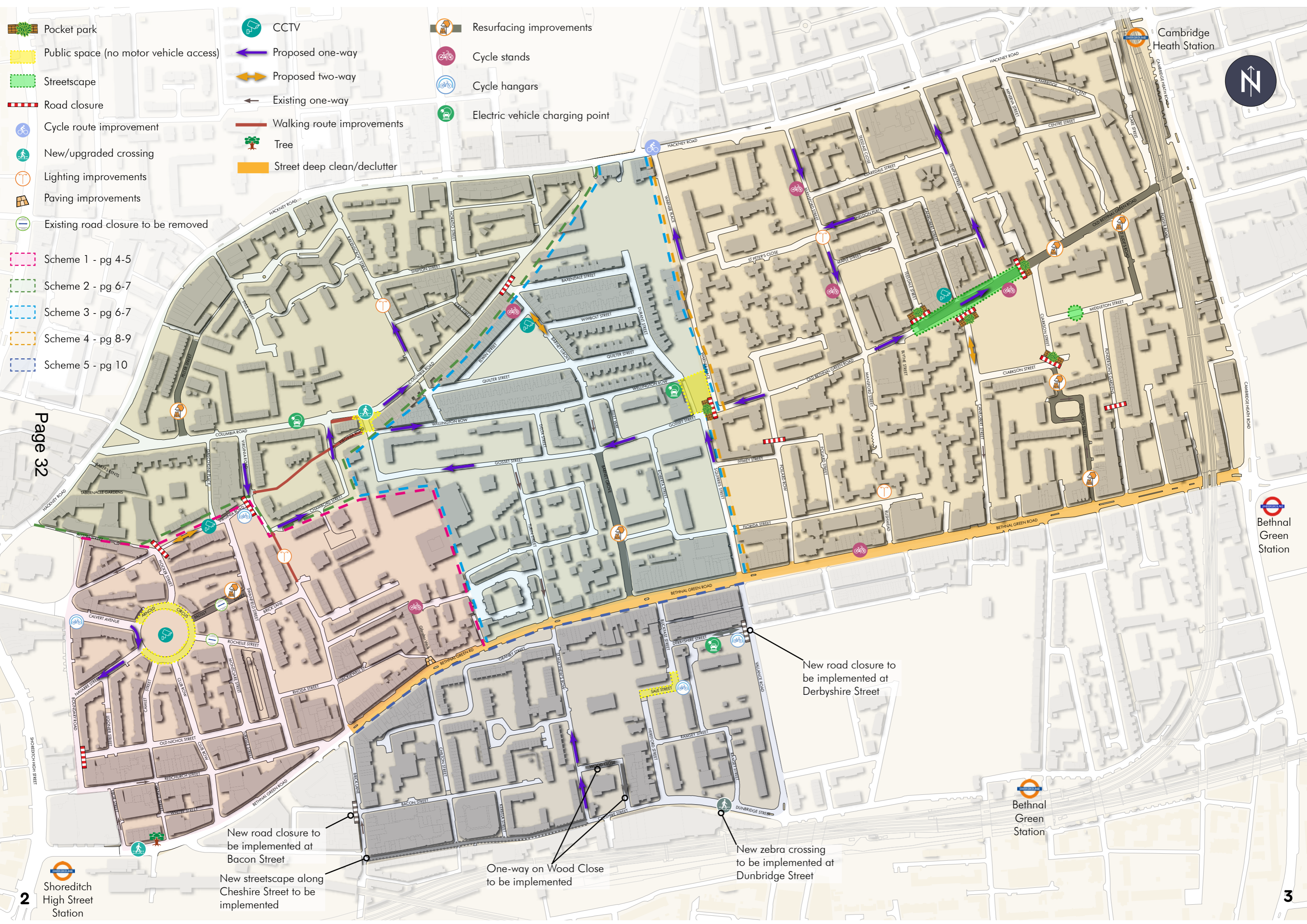
We've listened to your concerns on issues including:

- Air pollution which in areas is at unhealthy levels, affecting children and adults' health and life expectancy
- Through-traffic which equates to 57% of all vehicle journeys
- Anti-social behaviour, drug dealing and crime in Arnold Circus and Middleton Green

This booklet contains our proposals to help tackle these problems. Let us know what you think before **Monday 25 November 2019**.



Artist's Impression of Arnold Circus proposals



- Pocket park
- Public space (no motor vehicle access)
- Streetscape
- Road closure
- Cycle route improvement
- New/upgraded crossing
- Lighting improvements
- Paving improvements
- Existing road closure to be removed
- Scheme 1 - pg 4-5
- Scheme 2 - pg 6-7
- Scheme 3 - pg 6-7
- Scheme 4 - pg 8-9
- Scheme 5 - pg 10

- CCTV
- Proposed one-way
- Proposed two-way
- Existing one-way
- Walking route improvements
- Tree
- Street deep clean/declutter

- Resurfacing improvements
- Cycle stands
- Cycle hangars
- Electric vehicle charging point



New road closure to be implemented at Bacon Street  
 New streetscape along Cheshire Street to be implemented

One-way on Wood Close to be implemented

New zebra crossing to be implemented at Dunbridge Street

New road closure to be implemented at Derbyshire Street



# BETHNAL GREEN

## What's happened so far?

We heard from over 650 local residents during our early engagement in May, who told us about the issues in Bethnal Green and what they wanted to see improved. You gave us your feedback through our online survey, interactive map, drop-in sessions, councillor meetings and meetings with groups in the community.

## What is being proposed?

Following the workshops, five new schemes are being proposed which will improve the area for walking, cycling and public transport, improve air quality and help discourage through-traffic and anti-social behaviour. The map on pages 2 and 3 shows an overview of the project area and five schemes for consultation, you can find out more details on the proposals for each area in this booklet.

## Why are these proposals important?

Every day there are over 21,000 journeys within Bethnal Green area. Of these, 57% are vehicles travelling through the area and not stopping. This means over 11,000 journeys are from non-residents of the local area and these vehicles are contributing to the already unacceptable level of air pollution on your street, outside your schools and around your local shops. These vehicles bring additional noise, road danger and anti-social behaviour which make your streets feel unsafe for walking and cycling.

The Liveable Streets proposals will help improve air quality, road safety and give the streets back to the residents. However to achieve this some local residents who want to drive may have to travel longer distances.

## IMPROVING PUBLIC SPACE

Residents have long suggested that Arnold Circus should become a new public space for all to enjoy. To improve the area for pedestrians and to allow for a vibrant community space we are proposing to close the area to motorised vehicles except for the section between Calvert Avenue and Navarre Street. This will stop through-traffic in this area and allow for new seating, play areas, more trees and better street lighting. These improvements will also help to tackle drug dealing and anti-social behaviour, particularly in the Boundary Estate area. Additionally, new CCTV will be put up in the area.

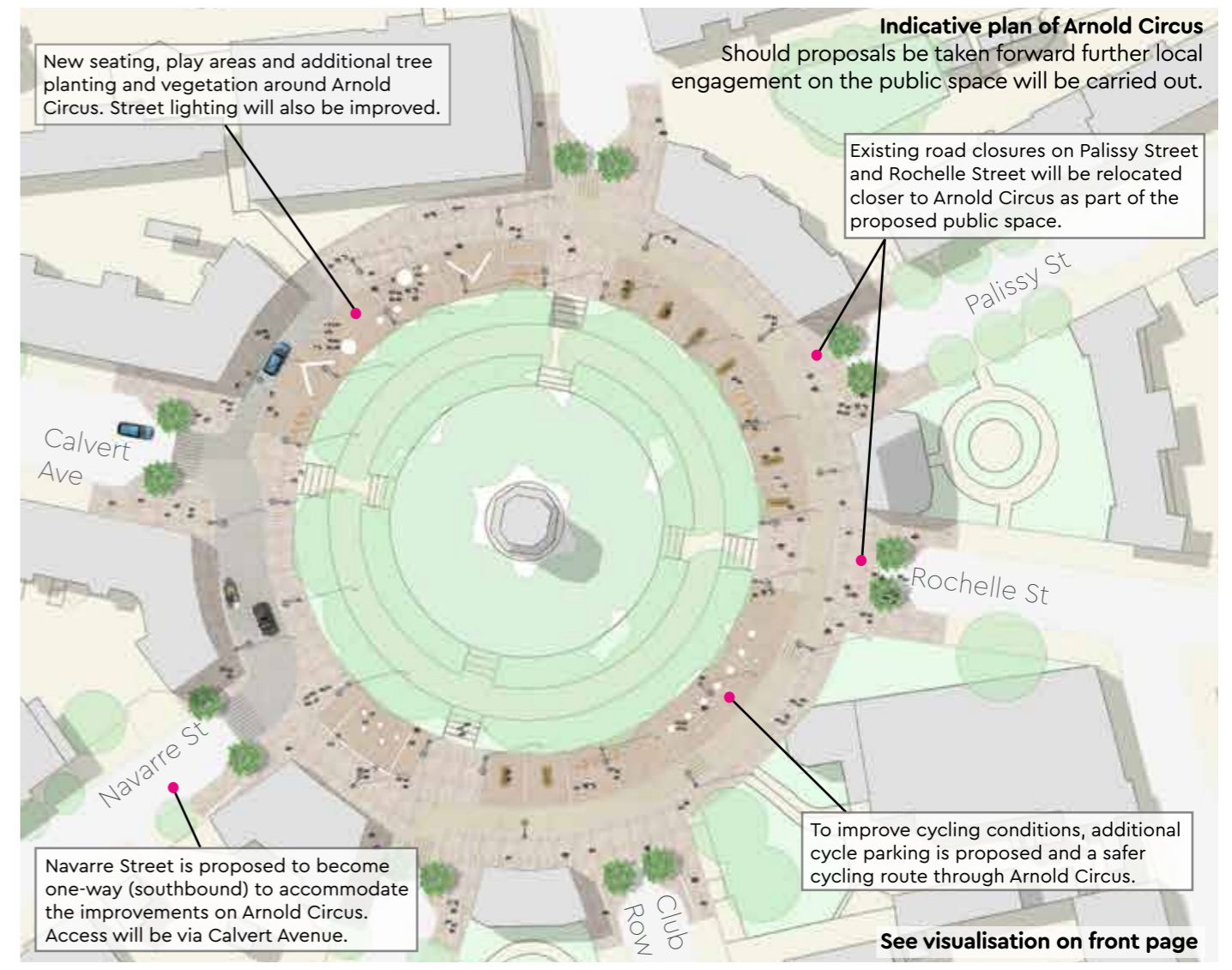


**You said:**  
**"Arnold Circus should be closed to traffic and become a pedestrian and cycling area."**  
 See below for changes to traffic and improvements.

## ROAD CLOSURES

To help make room for the new public space, we are proposing several road closure points. These will give access to pedestrians and cyclists but will prevent the 2,400 journeys who currently cut through Arnold Circus, helping improve air quality in the area and making it quieter and safer. We will ensure there is no net parking loss across controlled parking zones A1 and A5.

# SCHEME 1



# SCHEME 2

## PUBLIC SPACE

We have listened to your comments about the narrow footways, excessive guardrailing and difficulty of crossing outside the junction of Columbia Road and Gosset Street and so we are proposing a new public space. This would be a space the whole community could enjoy, with new planting and seating and improved air quality.

To help prevent 4,000 vehicles travelling through your neighbourhood each day (Schemes 2 and 3), we are proposing two road closures on Columbia Road; at the junctions with Gosset Street and at the junction with Barnet Grove. Less traffic allows us to make improvements to the public space, alongside walking and cycling environments.

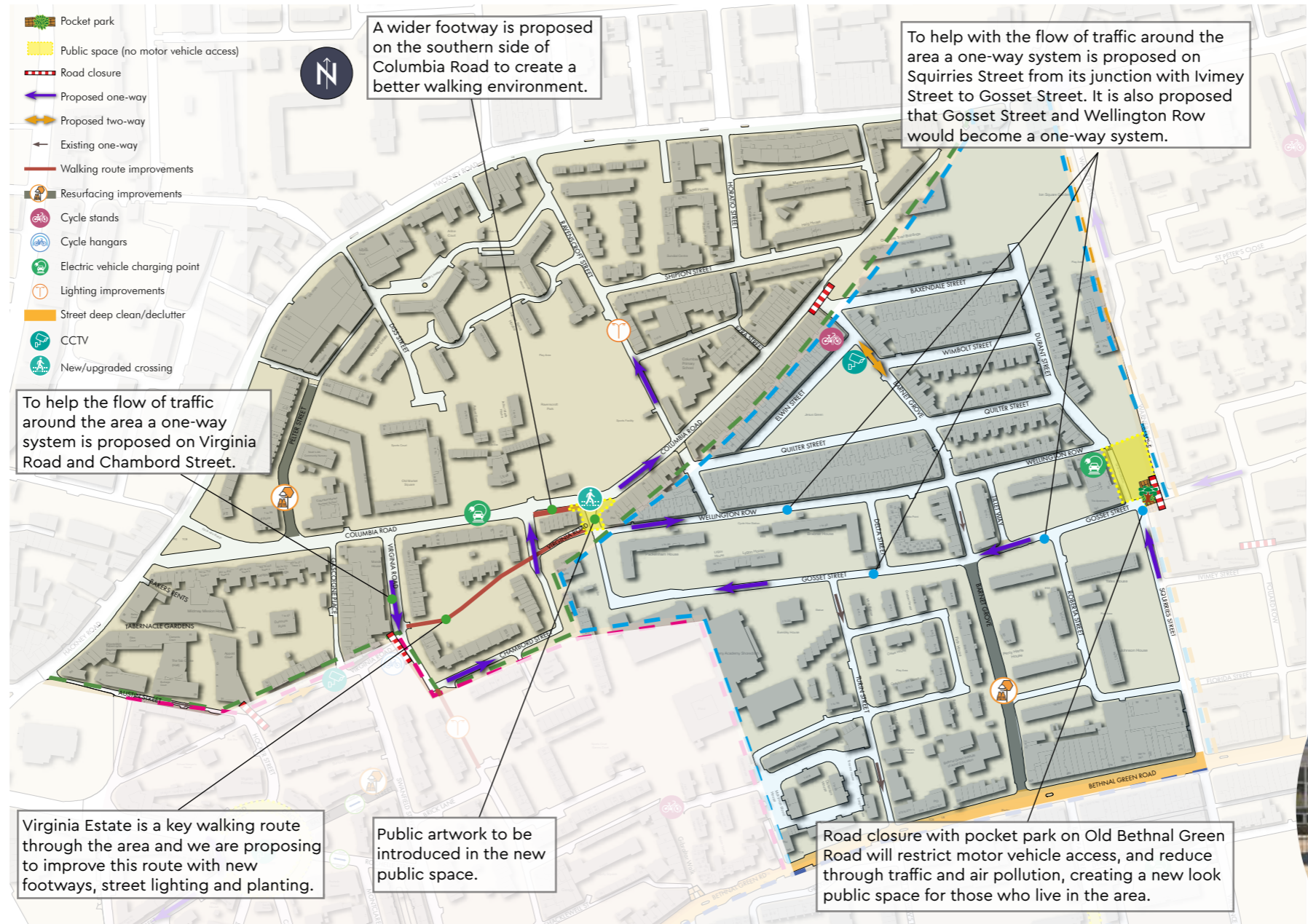
Page 34

Pollution levels inside a car can be twice as much as those on the street

NOW



4,000 vehicles travelling through this area each day



Proposed Scheme 2 Columbia Road Visualisation



Proposed Scheme 3 Warner Place Visualisation

# SCHEME 3

## WALKING AND CYCLING IMPROVEMENTS

One of the main through-traffic routes in the area is between Hackney Road and Bethnal Green Road via Squirries Street and Warner Place. Over 2,000 vehicles use this route every day as a cut through adding to congestion, poor air quality and road safety problems. We propose to implement a road closure on Gosset Street to remove access for motor vehicles and prioritise those walking and cycling.

Changes to the way traffic moves around the area are also proposed to improve road safety and air quality in an area where children and families walk every day to the nearby infant school.



"There is far too much rat running traffic using Squirries Street, Gosset Street, Pollard Row and Warner Place to get between Bethnal Green Road and Hackney Road." See Warner Place visualisation for changes to road layout.

## PUBLIC SPACE

Residents told us they wanted the area around Warner Place, Gosset Street and Squirries Street to be improved with more trees and a nicer public space for people to enjoy. We are proposing a new pocket park at the junction of these streets which will include new planting and seating.

# SCHEME 4

## ROAD CLOSURES AND STREETScape

We are proposing a transformation of the central part of Old Bethnal Green Road. This will reduce the daily 7,900 through-traffic journeys made by drivers who don't stop locally; improving air quality and road safety.

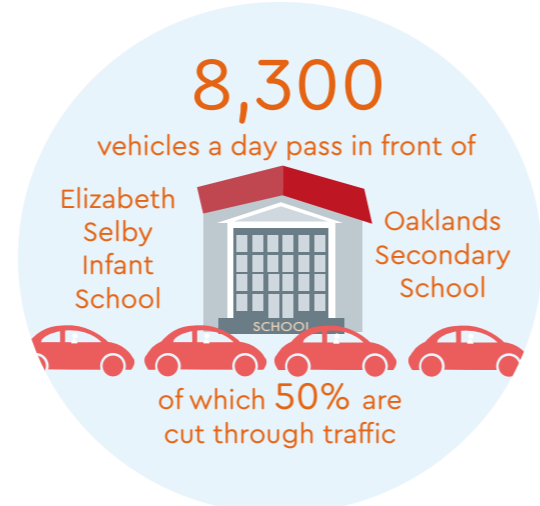
But, we don't just want to remove traffic - we propose investing heavily in this area by widening footways, planting trees, providing new seating, and creating three new pocket parks. This will link Middleton Green with nearby shops significantly changing the look and feel of this part of Bethnal Green for the better. These improvements will also help to tackle anti-social behaviour and crime around Middleton Green.



Have your say at [www.towerhamlets.gov.uk/liveablestreets](http://www.towerhamlets.gov.uk/liveablestreets)

Proposed Old Bethnal Green Road Visualisation

You said:  
**"Old Bethnal Green Road should be filtered to reduce cars travelling through the area and past the schools."**  
 See below for road closures.



## WALKING AND CYCLING IMPROVEMENTS

Creating wider footways, new seating areas, additional planting and improving street lighting will make people feel safer and enjoy walking through the area. The proposed traffic changes as well as a contraflow cycle lane will improve the cycling environment along Old Bethnal Green Road.



Children in Tower Hamlets have up to 10% less lung capacity than the national average because of air pollution.



Proposed Old Bethnal Green Road Plan

# SCHEME 5

## PUBLIC SPACE

To tackle anti-social behaviour we are proposing changes around Sale Street to create a safe community space for residents and visitors to enjoy, while removing through-traffic and improving air quality.

Currently, Sale Street is mainly used by cyclists and for parking cars. A new pocket park is proposed next to St Matthews Church with seating areas and improved street lighting which will create a safer feel in the area

and discourage anti-social behaviour. The proposal also includes plants to help filter any excess surface water. This will increase the biodiversity, improve the air quality and make the area look better.

## WALKING AND CYCLING IMPROVEMENTS

New cycling routes and cycle parking facilities, improved street lighting, better, more levelled pavement surfaces and more seating will create an improved walking and cycling environment.



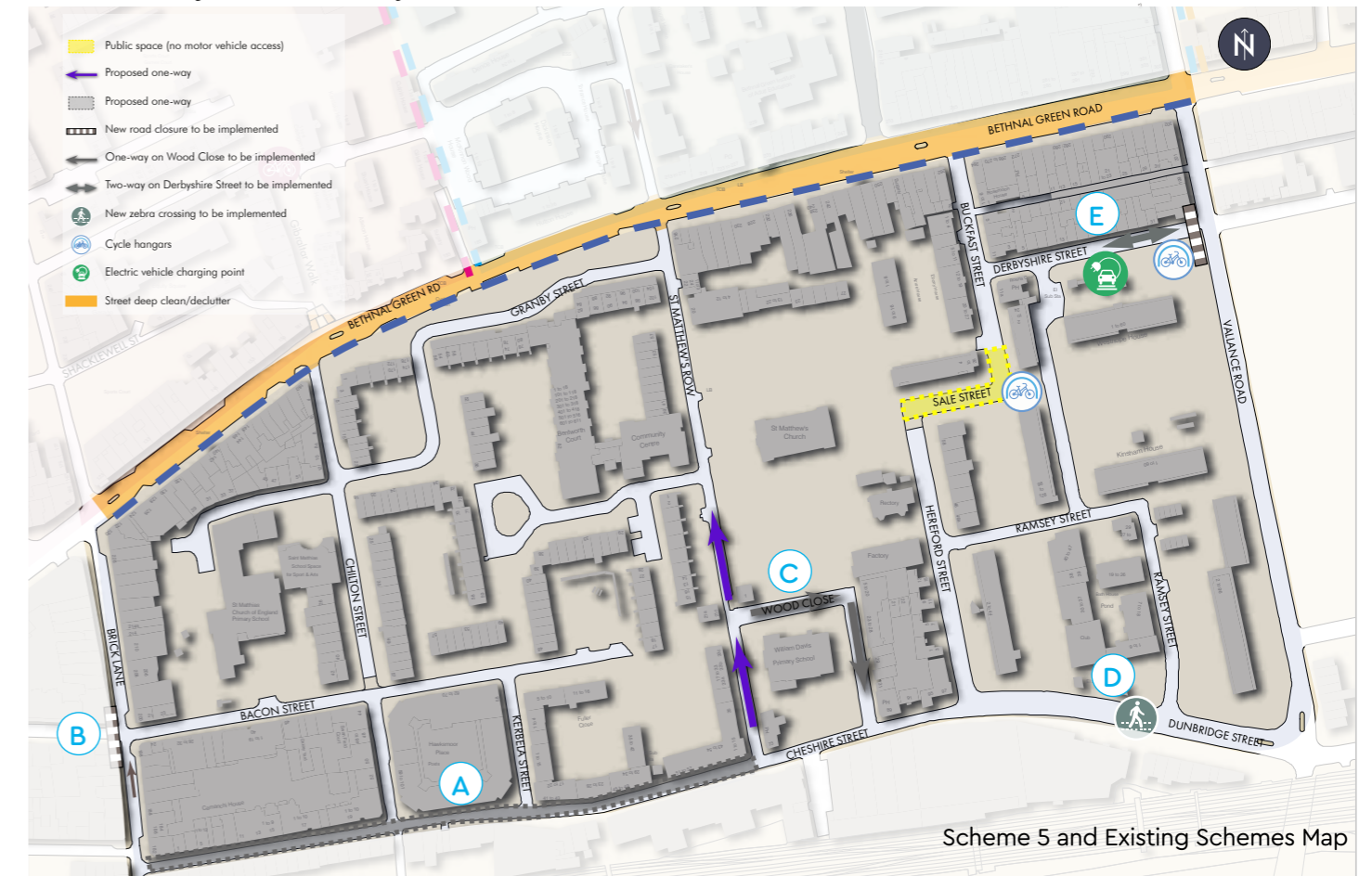
# COMPLEMENTARY MEASURES

A number of maintenance issues and small local improvements have been brought to our attention by residents. As part of the scheme we are pleased to be able to address a number of these, which include:

- CCTV - additional CCTV cameras are proposed in anti-social behaviour hotspots.
- Decluttering of Bethnal Green Road - unnecessary street furniture will be removed and a deep clean of pavements and remaining street furniture will take place.
- Street Lighting - over the next two years the street lighting across the whole area will be updated with new energy saving LED lights. In addition, in areas like Ducal Street new lighting columns are proposed to improve visibility and safety in the area.
- Cycle parking - a further 100 cycle stands are proposed in the area of Bethnal Green to ensure that those passing shops, going to school, or visiting friends have somewhere to lock their bike.
- Secure cycle parking for residents (Cycle Hangars) - more hangars are proposed in the area so residents have secure parking for their bicycles.
- Trees - as part of the proposals we shall be planting an extra 50 trees in the area.

# EXISTING SCHEMES TO BE IMPLEMENTED

As a result of previous consultations there are some existing schemes which will be implemented in the area. **Cheshire Street (A)** will benefit from a widened pavement outside the shops, new seating areas, tree planting and improved street lighting. As well as, a pocket park on the corner of Kerbela Street and improved walking and cycling routes with more cycle parking facilities. A road closure will be implemented on **Bacon Street (B)**, west of Brick Lane. A one-way system will be introduced on **Wood Close (C)**. An additional pedestrian crossing will be implemented on **Dunbridge Street (D)** next to its junction with Ramsey Street. A two-way system will be introduced on **Derbyshire Street (E)** between Buckfast Street and Vallance Road with a road closure at the junction of Derbyshire Street with Vallance Road.



# HAVE YOUR SAY

Please provide your feedback by **Monday 25 November 2019**

## Take part in the consultation:

We hope that you like the proposals and understand how they have been designed in order to benefit those who live in and visit Bethnal Green. It is important that you have the opportunity to have your say so that we can best reflect how the local community would like to see their area improved.

## Have your say:

- Come and join us at one of the drop-in sessions (see back page for details)
- Fill in the survey included in this booklet and send it back using the freepost addressed envelope enclosed
- Visit [www.towerhamlets.gov.uk/liveablestreets](http://www.towerhamlets.gov.uk/liveablestreets) to find out more information
- You can also email us at: [liveablestreets@towerhamlets.gov.uk](mailto:liveablestreets@towerhamlets.gov.uk)

## What happens next?

Your views are important to us. We want everyone who lives, works and studies in the area to have their say on the proposed changes. This document is also available online at [www.towerhamlets.gov.uk/liveablestreets](http://www.towerhamlets.gov.uk/liveablestreets)

# HAVE YOUR SAY LIVEABLE STREETS

Your views are important to us. We want everyone who lives, works and studies in the area to have their say on the proposed changes.

## **Come and speak with us at one of our drop-in events:**

- Saturday 9 November, 10am to 12noon
- Thursday 14 November, 5pm to 7pm

**Venue:** Professional Development Centre  
229 Bethnal Green Road, London E2 6AB

## **For more information visit:**

[www.towerhamlets.gov.uk/liveablestreets](http://www.towerhamlets.gov.uk/liveablestreets)

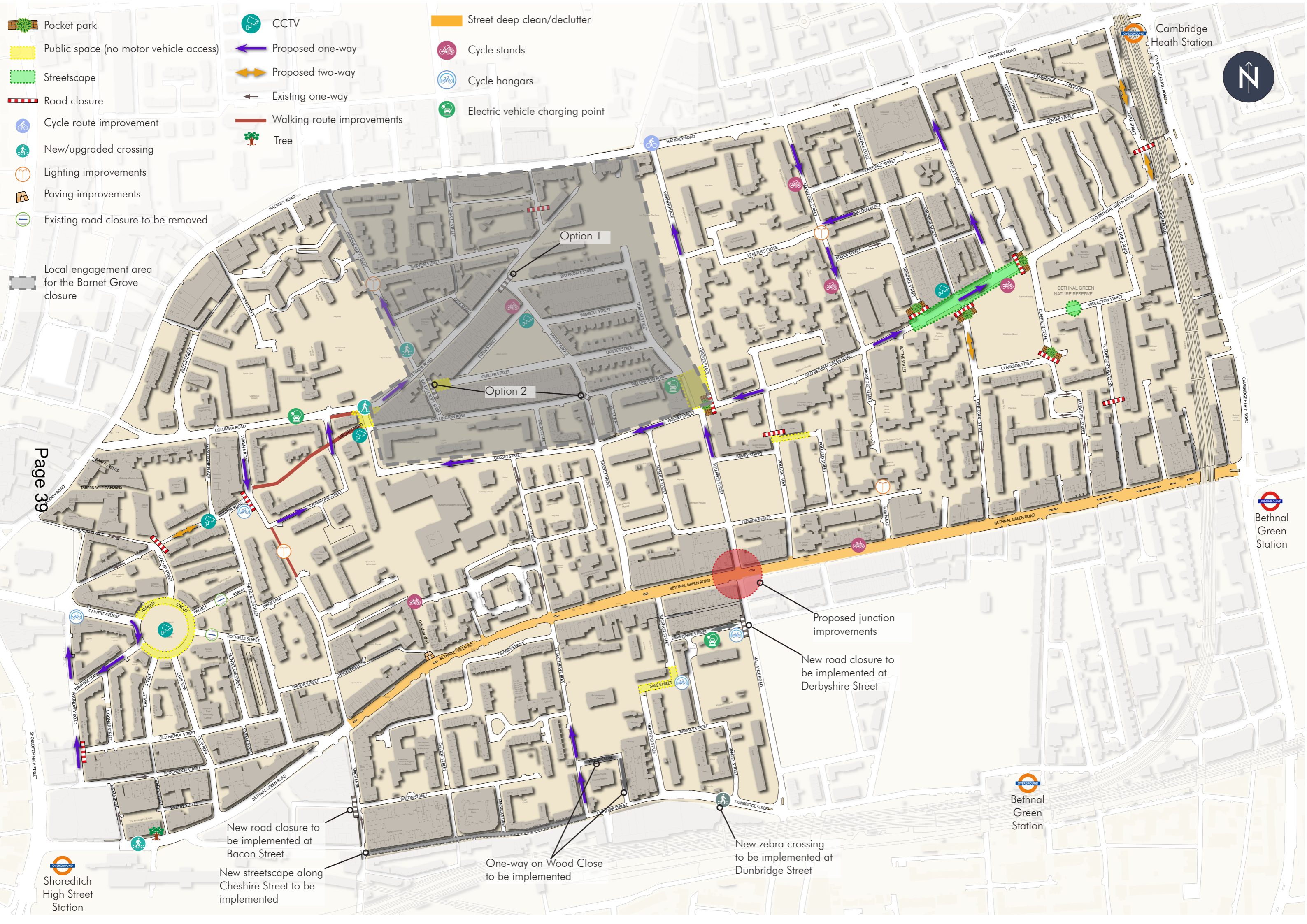
## **Contact us at:**

[liveablestreets@towerhamlets.gov.uk](mailto:liveablestreets@towerhamlets.gov.uk)

If you require information in another format, email us at the address above.



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- Pocket park
- Public space (no motor vehicle access)
- Streetscape
- Road closure
- Cycle route improvement
- New/upgraded crossing
- Lighting improvements
- Paving improvements
- Existing road closure to be removed
- Local engagement area for the Barnet Grove closure
- CCTV
- Proposed one-way
- Proposed two-way
- Existing one-way
- Walking route improvements
- Tree
- Street deep clean/declutter
- Cycle stands
- Cycle hangars
- Electric vehicle charging point



New road closure to be implemented at Bacon Street

New streetscape along Cheshire Street to be implemented

One-way on Wood Close to be implemented

Proposed junction improvements

New road closure to be implemented at Derbyshire Street

New zebra crossing to be implemented at Dunbridge Street



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## Bethnal Green Liveable Streets

### Appendix C – Consultation and engagement delivery

This document outlines the consultation and engagement processes for the Liveable Streets programme in the Bethnal Green area. Through this approach the Council has developed proposals based on the feedback from residents and businesses of the Bethnal Green area, which also meet the aims and objectives of the Liveable Streets programme.

The Bethnal Green project area consists of five schemes which aim to improve the look, feel and safety of the area for all users, as well as reducing traffic travelling through the area on residential streets.

The Council has followed an eight stage approach to deliver the Liveable Streets programme, shown in the table below.

Phase 1	Early Engagement – Perception survey to understand the issues in the area
Phase 2	Concept Design – Development of the concepts based on early engagement feedback
Phase 3	Workshops – Co-design workshops with residents and key stakeholders
Phase 4	Preliminary Design – Development of design based on workshop feedback
Phase 5	Public Consultation – Consultation of the proposed design
Phase 6	Detailed Design - Design of chosen scheme based on consultation feedback
Phase 7	Construction – Build on-site with consideration to construction impacts
Phase 8	Review – 3 year review of implemented schemes

#### Phase 1 – Early Engagement

Through our online survey, interactive map, drop-in sessions and meetings with groups in the community, we heard from over 663 local residents. Some of the key things people told us they wanted were improvements to public space, improved cycling conditions and traffic changes.

- Online survey and interactive map – 23 April - 21 May
- Drop-in sessions – 11 May & 14 May

The full report for the early engagement can be found on the Tower Hamlets Liveable Street webpage.

### **Phase 2 – Concept Design**

Following the early engagement, and undertaking a number of surveys including traffic counts, collision studies and air quality monitoring we developed up a concept design that would fit into the objectives of the Liveable Streets Programme.

### **Phase 3 – Workshops**

On the 27<sup>th</sup> June and 2<sup>nd</sup> July the Council held workshops with residents in Bethnal Green.

The aims of the workshops were for residents to:

- Raise awareness of the programme
- Provide feedback on the early engagement and survey work undertaken
- Understand further the issues and concerns in the area from residents
- Discuss potential proposals and receive feedback
- Discuss aspirations for the area that can be included in the programme.

The workshops were very productive and informative. Issues and opportunities were actively debated amongst the groups and the Council received many constructive suggestions on how to improve the scheme and the area overall. Attitudes and opinions varied across the two workshops. All the information received through the exercises was collated and has fed into the development of a scheme which was then put to consultation.

### **Phase 4 – Preliminary Design**

Taking details from all the previous stages we further developed the traffic layout, and details ready for public consultation.

### **Phase 5 – Public Consultation**

The Bethnal Green consultation began on Monday 28 October 2019 and ran until Monday 25 November. Consultation packs, which consisted of an information booklet, paper survey and freepost envelope, were delivered to the 10,561 properties within consultation area. The deadline for feedback was 25 November 2019, although feedback received up to two days after this deadline was still be considered, where possible. Additional packs were made available at the Bethnal Green Library.

## **Bethnal Green Liveable Streets Consultation Report**

During the consultation, the Liveable Streets team carried out a number of activities, public events and met with key stakeholders. A summary of the activities for the project area are shown below.

- Drop-in events were held at the Professional Development Centre, 229 Bethnal Green Road on:
  - Saturday 9 November, 10am-12pm
  - Thursday 14 November, 10am-12pm
- Drop-in event was held at Shahporan Masjid, and additional consultation packs were provided.
- Emails were sent out via the Tower Hamlets Communications Team email distribution system on 29 October and 7 November to key stakeholders and project subscribers, inviting them to take part in the consultation.
- Meeting with the Columbia TRA
- Meeting with the Nags Head TRA
- Meeting with the Friends of Arnold Circus
- Meeting with the Rochelle site managers
- Meeting with the Hollybush TRA
- Meeting with residents of JHERA
- Comments and queries to the dedicated e-mail address [liveablestreets@towerhamlets.gov.uk](mailto:liveablestreets@towerhamlets.gov.uk) which was listed on the consultation packs, website and business cards
- Individual meetings were held with local representatives of the Fire, Police and ambulance service.

We met with the Police SNT on the 21<sup>st</sup> October, the Fire service on 24<sup>th</sup> October and with the LAS on 23<sup>rd</sup> October.

They are supportive of the proposals and wish to continue to engage in the process going forward.

- Consultation with the Tower Hamlets Refuse
- Consultation with the Tower Hamlets Markets team

Please note: A follow up consultation pack was delivered to the market traders of Columbia Road.

- We visited several schools for coffee mornings and to hand out flyers in the morning and afternoon. We spoke to parents at pick-up and drop-off times and offered meetings to all schools in the area. In addition, we also supplied written content for inclusion in school newsletter including:
  - William Davis Primary School
  - Columbia Primary School
  - Virginia Primary School
  - Oaklands Secondary School
  - Elizabeth Selby Primary
  - Lawdale Junior School
  - Bethnal Green Monessori School
- The Tower Hamlets Liveable Streets landing page provided a link to the dedicated Bethnal Green webpage with online survey hosted on PCL Consult, [www.pclconsult.co.uk/liveablestreetsbethanalgreen/consultation](http://www.pclconsult.co.uk/liveablestreetsbethanalgreen/consultation). 1,716 people completed the online survey.
- Several Tweets and Facebook posts were published by Tower Hamlets to encourage people to respond.

### **Phase 6 – Detailed Design**

Following the public consultation, the results and feedback will be considered. This will be taken to the cabinet on the 29<sup>th</sup> January for final decision. Once this decision is made the proposal will be developed in more detail ready for build.

### **Phase 7 - Construction**

If approval is awarded construction will begin in May 2020 and run for approximately 12 months. The implementation will be through an experimental traffic order.

### **Phase 8 - Review**

Should the project be implemented, traffic levels and feedback on the schemes will be monitored in the area. A review will commence between six and 18 months after full implementation.

## Bethnal Green Liveable Streets

### Appendix D – Consultation Results

This report details the responses received for the Bethnal Green Liveable Streets public consultation and responses from those within the consultation area.

**Section 1** provides a summary of the overall respondents to the consultation, whether they identify themselves as a resident, business owner/worker, or visitor and how they travel around the area.

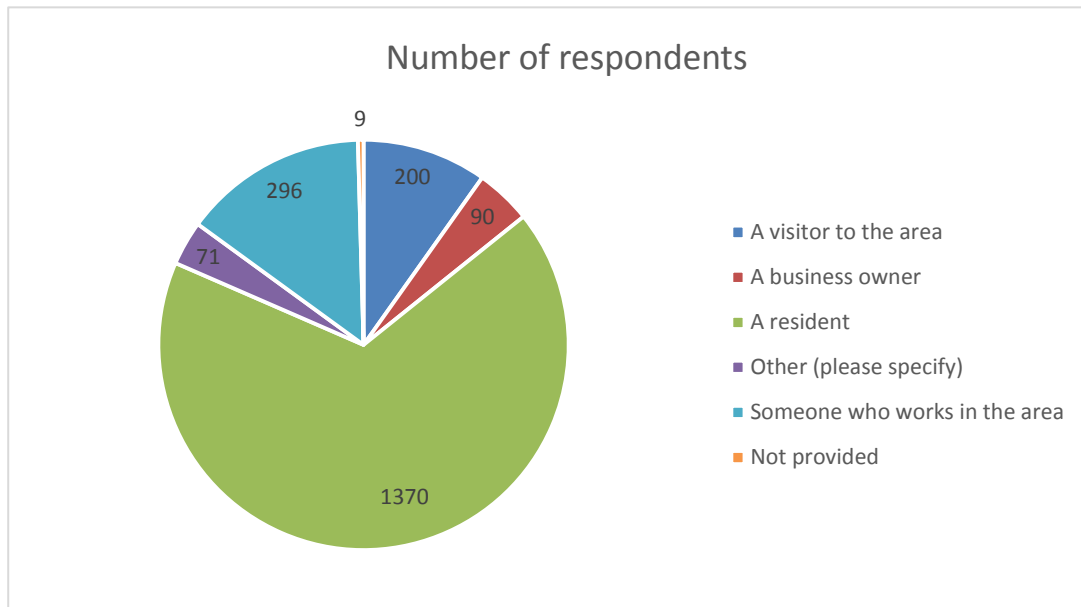
**Section 2** breaks down the results by scheme area. For each scheme we have analysed the results from all respondents, respondents within the consultation area and respondents who live in each scheme area.

**Section 3** provides further analysis of responses plus responses to questions unrelated to specifics proposals.

## 1. SECTION 1 – RESPONDENTS

This section provides a summary of the respondents to the consultation and how they travel around Bethnal Green. There was a total of 2036 responses to the consultation.

### 1.1 Number of respondents



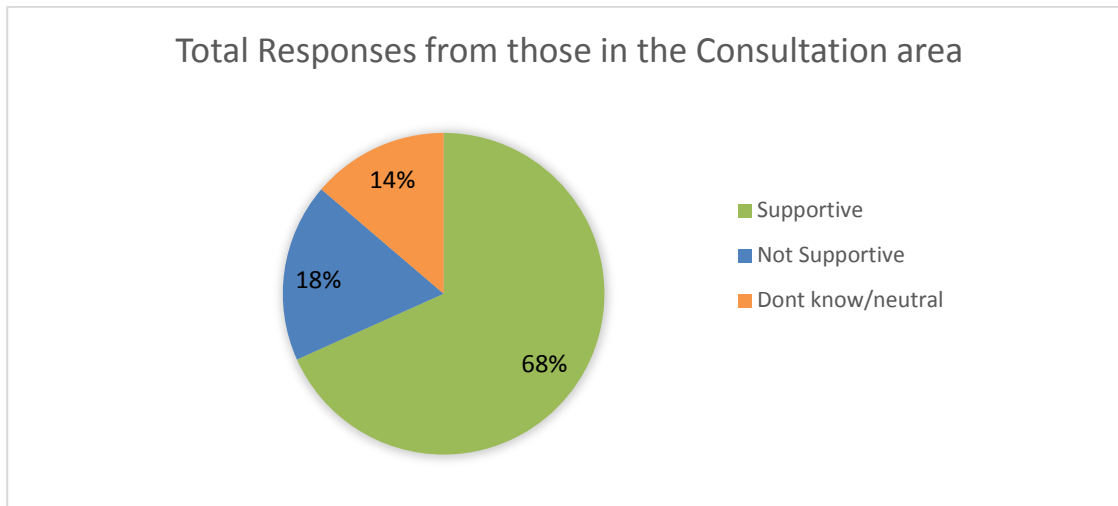
2,036 people answered this question. 1,370 responses were received by people who identified themselves as residents although they may not live within the consultation area.

### 1.2 Responses within the area

Overall 1052 responded from within the consultation area, this has been further analysed in section 2 of the report.

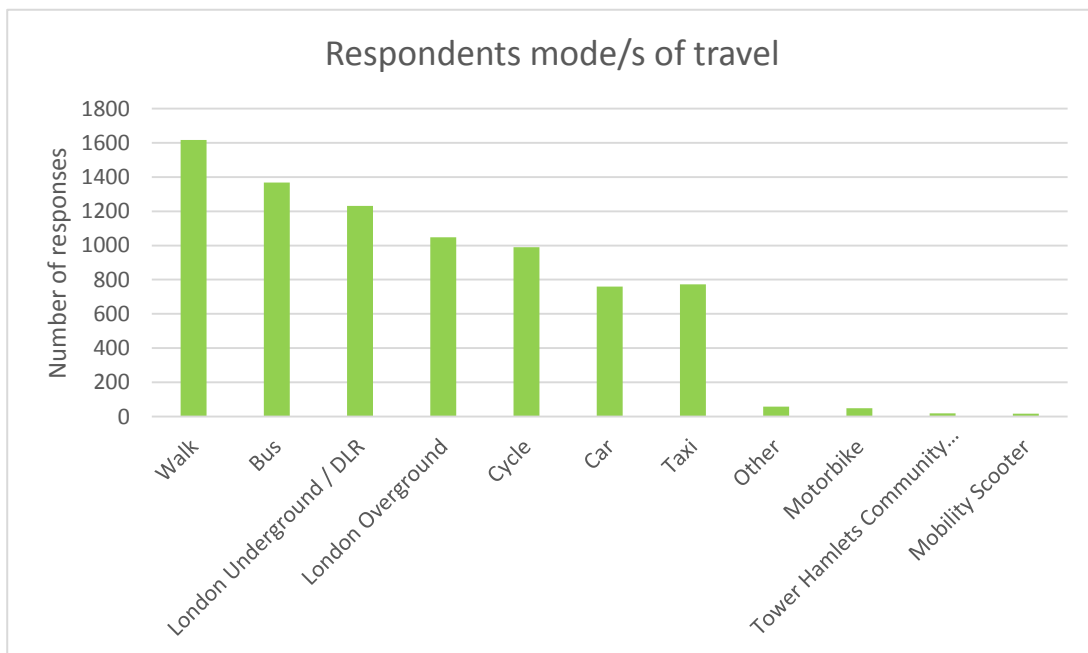
### 1.3 Overall response

Taking each response from every question from respondents in the consultation area shows that 68% are supportive of the Liveable Streets proposals across the area.



#### 1.4 Mode of travel in Tower Hamlets

The graph below shows how respondents travel. Respondents could choose more than one option



## 2. SECTION 2 – SCHEME RESULTS BREAKDOWN

For each scheme the results have been broken down into the following categories:

- All responses received
- Responses from those in the consultation area
- Responses from those in each scheme area

### 2.1 Scheme 1 – Arnold Circus area

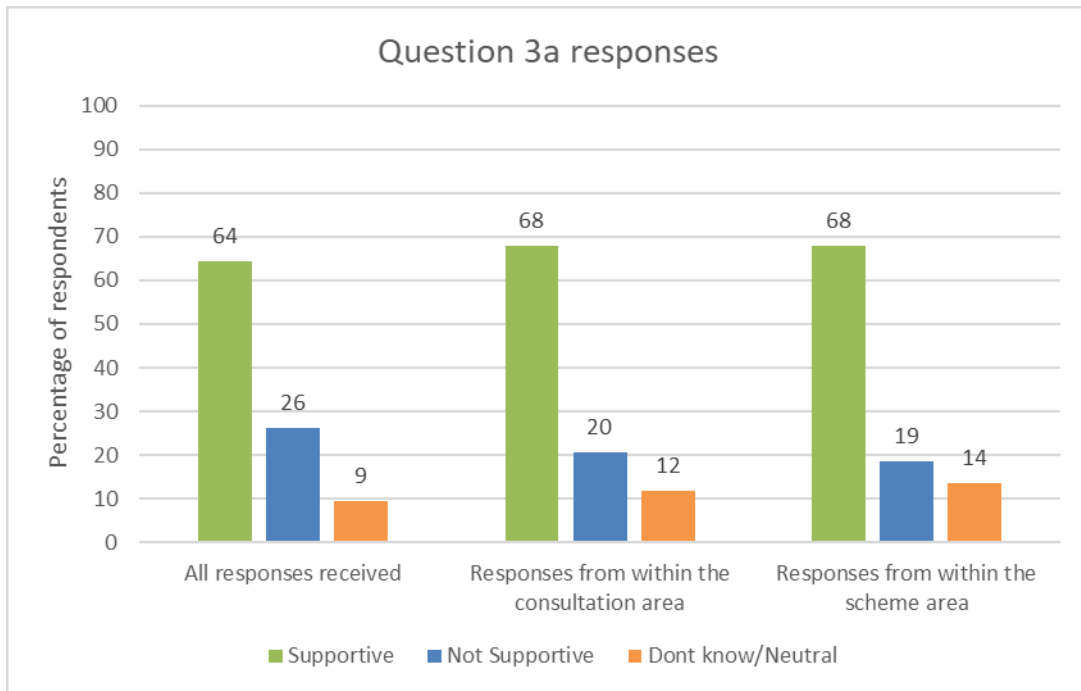


#### 2.1.1 Question 3a

How supportive are you of the following proposals:

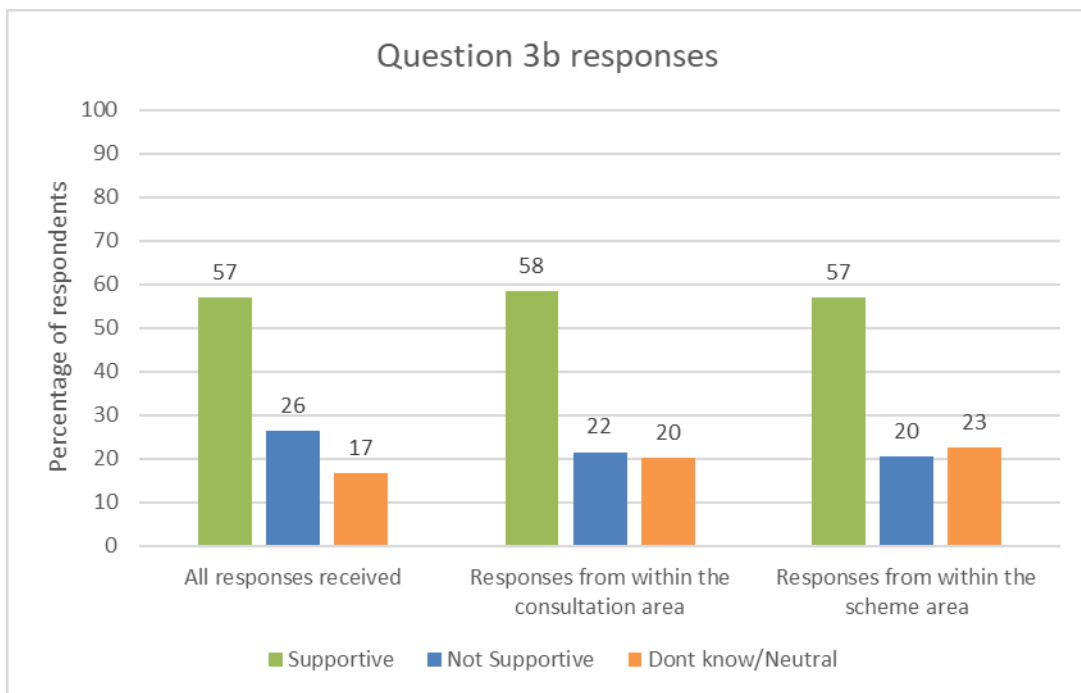
- Close Arnold Circus to motorised vehicles except between Calvert Ave and Navarre St
- Provide new seating, play areas and additional tree planting in Arnold Circus
- Introduce two road closures on Virginia Road
- Additional CCTV on Arnold Circus and Virginia Road
- Make Navarre Street a one-way road





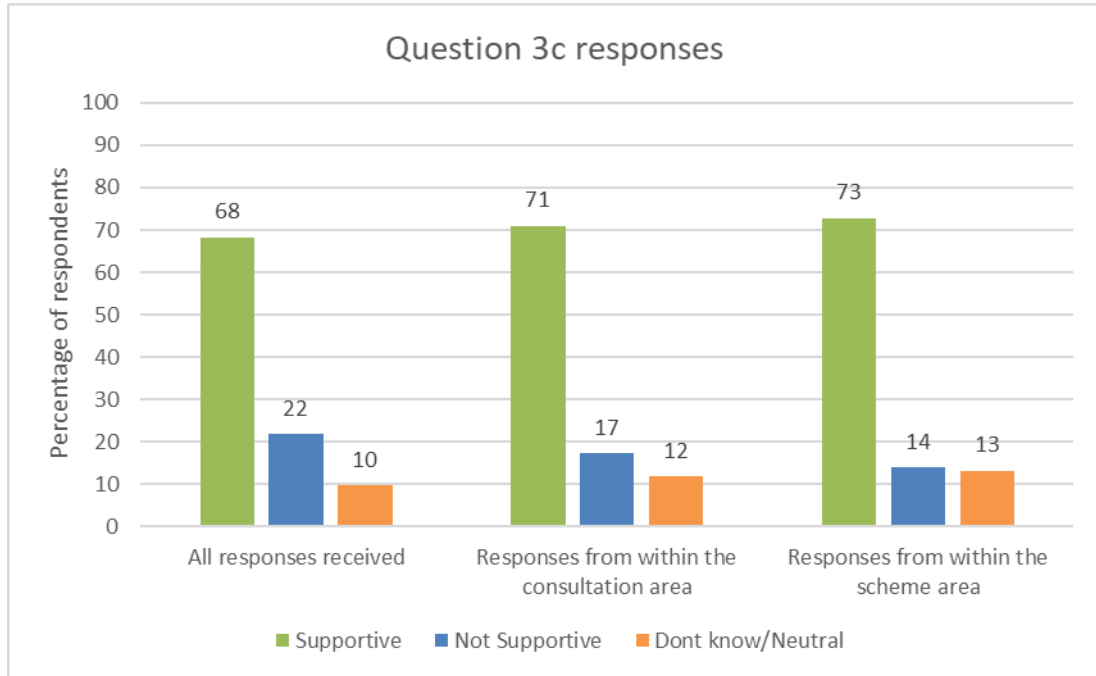
**2.1.2 Question 3b**

How supportive are you of the road closure on Old Nichol Street?

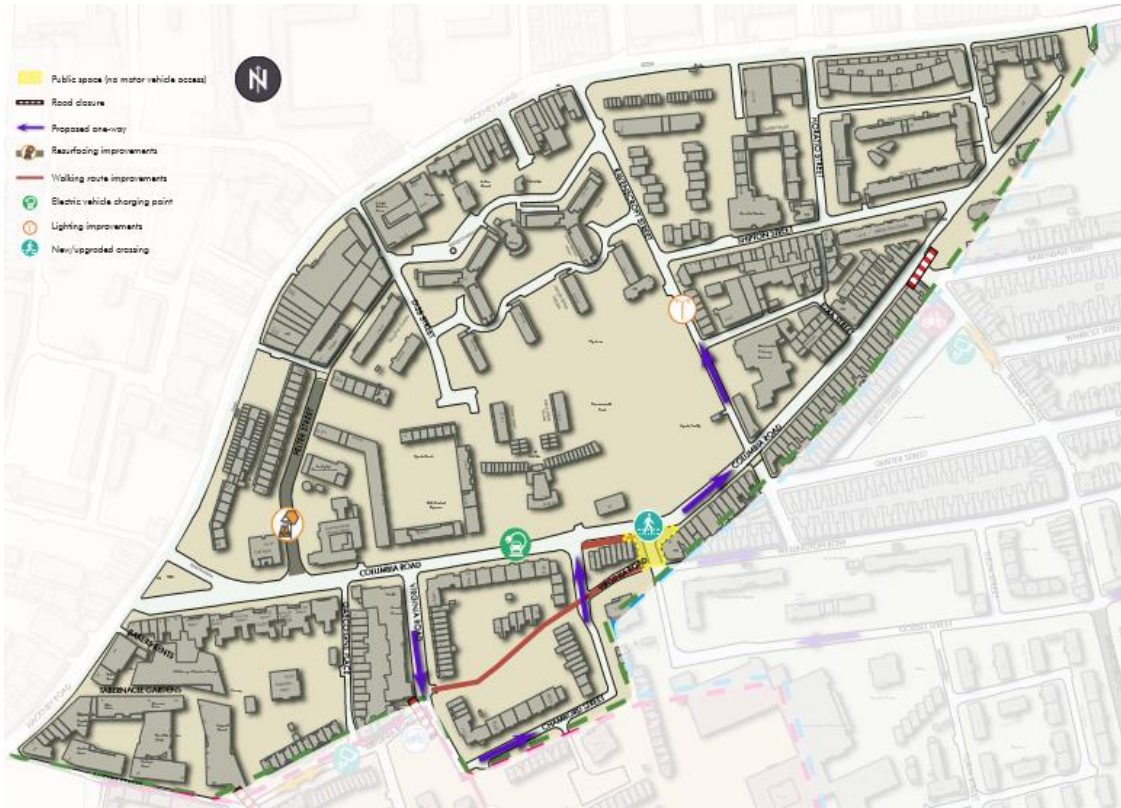


**2.1.3 Question 3c**

How supportive are you of the remaining proposals, including a crossing on Bethnal Green Road, improved walking route on Ducal Street and cycle parking for Scheme 1?



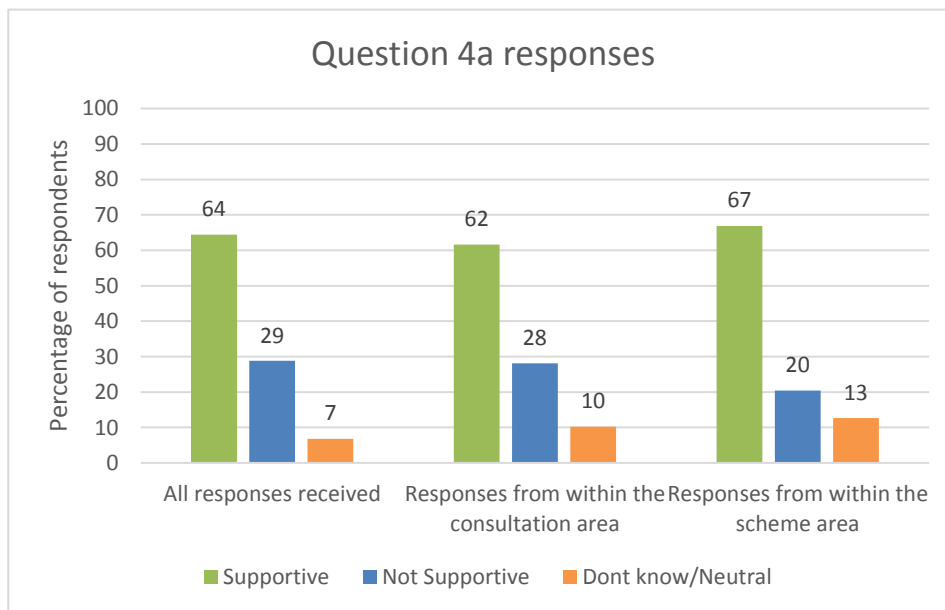
**2.2 Scheme 2 – Columbia Road area**



**2.2.1 Question 4a**

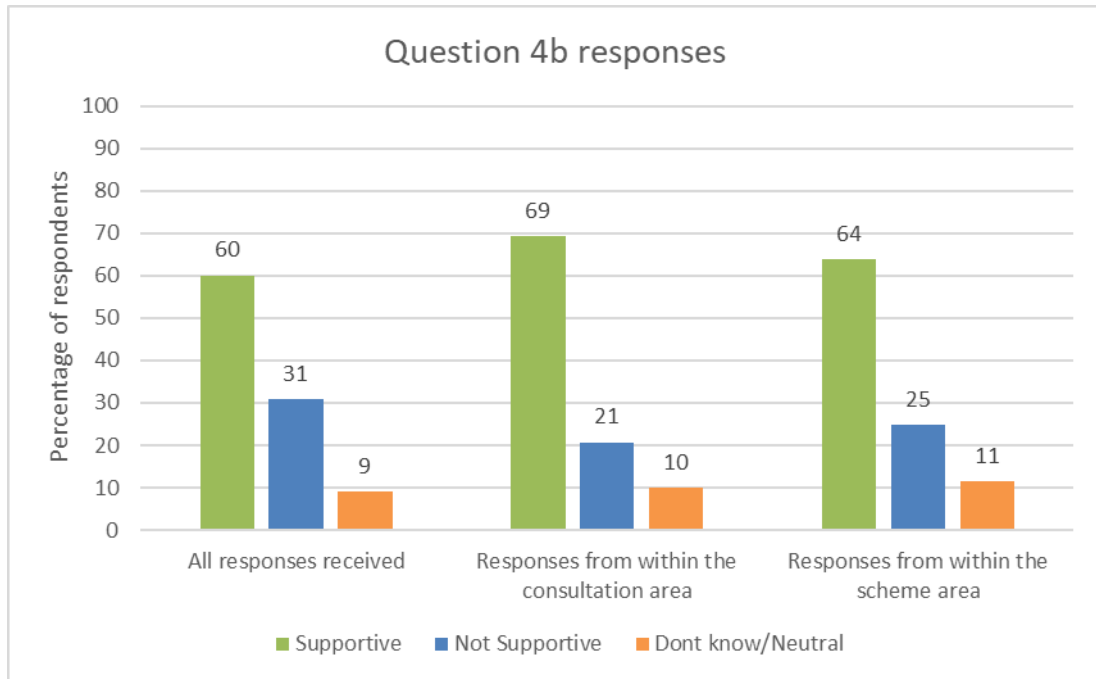
How supportive are you of the following proposals:

- Road closure at the junction of Gosset Street and Columbia Road with a new public space, tree planting and public art
- Wider footway on the southern side of Columbia Road
- On-way on Columbia Road



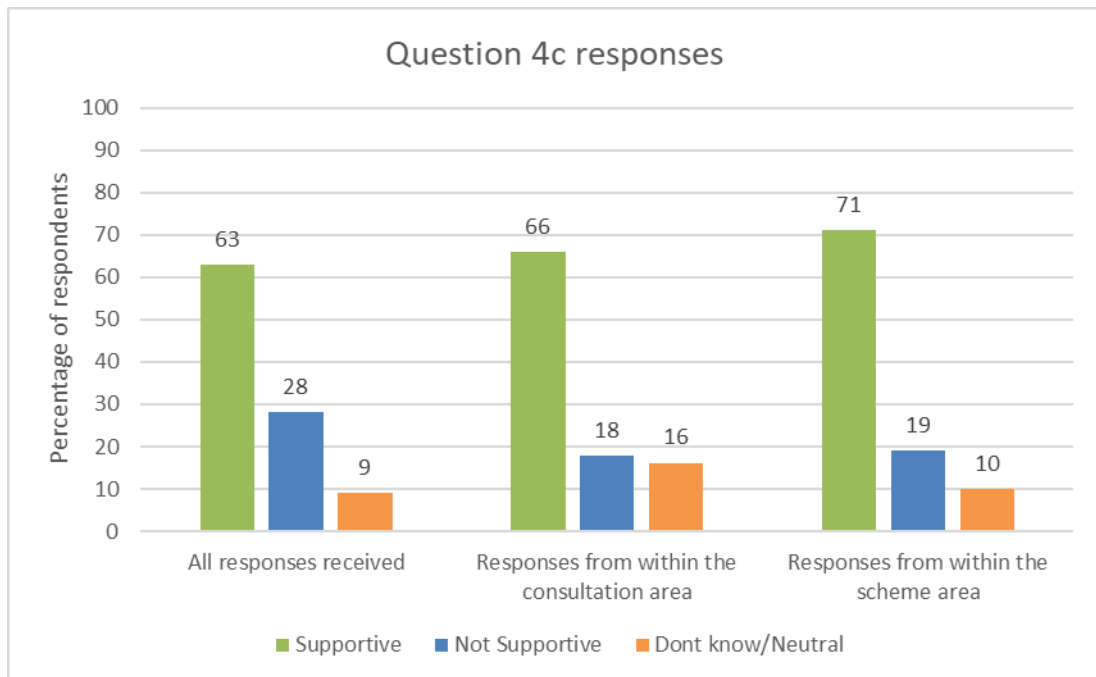
**2.2.2 Question 4b**

How supportive are you of the road closure at the junction of Barnet Grove and Columbia Road?

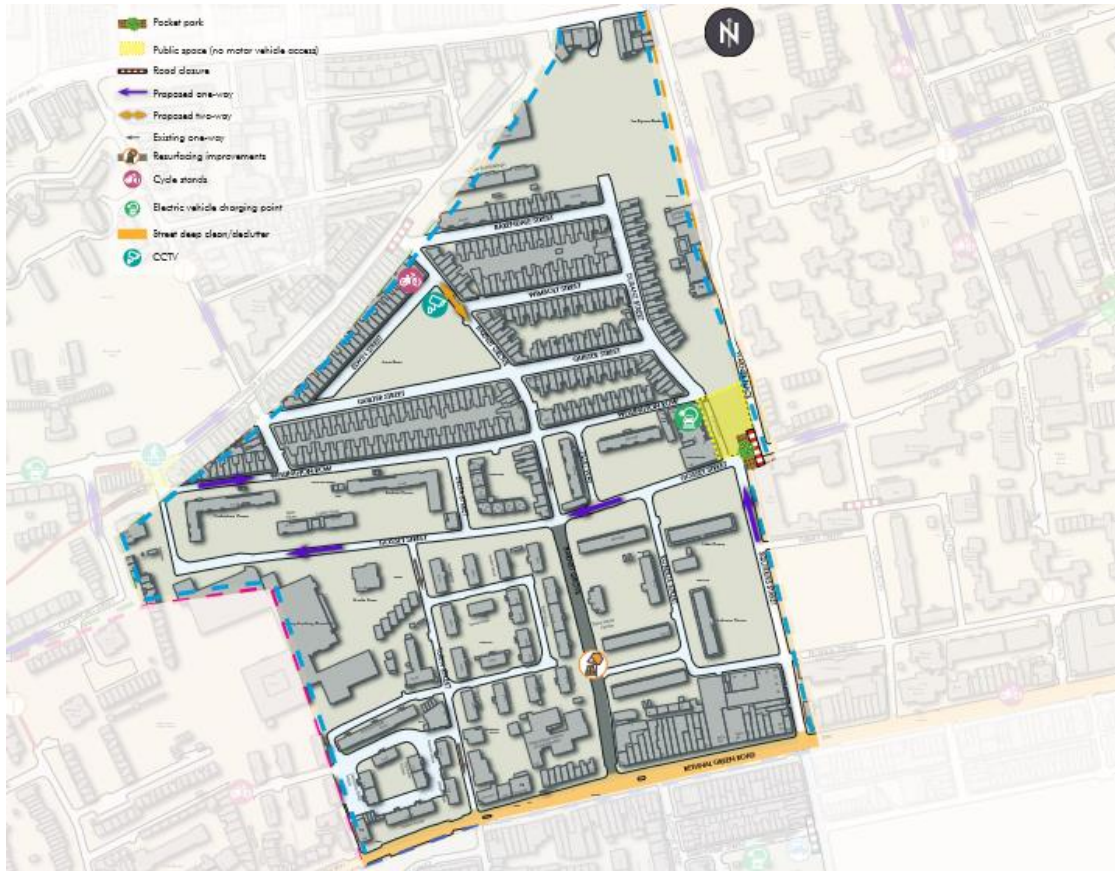


**2.2.3 Question 4c**

How supportive are you of the remaining proposals, including an improved walking route, better street lighting, electric vehicle charge point and a one-way system on Virginia Road and Chambord Street for Scheme 2?



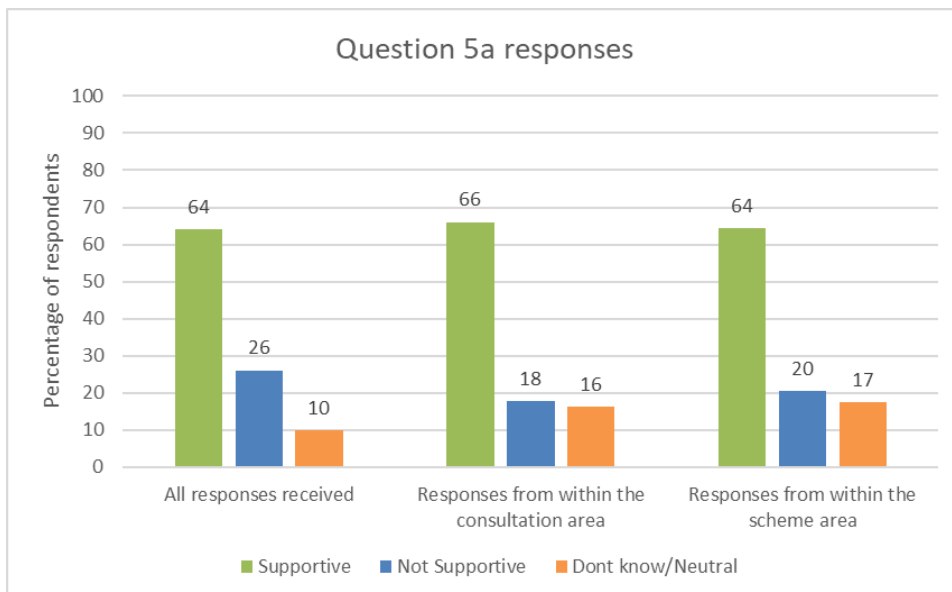
**2.3 Scheme 3 – Warner Place area**



**2.3.1 Question 5a**

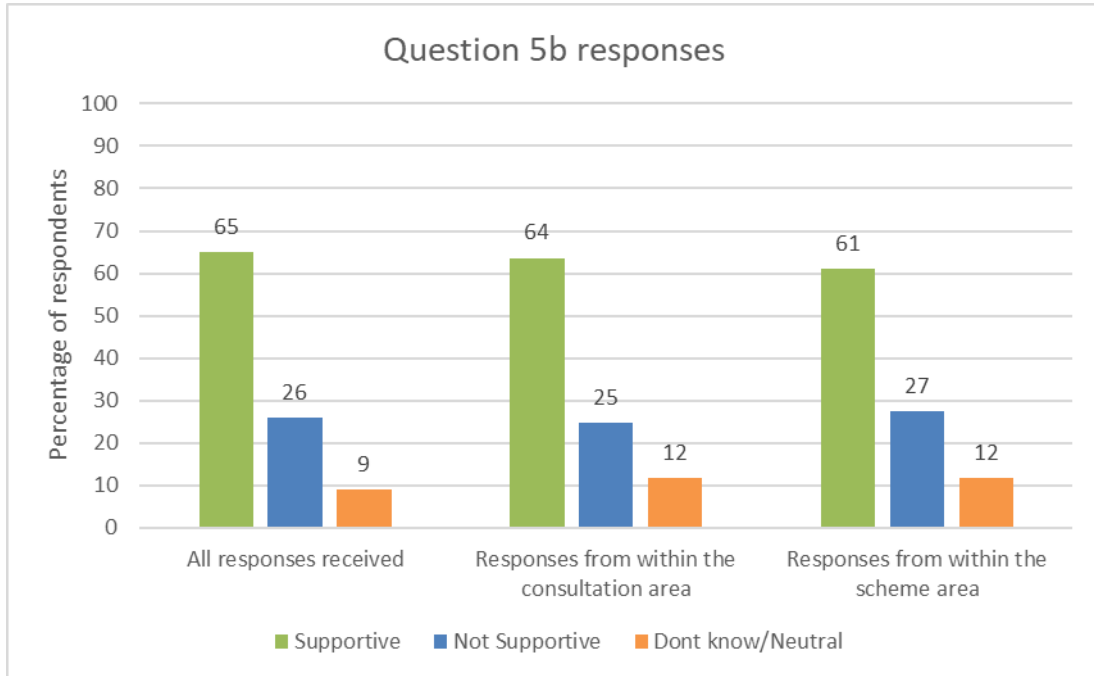
How supportive are you of the following proposals:

- Road closure on Old Bethnal Green Road with a pocket park and tree planting
- One-way system on Squirries Street and Gosset Street

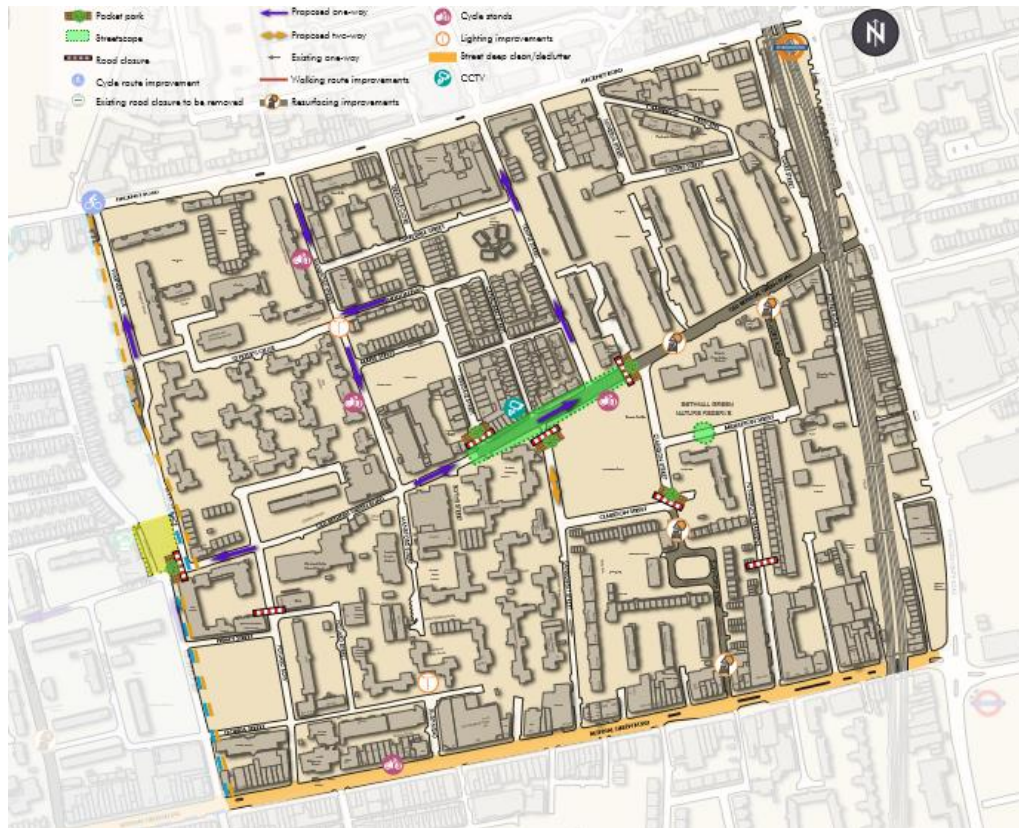


**2.3.2 Question 5b**

How supportive are you of the remaining proposals for Scheme 3, including new CCTV, cycle parking, an electric vehicle charge point and Wellington Row to become one-way?



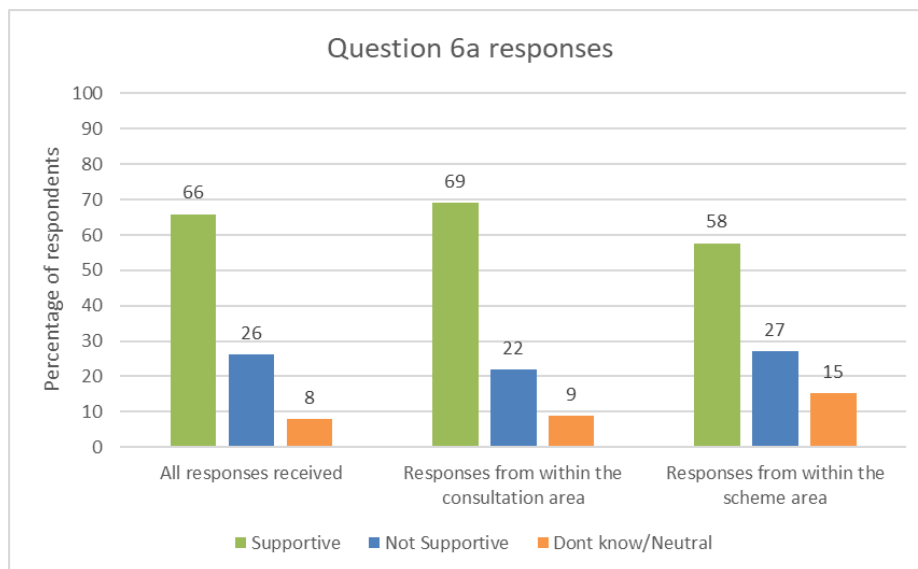
**2.4 Scheme 4 – Old Bethnal Green area**



**2.4.1 Question 6a**

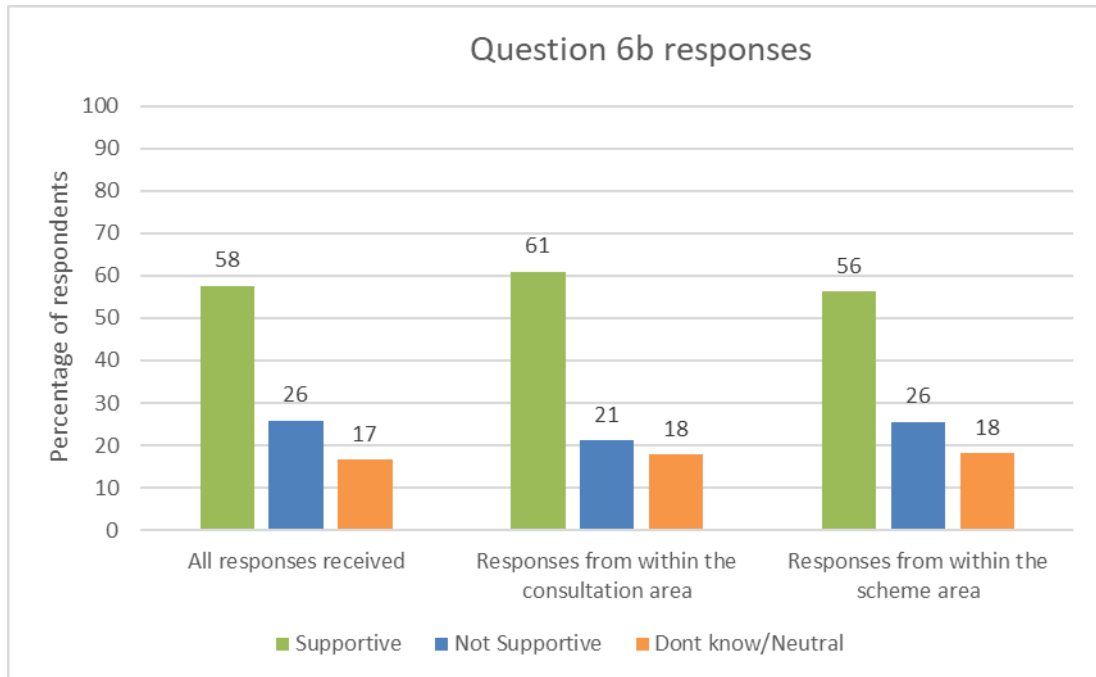
How supportive are you of the following proposals:

- streetscape on Old Bethnal Green Road including tree planting, wider footways and better street lightening
- new CCTV on Old Bethnal Green Road
- additional cycle parking
- road closure on Clarkson Street
- one-way system



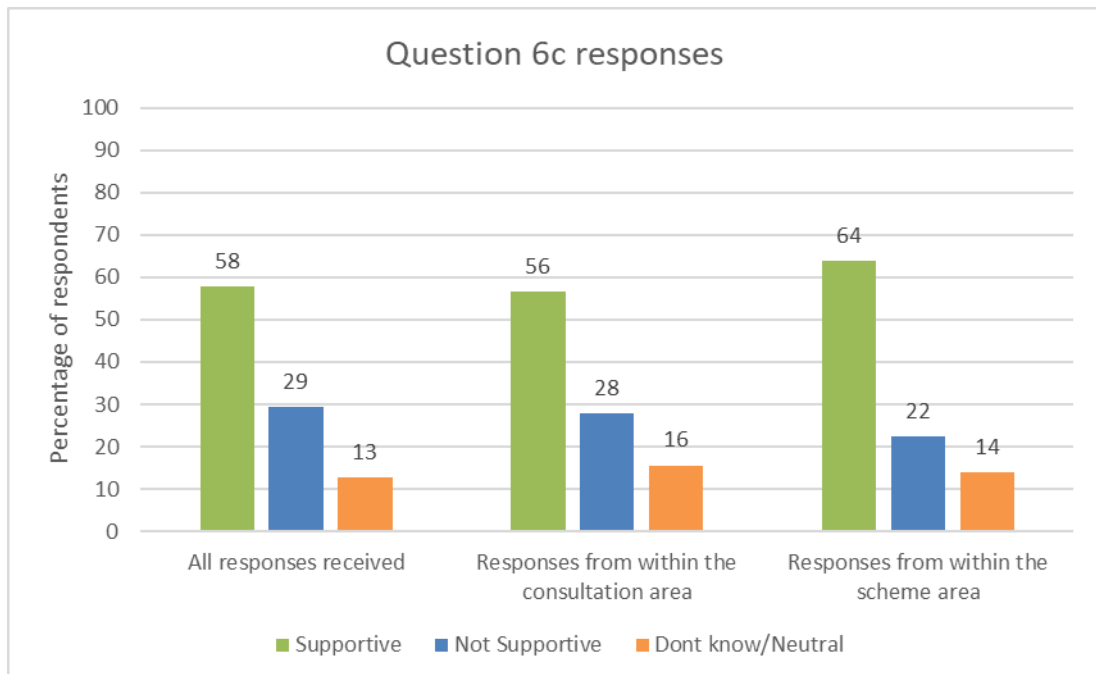
**2.4.2 Question 6b**

How supportive are you of the road closure on Punderson’s Gardens?



**2.4.3 Question 6c**

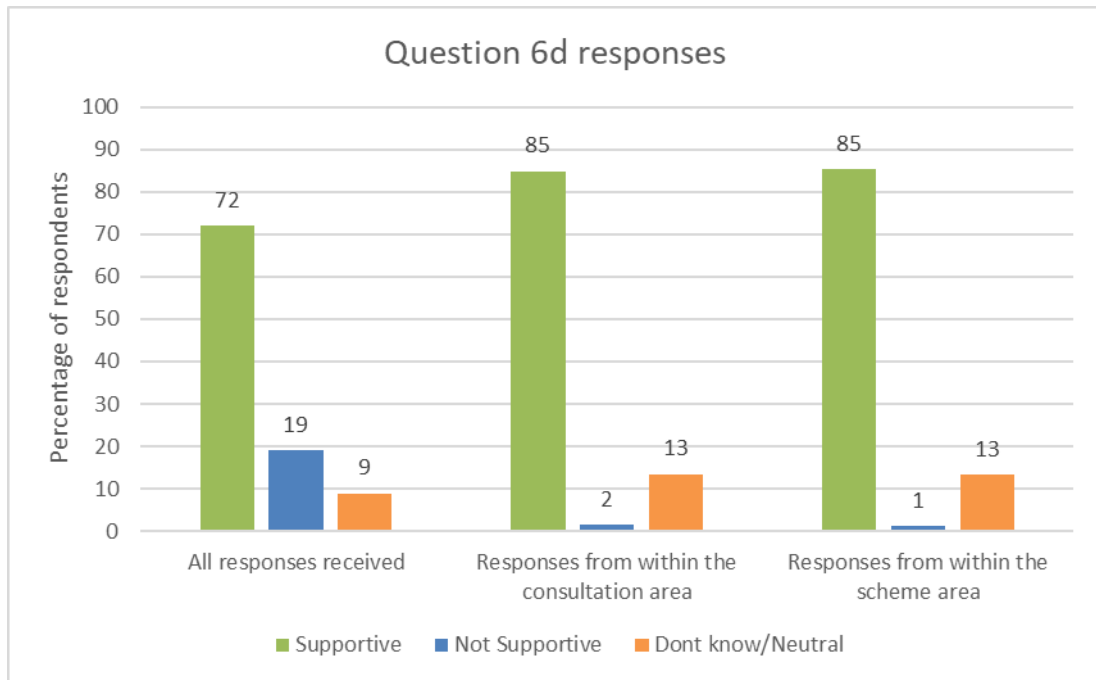
How supportive are you of the road closure on Pollard Row?



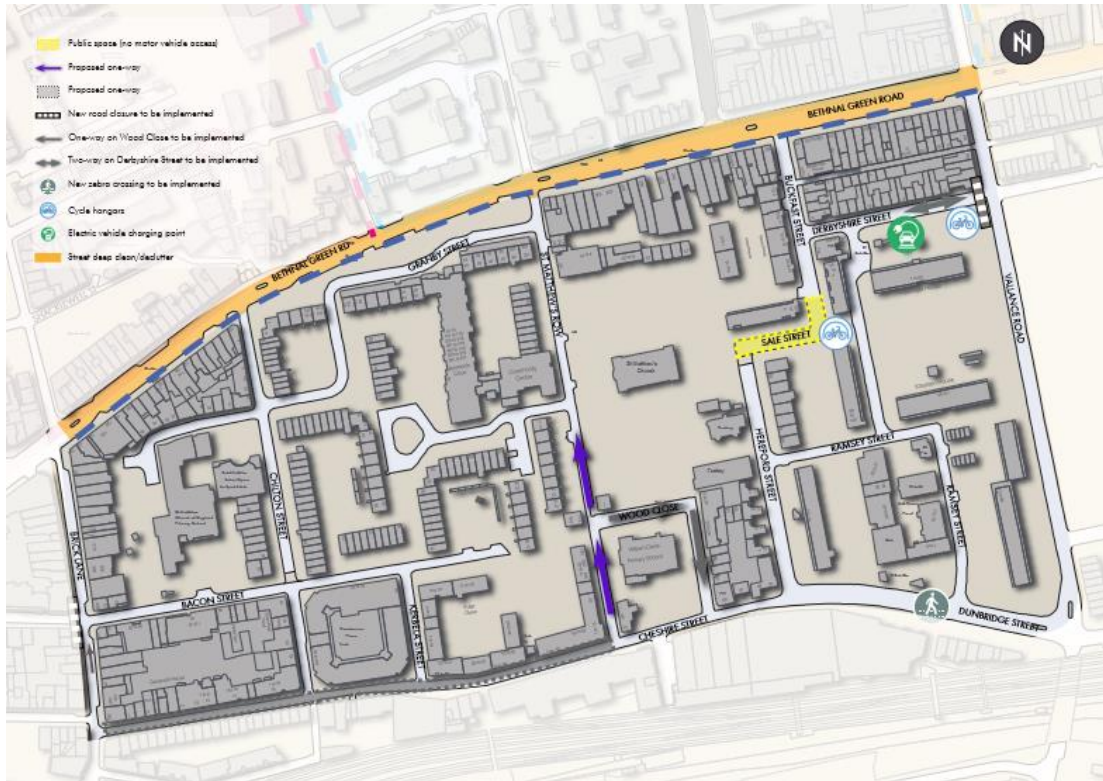
**2.4.4 Question 6d**

How supportive are you of the remaining proposals, including better street lighting and cycle parking for scheme 4?



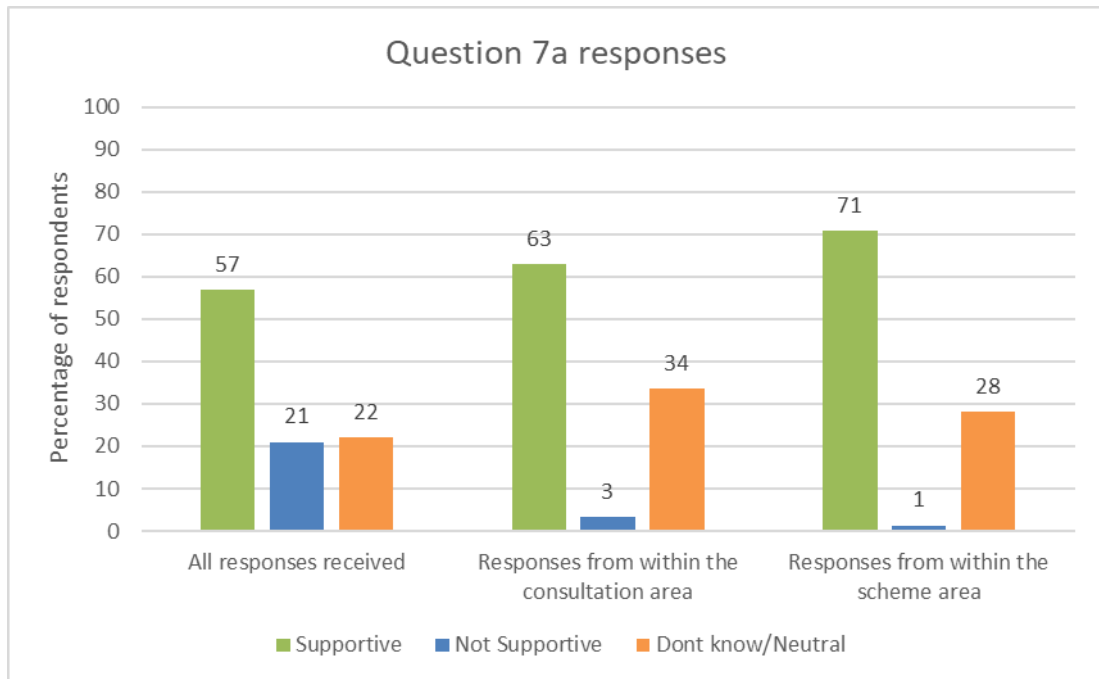


2.5 Scheme 5 – Sale Street



2.5.1 Question 7

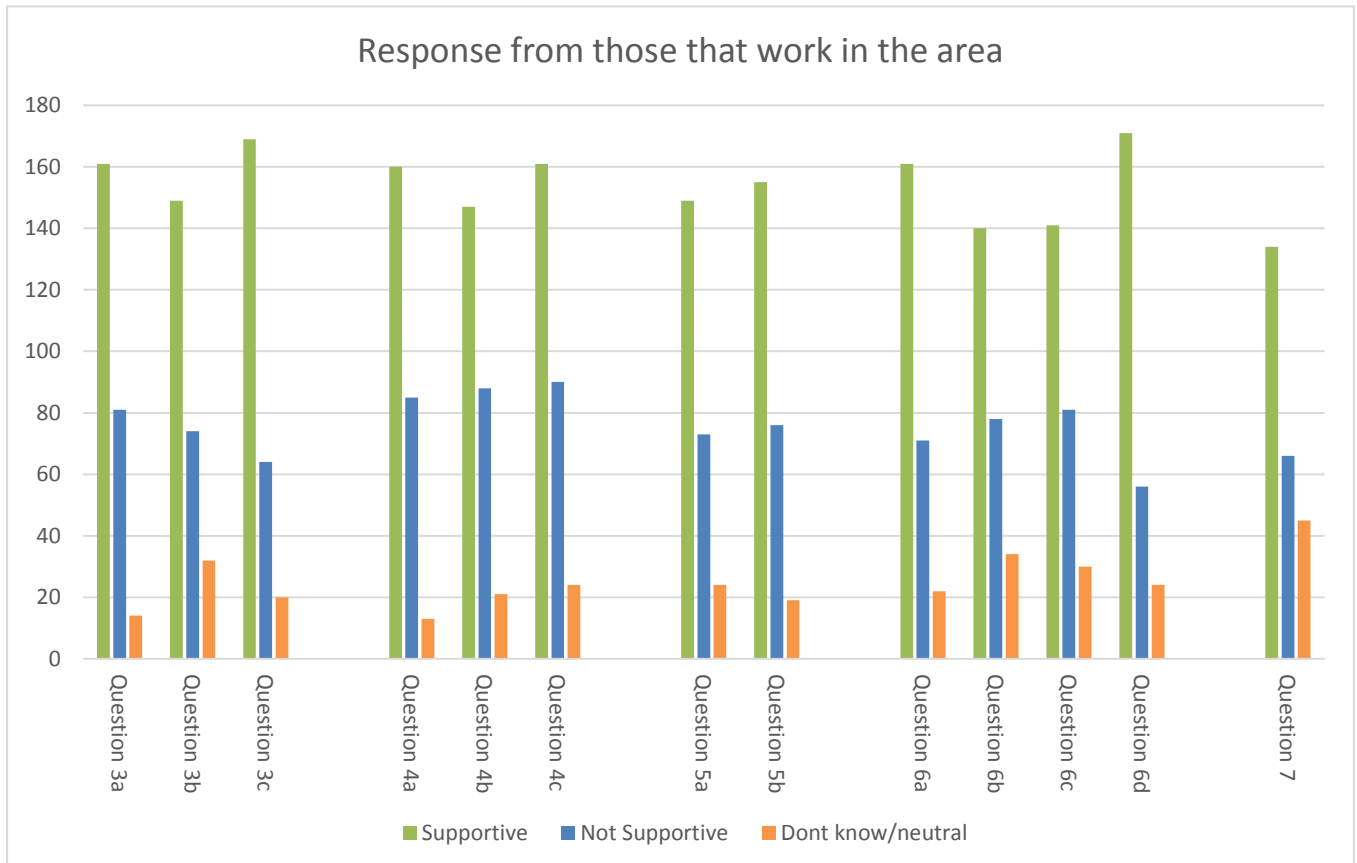
How supportive are you of the overall proposals for Sale Street?



### 3. SECTION 3 – OTHER RESPONSES

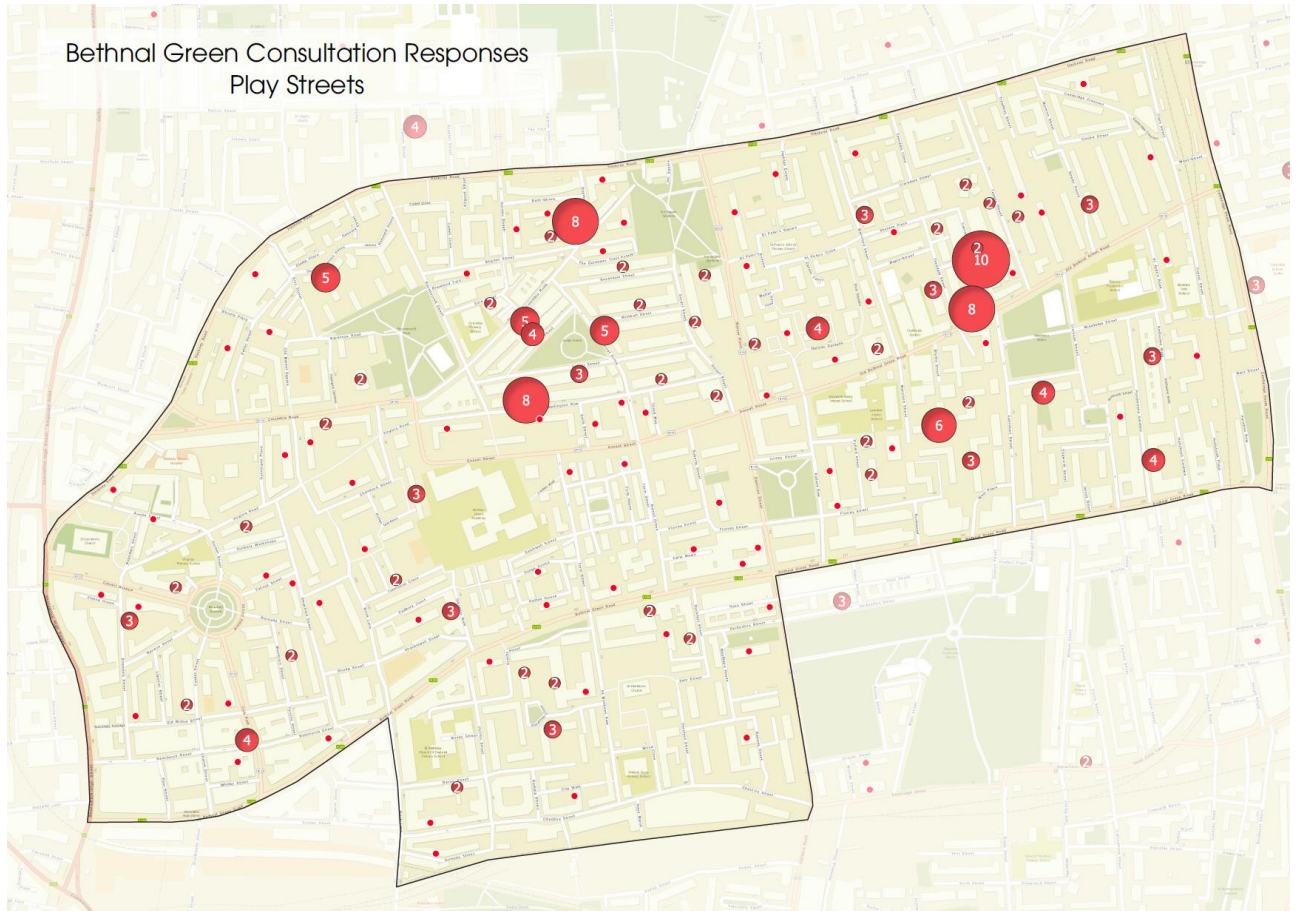
#### 3.1 Responses from those that work in the area

There were 296 respondents to the survey from those that work in the area. The graph below breaks down their responses per question. Overall, those working in the area were supportive of the proposals.



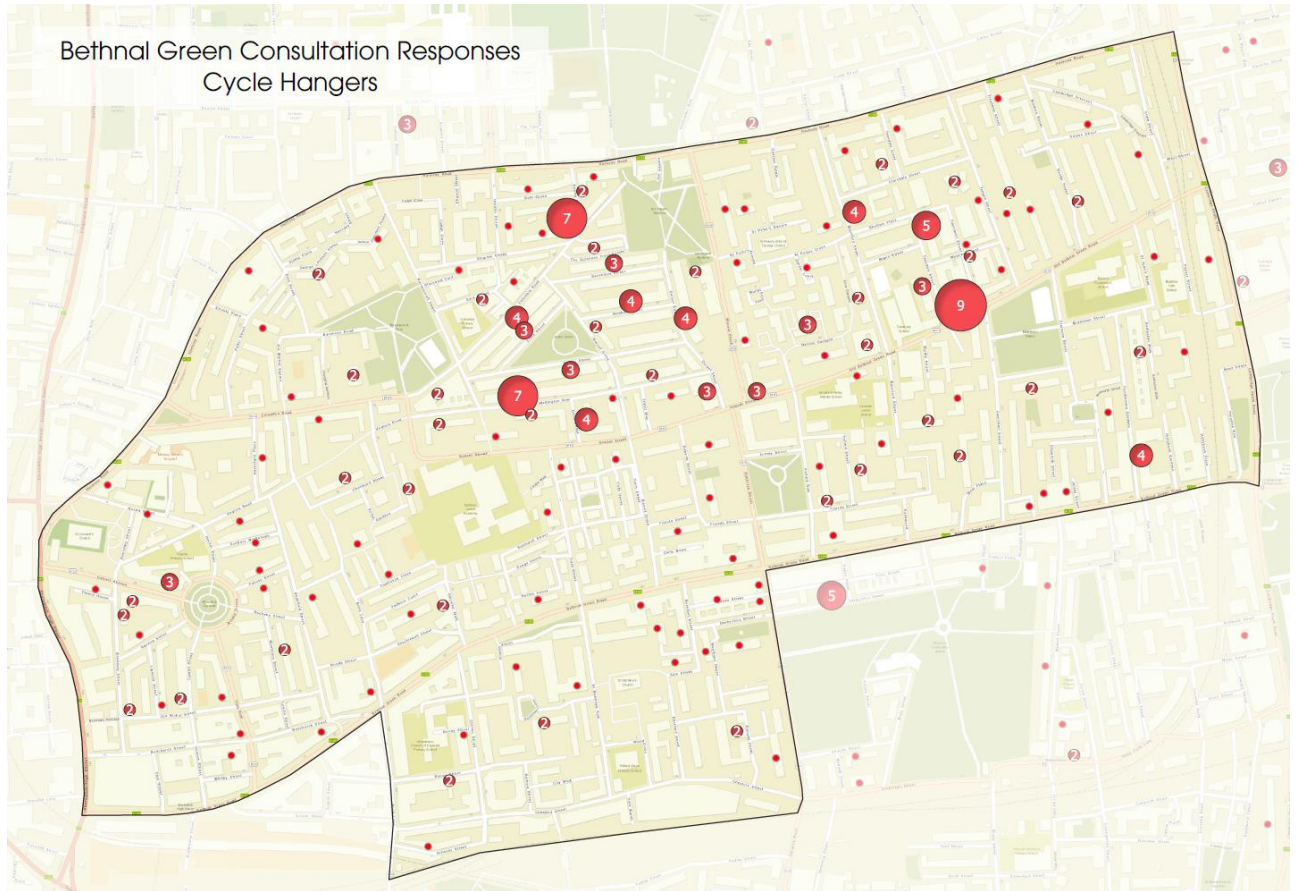
#### 3.2 Play Streets

As part of the survey we asked residents if they would be interested in or would like to be contacted about a play street in their street or local area. 388 responded to this question and results are mapped below.



### 3.3 Cycle Hangars

As part of the survey we asked residents if they would be interested in or would like to be contacted about a cycle hangar in their street or local area. 482 responded to this question and results are mapped below.



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## Bethnal Green Liveable Streets

### Appendix E – Alternative Considered

At each stage of the engagement process we have taken on board the feedback and views of residents and businesses. Throughout the eight-month engagement process we have received and responded to over 250 emails from community members. The council has developed and amended the proposals at every stage to represent the feedback and views of residents.

This report considers the most common suggestions, recommendations and alternative proposals received during public consultation.

#### 1.1 Scheme 1

There was overall support for Scheme 1. Responses from those with addresses in the Scheme 1 area showed that 66% were supportive and 18% unsupportive. However, there were a number of alternative ideas and concepts put forward which have been reviewed below.

##### **Arnold Circus**

**(i) Bus Gate** - Representation was presented by residents to remove the bus from using Arnold Circus. The bus service is maintained and operated by Transport for London (TfL) and so it is not possible for the council to make this change. We have sent a request to TfL for a review of the bus movements and standing point, however, this continues to be outside of the council's control.

**(ii) Further Traffic Movements** - We received an alternative proposal to include additional movements on Arnold Circus between Rochelle Street and Club Row. The alternative proposal has been put forward to help reduce the needs for turning heads, reduce vehicle movements going back and forth on the same route and increase vehicle movements for residents.

Officers have reviewed this option and found that by opening up another side of Arnold Circus there would be a reduction in the benefits of providing a safe space for pedestrians and cyclists, especially for those travelling north/south through the area. In addition, this change will likely increase vehicle numbers using the road and may encourage inappropriate use. With existing concerns over ASB in the area, this will create an easier circuit that drivers can use to race around and encourage others from outside the area to travel to this area for parking, particularly late at night.

Question 3a in the public consultation survey relates to the concept of closing Arnold Circus and 64% were supportive and 26% not supportive.

It is recommended that the current proposal is taken forward due to the reasons above and support from the public consultation.

##### **Redchurch Street**

During the public consultation the Liveable Streets team received concerns about the proposals and an alternative proposal by residents for Redchurch Street. The main concerns were with the closures of Arnold Circus and Old Nichol Street drivers would change their routes and use Redchurch Street instead as a cut through to Boundary Road.

Having reviewed the concerns, officers agreed there is a possibility that this could happen although the one-way restriction would limit the use of the road to east-west movements only. Shoreditch High Street is likely to continue to be the main route for drivers and therefore will limit the number of users on Redchurch Street.

Officers are aware of an on-going design process with businesses in Redchurch Street which is looking to make improvements.

It is recommended that the situation is monitored once works in the Bethnal Green area have been completed. Further to this, the Liveable Streets programme will work with and support businesses on Redchurch Street to make more improvements to the area.

## 1.2 Scheme 2

There was overall support for Scheme 2. Responses from those with addresses in the Scheme 2 area showed that 67% were supportive and 21% unsupportive. However, there were a number of alternative ideas and concepts put forward which have been reviewed below.

### **Barnet Grove closure**

During the public consultation, the Liveable Streets team received comments through the survey and from community groups relating to the closure point at the junction of Columbia Road and Barnet Grove.

There were three main concerns with the proposed closure point:

- 1) Access for the Columbia Road Sunday Flower Market – Concerns were raised that the closure would create issues for the set-up of the market, including getting to Columbia Road and access to current dedicated trader parking bays.
- 2) Access to Hackney Road – Concerns were raised that residents just south of the closure point were closer to Hackney Road and therefore this should be their main access point into and out of the area, instead of Bethnal Green Road which is further away.
- 3) Access to parking – For those north of the closure point the amount of parking available is reduced, especially on a Sunday.

This closure was a direct question within the consultation and both residents and businesses within the Scheme 2 and Scheme 3 areas supported the closure. This was 69% supportive and 29% unsupportive in Scheme 2 and 59% supportive and 31% unsupportive in Scheme 3.

We have reviewed the scheme, considered the concerns raised and identified a potential alternative that will allow for the scheme to meet the objectives of Liveable Street while keeping the junction of Barnet Grove and Columbia Road open.



This alternative would mean:

- A closure at the Wellington Row junction with Barnet Grove
- A closure at the Quilter Street junction with Wellington Row

It is recommended that further engagement is undertaken with residents in the surrounding area and asked to comment on the two options; the original and the alternative option provided above. Due to the large support already provided for the objectives of Liveable Streets, this engagement will be specifically on the location of the closure and not on the whether the scheme is taken forward.

### **Ropley Street**

The Liveable Streets team received a petition from residents of Ropley Street and Peabody Nags Head Estate. During the consultation period we met with the lead member from the petition to discuss the issues brought forward.

The petition outlined two main concerns with the proposed scheme:

- 1) New rat-run - By blocking access from Columbia Road to Gosset Street and Barnet Grove, there is a possible 'rat-run' which will develop from West to East, through Columbia Road into Ropley Street. The concern is that this rat-run would be used to avoid delays and traffic lights on Hackney Road leading to increased traffic coming down Columbia Road, notably heightening emissions around Columbia Primary School and Columbia Market Nursery School, attended by the children of many local residents.
- 2) Road safety at Ropley Street junction with Columbia Road - Since the council installed new cycle lanes down Columbia Road there has been an increased number of accidents at the junction of Columbia Road and Ropley Street involving cyclists being hit by vehicles. It is suggested that the new proposal would increase the use of this road and also increase the number of collisions at this junction.

With regards to the issues highlighted in the petition, it is agreed that there is potential for rat-running vehicles to travel along Columbia Road via Ropley Street to Hackney Road. Although, this is likely to be only an east to west movement due to the one-way on Columbia Road, there is potential for impact to residential areas, key walking and cycling routes and outside the school entrance.

Having examined the junction of Columbia Road and Ropley Street there is no police recorded collisions at this time, however, it was noticed on site that the design of the junction does mean that there is potential for vehicle and cycle conflicts due to the exiting angle and poor visibility.

The petition provided an alternative solution to close Ropley Street. It is agreed this would help to resolve the highlighted issues, however, one note of concern is access for the market traders on Sundays.

Is it therefore recommended that Ropley Street is closed subject to access for the market traders on a Sunday.

### **1.3 Scheme 3**

There was overall support for Scheme 3. On average, from those with addresses in the scheme 3 area only, 66% were supportive and 22% unsupportive. However, there were a number of alternative ideas and concepts put forward from residents, businesses and community groups which have been reviewed below.

#### **Squirries Street/Warner Place**

During the consultation period, an alternative proposal was submitted to the Liveable Streets team that included the option of leaving the junction open to traffic travelling north/south via Squirries Street and Warner Place. This would require further closures of the side roads to ensure there is no additional rat-runs created, however, this would negate the purpose of the proposal - to enable a shorter distance for residents travelling north or south rather than using Cambridge Heath Road.

In addition, several issues have been identified in regard to the alternative proposal that make it a non-viable option.

The current level of traffic on this route is 9,311 on Squirries Street and 6,308 on Warner Place. These two roads form key walking and cycling routes in the area and a crossing with high footfall (at the junction of Squirries Street, Gosset Street and Warner Place) which is the point where vehicles travelling east/west and north/south meet. There is also a school entrance on Warner Place. If this route remains open it is likely to attract further traffic on top of the unacceptably high level of traffic on a residential street leading to a further reduction of air quality and road safety.

The results of the survey showed that 66% supported the closure overall and 68% of those living within Scheme 3 area also supported it.

It is recommended that the current proposal is taken forward due to the reasons above and support from the public consultation.

### **1.4 Scheme 4**

There was overall support for Scheme 4. On average, 66% of those with addresses in the Scheme 4 area were supportive and 18% unsupportive. However, there were several alternative ideas and concepts put forward which have been reviewed below.

#### **Elizabeth Selby Infant School – School Street**

The Liveable Streets team received support for the scheme from many schools in the area. During a coffee morning with parents and teachers at Elizabeth Selby School a road safety issue was raised on Pollard Street outside the school entrance. Subsequent representation from the school supported the project overall although requested further measures on Pollard Street due to road safety concerns.

It is recommended that as part of the Liveable Streets and School Streets programme a design be developed for outside the school entrance on Pollard Street. This could be, but not limited to, school keep clear markings and a road closure or temporary road closures during school peak times. Once designs have been developed a local consultation in partnership with the school will take place before implementation.

### **Clare Street**

Concerns have been raised by The Chair of Glacier Point Residents Association, a democratically constituted body representing the interests of approximately 100 social housing and private residents of the Glacier Point development and Ward Councillors regarding through movements from Cambridge Heath Road to Bethnal Green Road via West Street and Clare Street. Concerns have also been raised about ASB and drug related issues in the area associated with the traffic movement.

In light of these concerns raised we recommend including a modal filter/road closure on Clare Street south of the junction with West Street. The existing one-way will be maintained on West Street and Clare Street will remain two-way.

Local engagement will take place and minor changes to the parking layout may be required to provide a turning head for vehicles in the southern link of Clare Street between Old Bethnal Green Road and West Street.

### **Shahporan Masjid Mosque**

During the consultation period, a drop-in session was held at Shahporan Masjid Mosque and a subsequently request was made for changes outside of the Mosque that would help to achieve the aims of the project. This was for changes to the footway outside the main entrance on Tredway Street, additional lighting on the nearby walking routes, increased cycle parking and changes to the parking layout.

Tredway Street didn't feature within the original proposal as it is an existing cul-de-sac, however, given the high footfall in the area, inclusion aligns with the project objectives to encourage walking and cycling for short trips.

It is recommended that the final scheme includes changes to increase the width of the footway, additional street lighting on the walking routes and increased cycle parking.

### **Signalised junction on Bethnal Green**

Some concerns were raised about the junction of Squirries Street, Bethnal Green Road and Vallance road. It is understood that there is an existing issue with the signals at the junction for those turning right from Vallance Road and stopping for the red light for those heading across Bethnal Green Road to Squirries Street. This causes delays at the junction and noise from excessive use of the vehicle horn from frustrated motorists.

With this road closure stopping the north movement through to Hackney Road via Squirries Street there is concern it will increase the number of vehicles turning right and increase existing issue.

Officers have reviewed the junction and it is correctly laid out and meets regulations and guidance. It was noted that drivers could be confused and stop when they have the right to proceed. Additionally, as Squirries Street to Vallance Road is a key cycling and walking route the junction could also be improved with new crossing facilities closer to the desire line.

It is recommended that this signalised junction is reviewed with TfL, who run the signals, and improvements made to the north/south movement for cyclists and pedestrians while also improving the layout of the signal heads to remove driver confusion.

## **1.5 Overall Projects**

### **Resident only gates**

At the drop-in sessions and community meetings an alternative proposal was put forward to use residential gates. These were suggested instead of road closures allow residents with a permit to drive through an area but all others denied access. It was suggested that this can be administered using Automatic Number Plate Recognition cameras.

One of the key objectives of the programme is to reduce short trips and encourage those that can to walk, cycle and use public transport. One in three journeys in the borough are less than 1.2 miles and it is these car journeys that the scheme will help to reduce by making the environment more convenient, safer and pleasant.

This alternative solution would reduce the number of vehicle movements from those outside the area rat-running in local streets but with quieter streets it would also encourage residents to use vehicles to make shorter trips.

It is recommended that this alternative option is not agreed and to continue with the original proposal.

### **Anti-social behaviour (ASB)**

A number of community groups raised concerns over ASB and the potential for increased ASB in public areas. Although the objectives of the scheme are not to fully resolve ASB, a by-product of reducing the barriers of high traffic movement and improving the public realm can be a reduction in ASB.

We have already involved the safer neighbourhoods teams and will continue to work with them as part of the design process. This will include both the borough and police designing out crime officers.

It is recommended that as part of the process that designs be discussed with relevant and appropriate departments to ensure that the design does not encourage or create ASB.

### **Contra flow – cycling on one-way streets**

Several organisations, visitors to the areas and residents suggested that all one-ways restrictions should allow two-way travel for cyclists. This is to ensure that cyclists can use the shortest and safest routes through the area.

Officers have reviewed each of the proposed one-ways within the schemes and agree with this proposal based on the expected low level of vehicle movements and ample width of carriageway.

As part of the design process an independent team will carry out a road safety audit to assess each of the contra flow proposals to ensure it meets safety requirements.

It is recommended that contra flow cycling is allowed on all one-ways with the undertaking of a road safety audit.

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# Equality Analysis (EA)

Financial Year  
**2019/20**

## Section 1 – General Information (Aims and Objectives)

See  
Appendix A

Current decision  
rating



### **Bethnal Green Liveable Streets**

The Liveable Streets programme is part of the councils Love Your Neighbourhood portfolio which aims to make Tower Hamlets a better place for residents, businesses and visitors, by encouraging more walking, cycling and public transport and restricting rat-running traffic.

The project will make fundamental changes to the infrastructure on the street as well as the travel behaviour of residents, businesses and visitors to Tower Hamlets.

This will be done through a variety of on-street infrastructure projects across the borough, such as changes to road layouts to give priority to walking, cycling and public transport. These projects will be supported by soft measures to promote active travel. Tower Hamlets' streets will be healthy, and more residents and visitors will travel actively.

### **Key Objectives**

- Improve the look and feel of public spaces
- Improve the environment to encourage more walking and cycling
- Significantly reduce through traffic on local residential streets

### **Overview of Liveable Neighbourhood programme for Bethnal Green**

The Bethnal Green Scheme began in March 2019. The scheme is expected to run for 12-24 months depending on the volume of works required to achieve the scheme outcomes.

The changes have come from suggestions by local residents and businesses following an early engagement period (from 23 April to 20 May 2019) as well as engineering assessments carried out by the design team which was part of the Liveable Streets programme. Additional suggestions and comments were made at public co-design workshops in June/July 2019. Final comments were collaborated in October/November 2019 at the Public Consultation drop-in sessions.

## **Conclusion - To be completed at the end of the Equality Analysis process**

The level of impact that the Bethnal Green area changes will have on the relevant groups is defined as Low

Following completion of this EqIA scoping assessment, the Bethnal Green proposals do not significantly or disproportionately impact on any of the relevant groups. The primary objective of the Bethnal Green proposal are to remove the through traffic on residential roads that form barriers for active travel and change the current traffic dominated environment into one that prioritises sustainable journeys. The proposals concentrate on residential roads which are not designed for heavy traffic flows and aims improve the quality and safety of these spaces for all users.

### **Main conclusions and key recommendations of this EqIA**

The recommended Bethnal Green proposals do not adversely impact on any particular group and can reduce the barriers for all groups to accessing the transport system. It is recommended that continue reviews are undertaken once detailed design is completed and after implementation.

As the project proceeds, the EqIA will be reviewed and updated accordingly.

**Name:** Mehmet Mazhar  
(signed off by)

**Date signed off:**                       
(approved)

Service area:  
Public Realm

Team name:  
Highways

Service manager:  
Mehmet Mazhar

Name and role of the officer completing the EA:  
Chris Harrison – Programme Director – Liveable Streets



## **Section 2 – Evidence (Consideration of Data and Information)**

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The Liveable Streets Programme includes a number of engagement phases, during each phase additional feedback is received which contributed to the overall development of the project. The early engagement and workshop reports can be found online via

[www.towerhamlets.gov.uk/liveablestreets](http://www.towerhamlets.gov.uk/liveablestreets)

Further development of the scheme has been developed based on evidence and reports from numerous council departments including:

- Public Health
- Air Quality
- Community Safety

Additional data was obtained including:

- Collision data
- Traffic count data
- Air Quality data

## **Section 3 – Assessing the Impacts on the 9 Groups**

<b>Target Groups</b>	<b>Impact – Positive or Adverse</b>  What impact will the proposal have on specific groups of service users or staff?	<b>Reason(s)</b> <ul style="list-style-type: none"> <li>• Please add a narrative to justify your claims around impacts and,</li> <li>• Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making</li> </ul> Please also how the proposal will promote the three One Tower Hamlets objectives? <ul style="list-style-type: none"> <li>-Reducing inequalities</li> <li>-Ensuring strong community cohesion</li> <li>-Strengthening community leadership</li> </ul>
Race	Positive	<p>In general, it was considered that people from different racial backgrounds are positively impacted by the Bethnal Green area changes.</p> <p>Tower Hamlets is a vibrant and diverse borough. The 2011 Census indicated that Black and Minority Ethnic (BAME) communities make up 55% of the borough’s population, compared to the London average of 40%. Such residents are more likely to undertake journeys by walking or by public transport than white Londoners, however, they are more likely to be concerned about their personal security and safety than white Londoners, especially at night.</p> <p>BAME Londoners, both adults and children are almost twice as likely as white Londoners to be injured on the roads as a car occupant and reducing this statistic is a priority. BAME road users also have the highest risk of being a pedestrian casualty. White Londoners are at higher risk with being involved in a cycle collision than other groups of cyclists.</p> <p>BAME Londoners are also less likely than white Londoners to say that they feel safe from road accidents when walking around London, either during the day or at night.</p> <p>With a high proportion of BAME residents who currently make sustainable journeys, the improvements in road safety and to the public realm delivered by the Liveable Streets scheme, will improve existing conditions for these journeys, benefitting these communities.</p> <p>Improved public spaces and walking and cycling routes through the area including improvements to street lighting along these corridors will reduce fear of and actual crime in these areas and will deliver</p>

		accessibility advantages to people from this group using sustainable modes.
Disability	No impact	<p>In general, it was not considered that people with different disabilities were particularly disproportionately impacted by Bethnal Green area changes.</p> <p>A disability can reduce an individual's walking range and affect their ability to use the public transport system. In 2011, the disability rate in Tower Hamlets was at 135 per 1,000 residents.</p> <p>The introduction of equality legislation during the last twenty years and improved access to public spaces means disabled people have greater opportunities, visibility and aspirations than ever before. For many disabled people, having the ability to travel on public transport means independence and the freedom to take control of their own lives. Disability is a key characteristic that determines travel behaviour and is often associated with more negative or problematic experiences of travel, along with more limited perceptions of viable alternatives. Research commissioned by the Department for Transport (DfT) in 2017, found that people with disabilities more frequently used buses and taxis as a mode of transport than other travel modes.</p> <p>Walking, whether as a means of transport or as a walk to bus and train stops, can be made easier for mobility impaired people through intelligent engineering that incorporates dropped kerbs, controlled pedestrian crossings and tactile paving, within a well-maintained, clutter-free public highway that avoids excessive gradients and crossfalls.</p> <p>The Bethnal Green area proposals will improve footways and pedestrian priority provision, and continuous footways in retail areas will provide significant accessibility gains for all users but particularly disabled users. Improved walking and cycling routes, street lighting and improved public spaces will deliver accessibility advantages to people from this group using sustainable modes.</p> <p>People with disabilities may be more dependent on private motor cars for their transport needs, often used in conjunction with a Blue Badge parking permit. Parking within the scheme will stay neutral and there will be no reduction in parking for blue badge holders.</p> <p>Schemes which limit or reduce car provision without improvements to public transport could have a negative impact on this group. However, within the Bethnal Green proposals access to local amenities</p>

		<p>and use of roads will still be available by motor vehicle. Although older people, residents, businesses and visitors travelling by motor vehicle may be required to take an alternative route.</p> <p>There is a requirement to ensure disabled people have access to facilities such as hospitals and GPs surgeries and this is considered in accessibility planning carried out by the Council, which stresses the need for these services to be served by good public and private transport facilities.</p> <p>Taxis will also still be able to as access to customers, surgeries, amenities etc will all be maintained, via alternative routes.</p> <p>Disabled people and people with learning disabilities will benefit from community transport services including Shopmobility and the provision of door-to-door transport services (for example the Taxicard scheme). These services will also still be able to access properties via alternative routes.</p> <p>It is key to note that the Bethnal Green area changes will still enable access to private and public transport, however disabled people may find that private and public transport vehicles may be required to take alternative routes.</p>
Gender	Positive	<p>In general, it was not considered that people with different genders were particularly disproportionately impacted by Bethnal Green area changes.</p> <p>The population of Tower Hamlets is 51.5% male and 48.5% female, with significant imbalances in some age ranges. Research carried out by Transport for London (TfL) in 2014 identified that women make a greater number of journeys per weekday than men. Trips made by women tend to be shorter and completed using different types of transport than journeys made by men.</p> <p>The Bethnal Green proposals aim to provide an environment which feels less threatening to all users.</p> <p>Improved public spaces and walking and cycling routes through the area including improvements to street lighting along these key corridors will reduce fear of and actual crime in these areas. This will also improve road safety in the area.</p>

Gender Reassignment	No Impact	In general, it was not considered that people who have undergone gender reassignment were particularly disproportionately impacted by Bethnal Green area changes.
Sexual Orientation	No Impact	In general, it was not considered that people with different sexual orientations were particularly disproportionately impacted by Bethnal Green area changes.
Religion or Belief	No Impact	<p>In general, it was not considered that people from different religious groups were particularly disproportionately impacted by Bethnal Green area changes.</p> <p>Despite Tower Hamlets being the only borough where the Muslim population is the largest single religious group (35%), in general, it was not considered that people from different faiths were particularly disproportionately impacted by the Bethnal Green area changes.</p> <p>Access to all places of worship, are maintained, however those using vehicles to access their place of worship may be required to take an alternative route.</p>
Age	No Impact	<p>In general, it was not considered that people of different age groups were particularly disproportionately impacted by Bethnal Green area changes.</p> <p>People's ability to use sustainable modes of travel can be reduced because of age-related health conditions. Despite Tower Hamlets having the lowest proportion of residents aged over 65 (6.1%), this is still an issue that must be considered. Older people may find it difficult undertaking short distances on foot or using public transport, due to impaired ability and/or poorly maintained footways. Traffic calming schemes that reduce vehicle speed can increase feelings of personal safety and lead to an increased uptake in walking.</p>

Long walking times to access public transport can be a barrier for older people and boarding and alighting public transport can be physically challenging for this group. As part of TfL's (Transport for London) bus stop accessibility programme, 98% of all bus stops in Tower Hamlets are fully accessible.

Older people may be more dependent on private motor cars for their transport needs, often used in conjunction with a Blue Badge parking permit. Schemes which limit or reduce car provision could have a negative impact on this group. However, access to local amenities and use of roads will still be allowed during the Bethnal Green area changes. Although older people, residents, business and visitors may be required to take an alternative routes.

There is a requirement to ensure older people have access to facilities such as hospitals and GPs surgeries and this is considered in accessibility planning carried out by the borough, which stresses the need for these services to be served by good public and private transport facilities. As mentioned above, all access will be allowed, via alternative routes.

The travel mode of children has changed significantly over the last twenty years, with a decrease of children travelling as pedestrians or cyclists. With 20% of the borough being aged under 16, this is a group that can be particularly affected by changes to transport. To a large extent, parents determine the mode choice of children. Traffic infrastructure has a significant impact on parental decision-making concerning children's travel mode choice, by affecting both the real and the perceived traffic safety. Real traffic safety can be quantified in terms of numbers of collisions on the street, whilst perceived traffic safety is dependent upon the characteristics of their children and how safe they feel they will be travelling on the highway unsupervised.

Children require physical activity to ensure their healthy development. A survey published by the Department for Transport (DfT) in 2013 (National Travel Survey: 2012), identified that almost half of English primary school children (46%) are driven to school and the average length of trip was 1.8 miles. A National Health Service (NHS) survey carried out in 2013 (Health Survey for England – 2013) determined that three in ten children aged between two and fifteen are overweight or obese.

Physical activity in young people can be encouraged through the development of a safe environment which is not traffic dominated. The Bethnal Green proposals aim to reduce the rat-running traffic through

		<p>Bethnal Green which in turn should provide a safer environment for children to use more sustainable modes of travel with and without parental supervision.</p> <p>Additionally, the public transport network in Bethnal Green also is likely to be improved by removing non-essential traffic and therefore improving network reliability.</p>
Marriage and Civil Partnerships.	No Impact	In general, it was not considered that people in marriages or civil partnerships were particularly disproportionately impacted by Bethnal Green area changes.
Pregnancy and Maternity	No Impact	<p>In general, it was not considered that people who are pregnant or on maternity and paternity were particularly disproportionately impacted by Bethnal Green area changes.</p> <p>Reducing through traffic in the area will improve localised air quality which is beneficial to pregnant people and those on maternity/paternity leave, also babies and small children.</p> <p>Additionally, the public transport network in Bethnal Green also is likely to be improved by removing non-essential traffic and therefore improving network reliability.</p>
Other Socio-economic Carers	No Impact	In general, it was not considered that other socio-economic carers were particularly disproportionately impacted by Bethnal Green area changes.

## Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

No

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added / removed?

N/A

## Section 5 – Quality Assurance and Monitoring

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Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes

How will the monitoring systems further assess the impact on the equality target groups?

The scheme will be monitoring and reviewed post implementation, the EqIA for this project will be updated based on the actual project build as the scheme progresses. As part of the implementation process other bodies and partners will be included to ensure further assessment of possible impacts is reviewed.

Does the policy/function comply with equalities legislation?  
(Please consider the [OTH objectives](#) and [Public Sector Equality Duty](#) criteria)

Yes

If there are gaps in information or areas for further improvement, please list them below:

As mentioned above, should there be any gaps these will be addressed by carrying out the engagement with other key bodies and parties.



How will the results of this Equality Analysis feed into the performance planning process?

The results of this document inform the proposals based on the consultation results for the Bethnal Green project.

**Section 6 - Action Plan**





*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.*


Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
Monitor and review the scheme, during implementation and completion over a 18month period.	Final consultation results and final proposals to be shared with all in the consultation area and available online.	Spring/summer 2020	MM	TBC
Full review to take place 3 years after the commencement of the project.	Independent review to be carried out.	2022	MM	TBC

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## Appendix A

### (Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	<b>Suspend – Further Work Required</b>	Red 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	<b>Further (specialist) advice should be taken</b>	Red Amber 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	<b>Proceed pending agreement of mitigating action</b>	Amber 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	Green: 

<p><b>Cabinet</b></p> <p><b>29 January 2019</b></p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Debbie Jones, Corporate Director, Children's Services</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Report on the outcome of the statutory consultation on the proposal to close Raine's Foundation School.</b></p>	

<b>Lead Member</b>	<b>Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People</b>
<b>Originating Officer(s)</b>	Terry Bryan, Service Head (Pupil Services and School Sufficiency)
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	
<b>Reason for Key Decision</b>	To be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
<b>Strategic Plan Priority / Outcome</b>	Children and young people are protected so they get the best start in life and can realise their potential

## Executive Summary

This report informs Cabinet of the outcome of the formal consultation following the statutory notice to close Raine's Foundation Church of England School. It recommends for the Mayor in cabinet to consider a decision on whether or not to formally proceed with plans for Raine's to close on the 31<sup>st</sup> August 2020. The report includes a summary of representations received and any responses made; risk and opportunities; officer's recommendations; decisions available to the Mayor in Cabinet.

## RECOMMENDATION:

Having considered all of the supporting documentation: particularly, the statutory notice set out at Appendix 1; the comments and objections raised by the eight respondents at Appendix 2; the Equalities Assessment (EA) at Appendix 3; and the report on the alternative options set out in Appendix 4, it is recommended that the Mayor in Cabinet approves the proposal, presented by the Local Authority and London Diocesan Board, to close Raine's Foundation School with effect from the 31<sup>st</sup> August 2020.

### 1. REASONS FOR THE RECOMMENDATION

1.1 The recommendation is made in order to determine the Council's response to the statutory notice on proposals to officially close Raine's Foundation School on the 31<sup>st</sup> August 2020.

1.2 The proposal to close the school has been put forward after the Local Authority

considered a number of alternative options. Given the financial pressures facing Raine's, the earlier Ofsted findings and the lack of pupils applying to the School this proposal is the option being recommended to the Mayor in Cabinet.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Mayor could decide not to agree to the recommendation for the Raine's Foundation School closure. In which case the LA would then have to decide on how the School's increasing budget deficit would be funded beyond the 2019/20 school year, given that it is no longer financially viable at its current size and will not see a sufficient increase in its pupil numbers for the situation to change in the foreseeable future.
- 2.2 Cabinet could decide to delay its decision on school closure, but this would mean that the School's financial position would worsen, further impacting on the quality of education for its current pupils and leaving an even bigger budget deficit, should the school close later than the proposed date of August 2020. Officers are convinced that it would not be possible for Raine's Foundation School to provide pupils with a rounded education that meets their academic, social and emotional needs and, consequently, any delay would not be in the best interests of educational provision in the area.
- 2.3 Cabinet could seek to make provision for the displaced Raine's pupils in a number of other schools across the Tower Hamlets area, where there is capacity to do so, rather than the further proposals continuing to be developed to expand Oaklands. This would mean that Oaklands School will not be expanded in connection with the current proposal, but it would mean some children in the Bethnal Green area having to travel greater distances to alternative schools.

## **3. DETAILS OF THE REPORT**

- 3.1 The purpose of the report is to inform Cabinet of the outcome of the statutory notice in respect of the proposal to cease to maintain Raine's Foundation School.
- 3.2 The Mayor in Cabinet is asked to consider the responses to the statutory notice, in taking a decision as to whether he wishes for the council to proceed with the Raine's Foundation School closure on the 31<sup>st</sup> August 2020.

## **4. INTRODUCTION**

- 4.1 Following a report to cabinet on 30<sup>th</sup> October 2019, the Mayor agreed for the council to proceed with the issuing of a statutory notice on proposals to close Raine's Foundation School. The main facts on the background to this decision, and current position of Raine's Foundation School, are set out below, with the detailed information in the consultation paper and in the October cabinet report.

## **5. BACKGROUND**

- 5.1 Raine's Foundation School is a five form entry Church of England secondary school, including sixth form provision, for up to 1050 pupils. The school comes under the auspices of the London Diocesan Board for Schools (LDBS). It is located in the Bethnal Green area with two sites. The main site is at the Approach Road, E2 and the other site at Old Bethnal Green Road, E2. The site at Old Bethnal Green Road is no longer in use as plans for it to house the

Raine's School sixth form did not come to fruition, due to insufficient pupil numbers.

- 5.2 Raine's has the capacity for up to 150 pupils at the point of entry in Year 7. For a number of years the school has experienced consistently low numbers of Year 7 applications and the total roll of the school has reduced over time. The School's current pupil roll is provided as follows:

Year	Males	Females	Total
Year 7	0	0	0
Year 8	18	20	38
Year 9	37	16	53
Year 10	1	1	2
Year 11	35	38	73
Year 12	0	0	0
Year 13	30	14	44
<b>Totals</b>	<b>121</b>	<b>89</b>	<b>210</b>

- 5.3 Schools receive funding per pupil and lower pupil numbers can create financial difficulties and present significant challenges with school organisation and the delivery of a high quality curriculum.
- 5.4 The table below presents historic numbers of Year 7 applications. It shows that since 2011 there has been a steady decline. At the closing date of the 31<sup>st</sup> October 2018, there were only 29 first preference applications received for admission to Year 7 in September 2019.

#### Raine's Foundation School – Year 7 Applications and Offers 2011 – 2020

	1 <sup>st</sup> Pref	2 <sup>nd</sup> Pref	3 <sup>rd</sup> Pref	4 <sup>th</sup> Pref	5 <sup>th</sup> Pref	6 <sup>th</sup> Pref	Total	PAN	Offers
<b>2011</b>	96	106	107	46	34	36	425	150	150
<b>2012</b>	71	94	90	56	22	37	370	150	114
<b>2013</b>	63	61	72	46	37	28	307	150	102
<b>2014</b>	65	85	74	57	33	36	350	150	95
<b>2015</b>	62	64	62	44	24	22	278	150	89
<b>2016</b>	57	55	57	28	36	23	256	150	88
<b>2017</b>	62	54	37	37	30	13	233	150	91
<b>2018</b>	49	65	40	26	25	11	216	150	72
<b>2019</b>	29	23	35	17	13	16	133	150	36
<b>2020</b>	1	6	12	6	10	8	43	150	TBC

- 5.6 In 2015 and again in 2017 Ofsted issued Raine's Foundation School with an overall effectiveness rating of 'Requires Improvement'. The 2015 Ofsted identified a need for a review of the governing body, given its ineffectiveness and inability to present a clear vision for the school's future and determine effective school policies. This rating could be a reason for low applications to the school when other LA maintained secondary schools in the borough have been rated as 'Good' or 'Outstanding'. However, the number of applications to Raine's Foundation School was declining for a number of years prior to this. The LA was eventually able to remove the governing body and establish an Interim Executive Board (IEB). The main objective has been to restore standards of teaching and learning. Despite clear progress and commendation for the new leadership team's work by an Ofsted monitoring visit in November 2018, numbers of pupils remain low. The current attainment levels and general data on the School's performance are presented in Appendix 10.
- 5.7 In terms of demographic growth, pupil projections show that there is no material increase in the projected numbers of pupils within Bethnal Green. Based upon

actual primary data in the relevant planning areas the numbers of pupils moving from primary schools in Bethnal Green will remain, at the very best, static.

- 5.8 The current Year 7 pupil projections for the LA are attached as Appendix 8. This includes the planned secondary school capacity through to 2027, should the decision be made to close Raine's School.

## **6. REASON FOR THE PROPOSAL FOR RAINE'S FOUNDATION SCHOOL TO CLOSE**

- 6.1 The proposal arises due to a fall in pupil numbers and the associated impact on the educational and financial viability of the school. The School is being recommended for closure due to underlying sustainability issues relating to its considerable and unrecoverable cumulative budget deficit at 1 April 2019 of £0.91m; its poor Ofsted rating; very low pupil numbers; and admission patterns that have seen a substantial decline in applications over the previous eight-year period:
- 6.2 A great deal of consideration has been given to the wellbeing of the school community, including pupils, families and staff, and the support they will require if the proposal is approved. The provision of a sustainable high quality education for all pupils has also been considered and will be provided for pupils and families if the proposal is approved. All possible impacts and risks are explored in the following section. Families have already started to look for new school places during the consultation period. Some have decided to take up offers at other schools in and around Tower Hamlets, including places at other faith schools. The majority have transferred to Oaklands. Please see Appendix 11 for the current list of Raine's pupil transfers.
- 6.3 The feedback from the schools where the Raine's children have already transferred has been very positive, particularly about their well-being and learning. The headteacher of Oaklands has met with parents of the Raine's pupils who moved to the School in November. They all also gave very positive feedback on how well their children have settled in.
- ### **7. THE KEY IMPACTS / RISKS AND HOW THEY WILL BE ADDRESSED**

***Balance of Denominational Provision*** - The local authority is under an obligation to consider the impact on the balance of denominational provision in the area before it determines the outcome of school closure proposals. Raine's Foundation is a CofE school. Were Raine's to close then a CofE secondary school option would continue to be available in Tower Hamlets at Sir John Cass Foundation. It is noted that this is a popular school and is often oversubscribed therefore is not an option for all Raine's current pupils. There is however other faith school places accessible in Tower Hamlets at Bishop Challoner and Canary Wharf secondary schools.

Oaklands is the nearest non-denominational School and this proposal includes plans for it to accommodate displaced pupils from Raine's. If final decision is for Raine's to close steps will be taken to ensure that former Raine's pupils who wished to practice their religion could secure chapel time at Oaklands.

As there is another CofE secondary school as well as other faith schools in Tower Hamlets and surrounding areas, this will mitigate the impact of the proposed closure on the balance and access to faith school provision in the Tower Hamlets area.

**Special Educational Needs (SEN) Provision** - Five pupils at Raine's have an Education, Health and Care Plan (EHC). Forty three pupils are receiving SEN support within the school. Consideration of the needs of these children and how they can be accommodated in other schools is being supported by the Special Tower Hamlets Special Educational Needs and Disabilities (SEND) Team and the local independent SEND Information, Advice and Support Service. Every school has a responsibility to provide education to children with special educational needs irrespective of whether they have an EHC Plan or not. At Oaklands School there is a Special Educational Needs dedicated department that assists students with a range of educational requirements. This proposal is therefore expected to improve special SEN provision for these pupils.

**Current Year 9 and 11 Pupils** – Particular consideration has been given to the current year nine and year eleven pupils as they prepare for their GCSE, A Level or other post 16 course options next year.

**Staffing Issues** – there are a number of staff who have been at the Raine's for many years and they have remained throughout the period of this closure proposal to ensure the School's good running. A decision to close Raine's will force them to apply for new jobs. The Interim Executive Board (IEB), London Diocesan Board for Schools (LDBS) and the Local Authority are working together to support staff through this change and finding new positions. Details of meetings held with the staff and their unions as well as the support being provided are attached as Appendix 5. A formal staff consultation will only take place once the final decision has been made to close the school.

**Equalities Considerations** - An Equalities Assessment (EA) has been undertaken and is presented in supporting documentation (See Appendix 3). Although there are some groups who are considered more vulnerable the EA explains how the risks are being mitigated and demonstrates how the Governing Body, the London Diocesan Board and the Local Authority are working together to ensure everyone's needs will be met if Raine's does close.

## **8. CONSULTATION**

8.1 The first stage of the consultation process was undertaken from 10<sup>th</sup> June 2019 to 31<sup>st</sup> July 2019. Consultation information, a list of frequently asked questions (updated at points during the consultation), and an online consultation response form were published on the council's website. An analysis on the outcome was included with the report to cabinet on the 30<sup>th</sup> October 2019 [here](#)<sup>1</sup>.

8.2. Options for consultation were necessarily limited to the proposal for the closure Raine's School and the expansion of Oaklands School to receive pupils transferring from Raine's. However, views expressed during the informal consultation help to inform the cabinet decision to proceed to statutory notice.

8.3 All parents at Raine's and Oaklands Schools were individually notified of the publication of the statutory notice on the Council's website. The notice was also published in the Local East End Life Newspaper and in the public place(s) on each of Raine's and Oaklands School premises. It was also sent to the following persons or organisations:

- Chair of the Raine's Interim Executive Body (IEB)
- Chair of Oaklands Governing Body,
- Members of the Joint Steering Group for Raine's and Oaklands School

- LDBS,
- Raine’s Foundation Trust;
- Westminster RC Diocese.
- DFE Department for School Organisation

8.4 Parents were also invited to a meeting on the 11<sup>th</sup> November 2019 at the Professional Development Centre, 229 Bethnal Green Road, London E2 6AB, where information was shared about how representations could be made and the next stages in the process. There were also invited to ask questions and give their views to senior council leaders and a representative from the Diocese (LDBS).

8.5 The notes from the public meeting, recording the views and the points that were raised in the discussion, rather than verbatim minutes, are attached as Appendix 6. The lists of questions raised at the meeting were recorded and the answers were later provided by senior leaders and published on the council’s website.

## 9. **RESPONSES**

9.1 By the formal close of the statutory notice, the following responses were received and are included as Appendix 2:

9.2 The 8 respondents identified themselves as follows:

Parent carer of a child / ren at Raine’s Foundation School	2
Parent of Ex-Raine’s student(s)	1
Raine’s Foundation Trust Board Member	1
Raine’s Foundation Trust	1
Other	1
Did not to say	2

9.3 All eight respondents objected to the proposed closure of Raine’s School. The general themes from the responses are as follows:

- The pupil capacity of 1050 is challenged several times vs how many children there are on roll and why the numbers are so low (allegations of the LA and headteacher forcing children to other schools not of their choice, not allowing yr7, 10 or 12 pupils to admitted)
- Conflict of interest with between members of the IEB and Joint Steering group, as both employed by the same company, both want to close down Raine’s.
- Concern over possible conflict of interest as the HT at Oaklands is a member of the Raine’s IEB that agreed to close the school.
- Raine’s has more trees, better air quality and access to a local park
- Raine’s should become and academy and the 6th form provision extended. Better placed to offer more subjects than Oaklands whose 6<sup>th</sup> Form is oversubscribed. Suggestion that “Raine’s Sixth Form has been decimated by the successful efforts of Oaklands and LBTH to recruit Raine’s students by inferring that they would have to repeat their studies when the school closes”.
- Raine’s results show that it is improving, as did the report of Ofsted monitoring visit in Dec 2018



- Raine’s White British pupils are disadvantaged and closing the school is an attempt to dilute poor exam results and spread them out across the borough and beyond.
- Bishop Challoner and Canary Wharf secondary school are not appropriate substitutions for a Church of England School.
- Concerns of bullying at Oaklands – LA not taking safeguarding seriously. Forcing children to attend a school not of their choice does not promote social cohesion.
- Raine’s pupils will be in a “significant minority racial group” at Oaklands, which is far less diverse than Raine’s, so are likely to experience bullying
- Raine’s bursaries for further education and university were not included in the earlier Equalities Assessment
- The informal consultation showed that Oaklands and Raine’s parents did not want amalgamation with Oaklands.
- Oaklands does not have the capacity for Raine’s pupils and the LA have requested that Ofsted do not inspect as they are over capacity
- The LA has allowed standards at Raine’s to slip and money to be overspent
- The Raine’s Foundation Trust was never consulted on alternative options, such as amalgamating or federating with another school and there are no details published concerning these proposals.
- Absenteeism will increase for Raine’s pupils if they attend Oaklands, a school not of their choice
- Raine’s has a comprehensive SEND offer as per their policy which is not reflected in the EA
- The attainment of different demographics of children is not covered in the Equalities Assessment.
- The information in the Statutory notice is incorrect/misleading
- There is no signed copy of the loan to cover the Raine’s financial deficit, and the amount owed varies depending on what document is being referred to
- LBTH has not discussed the future of the state-of-the-art upper school with its owner (the Trust) but instead has non-specific plans to build two new schools elsewhere in the Borough.
- The IEB’s Feasibility study is flawed as it does not take into account the fact the Trust want to keep the lower school site
- LBTH and LDBS have colluded to update the building at Lower School without informing the Trust and without its approval. LDBS also improperly and unsuccessfully attempted to trick the Trust into sharing its 100% ownership of the Lower School Building.
- LBTH were not happy with the progress the headteacher made, and he was never approached about federation
- The LA is pushing Christians out of the borough. The Service Head, is openly and strongly against a Christian admission policy in the case of oversubscription. This...suggests strong discrimination against the Christian population. Outstanding Christian schools in the Borough now have a large Muslim student population because of the high quality of education. However, having removed oversubscription rules within

admission policies for Christian students, this means Christian students now cannot get into Christian schools.

- Children with Child Protection plans are not being supported

9.4 All of the points raised in these general themes have been addressed, either through:

- the previously published FAQs, available on the Council's website;
- the Council's response in the earlier, 30<sup>th</sup> October 2019, cabinet report;
- the Equalities Assessment, attached as Appendix 3, which has been updated to address the representation following the statutory notice;
- the Council's and LDBS response to the questions from the public meeting on the 11<sup>th</sup> November 2019, attached as Appendix 7.

## **10. TIMETABLE FOR IMPLEMENTATION**

If the decision is made to agree the proposal for Raine's Foundation School to close, the timetable for implementation will be as follows:

- February 2020 - A staff consultation will be issued by the Raine's IEB
- Raine's pupils, who families choose to move to Oaklands School, will do so from the first day of the autumn term i.e. September 2020.
- The families of Raine's pupils who decide not to move to Oaklands will receive support from the LA School Admissions Team to secure places at schools with places elsewhere on or before September 2020.
- Raine's School will continue to operate up until the 31<sup>st</sup> August 2020 and then formally close.

## **11. EQUALITIES IMPLICATIONS**

11.1 An Equalities Assessment has been conducted by the LA and is attached at Appendix 2. It has been updated in view of the responses to the statutory notice and the representations made at the public meeting on the 11<sup>th</sup> November 2019. This must be considered in detail when the Cabinet considers the matters above, as part of its decision on whether Raine's Foundation School should close.

11.2 The Equality Act 2010 requires the LA, when exercising its functions, to have due regard to eliminate discrimination, harassment, victimisation; advance equality of opportunity; and to foster good relations between persons who share a relevant protected characteristic and those who do not ("the Public Sector Equality Duty").

## **12. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

12.1 Appendix 9 gives an analysis of Raine's school's financial history and its continuing difficulty in setting a balanced budget. As the appendix shows, the school has not demonstrated that it can achieve a balanced annual budget in the foreseeable future nor reduce its accumulated deficit of £0.91m as at 31 March 2019. Its continuation would therefore require additional support, estimated by the school as £0.152m in 2019-20 and increasing thereafter, with

no foreseeable prospect of repayment. As this is not a sustainable position the CFO supports the recommendation to close Raine's School.

- 12.2 In the event of the school closing at the end of August 2020, the governing body will receive a delegated budget share for the period April to August (5/12<sup>th</sup> of the financial year) with the residual 7/12<sup>ths</sup> remaining within the centrally retained element of the Schools Block of the Dedicated Schools Grant (DSG).
- 12.3 Any pension strain arising from the closure of the school will be a charge against the school's budget, as required by the Scheme for Financing Schools. Redundancy costs are generally a charge to the General Fund, but provision for redundancy costs exists within the Central Schools Services Block of the DSG and decisions, in consultation with the Schools Forum, will be required on the use of the residual budget share.
- 11.2 If the recommendation is accepted the closing deficit will be a charge to the General Fund. The deficit will grow the longer the school continues without a balanced budget.
- 11.3 In the event that closure is agreed negotiation can proceed on the expansion of Oaklands School. The cost of any purchase will be subject to negotiation as will any interim rental costs. In this event resources will need to be identified from the funding options outlined in Appendix 4 to the Planning for School Places report to Cabinet on 30<sup>th</sup> October 2019.

### **13. COMMENTS OF LEGAL SERVICES**

- 13.1. Under section 15 of the Education and Inspections Act 2006 ("the 2006 Act"), a Local Authority can propose the closure of all categories of maintained school. The LA must follow a statutory process to close a foundation school. The statutory process is set out in Part 4 of the 2006 Act. It is a detailed process that requires the publication of statutory proposals for the school's closure. As well as the provisions in the 2006 Act, the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 must be followed and the LA must have regard to the statutory guidance – Opening and closing maintained schools ("the Guidance")
- 13.2. The reasons for closing a maintained school include, but are not limited to, where the school is no longer considered viable, or there is no predicted demand for the school in the medium or long term, or it is to be "amalgamated" with another school. The report sets out relevant reasons.
- 13.3. The report recommends that, having taken into consideration all of the responses received during the statutory representation period and the Equality Analysis, the Mayor in Cabinet approves the proposal, presented by the Local Authority and London Diocesan Board, to close Raine's Foundation School with effect from the 31<sup>st</sup> August 2020. Cabinet must take the responses conscientiously into account in taking a decision about whether to close the school.
- 13.4. Part 5 of the Guidance sets out the considerations that the Mayor in Cabinet must take into consideration when taking the decision as to whether Raine's should close. This must be taken within 2 months from the date of the end of the representation period to take a decision as to whether a school should close, otherwise the Schools Adjudicator will take this decision.

- 13.5. The Guidance additionally sets out that where a school that has been designated with a religious character, decision-makers should consider the effect that any proposal for closure will have on the balance of denominational provision in the area, as well as the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.
- 13.6. The Mayor must be satisfied that the statutory process has been properly followed. When issuing the decision, the Mayor can:
- reject the proposal;
  - approve the proposal without modification;
  - approve the proposal with such modifications as they think desirable, after consulting the LA and/or proposer (as appropriate); or
  - approve the proposal – with or without modification – subject to certain conditions (such as the granting of planning permission) being met.
- 13.7. Within one week of making a determination the Council must publish the decision in respect of the proposed closure and the reasons for that decision being made on the Council's website. The Council must arrange for notification of the decision and reasons to be sent to a number of named authorities and organisations.
- 13.8. The Council can publish a proposal to close one school (Raine's) and enlarge or transfer site (following the statutory process) of an existing school (Oaklands) to accommodate displaced pupils. The report includes consideration of proposals to expand Oaklands School to make available places for the pupils by the potential closure of Raine's Foundation. The expansion is supported in principle by the Governing Body of Oaklands School, Raine's Foundation IEB and the Anglican Diocese. However, the details of how Oaklands could be expanded are still under review as this may be negotiated through a move to the Raine's lower site (which is currently vacant), by making changes to Oaklands' existing site, or seeking an alternative temporary site. The legal procedure for this proposed expansion will depend on which pathway is planned, and will therefore be dealt with separately in due course.

#### Employment considerations

- 13.9. The proposal for closure of the school may lead to the staff being made redundant. A dismissal for redundancy purposes is defined in section 139 of the Employment Rights Act 1996 and includes circumstances where an employee is dismissed for reasons wholly or mainly attributable to the fact that the employer has ceased or intends to cease to carry out the business for the purposes of which the employee was employed. By section 135 of the Employment Rights Act 1996 an employee is entitled to a redundancy payment if the employer dismisses the employee by reason of redundancy. Separate consultation with staff regarding will be required, if the school closes. The school should follow its redundancy and redeployment process (or any adopted diocese or LA process if none is in place).

#### Equality considerations

- 13.10. When deciding whether or not to proceed with these decisions the Council must also have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the

need to foster good relations between persons who share a protected characteristics and those who do not (the public sector equality duty).

13.11. In light of Raine's Foundation School's designation as a Church of England school, the equality impact assessment has had particular regard to the impact on the religious needs of the affected children, parents and staff and balance of denominational provision in the area. It is essential that the Cabinet considers the appended Equalities Impact Analysis in detail before taking a decision in respect of proceeding with publication of a statutory notice.

#### **14. ONE TOWER HAMLETS CONSIDERATIONS**

14.1 The LA has to plan for the overall social infrastructure to meet the needs of its local population. This informs the development of the council's asset management and service planning to ensure that the necessary infrastructure is in place and that any competing issues are properly balanced.

#### **15. BEST VALUE (BV) IMPLICATIONS**

15.1 This report confirms serious concerns about the future financial viability of Raine's Foundation School, given that the school budget is based upon pupil numbers, which have reached a critical stage of decline. At present there are no firm plans for the future of the school land and buildings and this cannot be properly considered until a final decision is made on the school's future. There is shared ownership on site at Old Bethnal Green Road, between the LDBS, Council and Raine's Foundation Trust, and any disposal of school sites will need to be considered by the Secretary of State.

#### **16. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

16.1 There is no sustainability or environmental implications arising out of this report. Any environmental and sustainability implications arising from the representation period will be duly considered.

#### **17. RISK IMPLICATIONS**

17.1 If authorised, continuation of the closure process will be carefully managed and evaluated in line with statutory guidance and taking account the views of families in order to minimise and mitigate risks.

17.2 The future viability of Raine's has been further debilitated by the number of requests from parents to move their children to Oaklands or alternative schools now, rather than wait to move in a managed cohort in September 2020. Despite the LA writing to all parents to explain the option for their children to remain at Raine's until 31<sup>st</sup> August 2020, this risk was always present from the point that the consultation on the School's closure commenced. It will be important to ensure an effective transition of pupils to minimise any impact. The Council is working with Raine's, Oaklands and the other schools to support them in mitigating this risk.

17.3 Any delay to a decision on the future of Raine's is likely to further exacerbate the impact on the school, its pupils and staff. The continuing decline in pupil

numbers leads to greater financial challenges adversely affecting its staffing and the School's ability to deliver a full and balanced curriculum.

## **18. CRIME AND DISORDER REDUCTION IMPLICATIONS**

18.1 There are no specific implications arising.

## **19. SAFEGUARDING IMPLICATIONS**

19.1 The report deals with the Council's approach to providing school places for the local population. The supply of school places contributes to the safeguarding of children by ensuring their early access to 'good quality' and sustainable education provision.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

Appendix 1	Statutory Notice (issued on the 5 <sup>th</sup> November 2019)
Appendix 2	Copies of all eight responses to the statutory notice
Appendix 3	Equalities Assessment on the closure of Raine's School
Appendix 4	Report on alternative options to the closure of Raine's School
Appendix 5	Report on support to be provided to Raine's staff
Appendix 6	Notes from the public meetings on the statutory notice proposals
Appendix 7	LA response to the questions raised at the public meeting and the key themes from the responses to the statutory notice
Appendix 8	LBTH Year 7 Pupil Projections - including the planned capacity through to 2027, should the decision be made to close Raine's School.
Appendix 9	Summary analysis on the current financial position of Raine's School
Appendix 10	Current attainment levels and general data on Raine's Schools performance
Appendix 11	Current list of pupil transfers from Raine's Foundation School

### **Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

The following document(s) has been used in the preparation of this report:

- 'Opening and Closing Maintained Schools – Statutory Guidance for Proposers and Decision- Makers' (November 2019) in conjunction with Part 2 and Schedule 2 of the Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011
- The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

**Officer contact details for documents:** N/A

## Statutory Proposal to close Raine's CofE Foundation School

### 1. Contact details

**Name and address of Local Authority publishing the proposal:**

Tower Hamlets Council, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

**Name, address and category of school proposed to be discontinued:**

Raine's Foundation School, Approach Rd, Bethnal Green, London, E2 9LY  
(Voluntary Aided School)

### 2. Implementation

**Date on which it is proposed to close the school:** 31 August 2020

It is proposed to implement the closure as follows:

- No Year 7 pupils would be admitted for 2020 (Parents who have expressed a preference for this year have been informed of the proposal for closure in 2020 before the Autumn term secondary transfer admissions round in 2019).
- Years 8, 9, 10, 11 allocated to Oaklands School, Old Bethnal Green Rd, London E2 6PR for September 2020. Parents can apply for their children to attend alternative schools.
- There are currently no Year 12 pupils on roll.

### 3. Reason for closure

The proposal arises due to a fall in pupil numbers and the associated impact on the educational and financial viability of the school. The School is being recommended for closure due to underlying sustainability issues relating to its considerable and unrecoverable cumulative budget deficit at 1 April 2019 of £0.91m, very low pupil numbers and admission patterns that have seen a substantial decline in applications over the previous eight-year period:

Raine's	1st Pref	2nd Pref	3rd Pref	4th Pref	5th Pref	6th Pref	Total	PAN	Offers*
2011	96	106	107	46	34	36	425	150	150
2012	71	94	90	56	22	37	370	150	114
2013	63	61	72	46	37	28	307	150	102
2014	65	85	74	57	33	36	350	150	95
2015	62	64	62	44	24	22	278	150	89
2016	57	55	57	28	36	23	256	150	88
2017	62	54	37	37	30	13	233	150	91
2018	49	65	40	26	25	11	216	150	72
2019	29	23	35	17	13	16	133	150	36

PAN = Planned Admissions Number

\*Offers made to Raine's applicants on National Offer Day (1st March)

NB. Not all applicants would be offered a place at Raine's as the majority secured a place at a higher preference School

The School's position is further exacerbated by being in the Ofsted category of 'Requiring Improvement' since November 2015 with below standard GCSE results.

A seven-week period of public consultation, including meetings with staff, governors, parents and other interested parties was undertaken from 10<sup>th</sup> June to 31<sup>st</sup> July 2019 in relation to whether the Council should publish this notice and propose to close Raine's School and move students to Oaklands School from the 2020/21 academic year. The consultation documents and responses can be viewed [here](#).

#### **4. Pupil numbers and admissions**

**The numbers of pupils for whom provision is currently made at the school:**

Raine's Foundation is a co-educational voluntary aided school for pupils aged 11 to 19. The school has a Published Admission Number (PAN) of 150 for each year group, giving a total of 1050 places. As at 4 November 2019 the school has 217 pupils on roll.

#### **5. Displaced pupils**

There are currently 217 pupils on roll: 0 in Year 7, 40 in Year 8, 57 in Year 9, 2 in Year 10, 74 in Year 11, 0 in Year 12 and 44 in Year 13 (November 2019).

This proposal is being considered alongside a parallel proposal to expand Oaklands School. It is considered that the proposals are interrelated and therefore the plan is for provision to be made to accommodate all displaced pupils at Oaklands School, Old Bethnal Green Road, London, E2 6PR (under that parallel proposal). During the informal consultation it was indicated that some families have preferences for other local schools and/or may live closer to other schools. Some schools in the surrounding areas have vacancies in some year groups and the Local Authority will endeavour to meet parental preferences for school places, where possible.

The local authority will continue to monitor the projected need for future school places and propose changes, if required, to ensure sufficient places are available in its area. However, given the parallel proposal and plan to use an expanded Oaklands for displaced pupils, it is not anticipated that the closure of Raine's will cause a shortage of secondary school places elsewhere in the local authority's area if that proposal were to be approved.

Where pupils do not wish to take up a place at Oaklands, they also have the option of applying for other schools in the Local Authority's area. The Council will support those applications, where students meet the admissions criteria and where there is sufficient space at the relevant school. The same applies to the Urswick School in Hackney at which the local authority and Diocese have agreed there will be priority consideration given to displaced pupils from Raine's who meet the Urswick School church admissions criteria should the proposals pass. Urswick School is geographically nearby to Raine's and therefore a potential option for some pupils to attend.

#### **6. Impact on the community**

Raine's School does not directly provide community access to its facilities.

The building at Approach Road, E2 is currently rented to an external organisation to run community sports activities outside of school hours. This organisation will be provided with the opportunity to continue to run its provision out of a nearby alternative school with similar sports facilities.

There may be an impact on the community as the particular composition of students attending Raine's, and their parents and guardians, will no longer exist at the school.



However, these students and their parents have the opportunity to continue to socialise as a community through secondary educational provision at Oaklands School.

Parental choice will be comparatively diminished by the removal of Raine's as an option to select. However, insofar as parents are concerned to obtain Christian or CofE educational provision for their children, there remain options within both Tower Hamlets (Sir John Cass, Bishop Challoner, and Canary Wharf – on which please see section 8 below) and in Hackney (Urswick School). Sir John Cass is a very popular school and therefore children from Raine's are unlikely to obtain a place there. However, there is greater space available at the other schools.

## **7. Rural primary schools**

Not applicable.

## **8. Balance of denominational provision**

The local authority is under an obligation to consider the impact on the balance of denominational provision in the area before it determines the outcome of school closure proposals. Raine's is a CofE school. Were Raine's to close then a CofE secondary school option would continue to be available in Tower Hamlets at Sir John Cass Foundation. It is noted that this is a popular school and is often oversubscribed therefore is not an option for all Raine's current pupils. There is however other faith school places accessible in Tower Hamlets at Bishop Challoner and Canary Wharf secondary schools.

Oaklands is a non-denominational School. However, were the proposal to be passed then steps would be taken to ensure that former Raine's pupils who wished to practice their religion could secure chapel time at the school.

As there is another CofE secondary school as well as other faith schools in Tower Hamlets and surrounding areas, the proposed closure will have minimal impact on the balance of denominational school provision in the local authority's area.

There has been a significant decline in the number of applications for children from CofE primary schools to Raine's over recent years and this mirrors the decline in the borough's Christian population as evidenced by the last national census, where Tower Hamlets had the lowest proportion of Christian residents nationally: 30 per cent compared with a national average of 59 per cent.

Raine's has a Planned Admission Number of 1050, but it is currently operating with 217 pupils on its roll, and had 526 students on its roll prior to an original consultation was conducted to consider issuing this statutory notice.

## **9. Maintained nursery schools**

Not applicable.

## **10. Sixth form provision**

Pupils currently in Year 11 will have the option to continue their 6<sup>th</sup> form studies at Oaklands or transfer to other 6<sup>th</sup> form provisions and this will be co-ordinated with support from the staff at Raine's School and the LA.

There is a greater provision of educational opportunities at Oaklands because of its size and viable funding model.

## 11. Special Educational Needs provision

Raine's School does not provide educational provision recognised by the local authority as being reserved for children with special educational needs. There are 43 pupils on roll who have been identified as having special educational needs, of which there are 5 pupils with an Education Health and Care Plan.

At Oaklands there is a Special Educational Needs dedicated department that assists students with a range of educational requirements. The proposal is therefore expected to improve special SEN provision.

## 12. Travel

Distance for home to school travel for the 217 pupils in Years 7, 8, 9, 10, 11 and 13 currently attending the Raine's ranges from 0.07 to 13.7 miles.

The table below gives the travel distances for these same pupils to Oaklands School.

Travel to Oaklands School	Number of pupils	% of pupils
Up to $\frac{1}{2}$ mile	9	4%
Between $\frac{1}{2}$ -1 mile	42	20%
Between $1$ -2 miles	92	42%
Between $2$ -3 miles	46	22%
More than 3 miles	28	13%
<b>Total pupils</b>	<b>217</b>	<b>100%</b>

It is recognised that these displaced pupils will need to make new journeys to school and may need to travel slightly further to Oaklands. However, in the majority of cases the journey to the new school will be less than 2 miles. Eligibility for support with home to school transport will be determined in line with the local authority's home to school transport policy, which can be accessed via this link: [School Travel Support](#).

Increased car use (compared to that for Raine's) is unlikely under the proposal (and parallel proposal to expand Oaklands) due to the distance to Oaklands being walkable for similar proportions of (and most) students. Where that is not the case, there are bus routes and support under the school transport policy set out above which would prevent individual families from needing to use cars. The distance between the Raine's and Oaklands school sites is 0.6 miles. Therefore, the difference under the proposal is negligible.

## 13. Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal any person may object to or make comments on the proposal by:

**Email:** [school.organisation@towerhamlets.gov.uk](mailto:school.organisation@towerhamlets.gov.uk)

**Post:** School Organisation and Place Planning Manager  
Pupil Services and School Sufficiency  
Tower Hamlets Children's and Culture  
Town Hall  
Mulberry Place  
5 Clove Crescent  
E14 5BG

**Closing date for responses is 2<sup>nd</sup> December 2019 at midnight.**

We will not be able to consider any responses received after this date. All responses received during the representation period will be published on the Council's website in mid-January 2019. The website address is: [www.towerhamlets.gov.uk/rainesfoundationschool](http://www.towerhamlets.gov.uk/rainesfoundationschool).

## Representations received via email

From: Johanna Kaschke  
Sent: 04 November 2019 16:02  
To: school organisation  
Subject: Raine's Foundation consultation post 4.12.2019

I strongly support the continuation of Raine's Foundation school converted into an Academy for the following reasons:

Raine's Foundation had problems due to having half-capacity of pupils prior to the start of the consultation.

Capacity 1050 – actual pupils 526.

The problems, it seems to me, are due to complications because of governance decisions, which were detrimental to the school's development.

However, one has to take into consideration both the facilities and the location of the school, which in itself would make a winning combination for schooling potential.

Under the right leadership, the school can thrive very well indeed. Raine's has more trees than Oaklands in the surrounding area and direct access to a local park, also used by a nearby private school, Gatehouse.

The new Department of Education guidelines out since Sept 2019 and I copy the following lines to you: "An IEB may recommend to a local authority that a maintained school be closed. It may also recommend that the Secretary of State give a direction to a local authority regarding the closure of a maintained school. It cannot however, publish proposals for closure itself. Where, following the statutory consultation and other procedures, it is agreed that the school will be closed, the IEB should continue to hold office until the implementation date of the proposal. The IEB may also seek an academy order from the Secretary of State which enables the maintained school to convert to an academy."

It would be very sad to waste the excellent facilities because of some bad Governance decision taken in 2016.

Sir Alasdair Macdonald was commissioned to create a consultation document, with which he recommended in his feasibility study, dated 1. April 2019, that the school would best be closed and Oaklands expanded. Oaklands school incidentally has less capacity and is not located within such green and environmentally friendly location as Raine's school is.

With the appointment of the IEB and Alasdair McDonald being appointed onto it, the fate of Raine's school was sealed. The policy to close the school was rigorously followed. No other option was considered from then on.

Simultaneously a Steering Group was created with Alan Parker in the chair. Both Sir Alasdair Macdonald and Alan Parker are part of the same organisation, the Visions for Education group.

Both complement each other with this closure of Raine's school strategy.

Sir Alasdair MacDonald, *"He was headteacher of Morpeth school and during that period, attainment at the school rose significantly and Ofsted inspections in both 2007 and 2013 rated Morpeth as Outstanding. He "was achieving against the odds".*

So, this implies that Sir Alasdair Macdonald knows very well, from his own experience that schools can be turned around.

The only real issues for Raine's Foundation school are the low pupil numbers. A need for SEND provision expansion. New board of governors.

Yet, the Department of Education guidelines – as stated above – allow for Raine's Foundation school to be converted into an Academy upon application by the IEB. However because the IEB is composed of people who are pre-occupied with the closure of Raine's, due to Alasdair Macdonald's membership, the IEB will not look at other options.

The current Ofsted rating for

- Raine's secondary schools years 7 – 11 is 'in need of improvement'
- Raine's sixth form 'good'

Obviously there is a brilliant potential for Raine's school and I am certain that with the appointment of a new headteacher, or a headteacher who wants to take the Raine's school forward and a conversion into an Academy, good marketing, running the school mainly as a community school with affiliation to the Church of England, that would help the school to turn around and improve both attendance and viability.

There is absolutely no need to cause all this stress a closure of Raine's and expansion of Oaklands would cause. As the first round of consultation clearly showed neither parents of Raine's nor parents of Oaklands want this amalgamation to go ahead. There are currently immense complications about the use of the Lower school facilities by Oaklands.

Raine's Sixth Form could become a leading Academy with a large choice of subjects, currently Oaklands offers only 16 subjects (12 A-level, 3 BTEC, 1 ASDAN) without offering any sport, whilst Raine's has well established affiliations with Sport England. A competitive Sixth Form must offer in excess of 20 subjects including sport. Raine's who already own the facility of the Lower School, are better suited to deliver this.

It would be much better and less complicated to extend Raine's provision, using the excellent lower site (Old Bethnal Green Road) and Upper site facilities (Approach Road) and allow everybody to educate their children in peace and with contention.

Because of a wrong decision by the Council to follow a closure of Raine's policy, which further reduced pupil numbers by half again, the council should absorb – write off – any existing debt and allow the school to start afresh.

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From: G McCormack

Sent: 05 November 2019 11:16  
To: school organisation  
Subject: Raines Foundation

I oppose the disgraceful decision to close 300 year old Raine's Foundation School.  
My two children have been forced elsewhere.  
My daughter bullied into leaving her now year 10 class and my son refused his year 7 place with scholarship.

The forced move to Bow school has proved detrimental to their wellbeing. In year transfer is a challenge for a Raine's cast offs.

The location is diabolical for pollution yet Raines has the best location with the lowest pollution levels.

My son has Asthma and Exzema and is having a flare up. Now missing vital days off school due to illness. A direct result of the LA, John Biggs and Inigo Woolfe.  
The stress as a family is still overwhelming.

Shame on those who are responsible. I thought children mattered. Where's the LA'S safeguarding policy for all the children.

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From: Rebecca Gilbert  
Sent: 05 November 2019 11:48  
To: school organisation  
Subject: Closure of Raine's Foundation School

Dear Sirs,

I am writing in connection to the closure of Raine's Foundation School. I would like to object for the following reason:

My daughter who is now in year 8, attends the school. I feel that it is very unfair to expect children of this age, who are going through lots of growth in all areas of their lives, including socially and mentally to have to deal with this enormous upheaval.

These children have made their groups of friends and despite an initial transition period, my daughter has settled in nicely at the school.

Raine's has a diverse mix of cultures and religions. It is recognised that Oakland's is not so diverse and I am worried if she is to be transferred there, she will not be accepted and may experience bullying (never experienced at Raine's, despite the 'reputation'), which would disrupt her schooling.

I opt for Raine's to remain open.

I hope my contribution helps to sway the decision.

Best wishes,

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From: Derek Smith  
Sent: 05 November 2019 12:39  
To: school organisation  
Subject: PROPOSED CLOSURE OF RAINES FOUNDATION SCHOOL

I would like to comment as follows on the planned closure of Raines Foundation School. In the past the school was a beacon of excellence in the Tower Hamlets area. Pupils travelled from all over London, not just the East End, to attend Raines when it was a Grammar School. The move of the school from its building in Arbour Square to an older and smaller building in Bethnal Green was clearly a mistake. How have standards been allowed to slip in such a marked manner and why is the school so far over budget?

Responsibility for the decline of this once excellent school must be laid at the door of local authorities. If the right support had been provided to the staff it would, I am quite sure, still have its good reputation and be sending a significant number of students to university, a smattering to Oxford or Cambridge as it did in the past.

The decline in numbers of students is, almost certainly, partially due to the rumours about its closure. Your local authority, and the Mayor of London should be ashamed of the way in which you have allowed this school to decline.

As you can afford to close a 1050 place secondary school I imagine that the population of Tower Hamlets is declining in line with the number of student places required?

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From: Johanna Kaschke  
Sent: Monday, November 4, 2019 4:50:46 PM  
To: [school.organisation@towerhamlets.gov.uk](mailto:school.organisation@towerhamlets.gov.uk) <[school.organisation@towerhamlets.gov.uk](mailto:school.organisation@towerhamlets.gov.uk)>  
Subject: FW: Raine's Foundation consultation post 4.11.2019

Just correcting the subject line, rest of e-mail stands as sent previously.  
Kind Regards

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From: Johanna Kaschke  
Sent: 05 November 2019 17:26  
To: school organisation  
Subject: 3. Submission : Raine's Foundation consultation post 4.11.2019

Further to the two emails below, I feel it is necessary to add that I think the council should have sought a second opinion and not installed Mr MacDonald as Governor on the IEB to carry out the action, he felt was the correct one without any other input.

Mr Macdonald was severely unilateral to his post, there was only one side allowed, no argument could evolve as to how the pupils are best served.

A neutral governor should have been appointed, who could have had other views. Another opinion could have brought up other views as how to solve the problem.

Both Mr Parker as Chair of the Steering Group and Mr MacDonald as chair of the Visions for Education Group work closely together and their simultaneous appointment is merely thought to conduct the closure of Raine's.

There is an obvious conflict of interest. I do not know whether there is also a pecuniary interest as both gentlemen belong to the same organisation.

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From: S Adams  
Sent: 12 November 2019 08:50  
To: school organisation  
Subject: RAINES FOUNDATION SCHOOL

Re Raines foundation School

Statutory Proposal to close the school

: whys is Canary Wharf mention in the notice as a Cof E school – this is incorrect

: The school role is 217- this is because TH have and the head of the school was ringing parents and telling them to move school in years 9 and 11 , on GCSE results day the students were refused the option to join Raines 6<sup>th</sup> Form and told to go to either Oaklands or another school – this in breach of what was on the schools web page – the council then stated there was not enough students to keep the year 12 open – even though these students were not allowed to sign up – how does TH know how many wanted to carry on their education at Raines

: why was year 10 students forced out of the school ??? those that did return had no classroom – no teachers and no timetable ??

: if only 7 pupils transferred to Oakland's as stated in the Proposal why do they need to expand

: why is the year 12 at Oaklands so overly subscribed that they have no common room to use and are sitting in halls to do work when they have no lessons ?? TH is failing both schools pupils in this respect

: Why has emails and letters not been answered by council ??? Even the mayor has taken no notice of email –

: how does TH expect to safe guard pupils from Raines in other schools after what we heard at the meeting last night ??

From: Maria Mole  
Sent: 27 November 2019 17:08  
To: school organisation  
Subject: FAO SOPPM re Raine's Foundation

Dear School Organisation and Place Planning Manager,  
I would like to notify you of my formal objection to the Statutory Notice regarding the closure of Raine's Foundation School Approach Road Bethnal Green.

My objections are based upon the misleading and inaccurate information contained in your supporting documents and Equality Analysis which have informed your decisions. I would appreciate confirmation upon receipt.

Please find attached two separate documents  
1 Statutory Notice Objection  
2 Objection to Statutory Notice

From Maria Mole. Objection to Statutory Notice to Close Raine's Foundation School and Objection to the Equality Analysis Based on Inaccurate Supporting Evidence Current; Decision Rating Amber

Please note my strong objection to the supporting evidence used in the Equality Analysis which has been used to enable the Statutory Notice .

#### SECTION 1

*The School's position is further exacerbated by it being in Ofsted category of 'Requiring Improvement' since November 2015 with below standard GCSE results.*

The 2019 GCSE results are much improved and the best improved in the borough. The Dec 2018 Interim OFSTED Monitoring report was good and highlighted the dramatic improvements since summer 2018.

*These concerns were focused on its financial viability, set against a backdrop of declining pupil numbers together with the capacity of the School to improve pupil behaviour, progress and outcomes rapidly. Numbers of pupils enrolled at Raine's has been steadily declining, from 808 at the January census in 2012, 747 in January 2014, 669 in January 2016 and 520 pupils in January 2019. The current pupil numbers are well below the School's target of 800 and less than half its planned capacity for 1050 pupils.*

The school capacity at Approach Road is actually 750. The Lower School (currently unoccupied) has a capacity of approx 200. The schools GCSE results September were the best improved in the borough. In December 2018 OFSTED said Since September 2018, however, the quality of education the pupils are receiving has improved quickly and dramatically and Behaviour is now managed very carefully and skilfully from the very start of the school day. In the lessons we visited, pupils behaved consistently well. This would indicate that the school does indeed have the capacity to progress quickly.

*In considering ways for Raine's to secure its future and provide a better quality of education for its pupils, the LA and Diocese considered a range of options, including Raine's federating with another*



*school or amalgamating with an existing Church of England school. None of these options were considered viable.*

There are no details published concerning these proposals and the Raine's Foundation Trust have never been consulted on any such proposals. The only other Church of England School in Tower Hamlets is Sir John Cass and they have no knowledge of any offers to amalgamate or federate.

*Oaklands was chosen because:*

- it had effective governance and strong leadership;*
- it was in the right geographical location;*
- it is popular with local families;*
- It is 4FE school with potential to add more capacity through expansion;*
- it was well placed to provide a good education to additional pupils.*
- It was already providing support to Raine's as part of the LA's earlier intervention plan.*

Oaklands may well be popular with local families, but obviously not with Raine's parents who did not choose Oaklands but did choose Raine's with its good Sixth Form which has consistently shown that children make more progress there during A level study than at Oaklands ([gov.uk](http://gov.uk) compare data). It was Paul Wood from Sir John Cass who was in fact the initial Executive Head. He was the person responsible for rapid change and was due to stay at the school for longer than his eventual 6 month secondment. Oaklands became involved after Ms Canavan was invited to attend an IEB meeting in December 2018, joined the IEB in January 2019 and voted to close Raine's in order for her own school to expand. Of course Oaklands needs to expand in order to survive financially. I would question why such a clear conflict of interest is not highlighted on your assessment. I would also point out that if expanding her school results in a higher banding and therefore a higher salary, there would be a pecuniary interest.

### SECTION 3

*In the national GCSE benchmark of the percentage of pupils achieving grade 5/C or above in English and maths, Raine's average student score was significantly below the Tower Hamlets and national averages in: 2015/16 (Raine's average was 35% vs TH average of 63%); 2016/17 (Raine's 30% vs TH 44%); and in 2017/18 (Raine's 22% vs TH 44.8%).*

11-16

This takes no account of the different demographics of schools locally and nationally. Nationally the percentages of Bangladeshi (main demographic of Oaklands) and White British (main demographic of Raine's) as published by [gov.uk](http://gov.uk). (All that Group, Free School Meals, Non Free School Meals)

2017.	White British.	Bangladeshi
All.	42.7	49.1
FSM.	16.7	38.9

NonFSM.            52.4.                            46.0

You can see the huge gap between groups that disadvantaged White British children have nationally. Tower Hamlets has the 5th lowest score for this group in the country. Of course this is not acceptable either locally nor nationally but closing a school is not going to solve this problem. It is a debate which has been going on for some years now. Of course your aim would be for all children to be achieve well and of course the local schools that are achieving this are to be congratulated but do not blame one school for a national problem, and especially not one with such a high level of disadvantage, child protection and behaviour challenges.

*Raine's Progress 8 score is classed as "well below average" at -0.84, putting it in the bottom 13% of schools nationwide. Oaklands' Progress 8 score is 0.68, in the top 14% of schools in England and classed as "well above average".*

Summer 2019 Progress 8 Scores show a vast improvement at -0.38. These results indicate that the school has in fact made the fastest progress in the borough.

Disadvantaged White British children are not only the lowest attainers nationally, research has found that as they get older the situation becomes more acute and the gap widens. By contrast Oaklands largest ethnic group are amongst the highest attainers nationally. By trying to move Raine's children you will succeed in 'hiding' them rather than proactively supporting Raine's to buck these national trends. To quote Professor Strand of Oxford University : "Equity gaps are NOT the result of a small number of failing schools, which if they can somehow be fixed, will remove the overall Socio Economic Status or ethnic achievement gaps. I would also urge caution in making direct comparisons of Progress 8 Attainment between the two schools as your own party at National Level has asked for these tables to be amended in light of the impact they have on schools serving white working class children. They, along with a growing number of experts have identified that the formula used is skewed and as Dr Terry Wrigley has said it is "an unreliable identifier of school ineffectiveness". I would also point to the disconnect between the perception of the Lower School to the Upper School. How on earth could the sixth form manage to be consistently 'Good' if there wasn't effective teaching in lower year groups. LBTH have managed to make this a difficult task by effectively replacing permanent staff with a high proportion of supply staff so as to prejudice standards.

*In addition, the declining numbers of students in Raine's sixth form means the range of subjects offered is restricted. The Department for Education's recommended minimum size for a viable sixth form is 200 pupils. The number of students in Raine's Sixth Form for the academic year 2019/20 is approximately 132 pupils, whereas there are 212 pupils in Oaklands' Sixth Form.*

Raine's Sixth Form has been decimated by the successful efforts of Oaklands and LBTH to recruit Raine's students by inferring that they would have to repeat their studies when the school closes.

Oaklands Sixth Form did not have 200 pupils prior to this year. Raine's has historically had a popular and successful Sixth Form . Governing Body minutes refer to an oversubscribed Sixth Form and in 2017 was in the top 30% of providers nationally.

*86% of pupils at Raine's stay in education or employment for at least two terms after Key Stage 4, compared to the LBTH average of 93% and an English average of 94%. For Oaklands' pupils, it is 94%, above even the LBTH average. The percentage of Raine's pupils staying in education for at least two terms after KS4 according to [gov.uk](http://gov.uk) is actually 89%. I would point out that this is data for*

one year only and it would be more useful to see data collected over time. The table below , for instance, shows the percentage of Raine’s pupils staying in education or employment for at least

17:41 Sun 24 Nov compare-school-performance.service.gov.uk 69%

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**Student destinations (education and employment after 16 to 18)**

**Students staying in education or employment for at least 2 terms after 16 to 18 (level 3) study**

Students finishing 16 to 18 study who either stayed in education or went into employment from October to March the following year, or stayed in an apprenticeship for at least 6 months. The data published in January 2019 is for students who finished level 3 (A levels or other level 3 qualifications) 16 to 18 study in 2016, which is the most recent data currently available. For further details, see the [16 to 18 Accountability Technical Guide](#).

[View as chart](#)

	2016	2017	2018
School / college	97%	97%	91%
Local authority state-funded schools / colleges	87%	90%	89%
England state-funded schools / colleges	88%	89%	89%

[Back to top](#) [Close all](#)

**About this data**

- [Abbreviations](#)
- [Further guidance](#)

two terms after 16-18 study

As you can see Raine’s pupils have a higher average than either local or national statistics and are more than comparable to Oaklands whose percentages were:

2016-92%    2017-85%    2018-93%

*Pupils are Raine’s are also far more likely to be persistently absent from school. As of 2017/19, 17.9% of pupils were persistently absent, as opposed to 7.8% at Oaklands, and an English average of 13.9%.*

There has been a Targeted Intervention Group (LA led) involved with the school 2016-2018, a Governing Body heavily influenced by and working closely with the LA 2016-2018, and an IEB with members approved by the Secretary of State including the Executive Head of Oaklands. The Deputy Head of Oaklands is the Acting Head of Raine’s. Despite this, persistent absenteeism is a challenge that has not been solved. I would suggest this would not be proof that changing schools will solve the absenteeism, merely dilute the figures if the pupils are enrolled at different schools. If the leadership of Oaklands have not been able to solve this problem since taking over the school, then how would trying to get the pupils to attend Oakland improve the situation? I would suggest that for these children the problem may become worse and they may attend even less. This is a safeguarding issue as these children may be out of school and on the streets.

*Therefore, it appears that children within Raine's of all age groups will receive a higher quality of education at Oaklands, and therefore should academically benefit from moving schools, with improved educational outcomes and increased attendance. This applies with equal force as a consideration to all of the protected characteristics considered below, and should be considered as such.*

*As per above this paragraph does not stand up to scrutiny and should be considered more carefully. There is no evidence that all children will transfer to Oaklands. There is evidence that Raine's has improved rapidly at KS4. The Raine's Sixth Form is rated Good, make more progress than Oaklands and pupils stay in education or work at a higher than national average. Vulnerable absentees have not been so well supported by the current Oaklands leadership that they are attending at a satisfactory level.*

*Although children with SEND may be "disadvantaged" by potentially attending a school with more children on roll and/or by the process of moving between schools, there is currently no educational provision which is reserved for pupils with SEND at Raine's.*

Here is the Raine's Local Offer and SEND Policy taken from Raine's website. If the leadership of Oaklands are supplying no SEN provision at Raine's since taking over I would suggest that this is also a safeguarding issue and would suggest that OFSTED should be called in.

#### Raines Foundation School Local Offer

How we support children with special educational needs or disabilities

Our vision and how we hope to achieve it

Our school community provides an aspirational learning environment for all students whatever their abilities. We are committed to enabling all our students to achieve their full academic potential and to develop into active and confident members of society. We are an inclusive mainstream school where equality for all aimed for at all times. We have a culture of inclusion and with our aim being for all students to be able to participate in all aspects of school life.

Type of school

We are a Church of England school that accepts students from all faiths and beliefs. We admit students 11-19 including our sixth form.

How we give pupils a voice

At Raine's Foundation school we love to hear from our students and enable students to do this in many ways. We offer a person centred planning approach for any annual review, PEP or TAC meetings making the young person's view central to any provision or decisions being made about them. One part of sharing information about a student with staff members is using the One Page Profile model. This is created with the students ensuring their views and opinions are presented about how to best support them in lessons. We also have mentors and pastoral staff within the school who will listen to pupils and facilitate dialogue about any issues they may have in school.

How do we know if student has special educational needs ?

Students with special educational needs or disabilities are usually identified at primary school prior to transition. At Raine's we want to support these students through any transition periods. This transition programme includes liaising with Primary school teachers, a transition day and individual visits where necessary. We will ask all students to complete a baseline reading testing at the start of yr. 7 and use this information in conjunction with a KS2 data analysis to identify any additional needs. We will also take referrals from members of staff, parents and the students themselves.

What we do to help children/young people with SEND

Quality First Teaching is delivered in all lessons. Staff members are made aware of students with SEND on the first day of the academic year which are adjusted and adapted throughout the school year depending on the need of the child. We currently provide literacy intervention at KS3 which provides additional wave 1 and wave 2 support. As part of the inclusion department we will carry out our own internal assessments and make referrals to external agencies for assessment and action planning and reviewing in liaison with pupils and parents. In addition to this all students with EHCP or who have received specialist interventions have a One Page Profile which is shared with all staff members and external agencies.

Other forms of support we provide are;

- In class TA support
- Greenhouse sports mentoring
- 1:1 mentoring support emotional language development

- Break and lunchtime games club

- Low sensory room providing calming environment (Retreat)

As a school we believe all teachers have a responsibility for teaching students with SEND and are supported by a team of specialists in the Inclusion Department. This consists of

1X SENCo

1X Senior Support Officer

3 x support officers

As part of our Inclusion Unit we also have the following staff

1 x RIC Manager

1 x support officer

2 x Pastoral Support Officers (PSO)

How we adapt our teaching for children and young people with SEND

As a Quality First Teaching school we focus on differentiation to ensure all students can meet the curriculum. The inclusion department offers on going support & training to mainstream staff on meeting individual needs and developing effective wave 1 interventions.

How we decide what resources we can give to child / young person with SEND

At Raine's we will provide provision to ensure we are meeting the needs of all students with an EHCP in line with the long term outcomes. Students with SEN but who do not have an EHCP benefit from provision which is allocated and determined on the basis of need. This will be reviewed and adapted based on level of progress being made and with input from Head of Learning.

How do we check that a child or young person is making progress and how we keep parents informed?

All students have their progress reviewed termly through a school report which is posted home. In addition to this monitoring the progress made by students with an EHCP is via the annual review process. This will allow for the student, parents and staff members to discuss, monitor and review any provision in place.

Support we offer for children and young people's health and general well being

The School will aim to put in place all reasonable adjustments necessary to support individual students within school. Information is carefully and sensitively shared with school staff in consultation with health professionals and parents

Other provision we provide to support the pupils at our school are the Retreat and the Raines Inclusion Centre (RIC). The Retreat is a place where students can go to for support when they are feeling vulnerable and when they feel they need timeout throughout the day. This is usually

staffed by our mentor figure. Provision provided at the RIC is to support any students with behavioural difficulties. This might include 1:1 support or small group sessions with support workers who are experienced in working with students with behavioural needs. There is considerable expertise working with students at risk of exclusion in both the Learning Support Unit and the Retreat.

#### Specialist External Services we use when we think extra help is needed

- Educational Psychologist
- CAMHS (Child and Adolescent Mental Health Services)
- The Parents Advice Centre (PAC)
- Social Services
- School police liaison officer
- The Careers Service
- The Behaviour Support team for advice

#### Our school environment

Following an extensive re-building programme the school is mostly wheelchair accessible and all classrooms have interactive whiteboards. Pupils can access the main school facilities at break and lunch times ensuring they have opportunities to be included in the life of the whole school.

#### How we prepare for children and young people joining our school and leaving our school

Pupils with SEND are identified by primary school staff prior to transition. A detailed transition programme including meetings with primary, additional visits in summer term increase our knowledge of individual needs. In addition to these meetings a detailed analysis of KS2 data allows for early intervention. The school secures equipment and facilities to support children and young people with special educational needs on loan and via its delegated budget.

#### How parents are involved in school life

Parents of children with SEN are consulted regarding their views on their child's provision, support and experiences at school.

We will communication with home via;

- Parents evening
- Information events at the school
- Phone calls and Letters home
- Newsletters
- Praise postcards
- Parental Bulletin

Raine's Foundation School SEND Policy 2018/2019

#### Vision

At Raines Foundation school we believe all students are entitled to a broad, balanced curriculum that reflects their needs and aspirations. Like all students, those identified as having SEND are individuals with a variety of learning styles, strengths and difficulties.

Our school promotes inclusion and recognises every teacher is a teacher of every student, including young people with special educational needs and disabilities (SEND). Our ethos is one of inclusiveness and providing opportunities to all our students.

#### Aim

Our aim is to raise the aspirations and expectations for all students, including students with SEND, so they can achieve excellence by unlocking their potential. We hope all students leave school with the best qualifications and skills possible, to enable them to live successful and independent lives. We take a holistic approach focusing on outcomes for our young people and supporting them on their educational journey.

We aim to support a wide range of students' needs in a cross-curricular environment. The SEND department take a lead and co-ordinating role as well as directly supporting students with SEND. Details of our school offer is available on the website.

### Objectives

- To identify and provide for students with SEND and additional needs.
- To work within the guidance provided in the SEND Code of Practice, 2015.
- To take a 'whole person' view of individuals with SEND, and to take a 'whole school' approach to supporting them.
- To provide support and advice for all staff working with SEND students
- To use a graduated approach to support students
- To assess, monitor and evaluate the performance of SEND students involved in core intervention strategies.
- To work closely with students and their families/ carers to ensure that the voices are heard.

### Responsibility for the Provision of students with SEND

#### Students

Students are encouraged to take an active part in identifying suitable targets and monitoring their own progress. At Raine's Foundation school we use a Person Centred approach when developing a support plan for SEND students. Students are encouraged to develop their independence as they get older. One Page Profiles are copied to all staff to facilitate student engagement and appropriate differentiation.

#### Subject teachers

All teachers are responsible for the education of students with SEND and ensuring that SEND Support Officers are supporting those students identified as having SEN. To help promote inclusiveness, all new teachers have an induction session with the SENDCo, so they are aware of the neediest students and how to support them (HOW CAN WE MAKE SURE THIS HAPPENS?) This involves planning differentiated strategies and providing useful feedback to help these students make progress. Subject teachers are responsible for making appropriate provision and knowing

the outcomes and specific strategies for students with One Page Profiles. Teachers are asked to contribute to reviews of progress and formulation of One Page Profiles.

### SEND Support Officers

SEND Support Officers work with those students identified as having SEND, either in class or in small group interventions. They assist learners to develop their literacy and numeracy skills and to make progress within different subject areas. Their role is not to tell students what to write or do, but to guide them through effective questioning and by developing the students self – esteem. SEND Support Officers are encouraged to offer assistance to all students, not just students identified with SEND. They are an integral part of the learning community.

### Senior Support Officer

The SEND Senior Support Officer (SSO) is responsible for organising and line managing SEND Support Officers. The SSO ensures that students have their statutory hours of SO support, as well as assigning support to those students without an EHCP. They also hold regular meetings and training sessions with the Support Officers. They are responsible for ensuring that examination access arrangements are in place and that students get the support they are entitled to. The SSO also oversees interventions for students identified SEND and ensures student records are up to date and reviewed where necessary.

### SENDCo

Provision for students with SEND is co-ordinated by the SENDCo, who is responsible for the day to day operation of the SEND policy and implementing the targets on the Departmental Development Plan. S/he works in close collaboration with: the students, their parents/carers, school staff and outside agencies and provides relevant professional guidance on curriculum and pastoral matters to colleagues to facilitate Quality First Teaching for students with identified SEND. The SENDCo monitors the overall progress of students with SEND and works closely with SLT to monitor the effectiveness of school provision.

Other responsibilities for the SENDCo include;

- Working with SEND STL Line Manager to embed teaching for SEND across the curriculum
- Monitor and track progress of students on SEND register.
- Overseeing students records, monitoring and reviewing of progress and provision
- Maintaining and updating the SEND register, including identifying the 'Area of Need' and 'Sub-Categories' in accordance with the SEND Code of Practice (2015)
- Contributing to in-service training of staff
- Holding regular meetings with SSO and SOs



- Working closely with SSO to identify appropriate resources to support classes and individuals
- Liaison with parents / carers of students with SEND
- Work closely with SSO and SO to arrange and run Annual Reviews and Learning Support meetings
- Liaison with external support services
- Carrying out Performance Management planning and reviews
- Attending the Inclusion Panel

#### SEND Line Manager

The SEND Line Manager currently has overall responsibility for the implementation of SEND and Inclusion within the school. He will ensure that the SEND policy is implemented and s/he will monitor and review its effectiveness.

#### Governing Body

School governing bodies have statutory duties towards students with SEND. Governors must report annually to parents on the policy for students with the SEND and provide details of provision and allocation of resources. The Children and Families Act 2014 requires the governing body to admit a student to Raines Foundation School, where they are named in the Educational, Health and Care Plan. Governing bodies must use their 'best endeavours' to ensure that special educational provision is made for a student.

#### Admission Arrangements

A child with an EHCP naming Raine's Foundation School will be offered a place, unless there are particular reasons why the school is unable to do so. The place will be provided in the appropriate band of ability. Requests may be refused where other schools in the LA might be better able to meet the students' needs which is a better use of LA top funding e.g. where there is a hearing impairment department. (NOT SURE THIS SENTENCE IS APPROPRIATE)

#### Resourcing at Support for SEND

For students in this category, the Learning Support department provide a range of additional support of various kinds. This includes small group classes for literacy and numeracy, speech and language and learning mentor support. In-class support is provided by Support Officers for some core lessons.

#### Resourcing for students with EHCP's

Students with EHCP's have person-centred annual reviews at which progress is evaluated and decisions made about the appropriateness of the current provision on the plan. Relevant external agencies are invited to these reviews. Students receive the provision specified on their EHCP.

#### Identifying Special Educational Needs

At Raine's we aim to match the special educational provision to the student's identified SEN, so when identifying Special Needs, we align students within the four main categories of need, as outlined in the Code of Practice (2015):

- communication and interaction (CI)
- cognition and learning (CL)
- Social, emotional and mental health (SEMH)
- Sensory and/or physical needs (SP)

We shall inform parents when we are considering making special provision for a student. Where necessary we shall work in partnership with parents to establish and secure best outcomes, taking full account of their views and wishes.

Aims of SEND Identification and assessment:

- To identify students needing support to access the curriculum
- To identify needs and plan teaching strategies
- To provide feedback for students to enhance learning skills
- To develop student's ability to identify own achievements and target areas

for improvement

- To provide feedback to teachers on effectiveness of teaching strategies
- To encourage the use of a variety of assessment techniques to ensure

each student has the opportunity to succeed and becomes aware of progress made

Should a parent or carer have concerns that their child may have Special Educational Needs they should contact the school's SENDCO.

Managing Students' Needs on the SEND Register

We take a graduated approach with four stages of action: assess, plan, do and review as set out in the SEND Code of Practice.

Assess

Identification of SEND is based on:

- Primary school or teacher assessment
- Reports and referrals by subject teachers
- Information from parent and students

- LUCID Exact Computerised Literacy Assessment and Accelerated Reader

tests and assessments by specialist eg, Educational Psychologist

#### Plan

The first step is inclusive, quality first teaching, where students are provided with opportunities to access the curriculum, and work suitably differentiated. It is the responsibility of the SENDCo and the Learning Support Department to communicate with teachers and provide them with the relevant information, practical strategies, and where necessary training.

Students in the SEND register will receive targeted provision which could involve one or more of the following interventions;

- Additional adult support in the classroom
- Small group addressing particular need
- 1:1 intensive support work

#### Do

The SEND Code of Practice (2015) places teachers at the centre of day to day responsibility for working with students with SEND. High quality teaching is the first strategy used in supporting students with SEND. Wherever necessary, the curriculum is differentiated for individuals, to enable them to access the curriculum.

Support Officers are deployed as additional adults in the classroom to support the teacher with the learning of students and SEND. The SENCO, SEN SSO and some SEN Support Officers are also deployed to deliver 1:1 sessions or small groups interventions when necessary.

#### Review

The Learning Support Department will hold termly Learning Support Review Meetings to plan, monitor and review the impact of any intervention. In cases where there is a high level of need parents will be invited into school to be a part of these meetings. For students with an Educational Health Care Plan (EHCP), one of these meetings will be their Annual Review.

In preparation for the annual review the opinions of students, parents, school staff and other professional working with the student will be sought. Tracking data will also be used to ascertain the student's progress in their subject areas.

#### Statutory assessment of SEND

If, after review and consultation with parents, agencies and teachers the School or LEA considers the needs for a full assessment is necessary, a statutory assessment is completed. If agreed, the LEA will consult with the school, agencies and parents to write an EHCP. Not all statutory assessments result in an EHCP.

#### Educational, Health and Care Plans

If the LEA decides to issue an EHCP, it details the nature of the provision and that the EHCP must be reviewed within a year.

## Inclusion

Students with SEND join in the usual academic and social activities of the school together with students who do not have SEND. The SENDCO, SSO and Support Officers support teachers in being clear about what different groups of pupils need within the school. With the emphasis on more inclusive education all members of the school community are made more aware of individual students' needs. Inclusion and the Code of Practice both increase the responsibility of all staff for students with SEND.

## Criteria for Evaluating the Success of the SEND Policy

The following criteria will be used to evaluate how successfully the policy has been implemented:

- Agreed procedures for referral being followed
- SEND list kept up to date and available to all staff
- All staff have access to a copy of the One Page Profiles for the students

they teach and support

- All staff are aware of the contents of the One Page Profile and aware that they are invited to provide comments of suggestions for the next Learning Support Review meeting.

- Students on SEND register have a copy of their own One Page Profile and know what their Outcomes are.

- Students on the SEND register make progress as shown by the monitoring of outcomes, by results of standardised tests, teacher assessment of progress and public examination outcomes.

## Parent Voice

Parents who wish to voice a concern about their child's progress or complain about SEND provision can make an appointment to see the SENDCO. The SENDCO will keep a log of any concerns and action taken in response. The SLT line manager will also be informed of any concerns raised.

## External Support Services

The school consults and uses the following as appropriate:

- Educational Psychology Service
- Educational Social Work Service
- Tower Hamlets Careers Service

- Support for Learning Service
- Speech and Language / Visual Impairment / Hear Impairment services
- Child and Adolescent Mental Health Service (CAMHS)
- Parents' Advice Centre
- Local Education Authority (LEA) SEND Section

I felt it best to copy both documents to draw your attention to the support that is given which would be the duty of the IEB and Oaklands management to provide as they run the school.

*For those pupils who would wish to continue at a faith school, Sir John Cass Foundation is the other CofE school in the area, although there is also Christian provision at Bishop Challoner and Canary Wharf secondary schools. Accessing places at these schools within the borough may result in an increased journey for some pupils:*

Bishop Challoner is a Roman Catholic School and therefore not a suitable substitute for parents seeking a Church of England School. Canary Wharf has a Christian Ethos, again not necessarily an appropriate substitution. LBTH is directing parents to choose the only other suitable alternative which is in Hackney. Maybe the LA is hoping that some of the unfavourable statistics are no longer going to be their concern? Tower Hamlets has the 5th worst results nationally for White British Children. If Raine's children found themselves being schooled in Hackney maybe Tower Hamlets would be relieved?

*antipathy" of Oaklands pupils towards Raine's pupils which "may in part be based on faith". However, there was no evidence in that claim that in relation to Oaklands that there is any religious motivation for any alleged disagreement between pupils.*

*In the same application for judicial review, witness evidence was provided by parents who had moved their children to schools other than Oaklands. It was suggested that Christian pupils did not settle in well to schools in the area. This did not relate to Oaklands and therefore is not directly applicable to the consideration of the proposal on Raine's and Oaklands.*

Whatever motivation students from Oaklands had, the abuse and harassment suffered by Raine's students and parents was serious enough to result in Patrice Canavan writing letters of apology. If the LA had any serious intention re safeguarding Raine's pupils they would interview every student and pupil who has had to leave the school and ask about their personal experiences. To then dismiss any threat to children who will not transfer to Oaklands is shocking and an attitude that is totally inadequate.

*The Council and leadership at Raine's and Oaklands are cognizant of the different demographics of the two*

And yet no reference has been made to this in relation to academic outcomes which is very relevant to this assessment.

*The Council is aware from the judicial review application referred to above that evidence was submitted by parents who had moved their children to schools other than Oaklands where they*

*were concerned that their child would be in a minority racial group and that this may cause a “distinction” to be made by other pupils This is significantly less likely to happen at Oaklands if a large body of former Raine’s students move at once to the school as opposed to a single student.*

If every Raine’s pupil moved to Oaklands there would still be a significant minority racial group. The LA is ignoring both this and the prospect of Raine’s students actually not choosing Oaklands as their preferred option. The word SAFEGUARDING should be firmly embedded in this process and this does not indicate that the LA is taking the issue with any real seriousness.

*The Council considers that greater integration of children from different racial groups at Oaklands as compared to Raine’s is likely to be beneficial to fostering good relations between individuals in different ethnic and/or racial groups, as children will have the opportunity to make friends with children from different races to themselves to a greater extent at a formative stage of their personal development. This is particularly so with Bangladeshi pupils , as these are under-represented at Raine’s, and White British pupils, as these are under- represented at Oaklands.*

Whilst this aim may be considered noble and I am sure that we all want good relations between communities, I am puzzled as to how forcing children to attend a school not of their choice will achieve this.

*As with the impact on other protected characteristics, Oaklands is a higher performing school than Raine’s, therefore enabling a greater percentage of white British pupils to attend there than before is likely to advance equality of opportunity between racial groups, by raising educational attainment opportunity for white British children, and others.*

Please see comments above re academic achievement and ethnicity, the rapid improvement of Raine’s and the Good OFSTED Rated Sixth Form.

*Raine’s Foundation Trust currently offers scholarships in maths and sports, of which 6 students are in receipt of. The Trust would have to decide whether to continue to offer said scholarships.*

The Trust actually offers Bursaries to students entering Further Education and University subject to meeting qualifying criteria. These Bursaries can be worth approx £2000.00. This is specifically aimed to support our young people to grasp opportunities and fulfil their potential.

*The air quality at Raine’s and its surroundings is better than other secondary school locations around the borough. However, this has not detracted parents from relocating to other areas in Tower Hamlets, nor prevented them from applying to different secondary schools, thereby suggesting that, when balanced against educational standards, air quality is not a top priority for parents. It is also is not enough of a factor for the LA to reasonably consider as a basis for keeping a school in financial deficit, with a falling roll, open.*

Although of course the LA has declared a climate emergency and Raine’s parents did look on clean air as a positive.

#### Second Part of Objection from Maria Mole

As I have no doubt that there will be no other decision than to close Raine’s Foundation School from August 2020 I have questioned whether to enter into any correspondence regarding the Statutory Notice. I do feel, however, that LBTH should consider whether a truly honest and transparent authority would allow documents that do not tell the whole story to be published.

I draw your attention to the following, all from your supporting documents.

## CABINET DECISION

*Prior to determination of the initial proposals a number of alternatives were explored to support a sustainable future for Raine's School. These were discussed in detail with the London Diocesan Board and Interim Executive Board for Raine's School in meetings on 16th and 30th November 2018. Unfortunately none were found to be viable. These alternatives together with explanations of why they could not be pursued are set out in appendix 5*

It is my understanding that LDBS have no knowledge of these meetings. If the future of the school were being discussed why was the Raine's Trust not invited to attend as they are a major stakeholder and freeholder of buildings. I would also question why the Trust have no access to these minutes.

*The current pupil numbers are well below the School's target of 800 and less than half its planned capacity for 1050 pupils.*

FYI the capacity of Approach Rd is 750. The Lower School, currently empty, has a capacity of 150-200. It would be unable to house 1050 pupils.

*Parents have not been encouraged to move their children from Raine's. On 7 May 2019, the LA decided to rescind the offer of places to year 6 students to attend the school in year 7, and year 11 students to attend or apply to the School's 6th Form for 2019-20 on the basis that there was a proposal to close the School and if it was passed, it would severely disrupt these students' education. In July 2019, the LA revoked that initial decision and both wrote to parents of affected potential year 7 students (on 19 July 2019) and updated the school website to make clear that the offers and acceptances of places for pupils in year 7 and year 11 intake are valid, if the parents choose to send their children to Raine's. The LA has also informed parents of the proposal for Raine's School to close in August 2020, in order that they may make an informed decision.*

To state that parents were not encouraged to move their children does not tally with the statements that I have read from parents who stated that they were pressurised to find alternatives during the year and also at the start of September 2019. If LBTH had any integrity it would write to all parents asking about their experience, regardless of the decision to close the school. The school adjudicator did not agree with LBTH plans to close year groups, but anyone with a child who had been told that a year group was not going to be open, had found an alternative and then informed during the summer holidays that they could change back would be reluctant to confuse their child. The plans of LBTH to apply a zero PAN were obviously not of any merit to the school adjudicator and that is the only reason they were withdrawn. Nevertheless the objective had already been met, to ensure the roll of the school was even more diminished. GCSE students were seen being told to go and sign up for Oaklands Sixth form. To accept a statement from education officers 'that this did not happen' is really unacceptable. The only way to truly scrutinise is to ask the parents and children.

*There would also be other faith school places accessible in Tower Hamlets at Bishop Challoner and Canary Wharf secondary schools.*

This statement is in relation to LBTH belief that these other faith schools may be an option that parents would consider alongside the only other borough CofE choice (Sir John Cass). I would question why the inclusion of non Church of England schools would be considered a viable option? The reason Church of England Schools and Roman Catholic Schools exist is to cater for children of those denominations.

*The LA has been supporting Raine's with its efforts to manage its pupil intake over a number of years. This work has included suspending admission of pupils under the Local Fair Access Protocol, to prevent Raine's from having to admit pupils with history of challenging behaviour. There has also been significant investment in the development of the School's 6th Form, however, this did not result in a significant boost in pupil numbers.*

There is no mention at what date the Local Fair Access Protocol was suspended in relation to Raine's pupils. The GB minutes indicate that the level of behavioural challenge was high and indeed it was stated in minutes 18 March 2019 that there was an issue in YR7 due to presenting with significant behaviour issues.

*There has also been significant investment in the development of the School's 6th Form, however, this did not result in a significant boost in pupil numbers.*

Again a very vague statement. Is this in relation to work carried out at the Lower School Site? Originally this work was planned for the THRIVING (according to LBTH) Raine's Sixth Form, but of course they have never had a chance to benefit from it, let alone boost pupil numbers through it. This privilege has been saved for Oaklands who have gained students who wanted to join Raine's Sixth Form but were advised not to. (Please ask children and parents about this rather than council officers and Oaklands staff).

Of course little mention is made elsewhere of the successful Raine's Sixth form. Governing Body minutes refer to an oversubscribed Sixth Form and in 2017 was in the top 30% of providers

Data from compare-school-performance-service.gov.uk

16-18 (sixth form)		Progress Scores between end of KS4 and end of A levels/equivalent		
		2016	2017	2018
A level progress	Raine's	Average	Well above average	Average
	Oaklands	Below Average	Average	Below Average
Bread Vocational	Raine's	Above Average	Average	Average
	Oaklands	Average	Average	Above Average
All Academic	Raine's	Above Average	Well above average	Average
	Oaklands	Below Average	Average	Below Average

nationally.

*The LA and the leadership of both Oaklands and Raine's are aware of the different demographics of the two school communities. The schools and the LA are united and absolutely clear that the underlying principles in any potential joint venture or activity moving forward should be tolerance, respect and cooperation in line with 'British Standards and Values'.*



This is in relation to the abuse that children and their families were subjected to on a visit to Oaklands which promoted Ms Canavan to write letters of apology. You state that the leaders of both schools are aware of the different demographics. Firstly I should point out that the leadership of the two schools are the same. Oaklands are already controlling Raine's as you well know. Secondly if you are aware of the demographics why have you made no mention or consideration to the fact that the main demographic of Oaklands are the third highest attaining group nationally, whilst the main demographic group of Raine's is the lowest attaining group. How you can make a comparison of results with no recognition of this seems very unfair and somewhat lax.

*Additionally, in May 2017 the School had to apply for a licensed deficit from the Council of £1m,*

This is the amount which LBTH insists was for a period of 3 years. I have requested, complained and am currently in correspondence with the ICO. OFSTED and GB minutes refer to a 5 year loan. I have requested a signed copy and supporting documentation of this. The one that I eventually received is unsigned, for £1.1 M and for 5 years. Where is the actual loan agreement for the correct amount?

*There is a clear conflict of interest for the Oaklands headteacher who may not fairly judge the best interests of Raine's School. The supporters of Raine's School do not believe that the senior staff from Oaklands can fairly judge the best interests of Raine's school; there are (unsubstantiated) allegations that the Oaklands Head Teacher has a pecuniary interest in the proposals.*

*LA Response: A Joint Steering Group with representatives from the governing bodies, staff, and parents of both Raine's and Oaklands Schools has been set up to oversee the transition arrangements. The Steering Group has an Independent Chair and the key objective in its 'terms of reference' is to ensure that there is a clear focus on the best interests of children at both schools.*

The LA answer to the concerns about conflict of interest is a fudge. Patrice Canavan was a part of the IEB who were supposed to support the school, but who in almost indecent haste voted to close Raine's and expand Oaklands. That is a conflict of interest since her school needs to expand in order to remain financially viable. The unsubstantiated allegation of pecuniary interest would rather depend on salaries attached to the newly expanded Oaklands. The Steering Group is a marketing ploy with no real power at the moment. From comments I have seen there is no confidence in the Steering Group from Raine's parents.

*LA Response: Although the LA did invite Sir John Cass and Redcoat Foundation CofE School to consider expanding as part of an amalgamation/federation with Raine's; the governors of Sir John Cass Foundation declined to explore this option.*

Where is the proof of this? Are there minutes of meetings or letters to show who was involved? Are John Cass even aware that you are stating this as a fact?

*However, it is evident from the responses to the public consultation that this view is not held by the majority of respondents.*

This refers to the fact that the majority of respondents were against the closure of Raine's. What was the purpose of the consultation? Over 3000 signed a petition to save the school. Despite all this you are closing the school due to low numbers. Why didn't the LA just do that last year. If there was no purpose to the consultation why was it carried out?

*On the national GCSE benchmark of the percentage of pupils achieving grade 5/C or above in English and maths, Raine's average student score was significantly below both the Tower Hamlets and national averages in 2015/16 (Raine's average of 35% in comparison with TH average of 63%), 2016/17 (Raine's average 30% in comparison with TH average of 44%) and in 2017/18 (Raine's average of 22% in comparison with TH average of 44.8%).*

This takes no account of the completely demographics of schools locally and nationally. Nationally the percentages of Bangladeshi (main demographic of Oaklands) and White British (main demographic of Raine's) as published by [gov.uk](http://gov.uk). (All that Group, Free School Meals, Non Free School Meals)

2017.	White British.	Bangladeshi
All.	42.7	49.1
FSM.	16.7	38.9
NonFSM.	52.4.	46.0

You can see the huge gap between groups that disadvantaged White British children have nationally. Tower Hamlets has the 5th lowest score for this group in the country. Of course this is not acceptable either locally nor nationally but closing a school is not going to solve this problem. It is a debate which has been going on for some years now. Of course your aim would be for all children to be achieve well and of course the local schools that are achieving this are to be congratulated but do not blame one school for a national problem, and especially not one with such a high level of disadvantage, child protection and behaviour challenges.

*There is no sustainability or environmental implications arising out of this report. Any environmental and sustainability implications arising from the representation period will be duly considered.*

Apart of course from closing a school in a clean air area near to a park, whilst. Hildren transfer to schools eg Bow where their health is put at risk.

*The report deals with the Council's approach to providing school places for the local population. The supply of school places contributes to the safeguarding of children by ensuring their early access to 'good quality' and sustainable education provision.*

This statement is just not good enough. Children are at risk from bullying, violence and harassment. There have already been incidences. What are you actually doing?

#### APPENDIX 5

*During the period September 2016 to June 2018 the Governing Body referenced Academisation on four occasions but no action was taken by the Governing Body of Raine's to progress either federation or academisation.*

Having read through all the Governing Body Minutes for that period the references to Academisation were actually in reference to any potential threat that may have existed and not in relation to any move or want for such.

There is no talk of federation other than asking whether John Cass is in a position to support the school.

The only other references to an Academy are in relation to the Basketball Academy at the school and whether this could be expanded into other sports.

Why does appendix 10 only show budget share for years 7-11? The consultation paper also ignored money received for sixth form pupils. Shouldn't a financial document show all income? The sixth form are not housed in a separate building, therefore I can see no reason to ignore it.

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Sent: 28 November 2019 20:26

To: school organisation

Subject: Reply to Statutory Notice Proposal to close Raine's Foundation School

Dear Sirs

Please find attached the representation from Raine's School Foundation.

kind regards

Carole Day

Chair, Raine's School Foundation

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## STATUTORY PROPOSAL TO CLOSE RAINE'S FOUNDATION SCHOOL

### SUBMITTED REPLY BY RAINE'S SCHOOL FOUNDATION

#### 1. Name, address and category of school proposed to be discontinued:

Raine's Foundation School, Approach Road, London E2 9LY which includes:

Raine's Foundation School, Old Bethnal Green Road, London E2 6PR

Voluntary Aided School: Raine's does NOT have an underlying Church Trust. This seems to be a common misconception. Raine's is the more unusual type of VA School with a Trust which is the Raine's School Foundation (the "Trust"). The Trust owns School land, and 100% of both buildings, detailed above.

The Trust's position as the major stakeholder was deliberately overlooked on numerous occasions such as in January 2016 when a new Governing Body was formed and in 2018/19 when the future of Raine's was discussed without Trust knowledge. When closure became the clear outcome desired by LBTH/LDBS, the Trust had to fight tooth and nail for representation on both the IEB and Steering Committee which finally succeeded in October 2019 in order to protect the local community and its own future.

## 2. Implementation:

The original public consultation begun in June was a proposal to CLOSE Raine's (including plans to expand nearby Oaklands). Now there are two parallel consultations. Different wording is being used by LBTH for the proposal: is there a difference between "close" and "discontinue"? Amalgamate or not amalgamate?

LBTH had already partly implemented closure before the end of the informal consultation period in the summer 2019. LBTH writes that one option for Raine's is for no changes to Years 7 through to 13. This is impossible. Three year groups have already been closed down without authority of the DoE; LBTH and the IEB have been strongly criticized by the School's Adjudicator for this behaviour.

Last summer LBTH prevented any Year 7 students from joining Raine's even when some turned up on the first day of term. Despite this, more than 30 students have still applied for 2020.

There are no Year 10s. The Oaklands-led SLT coerced parents to move Raine's children from Year 9 (although the school is bound by law to provide these children with their education). Despite extreme pressure, a handful still turned up in September 2019. They were forced to endure long days in the LSU, given no timetable and only some drawing to do. Steady coercion forced these individuals to leave over the following two weeks. Most preferred NOT to join Oaklands.

Year 12 were also coerced to leave Raine's when they were given their GCSE results in the summer as the Oaklands led SLT told students there would be no Year 12. This all amounts to predetermination of the proposal as pupil numbers affect the Equality Impact Assessment and determine pupil income and financial viability.

Even now, if a parent fills in an online form for the 6<sup>th</sup> form on the Raine's website, they should be sent an application. This is not being done. Example of another foregone conclusion.

## 3. Closure

Financial Reasoning: Over 300 children have already been moved on by the Oaklands-led SLT and LBTH-formed IEB. This was a deliberate action to cause an "unrecoverable budget deficit". The Trust and many others have submitted Freedom of Information requests to see the signed licensed deficit document from 2017. This document was previously cited as a strong reason for financial distress, now LBTH omit any mention of this document. The signed document does not exist (which has been confirmed by Rezaur Choudhury at LBTH) and therefore the debt/loan cannot be proven or surely officially recognized? The Trust has spoken at length with Sir Alasdair McDonald who works for LBTH and THE Partnership and is a member of the IEB looking after finance, but he also had no details of the document. Has a financial audit been carried out and were auditors happy with the lack of signed Licensed Deficit/loan documentation?

The Statutory Notice mentions two instalments of a £1m loan of £250k and £750k, yet in the "draft licensed deficit recovery plan", it details one sum of £1.1m. It also says that the sum of £250k was not necessary. Without proper signoff, where is the proof that this loan figure is correct?

We note that this Licensed Deficit/loan is no longer included in the amount of debt owing as at 31 March 2019 Cabinet notes say there was "an accumulated debt of £0.91m". The Statutory Notice

says there is an “unrecoverable cumulative budget deficit of £0.91m”. Has the loan of £1m, £1.1m or £750k been written off?

The Trust requested and attended 2 meetings in the summer to review the school’s budget. The Head and Sir Alasdair had been ordered by Mrs McInnes of LBTH to not allow any copies to be taken from the room for further analysis. Indeed the first set of numbers were deliberate gibberish. This behaviour has prevented/delayed the Trust from devising an appropriate plan to help the school.

Please note the draft recovery plan says the school will return to a comfortable in-year balance once the loan is paid off. Also in Governing Board minutes of May 2018, the GB was confident that finance was looking much more positive. As the Oakland-led SLT and LBTH have coerced 3 year groups to leave Raine’s they have brought about financial difficulty which could have previously been resolved without closure of Raine’s.

Admissions: Applications from 2011 to 2015 were significantly affected by building work as part of Building Schools for the Future (BSF). Half of the Upper School building was demolished and rebuilt causing children and teachers to work from portacabins. The School deliberately kept numbers lower due to capacity issues. LBTH has continued to ignore this fact in their admission tables and offered no support in 2014 when the building work was complete.

LBTH endorsed the BSF investment by national government of over £20m guaranteeing that Raine’s School had a good future for the next ten years. In a LBTH planning permission document for a Raine’s Lower School Sixth Form dated 2018, LBTH described Raine’s as “thriving”.

Land and Buildings Ownership: LBTH has not discussed the future of the state-of-the-art upper school with its owner (the Trust) but instead has non-specific plans to build two new schools elsewhere in the Borough. However, it would appear that LBTH has long planned to bestow Raine’s Lower School to Oaklands. Strangely this was discussed only between LBTH and LDBS. LBTH and LDBS also colluded to update the building at Lower School without informing the Trust and without its approval. LDBS also improperly and unsuccessfully attempted to trick the Trust into sharing its 100% ownership of the Lower School Building.

Use of Lower School was broached by LDBS but the Trust made it very clear they were not happy with proposals to both Inigo Woolf and Christine McInnes. The Trust also informed the Chair of the IEB that the feasibility study to close Raine’s was fundamentally flawed as the Trust had not agreed to use of Lower School by Oaklands. The Trust was emailed by Mr Coughlan of LBTH for the first time on 14 October 2019 despite the fact that the Trust had issued a letter of trespass dated 15 August to Christine McInnes, Meloneze Wynter, Diana Choulerton, Patrice Canavan, Inigo Woolf, Winckworth Sherwood and the Oaklands Business Manager. This letter was also shared with the Department of Education. The Trust was forced to resort to legal action as its wishes were being ignored by Christine McInnes and Inigo Woolf who carried on with building work in the summer regardless of the Trust’s displeasure and instructions. This was a blatant attempt to install Oaklands before any decision had been made by Cabinet and any Statutory Notice period had begun. Thereafter there was still no contact from either party with the Trust regarding the Lower School.

Any delays are totally of LBTH's making and this matter is currently in the hands of the Trust's valuation experts and lawyers. As you would expect, the Trust is exploring all options for the future.

Who proposed closure?: At the consultation meeting on 11 November 2019, Terry Bryan said LDBS had approached LBTH to close Raine's. Kate Roskell from LDBS replied that it was the other way round. LBTH said that alternatives to closure were discussed between LDBS and the IEB on 16 and 30 November\*. Mr Woolf, CEO of LDBS emailed the Chair of the Trust to say he has never had a meeting with the IEB and never had meetings with Tower Hamlets. Ms Roskell wrote there were discussions between LDBS and LBTH which were followed up at IEB meetings which remain confidential. Blame is being thrown between the parties as both know that they have failed to inform or negotiate at all with the Raine's Trust.

\*Note: the Chair of the Trust, members of the public and press have requested IEB minutes of 16 and 30 November (deemed confidential) and have been met with a wall of silence. One irrelevant document emerged almost totally redacted. Discussion of alternatives is a matter of public interest and not confidential and should be shared at least with the Raine's Trust.

Alternatives: The Trust should have been included in all discussions about alternatives to closure, some of which were apparently held 16 and 30 November 2018.

Rather than hire a new dynamic Head to guide Raine's back to success 2016/17, the new GB promoted the Deputy Head advised by Mrs McInnis of LBTH. On her resignation in September 2018, the GB Chair at least had the foresight to appoint Paul Woods of Sir John Cass as Interim Head to protect the children. Mr Woods did an impressive job of turning Raine's around from September to December 2018 and was much praised by Ofsted. But LBTH were not happy with this progress.

In January 2019, the Chair of the Trust was informed that Oaklands was being considered as an interim support school but that this was still confidential. The Trust was unrepresented on the IEB despite repeated protest and had no idea what was being discussed. The next communication from LBTH was a phone call on 30 April to say they would be consulting to close Raine's and expand Oaklands. All ensuing communication from LBTH has been highly aggressive which is not conducive to successful negotiation.

LBTH Children's Services is not a fan of academies and there is much evidence in GB/IEB minutes of this. Indeed Mrs McInnes makes a grand play of options discussed by the 2013/14 GB to become an academy. However, NO APPLICATION TO BECOME AN ACADEMY WAS EVER MADE which can be backed up by the former Head, Mr Gordon Clubb. Sadly his successor was not of the calibre to keep Raine's at Good let alone return back to Outstanding. Results suffered during his tenure although Mr Bradshaw had strong relationships with Terry Bryan, Terry Parkin and Sir Alasdair at LBTH.

A very good alternative to closure would have been a Federation with a school of similar ethos. The clear option would have been the oversubscribed Sir John Cass. However, Sir John Cass and Mr Woods were never even approached by LBTH to form a federation and in Cabinet notes LBTH seem to think SJC should have made the first move.

Of course, there are other options which have not been explored such as a Raine's Sixth Form.

### Below standard GCSE results:

LBTH demonstrated very bad timing and no consideration for students as they released information about School closure shortly before the GCSE examinations which had a significant effect on performance. Raine's children have coped well in extreme circumstances. LBTH enforced a £1m cut in staffing in 2017 down to its bare bones, which not only led to lack of regular teachers but also caused poor behaviour and absenteeism. The GB was heavily influenced by a Targeted Intervention Group installed at School by LBTH from 2016-18. Exactly who is LBTH trying to pass the blame on to for below standard results?

Raine's summer 2019 Progress 8 score showed a vast improvement at -0.38 (from -0.84) proving how much could be done with just a little concerted effort in a short amount of time.

Disadvantaged White British children are not only the lowest attainers nationally, but research has found that as they get older the situation becomes more acute. By contrast, Oaklands' largest ethnic group is amongst the highest attainers nationally. By trying to evacuate Raine's children, LBTH will succeed in "hiding" them rather than proactively supporting Raine's to buck national trends. Hence it makes no sense in comparing Raine's with Oaklands.

#### 4 Pupil Number and admissions

The PAN of 150 would imply a total of 1050 although there is not capacity for that number of pupils in its two buildings. When the Lower School was closed for upgrading in 2016, capacity became only 750. Using the published PAN and capacity as an argument to prove the school is undersubscribed is infantile. The school now has approx 217 on roll because LBTH has run the school down and the Oaklands team have pushed out Year 7, 10 and 12. Children and parents wished to go to Raine's but have been prevented. After Xmas there will be less than 200. However, children are not choosing Oaklands as their school of choice. There has long been animosity between students of these two schools (evidenced by a nasty Raine's introduction event at Oaklands in the summer). Oaklands pupils this month have been witnessed racially abusing other children in the street (with their teacher present).

More details of Pupil numbers and admissions can be seen in the Trust's email to the Schools Adjudicator dated 18 September. The Schools Adjudicator has criticized the IEB and LBTH for failure to comply with legislation. LBTH has carried on regardless.

#### 5. Displaced pupils

Oaklands is already brimming over due to overzealous "evacuation" of Raine's students (perhaps to boost their own income figures) demonstrating a conflict of interest, before they had properly secured sufficient accommodation. Indeed they are still heavily advertising for sixth formers when it is assumed there is no guaranteed place for the sixth form to sit. The recent behaviour by LBTH and Oaklands have made local parents very angry and many parents will avoid Oaklands at all cost. Some parents are moving their children from Raine's at Xmas in order to avoid the planned move en masse to Oaklands in the summer. We assume that LBTH has requested Ofsted not to inspect for the time being as they are over capacity, though the last full inspection was in 2013.

Displacing Christian children: LDBS and the Diocese are flippant about their options for a Christian education. They know the local Christian secondary schools are oversubscribed. Terry Bryan LBTH and Inigo Woof LDBS simply say Raine's displaced children wanting to join a Christian school can

go to the top of the waiting lists of oversubscribed schools. This does NOT get them places. 47% of Raine's children identified themselves as Anglican. Simply because Bethnal Green has an overwhelming Bangladeshi Muslim population does NOT mean Christians should have their choice removed. The Trust is deeply disappointed in the Diocesan authority and finds its behaviour puzzling

LBTH writes: "There has been a significant decline in the number of applications for children from CofE primary schools to Raine's over recent years and this mirrors the decline in the borough's Christian population as evidenced by the last national census, where Tower Hamlets had the lowest proportion of Christian residents nationally: 30 per cent compared with a national average of 59 per cent." Does this mean Christians should be pushed out of the Borough? Terry Bryan was openly and strongly against a Christian admission policy in the case of oversubscription. This made absolutely no difference at all to admissions but suggests strong discrimination against the Christian population. Outstanding Christian schools in the Borough now have a large Muslim student population because of the high quality of education. However, having removed oversubscription rules within admission policies for Christian students, this means Christian students now cannot get into Christian schools.

No matter how many Raine's students move to Oaklands, they will still be a minority racial group which given previous evidence, will cause extreme tension.

#### 6. Impact on the Community

Raine's does provide use of its building to at least two churches for regular worship. Schools Plus lets out the premises and community usage is heavy which also makes money for the School. The Oaklands/Raine's Executive Head could easily arrange even more community use if she were minded to. The Trust has allowed Raine's School to use its premises free of charge and has no responsibility over usage out of school hours at this time.

The Trust has a very strong sense of community and is a committed supporter of local families (who over decades have benefitted from its generous annual bursaries scheme paid to former students, numbering around 70 this year). The Trust would continue and potentially increase community use of its premises in the case of Raine's closure in 2020. However, the Trust will have to reconsider which methods to use to replace its bursary scheme as there will no longer be any Raine's students to benefit.

NB: the Trust has never offered maths or sports scholarships (as wrongly suggested by LBTH) which were introduced to Raine's in 2015/16 by John Bradshaw and Terry Bryan. These were not properly documented or costed at the time of their introduction and teachers have subsequently been required to use their own unpaid time to fulfil teaching of these scholarships when they are already under extreme pressure.

#### 8. Balance of denominational provision

The notice states that "The local authority is under an obligation to consider the impact on the balance of denominational provision in the area before it determines the outcome of school closure proposals". The local authority is under much greater obligation than that. On 10 October Judge Johnson stated that LBTH had to carry out a full Equality Impact Assessment. During this Oral Review at the RCJ, LBTH said they had not completed an EIA but had allegedly begun one. The Judge asked for written proof, but there was none. Therefore the Judge said an



EIA had to be completed BEFORE the Statutory Notice. The EIA presented at Cabinet is inadequate. Has this EIA been passed to an outside authority for independent scrutiny?

Religion is only one of the subjects for an EIA. LBTH has not addressed the impact on the large percentage of Black and White children at Raine's which are not only the minority in the Borough but also the most disadvantaged. The largest ethnic group is noted as 31% White British. There are several categories of Black and Caribbean children which totals at least 36% which is another large group unrecognised in the EIA. When they are dispersed into other schools in the Borough they become minorities which can have significant impact to their safety. As LBTH has the highest percentage of disadvantaged children in the UK at 57%, Raine's children should be given the greatest care and attention.

At the consultation meeting on 11 November, the LBTH/LDBS panel were questioned repeatedly about safeguarding. Already displaced children had struggled after being moved. It seems that the evacuation of as many Raine's children as possible was not followed up by LBTH to see how these children were coping. The Trust has evidence of bullying, threatening behaviour towards and mugging of Raine's children since September. After some pressure at the meeting and from staff, it appears the Exec Head is reaching out to other schools, but it is unknown what if any positive impact this will have.

Another child who was forced to join Bow School (sited directly on top of a heavily used road) was off sick from School with asthma and eczema. LBTH has shown no duty of care whatsoever to ensure the wellbeing of these children.

The LA does not consider air quality as a significant factor to keep Raine's open in Approach Road next to a leafy park. A report published today by King's College London found roadside air pollution stunted lung growth in children by 13% in London and it is the most vulnerable that are hit hardest. Perhaps the LA should consider children's health before their already large coffers.

The children still at Raine's are some of the heavy cohort of CP children reported at a GB meeting in 2017. (Terry Bryan of LBTH laughed at this meeting on 11 November saying it could not be true that there were 210 in 2017 although he placed them at Raine's himself). Mr Woods, while interim Head, commissioned a safeguarding audit in November 2018 due to the extraordinarily large amount of children with CP orders. Mrs McInnes refused to provide the details of this audit when requested. Debbie Jones, LBTH said that they will help if problems are reported, but which bullied children are going to make official written complaints? Raine's Staff have raised the issue of extra pastoral support with the Exec Head, Patrice Canavan, who has acknowledged the request but so far done nothing. Parents at the consultation meeting on 11 November expressed their worries and concerns about their children but nothing is being done for them during this difficult period.

#### 10. Sixth Form Provision

The Raine's Sixth Form has had an excellent reputation and has been regularly oversubscribed with over 200 students, only declining when the LBTH intervened recently. It also has a long history of Good Ofsted. The large number of Bursary applications for high quality universities made to the Trust are testimony to the excellence achieved by the Sixth Form for many years. The more recent Raine's Basketball Academy was also highly praised by Ofsted. LBTH has now disbanded this academy dispersing students all over London.

In addition, for many years 100% of children leaving Raine's went on into education, training or employment which far exceeded Oaklands' record until 2018.

#### 11. Special Needs Provision

This statement in the Statutory Notice is nonsense. Raine's has always had an excellent Special Needs provision. In addition Raine's has also had an extraordinary number of students with short-term Child Protection orders. The SEN funding budget this year is £119,526 providing for 43 SEN students.

#### 12. Travel

This Statutory Notice is about closing Raine's only. Another consultation exists to increase the PAN of Oaklands. LBTH made clear these are separate issues but run in parallel. However, most Raine's children do not wish to go to Oaklands. Children who are currently leaving Raine's are choosing schools such as Bishop Challoner, Morpeth and Mulberry and even some Hackney schools like Haggerston and preferring to travel rather than join Oaklands. LBTH have probably reduced the number of white and black students now coming from outside the borough for a Christian education and indeed this will reduce travel. It is suggested that the general population of East London is realizing LBTH is generally no longer the best place to get a good education (especially as a Christian) as no schools are safe from closure especially in light of the sharp proposed increase in reduction in PANs in primary and secondary schools. This could quite easily snowball into a steady aversion for education in Tower Hamlets as neighbouring Boroughs have a better Christian school provision. This will increase travel from LBTH to other Boroughs.

NB As a matter of good order it should be pointed out that online questions asked at the Statutory Notice consultation meeting on 11 November have still not been answered. Enquiries reveal this may only be done after the Notice Period ends on 2 December. It could be suggested that this is yet another attempt to hinder proper process.

Dated: 25 November 2019 and submitted on behalf of all members of the Raine's School Foundation.

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Sent: 30 November 2019 22:46  
To: school organisation  
Subject: Objection to Statutory Notice to Close Raine's

Dear Sirs

Please find attached my response to the Statutory Notice.

kind regards  
Carole Day

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STATUTORY PROPOSAL TO CLOSE RAINE'S FOUNDATION SCHOOL

1. Name, address and category of school proposed to be discontinued:

Raine's Foundation School, Approach Road, London E2 9LY which includes:

Raine's Foundation School, Old Bethnal Green Road, London E2 6PR

Voluntary Aided School: Raine's does NOT have a Church Trust and many authorities are under this misconception. The underlying Trust is the Raine's School Foundation.

NB: Raine's went grant maintained in the early 1990s – another VERY important factor.

The Trust owns School land, and 100% of both buildings above (NOT shared with LDBS).

2. Implementation:

Implementation started surreptitiously four years ago. The Trust led Governing Body was forced to resign in December 2015 by Children's Services. Debbie Jones alleged it was in special measures which it was not and said it was in deficit which with over £400k at year end it was not. Soon thereafter in 2016 it is recorded in Governing Body minutes that LBTH started making enquires and assumptions about ownership of School property and land. Subsequently, a steady undermining of the new GB by LBTH ensued over nearly 3 years; the Trust was unwelcome in this forum and Parents and Staff were unrepresented. After unhelpful intervention, this GB was also forced to resign. There was a glimmer hope when Liz Wovlerson hired the interim Head Paul Woods who made a staggering improvement in Raine's in 3 months. In December 2018 Ofsted were delighted.

However, at two meetings of the LBTH-led IEB in November 2018, we are told that alternatives to closure were discussed but nobody has been allowed to see these minutes though this is a matter of public interest. The Trust was also kept in the dark. The Trust first met the Chair of the IEB in January 2019 who informed her Oaklands would be the new support school. No mention of closure or amalgamation. There was again complete silence until 30 April when (after prompting) Christine McInnes finally called to say they were starting a consultation to close Raine's.

THIS IS A CLASSIC EXAMPLE OF HOW NOT TO CLOSE A SCHOOL!! Imagine not speaking to the man stakeholder. Is this incompetence or a deliberate act? Why the haste?

When the consultation was announced, it appears a feasibility study had taken place in February 2019. Sir Alasdair MacDonald, working for LBTH and knighted for services to education, coauthored this study. Sir Alasdair will have understood Raine's Voluntary Aided status and should have consulted the Trust. However, he simply had a chat with LDBS about Raine's property that he thought appropriate/convenient to gift to Oaklands. A peculiar decision.

LBTH had already partly implemented closure before the end of the informal consultation period in the summer 2019. LBTH writes that one option for Raine's is for no changes to Years 7 through to 13. This is impossible. Three year groups (7, 10 and 12) were clumsily closed down before September without authority of the DoE; LBTH and the IEB have been strongly criticized by the School's Adjudicator for this behaviour.

Early unofficial closure of Raine's has been facilitated by the Oaklands SLT. The Exec Head and Head were transferred to Raine's to carry out the plan in an attempt to move into Raine's Lower School in September 2019. This is a complete CONFLICT OF INTEREST and not legal.

### 3. Closure

Financial Reasoning: Over 300 children have already been evacuated by the Oaklands-led SLT and LBTH-formed IEB. This was a predetermined deliberate act to cause an "unrecoverable budget deficit". The previous Governing Body was confident they had turned round finance in 2018.

LBTH financial records are incomplete and there should be an immediate audit due to financial mishandling of the Licensed Deficit. LBTH have confirmed that there is no signed Licensed Deficit with Raine's in 2017 yet they remain unconcerned. The draft plan refers to a loan of £1.1m not the £1m mentioned by LBTH in the consultation. LBTH should be asking questions about this discrepancy and also why Raine's was forced to pay for the entire restructuring which annihilated staff numbers leaving students without proper care and teaching. The restructuring plan was commissioned and agreed by LBTH.

The Statutory Notice mentions two instalments of a £1m loan of £250k and £750k (no longer referring to it as a Licensed Deficit), yet in the "draft licensed deficit recovery plan", it says that the sum of £250k was not necessary. All of this is incredibly worrying and LBTH should take immediate action to investigate potential fraud.

We note that the words "Licensed Deficit" are no longer included in the amount of debt owing as at 31 March 2019 Cabinet notes say there was "an accumulated debt of £0.91m". Has the loan of £1m or £1.1m been written off?

The Trust requested and attended 2 meetings in the summer to review the school's budget. The Head and Sir Alasdair had been ordered by Mrs McInnes of LBTH to not allow any copies to be taken from the room for further analysis. This lack of cooperation has prevented/delayed the Trust from devising an appropriate plan to help the school.

Admissions: Applications from 2011 to 2015 were significantly affected by building work as part of Building Schools for the Future (BSF). Half of the Upper School building was demolished and rebuilt causing children and teachers to work from portacabins. The School (in agreement with LBTH) deliberately kept numbers lower due to capacity issues. Yet now LBTH has continued to ignore this fact in their admission number tables which are highly inaccurate.

Land and Buildings Ownership: LBTH has not engaged in any discussion whatsoever about Upper School building with the Trust. Does it have more plans which it refuses to share? The Trust was told that LBTH would share its plans for Trust legacy in the Borough only once closure had been decided. However, LBTH did find it appropriate to collaborate with LDBS regarding Lower School. The LDBS is totally distinct from the Trust and has no authority to discuss Trust issues whatsoever. The Trust finds it distressing that LDBS would discuss transfer of land/buildings of a Church of England School which it didn't own to a non-faith school. Why?

LBTH and LDBS continued to railroad the Trust by upgrading the 100% owned Trust building in the summer disregarding all Trust communications. Finally, frustrated, the Trust was forced to take action and issued a legal letter of trespass to LBTH, copied to LDBS, the IEB and Oaklands staff.

It should be emphasized that the Trust has been constantly omitted and left in the dark. Any attempt at discussion with LBTH has been met with outward aggression or stoney silence. Attempts to discover information from IEB minutes have been constantly and deliberately thwarted.

#### Alternatives:

Closure is not a foregone conclusion. The Trust should have been included in all discussions about alternatives to closure, some of which were apparently held 16 and 30 November 2018. Federation in particular with another faith school should have been fully discussed and a feasibility study commissioned. A Raine's Sixth Form is also a very strong possibility.

#### Below standard GCSE results:

LBTH demonstrated very bad timing and no care about students as they released information about School closure shortly before the GCSE examinations which had a significant effect on performance. LBTH enforced a £1m cut in staffing in 2017 down to its bare bones, which not only led to a lack of regular teachers for good learning, but also caused poor behaviour and absenteeism. The GB was guided by a Targeted Intervention Group installed at School by LBTH from 2016-18. LBTH is to the blame for below standard results.

Raine's summer 2019 Progress 8 score showed a vast improvement proving how much can be done with a little concerted effort in a short space of time. LBTH spent so much time trying to close Raine's that they let down the children, many of whom are some of the most disadvantaged and vulnerable in the Borough.

Disadvantaged White British children are among the lowest attainers nationally. By contrast, Oaklands' largest ethnic group is amongst the highest attainers nationally. By trying to evacuate Raine's children, LBTH will succeed in "hiding" them rather than proactively supporting Raine's to buck national trends. It makes no sense in comparing Raine's with Oaklands.

#### 4 Pupil Number and admissions

The PAN of 150 would imply a total of 1050 although there is not capacity for that number of pupils in its two buildings. When the Lower School was closed for upgrading in 2016/17, capacity became only 750. Using the published PAN and capacity as an argument to prove the school had been dramatically undersubscribed is ridiculous and the Schools Adjudicator has been informed. The school now has approx 217 on roll because LBTH and the Oaklands team have pushed out Year 7, 10 and 12. Children and parents wished to go to Raine's but have been prevented. After Xmas there will be less than 200. However, children are not choosing Oaklands.

LBTH is cutting primary and secondary Christian schools in the Borough excluding choice for Christian families. (see the comment on admission policy below.)

#### 5. Displaced pupils

Oaklands is already over full due to overzealous "evacuation" of Raine's students before they had properly secured sufficient accommodation compromising safety. Indeed they are still heavily advertising for sixth formers when there is no certainty of accommodation. Some parents are moving their children from Raine's at Xmas in order to avoid the planned move en masse to Oaklands in the summer.

Displacing Christian children: LDBS and the Diocese are flippant about options for a Christian education. They know that local Christian secondary schools are oversubscribed. Terry Bryan LBTH and Inigo Woof LDBS simply say Raine's displaced children wanting to join a Christian school can go to the top of the waiting lists of Christian schools. This does NOT get them places. 47% of Raine's children identified themselves as Anglican and are facing discrimination. Simply because Bethnal Green has an overwhelming Bangladeshi Muslim population does NOT mean Christians should have their choice removed. The Trust is deeply disappointed in the Diocesan authority and finds its behaviour puzzling

LBTH writes: "There has been a significant decline in the number of applications for children from CofE primary schools to Raine's over recent years and this mirrors the decline in the borough's Christian population as evidenced by the last national census, where Tower Hamlets had the lowest proportion of Christian residents nationally: 30 per cent compared with a national average of 59 per cent." Does this mean Christians should be pushed out of the Borough? Terry Bryan is openly and strongly against Christian admission policies in the case of oversubscription. This made absolutely no difference at all to admissions at Raine's but suggests his strong discrimination against the Christian population. The outstanding Christian state school in the Borough has a large (85%) Muslim student population because of the high quality of education. However, having removed oversubscription rules within LBTH admission policies for Christian students, this means Christian students now struggle to get into Christian schools therefore Christian education is being withheld and diluted.

No matter how many Raine's students move to Oaklands, they will still be a minority racial group which given previous evidence, will cause extreme tension.

## 6. Impact on the Community

Raine's does provide use of its building to at least two churches for regular worship. Schools Plus lets out the premises and community usage is heavy. The Trust has allowed Raine's School to use its premises free of charge and has no responsibility over usage out of school hours at this time.

The Trust has a very strong sense of community and is a committed supporter of local families. The Trust would potentially increase community and educational use of its premises in the case of Raine's closure in 2020. With no more Raine's students, the Trust's bursary scheme would gradually come to an end meaning local children will have less money for their further education.

NB: the Trust has never offered maths or sports scholarships (as wrongly suggested by LBTH and never funded teaching at Raine's as this is the domain of the LA.

On 10 October Judge Johnson stated that LBTH had to carry out a full Equality Impact Assessment. During this Oral Review at the RCJ, LBTH said they had not completed an EIA but had allegedly begun one. The Judge asked for written proof, but there was none. Therefore the Judge said an EIA had to be completed BEFORE the Statutory Notice. The EIA presented at Cabinet is inadequate. Has this EIA been passed to an outside authority for independent scrutiny?

LBTH has not addressed the impact on the large percentage of Black and White children at Raine's which are not only the minority in the Borough but also the most disadvantaged. The largest ethnic group is noted as 31% White British. There are several separate categories of Black and Caribbean children which totals at least 36%, another large group unrecognised in the EIA. When dispersed into other schools in the Borough they become minorities which can have significant

impact to their safety. As LBTH has the highest percentage of disadvantaged children in the UK at 57%, Raine's children should be given the greatest care and attention.

At the consultation meeting on 11 November, the LBTH/LDBS panel were questioned repeatedly about safeguarding. Already displaced children had struggled after being moved. The evacuation of so many Raine's children was not followed up by LBTH. The Trust has evidence of bullying, threatening behaviour towards and mugging of Raine's children since September. After some pressure at the meeting and from staff, it appears the Exec Head may be reaching out to other schools, but it is unknown what if any positive impact this will have.

Another child who was forced to join Bow School (sited directly on top of a heavily used road) in September was off sick from School with asthma and eczema. LBTH has shown no duty of care whatsoever to ensure the wellbeing of this child. The LA does not consider air quality as a significant factor to keep Raine's open in Approach Road next to a leafy park. A report published by King's College London this week found roadside air pollution stunted lung growth in children by 13% in London and it is the most vulnerable that are hit hardest. The LA seems to put money before children's health.

The children still at Raine's are some of the heavy cohort of 210 CP children reported at a GB meeting in 2017. (Terry Bryan of LBTH laughed at this meeting on 11 November saying it could not be true that there were 210 in 2017 although he placed them at Raine's himself). Mr Woods, while interim Head, commissioned a safeguarding audit in November 2018 due to the extraordinarily large amount of children with CP orders. Mrs McInnes refused to provide the details of this audit when requested. Debbie Jones, LBTH said that they will help if problems are reported, but which bullied children are going to make official written complaints? Raine's Staff have raised the issue of extra pastoral care.

LBTH needs to rethink the value of community engagement and try much harder. They may even get some votes back.

#### 8. Balance of denominational provision

The notice states that "The local authority is under an obligation to consider the impact on the balance of denominational provision in the area before it determines the outcome of school closure proposals". Quite clearly the Church (separate to LDBS) is very concerned about the recent turn of events and the strategic direction locally of closing Raine's. Comment is also made to the secretive nature of LDBS management and lack of transparency.

It is important for this consultation to consider the opinion of the Deanery Synod. They last met on 15 October 2019 to discuss "Our Church Schools and the LDBS". Notes of the meeting are available on their website: [www.thcofe.org](http://www.thcofe.org). At this meeting, the closure of Raine's was described as a "PASTORAL DISASTER" and the issue was the subject of a letter to the Bishop of London.

"The failings of the LDBS were considered but also the actions of the local council and the politics of the decision."

"It was felt that there was a lack of pastoral care at the LDBS and more compassionate leadership would be welcome." Further points quoted:

- Caution was expressed about closing schools without a long-term plan. What is lacking is a coordinated response from the LDBS about their strategic direction.

- An opportunity exists to make the LDBS in a different model, ie more reactive, less secretive and open to more scrutiny. Better governance and management are needed.
- Conflict exists due to there being two appointing bodies, the LDBS and the LA. Better relationships need to exist between these bodies and more transparency is needed.
- The local authority executive can be wary of a CofE education. Again, a better relationship is needed.

#### 10. Sixth Form Provision

The Raine's Sixth Form has ALWAYS had an excellent reputation and was regularly oversubscribed, only declining when the LBTH intervened recently. It also has a long history of Good Ofsted. The large number of Bursary applications for high quality universities made to the Trust are testimony to the excellence achieved by the Sixth Form. The recent Raine's Basketball Academy was also highly praised by Ofsted. LBTH has disbanded this academy dispersing students all over London, again removing choice for local children.

#### 11. Special Needs Provision

Raine's has always had an excellent Special Needs provision. In addition Raine's has also had an extraordinary number of students with short-term Child Protection orders. The SEN funding budget this year is £119,526 providing for 43 SEN students. It does not need the Oaklands provision.

#### 12. Travel

This Statutory Notice is about closing Raine's. Another consultation exists to increase the PAN of Oaklands. Most Raine's children do NOT wish to go to Oaklands. Children who are currently leaving Raine's are choosing schools such as Bishop Challoner, Morpeth and Mulberry and even some Hackney schools like Haggerston and preferring to travel rather than join Oaklands. By their actions, LBTH have reduced the number of white and black students coming from outside the Borough for a Christian education which will reduce travel. Tower Hamlets schools seem to be in a state of flux and few are safe from closure in light of the sharp proposed increase in PAN reductions in primary and secondary schools. This could quite easily snowball into a steady aversion for Christian education in Tower Hamlets. This will increase travel from LBTH to other Boroughs.

Dated: 30 November 2019

Submitted by Carole Day



# Equality Analysis (EA)

## Appendix 3

### Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose  
(Please note – for the purpose of this doc, ‘proposal’ refers to a policy, function, strategy or project)

See Appendix A

Current decision rating



#### Statutory Proposal to close Raine’s CofE Foundation School

This Equalities Impact Assessment concerns the proposal to close Raine’s Foundation School and it therefore considers the effect of the closure on the school community, which includes pupils, parents and staff. There is an opposing view that, given the School’s significant historical place and reputation in the borough, there should be continued efforts made to enable Raine’s to remain open to serve the Church of England (CofE) community. The key points made in favour of the school remaining open, as collated through both the informal and formal consultation periods, were:

- 1) Concerns about the loss of tradition as Raine’s recently celebrated 300 years of history, as well as the loss of reputation and recognition of it previously being a highly sought after school.
- 2) Awareness that Oaklands is not a CofE school, and serves a different community group, thereby integrating Raine’s students could be challenging.
- 3) The contention that the school has made significant improvement and that the school should be given more time for another Ofsted inspection, which would, it is argued, result in the school being placed in a ‘Good’ category.

However, the continuing fall in pupil numbers and the associated impact on the educational and financial viability of the school has led to the conclusion that the School should now be considered for closure, given a number of underlying issues that undermine the school’s sustainability. These include the considerable and unrecoverable budget deficit, the current and very low pupil numbers, the admission patterns that have seen a substantial decline in secondary transfer applications over the previous eight-year period. The School’s position is further worsened by it being in the Ofsted category of ‘Requiring Improvement’ since November 2015, with GCSE results that continue to be significantly below the national and Tower Hamlets average.

The Local Authority (LA) formally raised a number of concerns with the Governing Body over several years and the lack of resolution of these matters impacted on the long-term sustainability of Raine’s Foundation CE School. These concerns were focused on its financial viability, set against a backdrop of declining pupil numbers together with the capacity of the School to improve pupil behaviour, progress and outcomes rapidly. Numbers of pupils enrolled at Raine’s has been steadily declining, from 808 at the January census in 2012, 747 in January 2014, 669 in January 2016 and 520 pupils in January 2019. The current pupil numbers of 219 are well below the School’s target of 800 and its planned capacity for a maximum of 1050 pupils.

The LA and London Diocesan Board (Diocese) worked together to try to secure the school’s future. In considering ways for Raine’s to secure its future and provide a better quality of education for its pupils, the LA and Diocese considered a range of options; including Raine’s federating with another school or amalgamating with an existing Church of England school. None of these options were considered viable.

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

It should be noted that, in 2013, the governing body of Raine's School applied to the Secretary of State for the Department of Education (DfE) to convert to academy status. The application made by the then Chair of Governors (Ms Carole Day) was refused by the DfE. In refusing the application the DfE explained that, although Raine's, at that time, was rated by Ofsted as a 'good school with outstanding features' the rate of pupil progress and GCSE results were below the national standard. There has been no further opportunity for Raine's to convert to academy status, given that what followed was two Ofsted inspections in November 2015 and October 2017, which found that the School was in need of 'requiring improvement' due to its poor governance, leadership and its further decline in pupil progress and standards.

The factors described above meant that the alternative options for securing a future for Raine's School, academisation or federation, could not be pursued further. It was therefore necessary for the LA and Diocese to consider a process whereby the School would close. The LA, with agreement of both the governing bodies of Raine's and Oaklands Schools, conducted a feasibility study on arrangements for the closure of Raine's School alongside the expansion of nearby Oaklands School for the transfer of Raine's pupils. Oaklands was chosen because:

- it had effective governance and strong leadership;
- it was in the right geographical location;
- it is popular with local families;
- It is 4FE school with potential to add more capacity through expansion;
- it was well placed to provide a good education to additional pupils.
- It was already providing support to Raine's as part of the LA's earlier intervention plan.

Following the completion of the feasibility study and its findings both school governing bodies, LA officers, and the Diocese determined to seek agreement from the Director of Children's and Culture for the LA to recommend that the Council begin a statutory consultation process (the first of 4 potential stages) that would consider the closure of Raine's School, including the expansion of Oaklands School for the transfer of Raine's pupils. The governing bodies of both schools agreed to establish a joint steering group, with an independent chair, to oversee the process.

A seven-week period of public consultation, including meetings with staff, governors, and parents, along with other interested parties was undertaken from 10<sup>th</sup> June to 31<sup>st</sup> July 2019. The results of the consultation process are available online.

A report on the outcome of the first stage of the consultation was prepared and presented to Cabinet on 30<sup>th</sup> October 2019. The Mayor of Tower Hamlets decided to approve the report and recommended that a formal statutory notice was published with the proposal for Raine's Foundation School to close on the 31<sup>st</sup> August 2020. This meant that the proposal was progressed to the next stage (stage 3) with a four week representation period taking place under the Education and Inspections Act 2006, from Monday 4 November until Monday 2 December 2019 at midnight.

Please note that the analysis below is conducted to ascertain the likely impacts were the proposal to be approved (at stage 4) after that period of formal consultation. It therefore incorporates an assumption of the same. However, it should not be taken to mean that the Council has made any decision in relation to the same final proposal (at stage 4), which is now dependent upon the results of the stage 3 statutory process under the Education and Inspections Act 2006.

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

**Conclusion - To be completed at the end of the Equality Analysis process**

*(the exec summary will provide an update on the findings of the EA and what outcome there has been as a result. For example, based on the findings of the EA, the proposal was rejected as the impact on a particular group was unreasonable and did not give due regard. Or, based on the EA, the proposal was amended and alternative steps taken)*

Based on the findings of the EA, and the mitigating actions put in place to offset any potential disproportionate impact on any one group, the proposal is robust. The proposal ensures increased equality of opportunity in regards to improved educational outcomes for all Raine’s pupils. This should ensure that these pupils will now leave secondary education with improved future career and education options.

**EA completed by: Elizabeth Freer**

(officer completing the EA)

**EA signed off by:**

(service manager)

**Date signed off:**

(approved)

Service area:

SPP

Team name:

Children and Culture

Name and role of the officer completing the EA:

Elizabeth Freer, Strategy and Policy Manager

**Section 2 – Evidence (Consideration of Data and Information)**

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The following evidence has been considered:

**Engagement evidence**

An initial consultation ran from 10<sup>th</sup> June 2019 until 24<sup>th</sup> July 2019, although this was extended on 3<sup>rd</sup> July 2019 to run until 31<sup>st</sup> July 2019. The consultation was published on the consultations page of the LBTH website, and the webpage contained information on how to respond, the timetable for responses, the formal consultation document and a feasibility study on the proposal. In addition, the consultation page also published answers to 53 frequently asked questions, which were updated as and when appropriate throughout the consultation period.

Two public meetings were held: at Oaklands School on evening 19<sup>th</sup> June 2019, and at Raine’s School on the evening of 26<sup>th</sup> June 2019. Minutes of these meetings were considered.

The Council has received:

- A petition with over 3,000 signatures and 324 detailed comments
- 7 emails

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

- 102 responses to its on-line questionnaire
- 205 responses to its questionnaire from Oaklands students
- A formal response from Raine's School foundation

The formal consultation period ran from 4<sup>th</sup> November to 2<sup>nd</sup> December 2019, and received 8 responses to the statutory notice, all of which are included in an appendix with contact details redacted. One such response was from the Raine's Foundation Trust. A public meeting to discuss the proposals was held on 11<sup>th</sup> November 2019 at the Professional Development Centre in Bethnal Green, when more information was shared about how representations could be made and what the next stages in the process are. Minutes of this meeting, as well as responses to questions that arose are included in the further report appendices.

### **Minutes of meetings**

Minutes of meetings where the subject of Raine's has been discussed have been considered. This includes, but is not limited to, Full Council, the Children and Education Scrutiny Sub-Committee and aforementioned public meetings.

### **Other Evidence**

Financial position of Raine's Foundation Church of England School

Ofsted reports

Pupil projections

School census data of Raine's, Oaklands and London Borough of Tower Hamlets

Demographic data held on current staff and pupils at Raine's and Oaklands

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

### Section 3 – Assessing the Impacts on the Equality Groups

Please refer to the guidance notes and evidence with sources how your proposal impacts upon the equality groups and our Equality Duty (for information on the Public Sector Equality Duty, please refer to section xxx of guidance notes).

**Remember -**

You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations, this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.

Reports/stats/data can be added as an Appendix.

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Equality Groups	Impact			Reason(s)
	What impact will the proposal have on specific groups of service users or staff?	Positive	Neutral	
<b>Protected characteristics</b>				
Age	X			<p>Pupils at Raine’s aged 11-18 may be considered “disadvantaged” by the possible disruption caused by changing school during their secondary education, although a mitigating action is in place: this change is proposed to take place between academic years and therefore allow a new start at an appropriate time in each pupil’s yearly academic progression, minimising disruption.</p> <p>There is currently no year 10 or year 12 pupils at Raine’s. Therefore there are no students who would (if the final proposal were approved) change schools, and therefore curriculums, between years in which they were studying for national examinations (GCSEs or A Levels). The other students who would move would not be in a position where they had to switch curriculums at a critical stage in their education, and the current years 11 and 13 would have left. There are no year 7 pupils on roll.</p>

There is a clear benefit for all pupils moving that they would then be able to access “Good” quality sustainable education at other schools in the surrounding area as compared to Raine’s. Currently Raine’s is the only maintained “Requires Improvement” secondary school in the borough, having been judged by Ofsted as such in 2015 and 2017, and is in financial deficit, with falling rolls.

Representations made during the formal consultation period stated that the school had made considerable improvement and that Ofsted, the regulatory body and sole arbiter of quality were “delighted” with the progress following a monitoring visit in December 2018, following the appointment of an executive headteacher in Summer 2018. The monitoring inspection was carried out under section 8 of the Education Act 2005 and took place because the school received two successive judgements of “Requires Improvement” at its previous section 5 inspections. At the section 5 inspection before the one that took place in November 2015, the school was also judged to Require Improvement.

Ofsted acknowledged in December 2018 that “Senior leaders and the interim executive board (IEB) are taking effective action to tackle the areas requiring improvement identified at the last section 5 inspection in order for the school to become good”, praising the local authority for taking “decisive action to improve the governance of the school...Following the issuing of a warning notice to governors in September 2018.”

A new executive headteacher and interim headteacher were appointed in April 2019 after the previous executive headteacher decided to step down. The new executive headteacher is an experienced headteacher and a designated National Leader of Education, which means she is qualified to provide support to other schools and has acted in this role nationally. She is the current headteacher at Oaklands, and has continued to drive improvements, supported by the interim headteacher. The expertise of both executive headteachers, other leadership such as that provided by the interim headteacher and extensive support provided and funded by the local authority, has meant that provisional GCSE results showed some improvement for Raine’s pupils in 2019, from a very low base.

Despite this, in the national GCSE benchmark of the percentage of pupils achieving grade 5/C or above in English and maths, Raine’s provisional 2019 average student score is still significantly below Oaklands, Tower Hamlets and national averages:

Academic Year	Raine’s	Oaklands	TH Average	National Average
2015/16	35	66	63	63
2016/17	30	46	44	43

2017/18	22	50	44.8	43.3
2018/19	25.7	51.8	45.4	43

Raine’s provisional Progress 8 score for 2019 has improved slightly, from “well below average” at -0.84 in 2018, putting it in the bottom 13% of schools nationwide, to 0.38, now making it “below average”, so in the bottom 19% of schools. Oaklands’ provisional Progress 8 score is 0.66, in the top 15% of schools in England and classed as “well above average”.

Representations made during the statutory notice period were conflicted about the use of Progress 8 scores in the previous EA. One representation stated that the provisional 2019 Progress 8 score indicate that Raine’s has made the “fastest progress in the borough” but then went on to say there should be no direct comparison of Progress 8 attainment scores between Oaklands and Raine’s as “it is an unreliable indicator of school ineffectiveness”. In neither the previous EA, nor this one, have the Progress 8 attainment score comparisons been used as a critical factor in decision making as the LA is cognizant of that issue.

On the government site which allows the public to compare similar schools (ie schools across England where key stage 4 pupils had similar achievement at the end of Key Stage 2 and is based on the results of pupils who finished key stage 4 in July 2018, which is the latest data available), Oaklands is the only Tower Hamlets school which is listed as being a similar school to Raine’s. At the start of yr 7, pupils at both schools have a similar level of achievement. However, by the end of year 11, Raine’s pupils do notably less well than those at Oaklands: <https://www.compare-school-performance.service.gov.uk/school/similar/100979?phase=ks4> in GCSE results. This would suggest that Raine’s pupils would have better outcomes if they attended Oaklands, as they would be under the leadership of the executive headteacher and interim headteacher who have been already improving results at their current school.

Several representations in the statutory consultation period suggested that the sixth form provision at Raine’s has always been considered “Good” by Ofsted and has historically been oversubscribed, with one proposal asking for it to be turned into an academy. A previous application to turn Raine’s into an academy was rejected by the DfE and currently, the declining numbers of students in Raine’s sixth form means the range of subjects offered is restricted. The Department for Education’s recommended minimum size for a viable sixth form is 200 pupils. The number of students in Raine’s Sixth Form for the academic year 2018/19 was approximately 132 pupils, whereas there are 212 pupils in Oaklands’ Sixth Form. Irrespective of the Ofsted grade, the average grade at Raine’s at the end of Key Stage 5 is a D, compared to a C- at Oaklands.

Upon completion of GCSEs, 86% of pupils at Raine’s stay in education or employment for at least two terms after Key Stage 4, compared to the LBTH average of 93% and an English average of 94%. For Oaklands’ pupils, it is 96%, above even the LBTH average. It should be acknowledged that for those who choose to enter their school’s sixth form, more pupils complete their studies in the sixth form at Raine’s than those at Oaklands – 87% vs 71.7%. This could be owing to the fact that after resitting GCSEs, Oaklands pupils are more likely than Raine’s pupils to achieve the grades needed to transfer to alternative sixth form provision, not attached to their school.

Pupils at Raine’s are also far more likely to be persistently absent from school. As of 2017/18, 17.9% of pupils were persistently absent, as opposed to 7.8% at Oaklands, and an English average of 13.9%. As there are several mentions of issues with bullying at Raine’s in Ofsted reports, a correlation could be drawn between behavioural issues at the school and children not wanted to attend. In addition, in Raine’s governing body minutes from January 18, the Head stated that “there were a number of CP issues which had affected the attendance figures”. Oaklands have a proven track record of addressing attendance issues for vulnerable pupils, as identified in their Ofsted visit report from January 2017, and will therefore be able to use that expertise to support vulnerable pupils from Raine’s, who may transfer.

Therefore, it appears that children within Raine’s of all age groups will receive a higher quality of education at Oaklands, and therefore should academically benefit from moving schools, with improved educational outcomes and increased attendance. This applies with equal force as a consideration to all of the protected characteristics considered below, and should be considered as such, although a detailed breakdown of attainment for different ethnicities is included below.

There will also be an impact on staff at the school, who could be made redundant under the proposal. Their ages are:

Age band	% of staff
18-29	11%
30-39	23%
40-49	26%
50-59	29%
60-69	9%
70+	3%



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				<p>The spread of staff across the age bands is fairly even, with those under 30 and above 60 less affected than those aged 30-59, although no age ranges are disproportionately affected. Job application and interview preparation support and training will be given to staff who wish to apply for jobs at other schools. For those staff that are of an age that would wish to explore redundancy options, the council will consider those applications. For staff wishing to apply for roles at Oaklands, they will be considered prior to other applicants. The council will also explore the possibility of ensuring displaced staff at Raine’s are guaranteed an interview for jobs at other LBTH maintained schools, should they meet the minimum requirements of the role. Staff will be fully consulted should the proposal move to formal consultation and kept informed as to timelines so as to ensure they have sufficient time to find alternative positions.</p>
Disability		X		<p>There are 43 pupils on roll with identified Special Educational Needs/Disabilities (SEND), 5 of whom have an Education, Health and Care Plan (EHCP). Of the five who have an EHCP, one pupil comes from out of borough and two of them require 121 support. Although children with SEND may be “disadvantaged” by potentially attending a school with more children on roll and/or by the process of moving between schools, there is currently no specialist provision that is reserved for pupils with SEND at Raine’s, although a robust SEND policy was updated in October 2019. Therefore, children with SEND at Raine’s who move to Oaklands will not experience a lack of resources or expertise once transitioned.</p> <p>Indeed, at Oaklands there is a dedicated department for Special Educational Needs that assists students with a range of educational requirements. Support is offered through a range of interventions such as Catch Up Reading, 1:1 literacy sessions, reading groups and provision for behaviour, emotional and social difficulties. Numerous partnerships with outside specialists allow students to navigate school life with confidence and achieve their potential. Post-16, an employability qualification is offered to students with special educational needs to prepare for adulthood and the world of work. There is also an ASDAN Personal and Social Development qualification to help students develop social skills.</p> <p>Full support and programmes at Oaklands are offered to students with:</p> <ul style="list-style-type: none"> <li>• Mild, moderate and severe learning difficulties</li> <li>• Speech and language difficulties</li> <li>• Students with Autism</li> <li>• Students with a Hearing of Visual Impairment</li> <li>• Students with a physical disability and/or mobility issues</li> <li>• Students with social, emotional and mental health issues</li> <li>• Students with a range of medical conditions.</li> </ul>

Therefore, all pupils with SEND who are currently at Raine’s will be able to access good support and provision at Oaklands, as all of the different types of need, as broken down below, are catered for:

Number of Pupils	Need
11	SPLD (Specific Learning Difficulty)
8	SEMH
9	C+I (Speech Language and Communication)
5	No specialist assessment (will have received some support but not assessment for SEN)
1	MLD
3	Sensory Impairment (2VI, 1 HI)
2	Physical Disability (denoted as other disability on the register)

Annual Reviews for students with EHCPs have already been brought forward to ensure their needs are being, and will continue to be met. The progress for students with SEND will be regularly reviewed. Support with transitions and integration into Oaklands will be offered by the Parent and Family Support Service.

Some pupils and their families may have to travel further to Oaklands, where provision has been made to accommodate all displaced pupils. This will depend on whether they chose to take the place at Oaklands, as under the proposal it is envisaged they will, or they choose to apply elsewhere. The distance for home to school travel for the 221 pupils in years 7-11 at Raine’s ranges from 0.07 to 13.7 miles. The distance for the same pupils to Oaklands School may be slightly further for some pupils. However, 65% of pupils will have to travel less than 2 miles. For reference, the average school journey for pupils aged 5-16 in England is 2.4 miles, taken over a rolling period from 2013-2017.

For any pupils requiring support with the journey, including those with SEND, school travel support is available for eligible pupils under the Council’s “Travel assistance for children in primary and secondary school” or “Travel assistance for students in further education (16-18 year olds)” policies. Currently, no pupils are Raine’s access transport through the SEND team.

During the consultation period, some families indicated they lived closer to other local schools than Oaklands or would prefer a different school. Should a decision be made for Raine’s to close, further understanding of this issue would be explored. It is important to know whether those families had children with SEND at Raine’s (or the parents themselves had SEND), thus making a shorter journey preferable, or whether it was the

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				religious or educational provision at other schools that was preferable to those families. Some schools in the surrounding area have vacancies in year groups. The council has committed to meeting parental preferences for school places, where possible.
Sex	X			<p>With 56% of pupils at Raine’s identifying as male, the proposed closure of Raine’s would have more of an impact on male pupils, although a minimal one. However, this will be mitigated by the fact that boys at Oaklands achieve better results than boys at Raine’s. Only 26% of boys at Raine’s achieve grades 5/C in English and Maths at GCSE, compared to 53% of boys at Oaklands.</p> <p>For girls who move to Oaklands from Raine’s, there would also be an educational benefit. At Raine’s, only a fifth (20%) of girls achieve grades C/5 in English and Maths at GSCE, compared to almost half (48%) at Oaklands. Therefore, both male and female pupils could achieve higher educational outcomes by moving to Oaklands.</p> <p>The addition of Raine’s pupils to Oaklands will also result in a more equal spread of gender. Currently, there are more girls than boys at Oaklands (52% vs 48%). This gap would be reduced by the addition of Raine’s pupils, with more boys than girls relocating. This should help to ensure a greater balance between the genders.</p> <p>More female staff (59%) than male staff (41%) will be affected at Raine’s, owing to the fact that more females are employed and this is normally the case in schools across the borough. As teaching roles are not gender specific, this should not have a disproportionate impact on future employment for female staff. Indeed, at Oaklands, there are also more female staff than male staff, meaning pupils moving from Raine’s should not notice any difference.</p>
Gender reassignment		X		No impact identified.
Marriage or civil partnership		X		No impact identified.
Religion or belief		X		<p>Raine’s is one of two Church of England secondary schools in Tower Hamlets. 47% of pupils identify as being Christian. This is below the national average as evidenced in the last national census, where 59% of the population identified as Christian, but higher than Tower Hamlets’ population (30%).</p> <p>Students at Raine’s receive RE in the curriculum and sit an accredited RS exam. There is a school chaplain. Church walks are held at lunchtime for students and staff, as is weekly communion mass. Students attend weekly assemblies, with an emphasis of a Christian nature. During religious holidays, whole school assemblies</p>

and mass celebrations are held, with a whole school church service at the end of term. As Oaklands is a community school, rather than a faith school, there is currently no comparable provision, but Oaklands have committed to making provision for worship and providing chapel time for Raine’s pupils, if requested, to help them maintain religious observance. Oaklands also provides a Religious Education curriculum.

For those pupils who would wish to continue at a faith school, Sir John Cass Foundation is the other CofE school in the area, although there is also Christian provision at Bishop Challoner and Canary Wharf secondary schools. One representation received during the formal consultation expressed that Bishop Challoner, being a Roman Catholic school, was not a suitable substitute for parents seeking a Church of England School. However, 30 pupils have already transferred there, and another 7 to Canary Wharf College, which has a Christian ethos and allocates up to 50% of its places on a faith basis.

Accessing places at these schools within the borough may result in an increased journey for some pupils:

- Distance from Raine’s to Sir John Cass: 1.2 miles (Outstanding Ofsted grade).
- Distance from Raine’s to Bishop Challoner: 1.5 miles (Girls’ school has an Outstanding Ofsted grade, Boys’ School has a Good Ofsted Grade).
- Distance from Raine’s to Canary Wharf College Crossharbour: 4.2 miles (Good Ofsted grade).

Sir John Cass, the closest CofE school to Raine’s, has an admissions criteria that is mostly open to all faiths, so, as with Raine’s, will have pupils who do not identify as Christian. However, pupils who choose not to attend Oaklands would not be guaranteed to gain a place at Sir John Cass. Five pupils have transferred there already.

Provision outside of the borough, at Urswick School in Hackney, has been made available by the Diocese and LA. Priority places will be given to displaced pupils from Raine’s who meet the School’s Christian faith criteria. Urswick is 1.2 miles from Raine’s, so closer than Bishop Challoner and Canary Wharf College Crossharbour, and the same distance as Sir John Cass. Two Raine’s pupils have transferred there.

Oaklands is non-denominational but has a local vicar on its governing body. The addition of Raine’s pupils to Oaklands would serve to make the provision more religiously diverse. By combining pupils from different backgrounds, ethnicities and religions, Oaklands could act as an exemplar of good practice in the borough. Integrating pupils from different religious backgrounds into the current pupil population at Oaklands may have a beneficial effect in fostering good relations between those in different religious groups and promote social cohesion.

Given the disparity in educational results between Oaklands and Raines (as set out above), the proposal would also have the effect of increasing equality of opportunity for those pupils, both Christian and non-Christian, who attend Raines, with those of pupils attending Oaklands, or other higher-performing schools. Currently, all pupils at Raines are at an educational disadvantage. In the application for judicial review brought in relation to the consultation on the proposal to issue a statutory notice on the proposal to close Raines, it was alleged that there was an "antipathy" of Oaklands pupils towards Raines pupils which "may in part be based on faith". However, there was no evidence to support that claim that, in relation to Oaklands, there is any *religious* motivation for any alleged disagreement between pupils.

In the same application for judicial review, witness evidence was provided by parents who had moved their children to schools other than Oaklands. It was suggested that Christian pupils did not settle in well to schools in the area. This did not relate to Oaklands and therefore is not directly applicable to the consideration of the proposal on Raines and Oaklands. Infact, the headteacher at Oaklands has written to all the schools that have received Raines pupils asking to visit and meet with said pupils. Subsequent reports indicate they have settled in well, as have pupils from Raines who are at Oaklands. The headteacher regularly meets with those pupils and has received positive feedback from their parents. The one incident of bullying that has been reported directly to the LA was effectively dealt with, as the parent of the child involved confirmed she was satisfied with the action taken.

For those pupils who will move to non-faith provision at Oaklands, mitigating actions are laid out in the action plan below.

For most families of a Christian faith, Raines is no longer the school of choice as the proportion of children that have applied from CofE primary schools to Raines in the last five years has fallen. In 2015, 22.3% of children transferring from CofE primary schools applied to Raines, compared to 14.8% in 2019. This indicates that Christian pupils are predominantly having their needs met through alternative secondary educational provision in the Council's area rather than Raines. Nonetheless, there will be an impact on this prospective secondary school population based on religion, as around 14.8% of pupils moving from CofE primary schools (and also other pupils not currently attending CofE primary schools but seeking to attend a CofE secondary school) will not be able to access a CofE education at Raines, although there are alternative options for a Christian education available both in and outside of the borough.

The same considerations as set out above in relation to alternative CofE and Christian educational provision apply to these pupils. Having more Christian students in non-denominational schools may also help to foster good relations between different religious groups due to increased interaction, if managed effectively.

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Race		X	<p>31% of pupils at Raine’s are White British, with no other majority ethnicity, so this ethnic group will be impacted the most. Only 3% of students at Oaklands are White British, with the majority of pupils (80%) Bangladeshi. A full breakdown is below:</p> <table border="1" data-bbox="772 331 1601 1436"> <thead> <tr> <th data-bbox="772 331 1198 406">Ethnicity</th> <th data-bbox="1198 331 1388 406">Raine's Pupils</th> <th data-bbox="1388 331 1601 406">Oaklands Pupils</th> </tr> </thead> <tbody> <tr><td data-bbox="772 406 1198 450">Bangladeshi</td><td data-bbox="1198 406 1388 450">7%</td><td data-bbox="1388 406 1601 450">80.47%</td></tr> <tr><td data-bbox="772 450 1198 493">Black - Congolese</td><td data-bbox="1198 450 1388 493">1%</td><td data-bbox="1388 450 1601 493">0.00%</td></tr> <tr><td data-bbox="772 493 1198 536">Black - Ghanaian</td><td data-bbox="1198 493 1388 536">2%</td><td data-bbox="1388 493 1601 536">0.00%</td></tr> <tr><td data-bbox="772 536 1198 579">Black - Nigerian</td><td data-bbox="1198 536 1388 579">2%</td><td data-bbox="1388 536 1601 579">0.00%</td></tr> <tr><td data-bbox="772 579 1198 622">Black - Somali</td><td data-bbox="1198 579 1388 622">4%</td><td data-bbox="1388 579 1601 622">3.27%</td></tr> <tr><td data-bbox="772 622 1198 665">Black and any other ethnic group</td><td data-bbox="1198 622 1388 665">1%</td><td data-bbox="1388 622 1601 665">1.87%</td></tr> <tr><td data-bbox="772 665 1198 708">Black Caribbean</td><td data-bbox="1198 665 1388 708">8%</td><td data-bbox="1388 665 1601 708">0.70%</td></tr> <tr><td data-bbox="772 708 1198 751">Chinese</td><td data-bbox="1198 708 1388 751">0%</td><td data-bbox="1388 708 1601 751">0.47%</td></tr> <tr><td data-bbox="772 751 1198 794">Indian</td><td data-bbox="1198 751 1388 794">0%</td><td data-bbox="1388 751 1601 794">0.94%</td></tr> <tr><td data-bbox="772 794 1198 837">Information Not Yet Obtained</td><td data-bbox="1198 794 1388 837">4%</td><td data-bbox="1388 794 1601 837">0.00%</td></tr> <tr><td data-bbox="772 837 1198 880">Other Asian</td><td data-bbox="1198 837 1388 880">0%</td><td data-bbox="1388 837 1601 880">1.29%</td></tr> <tr><td data-bbox="772 880 1198 924">Other Black</td><td data-bbox="1198 880 1388 924">4%</td><td data-bbox="1388 880 1601 924">0.47%</td></tr> <tr><td data-bbox="772 924 1198 967">Other Black African</td><td data-bbox="1198 924 1388 967">6%</td><td data-bbox="1388 924 1601 967">1.75%</td></tr> <tr><td data-bbox="772 967 1198 1010">Other mixed background</td><td data-bbox="1198 967 1388 1010">1%</td><td data-bbox="1388 967 1601 1010">1.29%</td></tr> <tr><td data-bbox="772 1010 1198 1053">Pakistani</td><td data-bbox="1198 1010 1388 1053">0%</td><td data-bbox="1388 1010 1601 1053">0.35%</td></tr> <tr><td data-bbox="772 1053 1198 1096">Portuguese</td><td data-bbox="1198 1053 1388 1096">1%</td><td data-bbox="1388 1053 1601 1096">0.00%</td></tr> <tr><td data-bbox="772 1096 1198 1139">Turkish</td><td data-bbox="1198 1096 1388 1139">2%</td><td data-bbox="1388 1096 1601 1139">0.94%</td></tr> <tr><td data-bbox="772 1139 1198 1182">Vietnamese</td><td data-bbox="1198 1139 1388 1182">1%</td><td data-bbox="1388 1139 1601 1182">0.12%</td></tr> <tr><td data-bbox="772 1182 1198 1225">White - English</td><td data-bbox="1198 1182 1388 1225">33%</td><td data-bbox="1388 1182 1601 1225">3.39%</td></tr> <tr><td data-bbox="772 1225 1198 1268">White + any other Asian</td><td data-bbox="1198 1225 1388 1268">1%</td><td data-bbox="1388 1225 1601 1268">0.82%</td></tr> <tr><td data-bbox="772 1268 1198 1311">White and Black African</td><td data-bbox="1198 1268 1388 1311">1%</td><td data-bbox="1388 1268 1601 1311">0.23%</td></tr> <tr><td data-bbox="772 1311 1198 1355">White and Black Caribbean</td><td data-bbox="1198 1311 1388 1355">7%</td><td data-bbox="1388 1311 1601 1355">0.23%</td></tr> <tr><td data-bbox="772 1355 1198 1398">White Eastern European</td><td data-bbox="1198 1355 1388 1398">3%</td><td data-bbox="1388 1355 1601 1398">0.00%</td></tr> </tbody> </table>	Ethnicity	Raine's Pupils	Oaklands Pupils	Bangladeshi	7%	80.47%	Black - Congolese	1%	0.00%	Black - Ghanaian	2%	0.00%	Black - Nigerian	2%	0.00%	Black - Somali	4%	3.27%	Black and any other ethnic group	1%	1.87%	Black Caribbean	8%	0.70%	Chinese	0%	0.47%	Indian	0%	0.94%	Information Not Yet Obtained	4%	0.00%	Other Asian	0%	1.29%	Other Black	4%	0.47%	Other Black African	6%	1.75%	Other mixed background	1%	1.29%	Pakistani	0%	0.35%	Portuguese	1%	0.00%	Turkish	2%	0.94%	Vietnamese	1%	0.12%	White - English	33%	3.39%	White + any other Asian	1%	0.82%	White and Black African	1%	0.23%	White and Black Caribbean	7%	0.23%	White Eastern European	3%	0.00%
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White European	2%	0.94%
White Other	1%	0.47%
White Western European	1%	0.00%

The Council and leadership at Raine’s and Oaklands are cognizant of the different demographics of the two communities and aware that this may present possible challenges in uniting them. However, despite earlier allegations of difficulties between the school communities, there is no evidence that any difficulties experienced were motivated by race following Raine’s parents and pupils visiting the Oaklands site during the summer term (i.e. there were no racial epithets used or reported). It is noted that children can be territorial about their schools for reasons unrelated to protected characteristics under the Equality Act 2010. Mitigating actions are laid out in the action plan below.

The Council is aware from the judicial review application referred to above that evidence was submitted by parents who had moved their children to schools other than Oaklands where they were concerned that their child would be in a minority racial group and that this may cause a “distinction” to be made by other pupils This is significantly less likely to happen at Oaklands if a large body of former Raine’s students move at once to the school as opposed to a single student, although white British children will still be one of the minorities at Oaklands, just as Bangladeshi children are at Raine’s.

The Council considers that greater integration of children from different racial groups at Oaklands as compared to Raine’s is likely to be beneficial to fostering good relations between individuals in different ethnic and/or racial groups, as children will have the opportunity to make friends with children from different races to themselves to a greater extent at a formative stage of their personal development. This is particularly so with Bangladeshi pupils, as these are under-represented at Raine’s, and White British pupils, as these are under-represented at Oaklands.

As with the impact on other protected characteristics, Oaklands is a higher performing school than Raine’s. Enabling a greater percentage of white British pupils to attend there than before is likely to advance equality of opportunity between racial groups, by raising educational attainment opportunity for white British children, and others. Several representations made during the formal consultation process suggested there was a lack of evidence in the previous EA about academic outcomes in relation to race. It was stated that white British and/or “black/Caribbean” children are disadvantaged academically, whereas Bangladeshi children are amongst the highest attainers, and that by “trying to move Raine’s children you will succeed in hiding them”. As all key outcome data, for example GCSE results, is analysed by ethnic group and other factors such as free school meals eligibility to enable school staff to undertake targeted work to raised standards, this seems unlikely.

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

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				<p>As stated under “Age”, Raine’s and Oaklands are similar secondary schools in the sense that their pupils, irrespective of ethnicity, have a similar starting point when they begin in year 7. Therefore, the difference in attainment at the end of year 11 must, in some part, be due to the school they attend and the quality of teaching they received. By moving Raine’s pupils to higher performing schools, such as Oaklands, rather than “hiding them”, those pupils will receive a better quality education, thereby allowing them the opportunity to achieve as well as their peers, of any ethnicity, and buck the national trend. Ofsted recognised this in Oaklands’ report from January 2017: “disadvantaged pupils, including the most able disadvantaged pupils, make good and often better progress than that of pupils with similar starting points in other schools”.</p> <p>Raine’s currently has various schemes in place with external organisations which provide additional resources, such as the Raine’s Foundation Trust, which provides bursaries for further and higher education and through international law firms, the opportunity to explore careers in the legal profession. At Oaklands, there will be similar, if not more opportunities for Raine’s students. A comprehensive range of extra-curricular activities including sports, film, a “Bank of England” club, spoken word, a project run by the National Theatre and debating clubs are run at lunchtime and afterschool. The Tower Hamlets Education Business Partnership support the school with work experience, which is enhanced by leaders in business supporting pupils in year 11 with interview preparation.</p>
Sexual orientation		X		No impact identified.
Pregnancy or maternity		X		The school’s HR provider and LA are monitoring staff on or likely to go on maternity leave to ensure their rights are protected during any change process.
<b>Other</b>				
Socio-economic		X		<p>Roughly the same proportion of students at Raine’s and Oaklands qualify for Free School Meals: 69.7% at Raine’s up to 2017/18, and 65% at Oaklands. Therefore, although there may be perceived cultural differences, the social-economic backgrounds of pupils will be broadly the same. However, FSM pupils at Oaklands have better opportunities than those at Raine’s: 70% vs 42% go onto higher education and 14% vs 11% get into Russell Group Universities.</p> <p>Uniform grants will be provided for parents to purchase a new school uniform when this is required. The uniform grant will be in line with the current school clothing grant that is provided for children when they transfer from primary to secondary school, which is currently £110.</p> <p>Raine’s Foundation Trust currently offers a bursary scheme. The Trust would have to decide whether to continue to offer said scheme to transferred pupils.</p>



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				<p>The Upper School building in Approach Road, E2, is currently rented to an external organisation to run community sports activities outside of school hours. This organisation will be provided with the opportunity to continue to run its provision out of a nearby alternative venue with similar sports facilities. Currently, community groups are able to rent rooms/halls at Raine’s Upper Site for a variety of purposes including, but not limited to, Irish dancing classes, badminton, Queen Mary’s Student Union, church groups and various corporate events. None of these bookings require specialist equipment, and the facilities at Raine’s are replicated in other schools in the borough. Alternative venues would have to be sourced and offered, and could provide a stream of funding for another school or community venue.</p> <p>Comments were received during the consultation process that pupil projections do not take into account the number of new housing developments being built in the locality. However, those developments are not family homes. Therefore, pupil projection numbers, as per the School Places Planning report, demonstrate that future demand for places will not be around Bethnal Green. Tower Hamlets’ has a duty to ensure the right provision is in the right place at the right time, in order to give every chance to every child.</p> <p>The air quality at Raine’s and its surroundings, which include trees and a park, is better than other secondary school locations around the borough. However, this has not detracted parents from relocating to other areas in Tower Hamlets, nor prevented them from applying to different secondary schools, thereby suggesting that, when balanced against educational standards, air quality is not the top priority for parents. It is also is not enough of a factor for the LA to reasonably consider as a basis for keeping an underperforming school in financial deficit, with a falling roll, open.</p>
Parents/Carers		X		<p>Raine’s Foundation has a proud history as a 300-year provider of education to the children for East London. The LA is aware of the importance of keeping the name of Henry Raine alive in the borough. 34% of respondents to the informal consultation were parents at the school and 30% were ex-students, some of whom were concerned about the loss of tradition and recognition that Raine’s used to be a good school.</p> <p>However, if a decision is ultimately taken to close Raine’s, a commitment has been made to the Raine’s Foundation Trust by the LA to consider ways in which to preserve to legacy and name of Raine’s in Tower Hamlets.</p>

**Section 4 – Statutory Duties**

Tick the relevant box(es) to indicate whether the proposed change will adversely impact on the Council’s ability to meet any aspect of the Public Sector Duty as set out in the Equality Act 2010:

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

If the proposed change adversely impacts on the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in Section 5 below.

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## Section 5 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

### Example

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
1. Better collection of feedback, consultation and data sources 2. Non-discriminatory behaviour	1. Create and use feedback forms. Consult other providers and experts  2. Regular awareness at staff meetings. Train staff in specialist courses	1. Forms ready for January 2020 Start consultations Jan 2020  2. Raise awareness at one staff meeting a month. At least 2 specialist courses to be run per year for staff.	1.NR & PB  2. NR	

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### Your action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
1) Ensuring the unique aspects of Anglican school provision is available at Oaklands and access to Christian education is supported in the Council's area	<ul style="list-style-type: none"> <li>Diocese to work closely with Oaklands to ensure that Raine's pupils receive high quality Religious Education and are supported in their spiritual development outside of lessons. Council to support the same.</li> <li>Council to support pupils attending other Christian schools (within the spare spaces available within the schools PAN for the</li> </ul>	<p>Discussions to begin if the decision is taken to close Raine's. Timetable to be developed later if a formal consultation leads to a decision to close Raine's, as there is sufficient time thereafter to structure and implement (post Spring 2020).</p> <p>Decision on primary to secondary school progression to be made through the offers made in March 2020.</p>	VARIOUS	

	<p>relevant year group) if that is their preference instead of Oaklands. The same applies for current primary school children, who may have otherwise sought to attend Raine’s on the basis of their religion.</p> <ul style="list-style-type: none"> <li>• Council to work with Urswick School in Hackney to ensure that priority places will be given to displaced pupils from Raine’s.</li> </ul>			
<p>2) Action to be taken on promoting cohesion between pupils from Raine’s and Oaklands (in general and in relation to religion and race specifically)</p>	<ul style="list-style-type: none"> <li>• A united approach must be taken by the schools and LA, making clear that any potential joint venture between the schools will move forward with tolerance, respect and cooperation paramount, in line with universal “British Values”.</li> <li>• Meeting between leadership at the Council, Oaklands and Raine’s to discuss best way to communicate with their respective student bodies and set expectations of appropriate behaviour. Leadership to consider sanctions where students do not meet these expectations and other measures to support an equalities culture at the schools.</li> <li>• An organisation called “New</li> </ul>	<p>If proposal agreed</p>	<p>VARIOUS</p>	

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	<p><b>Direction” will develop a programme of activities for pupils to help build relationships between the two schools.</b></p> <ul style="list-style-type: none"> <li>• A joint steering group has been set up to oversee progress and arrange for further transition support if required.</li> </ul>			
3) Continue to add to EIA as further data and feedback becomes available	<ul style="list-style-type: none"> <li>• Formal consultation results and responses to be analysed and the EIA to be updated in respect of this analysis, if the Council issues a statutory notice and enters into the formal consultation stage.</li> </ul>	Council to consider matters throughout the formal consultation. EIA to be updated prior to any final decision by the Council on the proposal.	EF	
4) Minimise disruption to students in changing schools	<ul style="list-style-type: none"> <li>• Change under proposal should take effect between academic years which provides a natural break.</li> <li>• Leadership team at Oaklands to organise induction day and/or meetings with Raine’s students to introduce them to new school</li> <li>• A steering group will be set up to oversee progress and arrange for further transition support if required.</li> </ul>	Meetings to take place in summer term 2020, if proposal approved.	Steering group	
5) Assist Raine’s staff to find alternative	<ul style="list-style-type: none"> <li>• Communicate the decision if made to enable staff to prepare.</li> </ul>	If and when proposal approved.	HR	

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<p><b>employment</b></p>	<p>After that, then make staff aware of employment opportunities at other schools in the area.</p> <ul style="list-style-type: none"> <li>• Individual professional development plans agreed with staff supported by a range of professional development opportunities.</li> <li>• Job application and interview support to be offered to all staff.</li> <li>• IEB to adopt the council's Redeployment Policy and support staff to apply for vacant posts in other LA schools.</li> <li>• Council to explore redundancy opportunities for staff who wish to consider retirement.</li> <li>• Council to explore guaranteed interview scheme for Raine's staff.</li> </ul>			
<p>6) Ensure Raine's pupils with SEND experience a smooth transition and receive appropriate support with their education at Oaklands</p>	<ul style="list-style-type: none"> <li>• Annual Reviews to be brought forward</li> <li>• Transition support to be provided by Parent and Family Support Service</li> <li>• Individual transition plans being developed in discussion with staff and parents</li> </ul>	<p>DONE</p> <p>Summer Term 2020</p>	<p>J.O'S</p>	
<p>7) Assist parents / carers integrate with school through parent/ family support programme and existing communication networks</p>	<p>Support schools to engage parents and carers and provide access to information and support pre transfer, during induction and post transition</p> <p>Council (PET) to support schools establish discussion groups / drop-in for parents /</p>	<p>Council (PET) to support schools establish discussion groups / drop-in for parents / carers to support induction</p> <p>Support schools develop 'new school' information / support package for</p>	<p>JM</p>	

*NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.*

	<b>carers to support induction</b>  Support schools develop 'new school' information / support package for families	<b>families</b>		
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**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

## **Section 6 – Monitoring**

Have monitoring processes been put in place to check the delivery of the above action plan and impact on equality groups?

Yes? X            No?

Please state how this will be undertaken.





A steering group has been set up. This group will meet regularly if the proposal is agreed to monitor the progress and impact of the mitigating actions as laid out above.



**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

## **Appendix A**

### **Equality Assessment Criteria**

<b>Decision</b>	<b>Action</b>	<b>Risk</b>
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	<b>Suspend – Further Work Required</b>	<b>Red</b> 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	<b>Further (specialist) advice should be taken</b>	<b>Red Amber</b> 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	<b>Proceed pending agreement of mitigating action</b>	<b>Amber</b> 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	<b>Green:</b> 

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## Report on alternative options to the closure of Raine's School

In 2013, the then Chair of Governors of Raine's Foundation school wrote to the Department for Education (DfE) on behalf of the Governing Body with a request to convert the school to an academy. In his response of the 10<sup>th</sup> January 2014, Dominic Herrington, Director of the Academies Group at the DfE, declined on the basis of the school's attainment being below the national average. At the subsequent governing body meeting of the 22<sup>nd</sup> of January 2014, it was agreed unanimously to withdraw the application. At this meeting, the headteacher drew the attention of the Governing Body to the

- Inaccurate prediction of GCSE grades for English and maths for 2013
- Over optimistic GCSE predictions for the academic year 2014
- The low number of pupils that has applied to Raine's for September 2014 as their first choice (65 children) and second choice (85 children).

This demonstrates there have been concerns about Raine's school over a number of years and the Governing Body were fully aware of the concerns.

The school was inspected by Ofsted in during November 2015, when was given an overall judgement of Requires Improvement. On the 1<sup>st</sup> December 2015, the then Interim Director of Children's Services (DCS) wrote to the Chair of Governors outlining concerns about

- Weak governance
- Lack of compliance with statutory requirement on the consultation over changes to admission arrangements
- A serious decline in the school roll over five years
- The financial position of the school.

The DCS indicated an intention to exercise her statutory powers and make an application to the Secretary of State for Education to put an Interim Executive Board in place. Following this, an Extraordinary Meeting of the Governing Body was held on the 10<sup>th</sup> December 2015, where the Governing Body disbanded itself. Subsequent to this, a new Governing Body chaired by the Bishop of Stepney nominee Liz Wolverson OBE was installed in January 2016.

Ms Wolverson is the Chair of the Board of Directors for the Brightwells Academy Trust and Chief Executive Officer for the London Diocesan Board of Schools Academies Trust and so is both knowledgeable and experienced in the legislation relating to academisation.

During the period September 2016 to June 2018 the Governing Body referenced or discussed

- Soft federation with another London Board of Diocesan school
- Academisation on four occasions

but no action was taken by the Governing Body of Raine's to progress either federation or academisation.

During June/July 2017 the London City (Teaching School) Alliance was asked by the LA to take the lead on providing school improvement support for Raine's. This was because the DfE school improvement funding could only be accessed through a Teaching School Alliance.

The London City Alliance includes two local academy trusts, both of which played a role in supporting Raine's. In the first instance, Graeme Price, Chief Executive of the University Schools Trust took the lead in working with Raine's and arranged for a review of the school which took place during September of 2017.

Subsequent work, which included a successful bid to the DfE for funding, was led by Dr Vanessa Ogden, the Chief Executive of the Mulberry Schools Trust. The DfE funding for Raine's was agreed, dependent on the completion of a full financial review of the school which eventually took place during the autumn of 2018.

At no point did either the Chief Executive of the University Schools Trust or the Chief Executive of the Mulberry Schools Trust express any interest in or desire to enter into a longer lasting or formal relationship with Raine's, which could have resulted in Raine's joining either of the academy trusts. With regard to Raine's Foundation school, the Chair of Governors chose not to take forward any discussion on these options with either of the Chief Executives.

Following the publication of the poor GCSE results in August 2018, the DCS exercised her statutory powers and made an application to the DfE to establish an Interim Executive Board to take over the governance of the school. The Interim Executive Board held its first formal meeting on the 29<sup>th</sup> October 2018. The role of the IEB was to support the new interim executive headteacher, Mr Paul Woods, substantive headteacher of Sir John Cass Foundation School, in raising standards in the school and this was the focus of their meetings. Mr Woods remained at the school until 31<sup>st</sup> March 2019.

At no point during Mr Woods seven month tenure at Raine's did the Chair of the Governing Body of the Sir John Cass Foundation school and Mr Woods consider it appropriate for the Governing Body of Sir John Cass to discuss any ongoing or more formal arrangement between the two schools.

Mr Woods informed the LA that he intended to return to his substantive headship at Sir John Cass at a meeting on the 23<sup>rd</sup> of November 2018 and as a consequence there was a consideration of the potential options for the future of the school.

The academisation of a school is a statutory process which is described in a suite of guidance documents published by the DfE and updated regularly. The publication 'Due Diligence in academies and maintained schools; Best practice guidance for Governing Bodies of maintained schools, local authorities and Academy Trusts' of February 2019 explains

'... The due diligence process is an important element of the risk management of any conversion or transfer, with the findings of the work informing the decision making process of respective stakeholders; the incoming school, the incoming trust and the Department for Education (DfE)...'.

Stage 1 of the required due diligence process provides an overview of the school's educational performance and the financial position of the school, through consideration of factors including:

- Educational Performance
- Ofsted reports
- Financial information
- Admissions
- Capacity, pupil numbers and school demographics, pupil premium.

The LA had formally registered concerns with regard to all of these factors and these concerns had precipitated the use of its statutory powers to intervene in the school. Further to this, standards had fallen further following the DfE's response to the Chair of Governors request that the school become an academy in 2014. These factors made it unlikely that Raine's would be an attractive proposition for any academy trust to consider, even prior to undertaking a due diligence process. This view was confirmed by the lack of interest from the University Schools Trust and the Mulberry Trust in opening a discussion with the Governing Body about Raine's joining their academy trusts.

With regard to federation with another Anglican school, prospective partner schools would be concerned about the potential financial liabilities and the entrenched poor standards they would become responsible for under a hard federation agreement. As described above, Sir John Cass Foundation school expressed no interest in federating with Raine's Foundation school and so there was no benefit to formally pursuing this as an option. During this time the LA supported Raine's prioritised investing its diminishing resources on the provision of school improvement support.

As a consequence, the Raine's Foundation IEB agreed to a feasibility study in January 2019 which considered amalgamation with Oaklands School, as by that point options for the school were limited.

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## **APPENDIX 5**

### **SUPPORT FOR RAINE'S FOUNDATION SCHOOL STAFF**

The staff at Raine's Foundation school were first notified of the possibility that the school could close at a meeting for all staff on the 1<sup>st</sup> of May 2019, prior to the start of the public consultation. Staff were informed that their employment was assured for at least the next 4 terms. If the decision was made to close the school then, in the absence of employment in another school, the likely outcome was redundancy at the end of August 2020.

The school's HR provider presented at the meeting, outlining the support available and union representatives were also invited to attend and there was an opportunity to meet with their members afterwards. On the 4<sup>th</sup> and 5<sup>rd</sup> of May, the Divisional Director for Education and Partnerships was available to meet informally with staff to discuss their position.

Prior to the start of the consultation, the Director of Children's and Culture and LA officers held a series of preparatory meetings with Raine's School to discuss the background and process for the consultation. These included separate meetings with the head teacher and chair of governors, the governing body, the school's senior leadership team and school staff. A formal meeting took place on the 13<sup>th</sup> June 2019 with the Trades Unions and Teacher Associations. These various formal and informal fora provided opportunities for staff to ask questions and make their views known. The Divisional Director and senior LA HR staff met with union representatives from Raine's school on a second occasion to answer further questions and queries raised by staff. These issues informed the consultation process as it progressed.

Staff were able to contact the HR provider with individual queries and also speak with the executive headteacher and interim headteacher of the support school, Oaklands.

The LA agreed to a 10% retention allowance for staff payable from the 1<sup>st</sup> of September, to ensure that the school retained a full staff complement for the academic year. Alongside this, the Interim Executive Board agreed to invest a much higher level of funding that would normally be the case in supporting staff continuing professional development over the academic year 2019-20. The Raine's -Oaklands Joint Steering Group membership included a staff representative from Raine's in order to ensure they could inform and influence any future planning.

Currently there are staff employed across all age bands and so ensuring appropriate professional development to enable transition to new employment is important.

Age band % of staff

18-29 11%

30-39 23%

40-49 26%  
 50-59 29%  
 60-69 9%  
 70+ 3%

The low numbers of pupils in the school meant that there was no problem with releasing staff to attend training. Staff had individualised training opportunities in addition to whole staff training within the school. Examples of training undertaken by staff includes work-shadowing in other schools, team teaching and accredited leadership training. In addition, job application and interview preparation support and training are available to staff who wish to apply for jobs at other schools. The impact of training is evidenced through the following minutes  
 Joint Steering Group 10<sup>th</sup> October 2019

“Members enquired about the impact on staff at Raine’s and what support is offered. PC said that a lot of support was in place for staff as well as CPD was in place for staff.

AD (*Support Staff at Raine’s*) said that from the staff perspective staff are very happy with the training packages which included interview preparation.

PC said that huge amount was taking place to support staff.

DC said that the IEB will oversee the support and any other process as and when required.”

Raine’s Foundation school is a standing item on the Children’s Services Trade Union Forum agenda so that all the schools workforce unions are kept up to date with developments. Through this forum, the LA’s redeployment policy was updated with the commitment that it would be implemented should the decision be made to close Raine’s Foundation School. The IEB will formally adopt this policy and this will ensure that staff had every opportunity to secure a post at another school.

If the decision is made to close the school, then the school’s HR provider would lead a process under the Managing Organisational Change policy which would result in the deletion of all posts in the school. Support would be available for staff through this process. For those staff who are of an age that would wish to explore redundancy options, the council will consider those applications.

Should the decision be taken to close the school, the indicative timeline for staff would be as follows-

Activity	When
Selection of IEB Organisational Change panel (OCP)and Appeals panel	After 31 <sup>st</sup> January 2020
LA Cabinet decision re closure proposals	31 <sup>st</sup> January 2020
Business restructure case sent to IEB OCP for approval	3 <sup>rd</sup> February



	2020
Restructure documents sent to Trade Unions	5 <sup>th</sup> February
Consultation periods starts- Formal announcement to staff in morning briefing Documentation sent round to all staff. Invitations sought for voluntary redundancies Open staff briefing	<b>24<sup>th</sup> February 2020</b>
Letters sent to individuals to invite them to individual consultation meetings	25 <sup>th</sup> February 2020
Consultation meeting with Trade Unions	28 <sup>th</sup> February
Consultation meeting with staff groups	W/b 2 <sup>nd</sup> March
Individual consultation meetings with staff who request them	W/b 9 <sup>th</sup> March
Deadline for voluntary redundancy requests	20 <sup>th</sup> March 2020
IEB OCP to consider and agree any VR requests	23 <sup>rd</sup> March 2020
Consultation period ends	<b>24<sup>th</sup> March 2020</b>
IEB OCP hold formal meetings with relevant staff on request at which they may make individual representations	W/b 30 <sup>th</sup> April
Deadline for appeals	11 <sup>th</sup> May
Appeals meetings - if applicable	w/b 18 <sup>th</sup> May
Outcome of appeals - if applicable	22 <sup>nd</sup> May
Notification of Contract termination dates where applicable	<b>31<sup>st</sup> May 2020</b>

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## **Statutory Consultation – Public Meeting**

Held at the Professional Development Centre on 11<sup>th</sup> November 2019 at  
5:30pm

### **Independent Chair**

Alan Parker

### **Panel**

Debbie Jones, Director of Children Services  
Christine McInnes, Divisional Director Education and Partnership  
Terry Bryan, Head of Pupil Services and School Sufficiency  
Kate Roskell, LDBS Rep

### **Also in attendance**

Councillor Danny Hassell  
Patrice Canavan – Executive Headteacher Raine's

Runa Basit, Head of Governance and Information  
Farhad Ahmed, Training and Development Manager  
Rochelle Clarke, Governor Support Officer (Clerk)

[There were an estimated 25-30 people (public) in attendance]

## **1. WELCOME AND INTRODUCTION**

The Chair, Alan Parker, welcomed everyone to the meeting and introductions were made.

Alan Parker stated that he had been appointed last summer to act as Independent Chair of the Joint Steering Group (Oaklands and Raine's).

It was noted that there was no planned fire drill so if the alarm did sound then the building would need to be evacuated using the clearly marked fire exits.

A record of the meeting would be taken, however, it was not normal practice to allow people to video or record without consent and attendees were asked to refrain from doing so.

A number of those in attendance will have attended one of the public meetings that had already taken place and this one would be broadly similar.

The Panel was introduced, Kate Roskell from the London Diocesan Board for Schools (LDBS), Debbie Jones (Corporate Director of Children Services), Christine McInnes (Divisional Director Education and Partnership) and Terry Bryan (Head of Pupil Services and School Sufficiency). Danny Hassell, Cabinet Member for Children, Schools and Young People was also in attendance and

would be listening very carefully to what was said and would speak later on during the meeting.

Runa Basit, Head of Governor Services and her team were also in attendance to ensure the meeting went as planned.

## **2. HOW RESPONSES WILL BE COLLATED**

The Chair stated that an app was available for use during the meeting to capture comments in real time which would then be displayed on screen and recorded for further use.

Runa Basit gave detail of Slido, an app which would be used to capture any questions or comments people may have in real time. Instructions were given on how to use Slido. Runa Basit informed the meeting that comments would not be seen during the presentation but would be put up after this. There was also the option to 'like' a question or comment to avoid duplication. These questions and comments would be kept for future use. Attendees were able to use the Wi-Fi at the PDC and if anyone required any assistance they should speak to member of the team.

## **3. PRESENTATION FROM THE LA AND LDBS**

Debbie Jones welcomed everyone to the meeting and said that Christine McInnes would give a presentation which would outline the process, where we are and what would happen next.

Christine McInnes thanked everyone for coming.

In May 2019 the Local Authority and the Diocese shared their decision to consult on a proposal to close Raine's School. During June - July 2019 the LA ran a 6 week statutory consultation on a proposal to close Raine's School and expand Oaklands School for any Raine's pupils who wished to attend. Christine reported that there were a high number of responses from the public.

During August 2019, the Cabinet report on the outcomes of the consultation was drafted, to inform the Mayor's decision on whether or not to proceed to publishing a statutory notice regarding the closure of Raine's.

Originally scheduled to be considered at Cabinet in September 2019, the report was deferred to October 2019, following a legal challenge. This challenge was not successful and so in October 2019 the Mayor considered the Cabinet report and took the decision to issue a statutory notice. The notice is online and hard copies are available for those who would like a copy along with FAQs.

It was explained that a statutory notice is published when, following a consultation, the LA decides to propose school organisational changes. This notice is published on the LA and school websites, available at school premises and notified in the local paper. The notice provides details of the reasons for the proposal, the process and timescale for its implementation and will include details of how the LA will manage its impact on pupils and the wider community. The notice outlines the LA's intention to proceed with its proposal, unless

information is provided that would give good cause for a different course of action and, like the previous consultations, the notice invites the views of all interested parties.

The statutory notice runs for a period of 28 days from 4<sup>th</sup> November until 2<sup>nd</sup> December 2019. During this period any questions, comments and or objections must be sent to:

School Organisation and Place Planning Manager  
Pupil Services and School Sufficiency  
Tower Hamlets Children and Culture  
Town Hall, Mulberry Place  
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All of this information is included in the statutory notice.

Following the close of consultation in December 2019, a report will be drafted to be considered by Cabinet at the end of January 2020. This report will include all responses to the statutory notice along with the LA's analysis and final recommendations for the Mayor. The Mayor's decision will be published after the meeting.

If a decision is made to close Raine's School, then there will be a right of appeal to the Schools Adjudicator, but only for the following organisations: the Diocese and the School Governing Body or Trustees. The appeal must be lodged within one month.

At the end of this process, if the decision is made to close Raine's school is confirmed for August 2020, then in February 2020 the LA will formally notify parents, pupils and staff and begin arrangements for pupils to transfer to Oaklands or an alternative school of parents' choice from September 2020.

From March 2020 there would be no further intake for Raine's School and families who had applied for Year 7 entry would be offered an alternative school on 1<sup>st</sup> March 2020.

Between April and May 2020 the LA would confirm places for Raine's pupils at Oaklands or alternative schools for September 2020.

July 2020 will be the end of school year and Raine's would officially close in August 2020.

Christine McInnes informed that this was the end of her presentation and opened the floor for any questions or comments.

#### **4. QUESTIONS AND STATEMENTS FROM THE FLOOR**

**Question:** I have two girls who had to leave Raine's to start Year 10 in another school. What about the impact this will have on their examination results? This

has not been taken into account. They are seen as the Raine's kick outs. What about these poor children? You have failed these kids, shame on you. Where will these kids go?

**Question:** Why Oaklands or an alternative school? Where is the equivalent of Raine's? These schools are not an equivalent. If I wanted to send my child to an alternative school I would have.

**Question:** Where is the pay-out for the children who are now behind as they are now having to study a new curriculum?

**Answer:** Terry Bryan said the LDBS representative will respond to questions relating to Anglican schools. He advised that there are other schools in the borough not just those that have been mentioned. It is up to parents to decide where they apply to send their children. The reason that Raine's may close is because it is not performing as it should and the LA cannot continue to put in further resources to support it.

**Question:** Has this got anything to do with the fact that the school took in all of those 'bad' kids?

**Answer:** No, this is not the reason. Unfortunately when a school is not full, which Raine's has not been for a number of years, then it is at risk of casual in year admissions.

**Question:** It is stated in minutes that 210 children had short term Child Protection Orders in 2017 with many in Year 7. Who was responsible for this situation? When Mr Woods came in he asked for a safeguarding audit to be carried out as he was concerned about this. Was this done and if so where is this?

**Answer:** Terry Bryan responded that he was unsure of this and would not be able to give a response without seeing the minutes from this meeting. The GB at the time would have been made aware of this but Terry was of the mind that it would have been highly unlikely that 210 children would be on a Child Protection Plan in one year group.

**Follow up Question:** Then why did Mr Woods ask for the safeguarding audit to be carried out?

**Answer:** As a new Headteacher I'm sure he would have wanted to know the demographics of the school population. This is not uncommon when a new Headteacher takes over a school.

Terry Bryan stated that it was recognised that when a school closed it was the children who were impacted the most. The LA's officers would prefer not to have to attend a meeting informing families that its plan was to close a school as its standards and pupil numbers were too low. It was unfortunate that the school could not be saved despite efforts from all parties. The LA had worked with a number of agencies from as early as 2013.

**Question:** Mr Woods was doing a good job, he started to turn things around and we could see an improvement. Why did you not ask him to stay?

**Answer:** Mr Woods made the decision to leave the school.

**Question:** We should get preference for other school places over other children because of the situation.

**Answer:** Pupils will receive preference if the decision is made to close the school and this will give them priority. However, Church of England Schools have their own admissions policy.

**Follow on Question:** This is not correct as when I called other schools they told me that I would have to apply like everyone else if I wanted a space.

**Answer:** That's correct at present as no decision has been made on closure. If the LA offered priority to Raine's children now, then it would look to the public that we were pre-empting the outcome.

**Comment:** Yes, but this is what happened with Year 10. You are gambling with our children's futures.

**Response:** In January when a decision is made then, if necessary, provision will be put in place.

**Comment:** That will be too late! This is not fair or right.

**Response:** I'm afraid we cannot do anything until a decision has been made but as the schools have stated you are able to apply to them now if you wish.

**Pupil Comment:** I spoke to you and you said that I would get the support I needed, I now go to Bow school and I have had no support. I get called names like the Raine's 'kick outs'. I had to choose from the options that they had left as I had started late.

**Response:** Terry Bryan said that he was concerned to hear this and would look into this individual case to find out what had happened.

**Question:** What support is being given to the children that have left the school to attend new schools? Are they being safeguarded?

**Response:** The children will be supported by their new schools safeguarding policy as each school will have their own as well as an anti-bullying policy. If there are any serious incidents, these will be dealt with. We have met with pastoral staff, Headteachers, Chair of Governors and Head of Schools of the likes of Mulberry school and Bishop Challoner and support is also being provided by the Behavioural Support Team.

When a child is transferred, information on the child is provided to the new school and as well as this, Raine's staff will also support with the transition, particularly with our Special Educational Need's children. If there are any other

parents or families who do not feel supported then they should contact Terry Bryan – so that these can be looked into.

**Pupil Comment-** all the teachers are coming up to me to ask is Bow better than Raine's. No one is supporting me.

**Comment:** I spent the whole summer deciding if my son would start Year 7 at Raine's this September. I wanted to support Raine's but in the end I jumped ship. My son has very bad asthma and Eczema and Bow school is by the fly over this is making my son unwell. Raine's was the best located school away from all of that pollution. If my son is not in school I will have the Attendance and Welfare Officer contacting me.

**Response:** Raine's is not sustainable and was not doing well and pupil numbers could not sustain the school. People were choosing not to send their children to the school.

**Question:** My grandson goes to Raine's, we received a phone call in September to ask if he was still coming and we said yes. We took him to school and watched him go. He had no timetable when he got in and was put in the naughty room to draw. He was not given a timetable until the following week and there were no lessons until the following week. Do you not have a legal responsibility to teach my child? Especially as we were called and asked if he was coming back?

**Answer:** The school did have things in place but with such small pupil numbers it probably did not meet your expectations.

**Question:** Are you aware that the numbers are wrong? The total number of students age 11-18 is 750 as the lower school has not been in use for a number of years now.

**Answer:** The school's capacity is 1050, you are correct that as the lower school was not being used the capacity is 750, however the only reason the lower school was closed was because it didn't have the pupils to keep it open.

**Follow up Comment:** No, we were told the reason the lower school was closed was to build a new Sixth Form building.

**Answer:** We approached the Diocese before any decision was made to consult on closing Raine's and use for a Sixth Form provision.

**Follow up Question:** How long before the closure was the Diocese approached by the LA to buy the lower school.

**Answer:** Our records show 2017 as the site was not in use.

**Question:** At that point you knew it wasn't going to be used, why did you not reduce admission numbers then?



**Answer:** Because we had not acquired the land at this time. Raine's receives money for both sites so we cannot take these numbers out of the equation.

**Question:** So when did they stop receiving money for the lower school?

**Answer:** They are still receiving funding for this.

**Question:** Why were we not informed of this? This information should be made available to us.

**Answer:** There are a number of things that we wish we could make available to you. There are a number of agencies and factors that led to the reduction in standards at the school and we accept that we could have done more.

**Question:** Did you ask Mr Woods if he wanted to federate with Sir John Cass?

**Answer:** This would not be a decision for the Headteacher and would be for the Sir John Cass Governing Body and Trust to decide.

**Question:** Why don't you publish all pupil number figures for all school including Oaklands instead of only Raine's?

**Answer:** This information is available on the Council's website.

**Question:** Let's talk about Oaklands; the 6th forms of both schools are affected with the lack of service. They're being taught in a school hall with no facilities or equipment as these have been locked away. This is impacting on children's health. Why isn't LBTH supporting them?

**Question:** Who is responsible for appointing a Headteacher?

**Answer:** The Governing Body.

**Comment:** There was no Head for a long time at Raine's.

**Answer:** There was an acting Headteacher in post.

**Follow up Comment:** Yes, but an interim one who was failing and then they appointed him permanently.

**Response:** The Panel were unable to comment on this but stated that the Governing Body presumably felt that he was the best candidate and chose to appoint him at the time.

**Comment:** I worked in that school before he started and he ran that school into the ground. Mr Bradshaw came in and left because he was appalled at the state the school was in.

**Question:** Why was there an interim Head for so long?

**Answer:** The Head was not interim for that long. It is often the practice that when a Headteacher leaves, an interim is put in place until recruitment takes place to appoint a suitable candidate.

I acknowledge your point that the school did have an unsuccessful patch.

**Question:** Yes and that's when there was a drop in numbers. Do you acknowledge that the construction work that took place in 2011-2014 which resulted in porter cabins in the playground affected admission numbers? As was written in the GB minutes? As well as the death at a school?

**Answer:** Yes these things would likely of had an effect on pupil numbers.

**Comment:** We don't blame the LA as the school was going downhill before you stepped in.

**Response:** We wrote to the school to raise our concerns some time ago but it was at this time the school decided to try and obtain academy status.

**Question:** Will we also get priority for school places in other Boroughs?

**Answer:** Once a decision has been reached you will receive priority for schools in this borough and we will work to make arrangements with the diocese to get priority for the two local Church of England schools, one in the borough and one in Hackney.

**Follow up Question:** What if there are no spaces?

**Answer:** There are some circumstances where schools can be given permission to go over their admission numbers. We will explore all options.

**Question:** What about children who travel to our school from out of borough?

**Answer:** They will be given the choice to look at options closer to home. There are other organisational changes going on in other boroughs and we will all be working jointly.

**Follow on Question:** What about academies such as Canary Wharf College? Are you also in talks with them?

**Answer:** Yes we are in talks with academies; however Canary Wharf is in temporary accommodation until 2022 and is already oversubscribed. There is nothing to stop you from applying to these schools for a place to coincide with the end of the school year if you wish to do so.

**Comment:** You should be getting these schools to give us priority now.

**Response:** The LA cannot do this at this stage, nor can they prevent moves initiated by parents.

**Comment:** I'm thinking about my child and planning for his future. He keeps coming home giving me updates and telling me that people keep leaving and there seems to be a Headteacher who is doing very little.

**Answer:** Terry Bryan said he would speak to parents who had concerns regarding their individual circumstances outside of this meeting.

**Follow on Question:** What will happen if the school closes in July? What will happen to the children then?

**Answer:** A decision will be made in February; if the decision is made to close the school then pupils will then be moved to the top of the priority list. Decisions on whether schools can go over their admission numbers will be made.

**Comment:** You are trying to get our children to go to different postcodes, why to get stabbed? I'm not moving my child to help you to reduce your numbers. I am not sending my child to a school in Hackney to get stabbed because she is from E14. You are putting our children at risk. Hackney is one of the worst boroughs.

**Question:** Sir John Cass is a Church of England School, why is it that Raine's was a Church of England and multi-faith school?

**Answer:** Kate Roskell confirmed that both Sir John Cass and Raine's were Church of England Schools.

**Question:** Bow Boys School and St Paul's Way were both failing schools and the LA had pumped them full of money and they were now doing well and have turned things around. Why can't you give Raine's a chance? Look at Langdon Park and Bow School; they all have one thing in common. The majority of the pupils are from a Muslim background.

**Answer:** St Pauls Way was one of the worst schools in the borough with police often having to patrol outside. But they have turned this around and have increased pupil numbers and are now oversubscribed. The issues at Raine's had happened over a longer period of time, approximately 8 years and were mainly due to issues beyond our control and included the Governing Body. It was not possible to turn this around in 6 months.

**Question:** Why did you change the admissions policy twice?

**Answer:** When Mr Bradshaw was Headteacher we worked together extensively looking at how we might increase pupil numbers. We made the school multi faith and focussed on school strengths such as maths and sports. We made people aware and tried to encourage families of multi-faith to send their children to the school.

**Comment:** Numbers started going down after that.

**Response:** No, numbers were going down before this, changing the admissions policy was not what caused this.

The Chair stated that the admissions policy at Raine's was determined by the Governing Body not the LA. In any event it would apply only when a school is oversubscribed. If there are available places then all children that applied would be offered a place.

**Question:** How are you safeguarding the children? There are a lot of children who have been put in this situation that didn't ever think they would be and a lot of them won't speak up about any issues they may be experiencing. I think the borough needs to set up a panel to go out and check on these vulnerable children to safeguard them over the next few years to help them integrate.

**Answer:** We have an Attendance and Welfare Officer who is monitoring the Raine's students. These children will be tracked and monitored to ensure they are integrating well. The individual cases which have been highlighted are a concern and will be looked into.

**Question:** Talking of safeguarding, we went to Oaklands on a visit and I was very impressed, the facilities were great but one thing made me change my mind. There was an incident where there was a lot of shouting about what students were going to do to Raine's pupils and the police were called. I was there and after that I decided I would not send my son there.

**Answer:** Christine McInnes responded that this was an unfortunate incident and as a result of this a complaint was made to Ofsted. The Police was also called. The LA investigated the complaint and its report was sent back to Ofsted who was happy with how the incident had been dealt with.

**Follow up Comment:** My son loved the school it had great facilities. We are being asked to go to this school and after that I told my son we weren't going to that school. The Headteacher did a great job of handling the incident but it should not have happened in the first place.

**Response:** Oaklands is a fantastic school and it has been for a long time I think the school is being given a hard time at the moment and I think this is slightly unfair. The feedback I am getting from parents who have moved from Raine's to Oaklands is very positive. Parents are pleased with the school and are eager for the school to progress. I have also received personal correspondence from some of the pupils who have moved and they are also very happy.

**Question:** Now that parents are aware of the issues at Raine's, going forward can we not market the school in a better way? My daughter went to Bishop Challenor for two years and developed asthma there but when she moved to Raine's her asthma disappeared.

**Comment:** I have a daughter who transferred to Oaklands Sixth Form and she is getting on great. It wasn't my choice but she loves it. She wasn't given the choice to go to Raine's Sixth Form, when she went to get her results she was told that she could not sign up for Raine's and would have to go along to Oaklands and sign up for Sixth Form there. She is happy and she says that everyone is nice.

**Question:** How many pupils have now moved from Raine's to Oaklands?

**Answer:** There were 520 pupils on roll at Raine's and now there are approximately 220 but the pupils have gone to many different schools such as Oaklands, Mulberry, Mulberry Academy Shoreditch and Bishop Challenor.

**Question:** John Babarinde, Liberal Democrat Candidate from Bethnal Green and Bow introduced himself and stated that he had sat back and heard many questions relating to safeguarding of the children of Raine's go unanswered and this was a real concern. This is an extraordinary situation as some of the schools that the children are being decanted into are not equipped for these issues that are being raised and this is leaving a lot of vulnerable children unable to speak out. It seemed that there needs to be an extra level of support for these children?

**Answer:** Debbie Jones said that the LA was proud of its safeguarding arrangements. However, she was aware that however good and robust systems were there could always be an issue that slipped through the net. Some of the pupils here today have raised some very good points and Terry Bryan would look into these individual cases. There were many departments involved in this process. No safeguarding process is perfect and we are doing the best we can to resolve any issues. We are picking up any issues, like the issues discussed today and we will pick up where there are vulnerabilities and try to resolve these. We have some pupils here at the meeting today who have been able to share their concerns but there are many other ways for children to raise any concerns they have.

Terry Bryan also commented that what Mr Babarinde had described was not a fair description of what had been said throughout the meeting.

**Pupil Comment-** I am rare as a lot of my friends can't speak up as they don't know how to. Unless I tell them nobody knows. Most teachers don't know what to do as they are unaware of what is happening.

**Question:** How do you backdate the education that she should have been getting? This is not fair on the children and is causing them unnecessary stress. It ruined our summer and has made my son sick at Bow School.

**Comment:** The Sixth Form results were well above expected in 2017/18 making the school 10<sup>th</sup> in London in some subjects despite what the children were hit with. Children now had to miss revision classes as they had to go to look at Sixth Forms. The Sixth Form has great teachers and this was reflected in the results.

**Question:** Why not use this to advertise the school? Why don't we amalgamate with Oaklands and use the Sixth Form teachers to teach across both schools? The progress 8 scores are better at Raine's than Oaklands.

**Answer:** Because Raine's is unable to sustain itself.

**Question:** The LDBS should be ashamed of itself. I wrote to the Archbishop of Canterbury who was disgusted with what was going on here. You are in denial

you just want to shut the school down for whatever reason. You want to open a school in Bow, why can't they travel to Raine's?

**Question:** You sit there and nod your head but you have just messed up over 500 children's lives. Why did Raine's pay £70k to a partnership Christine McInnes is a Trustee of?

**Answer:** Christine McInnes stated that she was unsure what partnership they were talking about. Christine confirmed she was not a Trustee of the Tower Hamlets Education Partnership.

**Follow up Question:** Yes run by Tracy Smith, you gave them £1 million. Tracy pays herself £120k a year and charges schools £7 a child to join and charged Raine's £70k before the old governors were chucked out.

**Answer:** Debbie Jones informed that the LA did in fact invest £900k over a 3 year period to set up Tower Hamlets Education Partnership (THEP). THEP fulfilled some of the LA's statutory responsibility for School Improvement. As you may be aware a lot of school improvement now comes from school to school. As part of government policy, LA funding has decreased and this is why schools now make a contribution. This is why some schools will pay for additional services provided by THEP. It was confirmed that Tracy is paid a salary and any consultancy money earned goes back into THEP.

**Comment:** The LA Ofsted rating was Requires Improvement and you turned this around. Why not give Raine's a chance to turn things around.

**Question:** There was a time when a child moved to the school because they were being bullied in another school. The Headteacher then had to fight the LA who then wanted to send the bullies to the same school.

**Answer:** As you are aware, parents make a choice as to where they want to send their children to school. The LA cannot stop a parent from exercising their right to choose a school and we cannot stop them if there are spaces available. What we can do is manage these situations.

The school is a Voluntary Aided school and so the GB would have made the decision on this and not the LA but legally you cannot stop this from happening but can only manage and safeguard.

**Question:** But you refused Year 7?

**Response:** The Chair stated that letters telling parents that places in Y7 could not be taken up was not correct and therefore they were withdrawn in July.

**Question:** What pastoral care has been put in place for children in regards to the religious aspect?

**Answer:** Kate Roskell stated that she did not know the details and this would be something the LDBS would look at if Raine's closed. She would look into how this was provided as it was an important aspect.

**Comment:** We need to ensure we prioritise safeguarding. We have some pupils who are afraid to be openly gay as they go to predominantly Muslim schools as it is considered haram.

**Answer:** To suggest that schools in the borough are not interested in Safeguarding is not a fair reflection. The schools mentioned are good or outstanding and have a good safeguarding record. The issues that have been brought to the LA's attention will be chased up and looked into personally.

The LA is not just interested in transition but about outcomes also. This is why we have taken this decision.

Members were asked if they would prefer to go through the questions that had been submitted via Slido and were in agreement that they would prefer the questions be answered and replied to in writing.

Debbie Jones committed to answering all questions submitted and posting the answers online for viewing.

## **5. DANNY HASSELL, CABINET MEMBER FOR CHILDREN, SCHOOL AND YOUNG PEOPLE**

Danny Hassell thanked everyone for attending today's meeting and in summing up stated that it was clear that there were some things that were beyond the control of the LA. The GB made the decisions on admissions, finance and academisation and all of these decisions had led to the current situation. Where parents choose to send their children was also beyond our control. It was also beyond our control who applied to be Headteacher.

There were approximately 80 thousand children in the borough and the LA takes their safeguarding very seriously.

Danny Hassell said that he has taken on board all of the comments about the lack of resources, a limited range of subjects, books and school trips. These are aspects that we should not be debating. However, due to low pupil numbers the school is not able to work to the standard it would like to.

Danny noted that attendees wanted clearer information on Raine's options for admissions and also noted the complaints around safeguarding and making information available.

Danny committed to seeking future clarification on how officers were tracking and monitoring Raine's pupils.

All questions would be answered and will feed into the decision making.

## **6. CLOSE OF MEETING – CHAIR**

The Chair thanked everyone for their time today.

*[Meeting ended at 7:35pm]*



- 1. As Raine’s is not a church trust voluntary aided school, why did the local authority discuss the future with the London Diocesan Board for Schools (LDBS) and not the Trust?**

Raine’s Foundation School is a Church of England voluntary aided school. The process for closing a maintained school is set out in guidance provided by the Department for Education (DfE). Where the school is designated as a Church of England (C of E) school, there is a duty to consult the relevant diocese. The site trustees do not need to be consulted until the local authority (LA) is ready to issue the consultation documents.

- 2. Are you aware that the numbers are wrong and the total number of students aged 11-18 allowed is 750 as the lower school has not been in use for a number of years now?**

The overall planned capacity for Raine’s School is 1050 pupils. This includes 750 pupils on the main site at Approach Road and 300 pupils on the site at Old Bethnal Green Road. The reason why Raine’s School was not able to make proper use of its accommodation at Old Bethnal Green Road was because of the decline in its pupil numbers. However, this does not mean that this accommodation could therefore be discounted from the school’s overall planned capacity, particularly as the school continued to claim and receive significant funding for operating on both sites.

- 3. Why did Christine McInnes say on 30<sup>th</sup> October that the first local authority intervention took place in 2018, when in fact LBTH forced the resignation of the governing body in December 2015?**

The Local Authority had met the Governing Body at the time regarding concerns relating to the leadership and governance following the Ofsted Inspection in 2015, where Ofsted had judged the school as ‘Requires Improvement’. The Ofsted report stated the following:

*“The governing body does not provide effective challenge to leaders and does not hold them to account sufficiently well. Records of their meetings lack appropriate focus, strategy and detail. Leaders have not focused enough on improving the quality and consistency of teaching, learning and assessment. This means outcomes for pupils have not improved rapidly enough.”*

The full Ofsted inspection report (November 2015 can be accessed [here](#))

Given the above, a Senior LA officer had met with the Governing Body in December 2015. It is not the case that the Governing Body was forced to resign, in fact the Governing Body resigned voluntarily

**4. The mental health of young people is at a low locally and this situation will affect the wellbeing & attainment of young people, impacting on their future.**

**What safeguarding is in place for students leaving Raine's?**

For pupils that have already left Raine's Foundation school, the LA has discussed the implications with the headteachers of schools receiving Raine's pupils and offered support if it is required. The executive headteacher of Oaklands School has written to all the receiving schools asking to visit and meet with the pupils. Reports received from headteachers indicate that pupils have settled well. There has been one incident of bullying reported directly to the LA. Work was undertaken to follow up on this and to resolve it. The parent of the child wrote to the LA confirming she was satisfied with the action taken and that the matter was resolved in a satisfactory manner.

For Raine's pupils taking up a place at Oaklands School, the executive headteacher meets regularly with pupils and no parents have raised complaints or concerns, in fact there has been positive feedback.

**5. Was an audit done in safeguarding?**

Prior to September 2018, the LA was aware of a number of parental complaints in relation to poor behaviour and bullying at Raine's School which were a matter of concern and these were raised with the then headteacher and governing body. The LA has a Schools Safeguarding Team which carries out audits in schools. The most recent safeguarding audit was carried out at Raine's School during the autumn of 2018 and this identified a number of actions which have now been completed.

With regard to pupil safety in relation to the potential risk of bullying when transferring to another school, this would be addressed through the receiving school's pastoral support programme which helps pupils to establish relationships in the new school. Any incidents of bullying (one has been reported to the LA) will be dealt with under the schools' anti bullying policy.

**6. How many ex-Raine's students have been subject to bullying? Have any received support?**

Of the 143 pupils that have transferred, the LA is aware of one pupil as the parent contacted LA officers about the matter. It was discussed with the headteacher of the school and the staff took action to resolve it promptly supported by a member of the LA Behaviour Support Team. The parent of the child wrote to the LA confirming she

was satisfied with the action taken and that the matter was resolved in a satisfactory manner.

**7. Sir John Cass C of E School is oversubscribed and the alternative is out of borough (and oversubscribed). LBTH offers two non-C of E faith schools as an alternative. How is this OK and what C of E school can my child go to that isn't oversubscribed?**

There are several other faith schools in Tower Hamlets and neighbouring boroughs and parents are at liberty to seek a place at any of these schools. If a place is initially refused they have a statutory right to ask an independent appeal committee to grant a place on the grounds that it is justified by the special circumstances, even if the school is technically full.

**8. Why can't Oakland's join with Raine's? The building is far bigger at Raine's and the problem with the lower site and 6th form would be solved.**

The proposal under consideration is for Raine's to close: given its low standards; falling pupil numbers; the financial implications for the school; and the need to continue to provide high quality education for its pupils. The parallel proposal is for Oaklands School to expand to accommodate the displaced pupils from Raine's. There is no proposal for the two schools to join together. It is also the case that the proposals are about the schools as human institutions and legal entities; not the buildings they occupy. If the changes go ahead it would be theoretically possible for the vacant Raine's building to be occupied by another school; but only if the owners of the building agreed.

**9. A LBTH paid consultant advised redundancies to save £1M wages but supply costs rose dramatically. How wise was it to lose experienced staff and rely on supply?**

Staff salaries are the main expenditure for a school and unfortunately as pupil numbers continued to fall over a protracted period, staffing had to be reduced. A consultant worked with school leaders and the governing body to agree a solution which included deleting a number of staff posts and downgrading others. Under HR requirements, the school could only delete posts where there was too much staff capacity. The school could not delete posts and then bring in supply teachers to do the work. The supply teachers were covering staff sickness or vacant posts due to staff leaving for other jobs.

In this case, the fact that the school was judged Requires Improvement by Ofsted twice will have impacted on the recruitment of staff. The LA would not recommend relying on supply teachers; however, when a school has a falling roll and there are concerns about standards it is often difficult to recruit staff.

**10. Will Raine's pupils applying to other schools get preference?**

The LA will ensure that Raine's pupils applying to Tower Hamlets' community schools are given first priority. The LDBS has made arrangements with The Urswick C of E School in Hackney that any pupil at Raine's who meets the Church admissions requirements for the Urswick School will go to the top of the waiting list.

**11. Do LBTH still view this as an amalgamation with Oakland's?**

No.

**12. If LBTH still view this as an amalgamation, can they explain how a faith school can be properly amalgamated with a non-faith school?**

Not applicable.

**13. Can the LA provide analysis carried out to show predicted grades if pupils attend other schools? Does it include reference to government statistics on ethnicity and achievement?**

LA analysis of predicted grades is not available. Historical analysis of educational outcomes illustrates that Raines has underperformed against other schools in Tower Hamlets over the past few years, as below:

Raines's Attainment 8

2015/16 41.3 (this is 8.9 below the TH average of 50.2)

2016/17 39.8 (this is 7.4 below the TH average of 47.2)

2017/18 34.9 (this is 11.9 below the TH average of 46.8)

Raine's English and maths combined 2017-18

33% Raine's pupils v 64.3% TH average at grade 4 & above

22% Raine's pupils v 44.8% TH average at grade 5 & above

Raine's Progress 8 2017-18

-0.84 Raine's pupils v 0.14 TH average

**14. Why have campaigners been faced with a wall of silence when they try to ask questions and obtain minutes?**

Individuals who have contacted the school/LA requesting minutes, have been either sent minutes of the Governing Body and IEB meetings and/or have come into the school to view minutes and related documents. There are instances where due to

GDPR the confidential minutes cannot be shared, as they contain sensitive information.

**15. Do you acknowledge that the construction work 2011-14 with containers in the playground effected admission numbers? As in GB minutes.**

The LA cannot speculate on the specific reasons for the school's decline in pupil numbers. However, it is evident that Raine's School saw a marked decline in pupil numbers in the years from 2011 -2014 and that these numbers continued to markedly decline, even after the building works were completed, from 2015 – 2019. The decline in pupil numbers also coincided with the school's fall in standards as evidenced by the 'Requires Improvement' Ofsted judgments in 2015 and 2017. Building works have been undertaken at other schools which have remained popular during construction.

**16. LDBS denies a meeting with the Interim Executive Board (IEB) in Nov 2018 yet you cite meetings on 16 and 30 November. Why don't you release the minutes?**

The IEB had met in November on the above dates and the minutes of these have been shared.

**17. Do you recognise the Trust as owners of the lower and upper building?**

The Trust own the upper school site outright, but documents show that the Trust owns only a small proportion of the lower site with the rest of the site being owned by the Anglican Diocese and the LA.

**18. Has the Henry Raine's legacy been discussed?**

The LA is aware of the importance of keeping the name of Henry Raine alive in the borough. A commitment was made to the chair of the Foundation Trust in correspondence on the 7 May 2019 to discuss further ways in which the legacy and name of Raine's is preserved in the borough of Tower Hamlets.

**19. Have you discussed a federation?**

For more information please see the 'Report on alternative options to the closure of Raine's School', which forms appendix 5 to the [report](#) presented to Tower Hamlets Cabinet on 30<sup>th</sup> October (page 107).

**20. It is stated in minutes that 210 children had short term Child Protection (CP) orders in September 2017 with many in Year 7. Who was responsible for this situation?**

Minutes from the governing body July 2017 state the number of pupils about whom there were concerns (not Child Protection orders):

*'there were 52 pupils known to Social Care. Since September 2016, 101 pupils had some form of child protection concerns – of which 5 pupils were under Child Protection and 9 pupils were 'Child in Need.'*

The next reference to child protection is in minutes from the governing body of January 2018:

*'The Head said that there were a number of CP issues which had affected the attendance figures. There were also a number of school refusers.*

*Tracy McCormack (one of the two Raine's Foundation representatives on the Governing Body) asked whether the figures included new CP issues. The Head replied that there were new cases as well as cases from September. The Head added that the school had high number of CP issues and vulnerable students.'*

Without the reference to the specific minutes that the numbers in the question are taken from, it is difficult to comment on the question. The decision about whether a child has a CP plan is made at a CP conference, which is a meeting of professionals such as social workers, doctors, teachers and police officers. The meeting is held after an investigation which would be carried out in response to an incident. Every LA is required by law to provide CP plans for children who need special protection because they are at risk of physical, emotional or sexual abuse or neglect.

Raine's Foundation School participated in the Fair Access Protocol which is an agreement between secondary schools where children at risk of permanent exclusion are given a fresh start at another school. Raine's both moved children and received children under this protocol, until a request was made for Raine's to stop receiving new pupils, which was agreed.

**21. When was Raine's exempted from the Fair Access Protocol as stated by Cllr Danny Hassell? Are there minutes to prove this?**

Raine's School has not been required to admit pupils under the Fair Access Protocol (FAP) since September 2017 and only admitted a total of three pupils under the 'hard to place' category in the six year period between September 2011 and July 2017.

Minutes of FAP meetings concern specific and sensitive information about schools and vulnerable children and are therefore exempt from disclosure under Freedom of Information.

**22. Will you write off the debt in Aug 2020? Why can't you produce a signed copy of the 5 year deficit? Why are you saying 3 years when the agreement was 5?**

If the school closes than the LA will meet the whole deficit from school budgets. There are regulations related to school funding. The Raine's deficit was agreed when the rules were more flexible and it was agreed that the school could repay over five years. However, the repayment plan was calculated on an intake of at least 100 pupils per year and significantly fewer were recruited which impacted on the school's income so the school could not make the repayments. The DfE has since changed the regulations, so now if a school cannot clearly show how it would be able to repay a debt within three years, then a deficit cannot be agreed by the LA.

The evidence of the deficit is recorded in minutes of governing body meetings. The LA agreed a deficit with the school but there is no signed copy of the deficit agreement available.

**23. How much do you expect the debt to be in August 2020?**

This will be dependent on pupil numbers and staffing. An interim position will be calculated at the end of this financial year.

**24. In a 2018 planning application for Raine's Sixth Form in the Lower School, it was described as thriving. When did the LA change its mind about OFSTED Good in relation to the 6<sup>th</sup> form?**

The LA acknowledges that the Raine's 6<sup>th</sup> Form was previously a strength; however the decline in numbers across the school and particularly in Year 7 has meant that the numbers of students progressing to the Raine's 6<sup>th</sup> Form have also significantly fallen. The school's 6<sup>th</sup> form is not therefore sustainable, given the current student numbers, limited curriculum and recent government changes to Post-16 funding arrangements.

**25. Why does LBTH take no responsibility for the Targeted Intervention Group installed to raise standards?**

The running of a school is the responsibility in law of the governing body and the LA cannot instruct a school leadership team or governing body what to do without going through a legal process.

When the LA has concerns about a school, then (with the agreement of the school leadership) a Targeted Intervention Group (TIG) can be put in place to help the school improve. There are a number of TIGs in place every year and generally these are a successful strategy to get the school back on track. Occasionally, such as in the case of Raine's, a TIG does not work because the problems are too deeply entrenched. When it was clear the TIG was not working the LA agreed with the diocese that a different approach was needed and so an executive headteacher from

another school was put into Raine's.

**26. Has this whole process been more about protecting the financial future of Oaklands as they need to expand in order to survive?**

No. Oaklands does not need to expand to secure its financial future. The proposed expansion of Oaklands is to ensure that, should Raine's close, its pupils have the opportunity to attend a nearby school that has been consistently judged as 'Good' by Ofsted and has amongst the highest GCSE outcomes in the borough.

**27. 6<sup>th</sup> Formers of both schools are affected with the lack of service. They're being taught in a school hall with no facilities, impacting on health. Why isn't LBTH supporting?**

The increase in numbers in year 12 does create additional pressures and has meant that some of the school's original non-teaching spaces are now being used temporarily. However, it is anticipated that this situation will be addressed in the relatively near future.

**28. How many ex Raine's students (including gender) are now at Oaklands and in which year groups? Are they being used to balance the demographic there?**

The table below gives a breakdown of the pupils who transferred from Raine's to Oaklands for September 2019.

	Boys	Girls	Total
Y7	5	3	8
Y8	0	1	1
Y9	2	1	3
Y10	0	5	5
Y12	5	12	17
Y13	1	0	1
Total	13	22	35

It is not clear what the questioner means by "used to balance the demographic"; but these students are being educated at Oaklands as a result of their parents' choice and are not in any sense being "used" by the school.

**29. Why were the 6th form numbers and performance excluded from the feasibility and consultation?**

This is not the case. The historical and declining numbers of pupils in the Raine's 6<sup>th</sup> form was included in the public consultation paper (page 19); along with an explanation as to why it was considered that the 6<sup>th</sup> Form provision was no longer sustainable.



**30. Raine's 6th Form has consistently been rated Good by OFSTED. Why not build on that and keep the Raine's 6th form?**

The 6th form is too small to keep it running without it being part of a school, there would not be enough income to employ the teachers and teachers would not have enough work to keep them in post. Generally teachers spend a small proportion of their time teaching in the 6th form.

**31. Are there minutes of meetings with any members of the Diocese? Are the Archdeacon, Bishop of Stepney and Area Dean happy?**

There are no minutes from meetings with any members of the Diocese.

The Chief Executive for LDBS commented that 'I am sure that the Bishop of Stepney, Archdeacon of Hackney and the Area Dean would not be happy with a proposal to close a school whether it is a church or a community school. They are not official consultees and it would be for the Diocese which is part of the consultation process to make its own internal arrangements.'

**32. Manipulation of planned admission numbers (PAN), confusion about which year groups are open and the airbrushing of a successful 6th Form – is LBTH congratulating themselves for sabotage?**

The LA is naturally disappointed that it is now, along with the Diocese, having to propose the closure of Raine's Foundation School. However, it is satisfied that it has made every reasonable effort to manage this process in a way that ensures the continuity of good quality education for Raine's pupils.

**33. As I have an interest in children at Oakland's what is being done about current overcrowding and what if Raines closes & you can't use the buildings?**

The planned use of the former Raine's lower school site is separate to the proposal to close Raine's. The LA would want to make the site a sixth form centre for Oaklands School, regardless of whether or not Raine's School closes. The building has been empty for some considerable time and the opportunity provided by Oaklands is the most viable option for the building to be put to good use.

The council is currently negotiating for the use of the site with the Raine's Foundation Trust, who owns a part of site along with the LDBS and LA. The government's DfE would reasonably expect the three parties to come to an early agreement to enable this education facility to be used appropriately, for the much needed benefit of local children.

**34. Why when yearly there are enough applicants to Raine’s do only a handful get allocated a place...is it because Raine’s is perceived as hard to get into rather than pupils not wanting to go there?**

It is not true that there are enough applicants for Raine’s. In recent years everyone naming Raine’s as their first choice has been allocated a place. Raine’s has long since ceased to be a popular choice amongst parents in the borough and although the LA cannot speculate on the specific reasons for the school’s decline in pupil numbers, this trend has coincided with the school’s fall in standards as evidenced by the ‘Requires Improvement’ Ofsted judgments in 2015 and 2017.

The chart below shows applications and offers made to Raine’s applicants on National Offer Day (1<sup>st</sup> March 2019). Most of the applications received for Raine’s were for 2<sup>nd</sup> or lower preferences. The reason why these applicants were not offered places at Raine’s was because they were successful in securing a place at their 1<sup>st</sup> or a higher preference school. Parents receive one offer of a place on national offer day and this will be for the highest preference school at which a place can be offered.

<b>Raine’s</b>	<b>1<sup>st</sup> Pref</b>	<b>2<sup>nd</sup> Pref</b>	<b>3<sup>rd</sup> Pref</b>	<b>4<sup>th</sup> Pref</b>	<b>5<sup>th</sup> Pref</b>	<b>6<sup>th</sup> Pref</b>	<b>Total</b>	<b>Planned Admission Number</b>	<b>Offers</b>
2011	96	106	107	46	34	36	425	150	150
2012	71	94	90	56	22	37	370	150	114
2013	63	61	72	46	37	28	307	150	102
2014	65	85	74	57	33	36	350	150	95
2015	62	64	62	44	24	22	278	150	89
2016	57	55	57	28	36	23	256	150	88
2017	62	54	37	37	30	13	233	150	91
2018	49	65	40	26	25	11	216	150	72
2019	29	23	35	17	13	16	133	150	36

**35. Christine McInnes refers to a ‘grey area’ and the governing body not having to follow advice. Minutes indicate that in 2016 the governing body and LA were cooperating until disagreement over who paid. Why?**

The running of a school is the responsibility in law of the governing body and the LA cannot instruct a school leadership team or governing body what to do without going through a legal process and with the agreement of the DfE. The government generally expects schools to pay for their own school improvement and the LA is not in the position to provide unlimited funds for school improvement for an individual school.

In 2017 the LA arranged for a one-off bid to be made to the DfE for a school improvement grant for Raine’s Foundation School. This took a number of months to be agreed and during this time the governing body were asked to sign a standard agreement about the funding of school improvement support. Unfortunately, the governing body refused to sign the agreement until the grant was confirmed.

**36. If Oaklands needs expansion as per feasibility why did it increase its PAN prior to this announcement & get allocated oversubscribed including down to choice 6?**

Oaklands has not increased its PAN. The LA is currently consulting on a proposal for Oaklands to increase its PAN for the start of the 2021/22 school year. This could be sooner, should a decision be reached where Raine's School closes in August 2020.

**37. Are the fire & other emergency safety arrangements such as pupil: staff ratios correct given the huge numbers of children at Oakland & no real increase in staff?**

Notwithstanding the arrival of the additional pupils from Raine's in September, the school's fire, emergency safety arrangements and staffing ratios are still within current guidelines and are therefore not adversely affected.

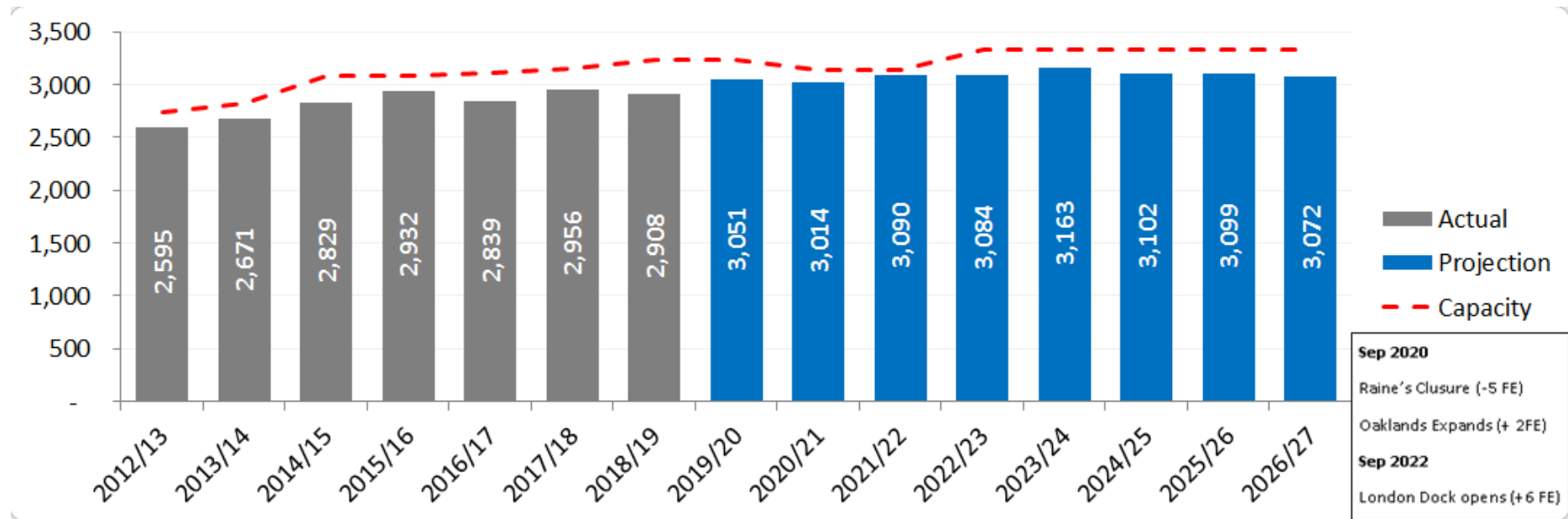
**38. How does Oakland's education space allocation compare to what is required of a secondary school when it was supposedly short prior to taking Raine's pupils?**

The increase in the numbers of students in years 7 to 11 can be accommodated within the current space requirements. The increase in numbers in year 12 does create additional pressures and has meant that some of the school's original non-teaching spaces are now being used temporarily. However, it is anticipated that this situation will be addressed in the relatively near future.

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# LBTH School Roll Projections for Year 7

Produced in July 2019 using Jan 2019 school rolls, GLA 2016 based population projection model (UFC) and Local Plan + LLDC Development Trajectory, 3-4 option



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Borough		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Actual		2,595	2,671	2,829	2,932	2,839	2,956	2,908								
Projection									3,051	3,014	3,090	3,084	3,163	3,102	3,099	3,072
Acceptances		2,724	2,811	2,943	3,042	2,933	3,078	3,009								
Capacity		2,735	2,819	3,084	3,084	3,112	3,152	3,233	3,233	3,143	3,143	3,323	3,323	3,323	3,323	3,323
Variance	Pupils	140	148	255	152	273	196	325	182	129	53	239	160	221	224	251
	FE	4.7	4.9	8.5	5.1	9.1	6.5	10.8	6.1	4.3	1.8	8.0	5.3	7.4	7.5	8.4
	%	5%	5%	8%	5%	9%	6%	10%	6%	4%	2%	7%	5%	7%	7%	8%

## Summary of the School Roll Projection Methodology

Tower Hamlets Council commissions school roll projections through the Greater London Authority (GLA), like most other London boroughs. GLA have access to data on all pupils in London (via the National Pupil Database) which enables them to model movements across borough boundaries in a way that would be difficult for an individual authority.

Projections are run each year in March/April using the following methodology:

- Step 1.** The borough's population is projected based on demographic trends (e.g. births, deaths, and migration) and the borough's housing development trajectory using planning data submitted by the council.
- Step 2.** The flow of pupils from their ward of residence (including those out of borough) to each mainstream state school is determined, based on the Spring School Census and estimates of the number of children living in each ward. These are turned into ratios, for example, one in five Year 1 pupils living in XYZ Ward go to ABC Primary School. These existing ratios are not available for new children entering school in Reception, so these ratios are determined based on previous years.
- Step 3.** The number of pupils in each school is projected by multiplying the flow ratios by the populations in each ward. For example, if one in five Year 1 pupils in XYZ Ward go to ABC Primary School, and it is projected that there will be 100 Year 1 pupils in the ward, then 20 pupils from this ward are expected to go to ABC Primary. The number of pupils from each ward is then added up for each school.
- Step 4.** Projections are aggregated to catchment area and borough-level to improve reliability.
- Step 5.** Validation of pupil numbers and local intelligence checks are made against GLA projections.

Scrutiny on the reliability and accuracy of the pupil forecasting system has recently taken place. Historically GLA forecasting has over-estimated the numbers of pupils expected in Reception and Year 7 for medium and long term planning purposes; Tower Hamlet's recent figures fall within the tolerances set by the Department for Education (DfE) for total pupils projected. The main conclusion from the review of the methodology for calculating demand and projections on primary and secondary places is that it is fit for purpose. The overall primary and secondary phase projections are robust and ensure that the local authority is complying with its statutory duty to ensure a school place for every child that wants one, and as far as possible, in the place where they want it.

To further enrich localised planning within the borough, a complementary forecasting system is in development to use in conjunction with the GLA projections. This will be stress tested and put in place to further embed accuracy within the pupil place planning area.

The unprecedented growth in residential developments within LBTH has not, as yet, yielded the number of children expected in our schools. The LA must be mindful and vigilant, should this trend change. Pupil forecasting is just one of a number of tools used to plan for future school demand and much discussion and intelligence sharing between internal departments, the GLA and neighbouring boroughs has taken place to ensure a joined up approach. Pupil forecasting can be skewed significantly in times of change, such as LBTH has experienced during recent years – as such, ongoing scrutiny of patterns of live births, school admissions, pupil migration and flow will be monitored along with a flexible place planning strategy, to ensure that sufficient school places are in the right place at the right time.

### Raine's Foundation Church of England School. Financial Position.

#### Introduction.

1. School funding is allocated on a formula basis with separate allocations for years 7 to 11 and years 12 to 13. Both formulae are mainly determined by numbers on roll; therefore a school with low or falling admissions is likely to experience financial difficulties.

#### School Budget Share.

2. The School Budget Share is the primary source of funding for Raine's, covering all pupils in years 7 to 11. It is predominantly pupil led; in 2019-20 the budget share was £3.158m of which £2.887m (91.4%) was pupil led. Changes in pupil numbers therefore have a significant impact on the funding available.
3. Recent changes in the budget share are set out in the following table.

Financial Year	Budget Share	Pupil Led	Pupil Numbers Years 7-11 <sup>(1)</sup>
	£m	£m	
2019-20	3.158	2.887	386
2018-19	3.474	3.249	430
2017-18	3.554	3.331	450
2016-17	4.037	3.782	518
2015-16	4.281	4.008	548

(1) October census preceding the financial year.

4. The current roll of 210 (years 7 to 11) for September (Paragraph 5.2) indicates a school budget share of £1.84m for 2020-21 (at 2019-20 funding levels). This would fall significantly in future years as larger year groups leave the school and if the fall in applications is not reversed.
5. The Tower Hamlets average budget share for a maintained secondary school (excluding Raines) is £7.197m in a range from £5.132m to £9.405m. If Raines had full cohorts in years 7 to 11 at its planned admissions number its budget share would be £5.880m
6. Larger schools can achieve economies of scale and are better able to offer a full curriculum that may be unsustainable on the budget of a small secondary school.
7. In addition to the budget share the school receives sixth form funding (£0.75m in 19-20 compared with £0.96m in 2015-16), various grants and other contributions; the majority of these funding sources are

determined by pupil and student numbers and will fall as the roll contracts. Total income for preceding years is shown in the next table.

### Financial Position – Prior Years.

8. The difference between the school’s income and expenditure is set out in the following table.

	Income <sup>(1)</sup>	Expenditure	Net <sup>(2)</sup>	Cumulative <sup>(2)</sup>
	£000	£000	£000	£000
2018-19	4,767	5,254	(487)	(910)
2017-18	4,758	5,347	(589)	(423)
2016-17	5,475	5,770	(295)	166
2015-16				461

(1) Excludes LA advances of £250k in 2016-17 and £750k in 2017-18.

(2) Figures in brackets represent a deficit.

9. The in-year deficit in 2018-19 and 2017-18 were both in the region of £0.5m. Regulations prevent a Local Authority (LA) from writing off school deficits so in-year balances are added to those brought forward from previous years giving a cumulative budget deficit at 1 April 2019 of £0.91m.

### Financial Position - Future Years.

10. The Scheme for Financing Schools requires the IEB to reduce the in-year expenditure so as not to exceed in-year income; in addition, further reductions are required so as to eliminate the cumulative deficit over no more than three years. This would indicate a year on year reduction in expenditure in the region of £0.5m (on a straight line recovery of the cumulative deficit and at current income levels). Further reductions in roll would require higher levels of saving.
11. The school has produced a financial projection covering the financial years to 2023-24. The latest projected (November 2019) in-year deficit for 2019-20 is £0.152m, but projected in-year deficits increase to over £1m in 2020-21 before falling to £0.7m by 2023-24.

### Previous LA Financial Support.

12. To enable the school to function, the LA has made loans, £250k in 2016-17 and £750k in 2017-18. These are repayable to the LA.
13. The Tower Hamlets Scheme for Financing Schools in force at the time of the advances allowed the LA to make loans to schools with Licensed Deficits<sup>1</sup>. Documentation indicates that loan repayments were scheduled to be:

- 2019-20      £180,000

<sup>1</sup> A Licensed Deficit is an agreement between the LA and a governing body that allows a school to set a deficit budget. It should only be allowed when the governing body can demonstrate, through an action plan, that it can bring in-year income and expenditure into balance **and** eliminate the cumulative deficit brought forward. National regulations now limit a permitted deficit to a maximum of three years.



- 2020-21 £220,000
- 2021-22 £275,000
- 2022-23 £325,000

14. A directed revision to schemes by the Secretary of State on 22 March 2018 removed the ability to make loans to schools with Licensed Deficits. The revision does not prevent cash advances being made to prevent overdrafts but does limit the period of a Licensed Deficit to three years.

**Licensed Deficit Agreement.**

15. A new Licensed Deficit Agreement is required with the IEB within the limits imposed by the Secretary of State and taking account of the likely future of the school. Careful monitoring of the action plan will be needed in order to safeguard the LA's financial position. If a decision is taken to close the school the action plan and monitoring arrangements will be an important element in controlling the final deficit to be met by Tower Hamlets' General Fund.

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## Appendix 10

### Current Attainment Levels and General Data on Raine's Foundation School's Performance

The latest available attainment data are the provisional results for 2018/19; final results will not be available until later in 2020.

The provisional average Progress 8 score for Raine's Foundation School is -0.38, putting it below average nationally (in the bottom 19%). This is well below the average for the local authority which is 0.25. The school's average Attainment 8 score is also below the local authority and national averages.

**Table 1 – Provisional Average Attainment 8 and Progress 8 scores for 2018/19**

	Attainment 8 score	Progress 8 score
Raine's Foundation School	39.6	-0.38
Tower Hamlets	48.2	0.25
England	46.5	-0.03

The provisional data shows that only around a quarter of pupils (25.7%) at the school achieved Grade 5 or above in English and maths GCSEs; across Tower Hamlets this level was achieved by just under half of all pupils (45.4%).

A much lower proportion of Raine's pupils were entered for the English Baccalaureate. This was 8.1% compared to a 46.2% average for the borough. The provisional English Baccalaureate results for the school were also lower than the borough and national averages. The provisional average point score for the Raine's was 3.14 compared to 4.18 for Tower Hamlets as a whole and 4.06 nationally.

Latest data on pupils who were in education, employment or training (EET) after finishing key stage 4 shows that 89% of the school's pupils were EET compared to the borough average of 93% ( please note this is for pupils who finished Year 11 in 2017).

#### Post 16

The final results for 2017/18 at Raine's Foundation School for post 16 were also below the Tower Hamlets' average. The difference in performance was most noticeable for academic qualifications, taken by the majority of post 16 pupils at the school (46 pupils). The average grade obtained by pupils at Raine's was a D, whereas across the borough the average grade was a C.

**Table 2 – Final academic qualification average results (including A-levels) for 2017/18**

	Average result	Points
Raine's Foundation School	D	20.82
Tower Hamlets	C	30.25
England	C+	33.66

The difference in average performance for applied general qualifications between the school and the borough average was much less, however it should be noted that only 7 pupils took these qualifications in 2017/18.

**Table 3 – Final applied general qualification average results for 2017/18**

	Average result	Points
Raine's Foundation School	Dist-	31.09
Tower Hamlets	Dist-	31.68
England	Merit+	28.47


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All data taken from the DfE's school performance tables <https://www.compare-school-performance.service.gov.uk/school/100979/raine's-foundation-school/secondary>

### Schools To Which Raine's Pupils Have Transferred (Dec 2019)

School	No. of Pupils Transferred
Oaklands	28
Bishop Challoner Boys	13
Bishop Challoner Girls	17
Bow	7
Bridge Academy	1
Canary Wharf College	7
Central Foundation Girls	1
City of London Academy Highgate	1
Clacton Coastal Academy	1
East London Science School	2
Emerson Park Academy	1
George Green's	4
Hackney New School	1
Hackney Wick	1
Harris Academy	1
Holy Family	1
London East Alternative Provision	7
London Design UTC	1
London Nautical School	1
Morpeth	3
Mulberry Academy Shoreditch	2
Mulberry UTC	15
New City College	1
Sir John Cass	5
Southfields Academy	1
South Quay College	2
St Angela's Ursuline	8
St Paul's Way	2
Stepney Green	2
Swanlea	2
Wapping High	2
Urswick Academy	2

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<p><b>Cabinet</b></p> <p><b>29 January 2020</b></p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Debbie Jones, Corporate Director, Children's Services</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Outcome of consultation on the proposed amalgamation of Smithy Street and Redlands Schools.</b></p>	

<b>Lead Member</b>	<b>Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People</b>
<b>Originating Officer(s)</b>	Terry Bryan, Service Head (Pupil Services and School Sufficiency)
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	
<b>Reason for Key Decision</b>	To be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
<b>Strategic Plan Priority / Outcome</b>	Children and young people are protected so they get the best start in life and can realise their potential

### Executive Summary

This report presents the outcomes of the preliminary stakeholder consultation (pre-statutory) relating to the proposal to establish a single three form entry primary school, through the amalgamation (merger) of Smithy Street and Redlands Primary schools from September 2020. The schools are also proposing that the new 3FE school will be called Stepney Park Primary School.

The report explains the background and reasons for the first stage of the consultation; the responses received with the views of parents, pupils, staff and the general public.

It also sets out the risk implications and how these will be managed through the various stages of the process.

### RECOMMENDATIONS:

It is recommended for the Mayor in Cabinet to:

- a) Consider the outcome of the pre-statutory consultation on the proposals to close Smithy Street Primary School with the displaced pupils being accommodated by Redlands Primary School as set out in Section 6 of the report; and
- b) Agree to proceed to commence a four week statutory consultation on the proposal to close Smithy Street Primary School with the displaced pupils

being accommodated by Redlands Primary School from September 2020.

## **1. REASONS FOR THE RECOMMENDATIONS**

- 1.1 There is significant concern over the long-term sustainability of primary schools in certain parts of the borough, in terms of their falling rolls and the resultant risk to their financial stability. The former is a result of demographic changes in the borough where the local demand for school places has fallen and is projected to remain broadly static until 2026/27 and possibly beyond. More detailed analysis on falling rolls in the local area can be found in the Annual Report on Planning for School Places, which was presented to cabinet on 30<sup>th</sup> October 2019 and can be viewed [here](#).
- 1.2 The Council has a duty of care to ensure children in its schools are able to receive a high quality education with access to a full curriculum. A school with a declining roll will be challenged to do this effectively because of inevitable financial pressures from reduced funding.
- 1.3 Smithy Street and Redlands Schools are in very close proximity to each other with the school sites divided by a single wall. Pupil numbers in both schools and at other schools in the Stepney Schools catchment area are currently falling. This means that Smithy Street and Redlands will not have sufficient reception numbers to fill four forms of entry from September 2020 and they are also starting to see vacancies in other year groups. As pupil numbers fall, this affects the schools budgets as they will get less money to educate their children, pay salaries and manage the upkeep of their buildings. Both schools already work closely together and engage in joint planning and these factors provided incentive for their governing bodies to consider becoming a single primary school.

## **2. ALTERNATIVE OPTIONS**

- 2.1 An alternative option would be for the schools to remain as separate institutions. However, this option would not resolve the underlying viability issues described in paragraphs 1.2 and 1.3 of this report.

## **3. DETAILS OF THE REPORT**

- 3.1 The purpose of the report is to inform the Mayor in Cabinet of the outcome of the first stage of the consultation process to amalgamate (merge) Smithy Street and Redlands Primary schools to form a single three form entry 3-11 primary school, from September 2020.
- 3.2 Following consideration of the outcome of the first stage of consultation, the Mayor in Cabinet is asked to consider whether he wishes to proceed to the next stage of the consultation, which is the 'statutory representation period'. This would involve the publication of a statutory notice. If agreed, the proposed publication date for the notice would be 3<sup>rd</sup> February 2020.

## **4. INTRODUCTION**

- 4.1 Earlier this year in the cabinet paper 'Annual Report on Planning for School Places' the Mayor was informed that the governing bodies of Smithy Street and Redlands schools' had undertaken an initial, informal, consultation with their communities on a proposal for the schools to amalgamate. It further informed that the outcome of the informal consultation would be reported to



the Mayor, in cabinet, for a decision to be taken in respect of publishing a statutory notice in respect of this proposal, if taken forward.

- 4.2 The main facts on the background to this decision, and current position of Smithy Street and Redlands Schools, are set out below, with the detailed information from the consultation paper (attached as Appendix 2).

## **5. BACKGROUND**

- 5.1 The Local Authority (LA) has been undertaking a review of its primary school places to identify long-term solutions that would reduce the significant number of surplus places in the west of the borough, whilst ensuring that schools remained financially sustainable and able to maintain high quality education.
- 5.2 The initial findings from the review identified that a number of schools were already facing significant reductions in their pupil roll and therefore financial challenges. The review included an independent consultant working with schools to develop proposals for organisational changes, based on a set of principles agreed with the stakeholder advisory group overseeing the review process.
- 5.3 The consultant's report on the first part of this process ('Future Ambitions') recommended a new model of school organisation based on 'educational communities'. Under this model, groups of neighbouring schools would work together to reduce the number of school places in their local area as well as optimise their resources and potential to deliver excellent education. It included schools exploring options, such as, amalgamation, hard federation and the possibility of relocation to new primary school sites planned for the pupil growth that is expected in the East of borough. The options also, reluctantly, included the LA and school leaders considering potential school closures, in cases where it was evident that the continuance of the school was no longer viable or financially sustainable and, where a decision to keep it open would have a negative impact on pupils' progress and attainment.
- 5.4 The process of the review was designed to enable school leaders to find their own solutions and work towards these with the support of the LA and the independent consultant. It has therefore provided better options to further develop partnerships and meaningful collaborations between schools, with the opportunity for genuine gains in shared learning and professional development as a result. The key involvement of the Tower Hamlets Education Partnership (THEP) to complement this approach supports the LA's ambitions as it continues to work towards a productive school system that has professional learning and improvement at its front and centre.

## **6. DETERMINING THE PROPOSAL FOR AMALGAMATION**

- 6.1 Both Redlands and Smithy Street Schools were identified as being 'in scope' of the primary review, given significant declines in their pupil rolls. The schools therefore decided to establish a Joint Steering Group (JSG) to consider the implications of the review and the opportunities for further collaboration to ensure their sustainability. The JSG consisted of the Chairs, Deputy Chairs of the Governing Bodies and Headteachers from both schools. It was supported by the Independent Consultant and an advisor from the THEP. The work of the JSG led to the development of the idea for a potential amalgamation. All

documents shared with governors, parents and other stakeholders as part of this process have been signed off by JSG, and agreed by the Local Authority.

6.2. An Informal Joint Governing Body meeting with Smithy Street and Redlands governors was held on 12th March 2019 to discuss the Primary Review, the Future Ambitions Report, and the best responses for the two schools. This Informal Meeting endorsed the work of the JSG and agreed to an Extraordinary Joint Meeting, followed by Individual Governing Body meetings on 10th June 2019, which would consider whether or not to move to informal consultation on a proposal to amalgamate the two schools.

6.3 The additional Smithy Street Governing Body meeting on 10th June, part of which was held jointly with the Redlands Governing Body, considered the preferred option of amalgamation presented by the JSG. At the meeting, the independent consultant presented the position for the two schools and the JSG's proposal. This was followed by a joint Q and A session. The two governing bodies then met separately to consider the proposals. Both Governing Bodies then agreed to consult, in the first half of the Autumn Term 2019 on whether, or not, the two schools should consider an amalgamation. This information was shared with parents and staff.

## **7. CONSULTATION**

7.1 During the Summer Term the Tower Hamlets "Family Matters" newsletter contained information on the Primary Review and at the end of the Summer Term the Council asked all schools to circulate a letter about the Primary Review to parents. Smithy Street and Redlands Schools both circulated the letter to parents.

7.2 A consultation document was prepared, and agreed with the Local Authority. This was given in paper copy to all parents, circulated to Tower Hamlets Headteachers, through the Headteacher's Bulletin; emailed to staffing unions, and the Secretary of State has been notified of potential changes. Information about the consultation was also placed on the schools websites and meetings were held for staff (30th September and 3rd October 2019) and parents (24th and 25th September 2019). Children were given the opportunity to discuss the proposal in Assemblies on 23rd and 30th September 2019.

7.3 The reports on the consultation feedback for each school are included as Appendix 3. The JSG agreed responses from the different forms of consultation should be summarised in these report for governors, and also organised a meeting on 21<sup>st</sup> November for a summary of the consultations to be reported to parents, with Senior LA officers, governors' representatives and the Headteachers available to answer questions. Although numbers attending were low, parents were re-assured to hear that any concerns that had been raised were being addressed. Those attending were supportive of the proposals, and helpfully raised any aspects which they felt may not yet have been addressed.

7.4 Appendix 3 provides an analysis of the consultation responses.

## **8. CURRENT POSITION**

8.1 Should the Mayor to agree for the Council to formally consult on the amalgamation of Smithy Street and Redlands Schools, the statutory process

to achieve this involves the 'technical closure' of Smithy Street School and the expansion of Redlands School to 3FE from the 31 August 2020 as follows:

Stage	Description	Timescale	Comments
1.	Publication of Statutory Notice	1 day	<p>Propose to publish statutory notice on 3<sup>rd</sup> February 2020.</p> <p>Publication of the statutory notice commences the statutory Representation Period.</p> <p>Within 1 week of date of publication, the Proposer must send a copy of the full proposal to the governing bodies, Secretary of State, the CofE and RC Dioceses, Council of Mosques and any other body or person that the Proposer considers appropriate.</p>
2.	Representation	Four weeks from date of publication of Statutory Notice	<p>Representation Period to end 2<sup>nd</sup> March 2020.</p> <p>Formal consultation of statutory and other stakeholders:</p> <ul style="list-style-type: none"> <li>- Governing Bodies</li> <li>- Parents of pupils at the schools</li> <li>- Teachers and staff at the schools</li> <li>- Any LA likely to be affected, including neighbouring authorities where there is significant cross border movement of pupils</li> <li>- Governing bodies, teachers and staff of any other school that might be affected, including any feeder schools and schools to which pupils may be dispersed (e.g. Oaklands)</li> <li>- Trades Unions</li> <li>- MPs for the constituencies of the school(s) that is subject to the proposal or whose constituents may be affected.</li> <li>- Any other interested organisation/person that the proposer considers appropriate.</li> <li>- During the Representation Period, any person or organisation can submit comments to the LA on the proposal to be taken into account by the Decision Maker. Any requests for a copy of the full Proposal must be sent out to the person requesting it within 1 week of receiving the request.</li> </ul>
3.	Decision	LA should decide within 2 months, otherwise it must be referred to the Schools Adjudicator	<p>Key Decision</p> <p>Formal report to Cabinet setting out summary of representations received and any responses made, risks and opportunities, officers recommendations and decisions available to Cabinet (approve without modification, approve with modifications, approve (with or without modification) subject to conditions as specified in the Establishment and Discontinuance Regulations, or reject)</p>

			conclusion of the Representation Period will identify the 2 month decision making period. The decision is proposed to be taken at Cabinet on 25 <sup>th</sup> March 2020.
4.	Implementation	<p>No prescribed timescale however the date of implementation must be specified in the published notice, and is subject to any modifications imposed by the Decision Maker</p> <p>Consideration can be given in the Proposal for phased implementation plan for closure and impact upon pupils taking or due to take statutory examinations during the phases of implementation</p>	<p>It is proposed to implement the closure as follows:</p> <p><b>September 2020</b></p> <p>Smithy Street School is closed from 31st August 2020 and the displaced pupils will move to 'Redlands' School from the 1<sup>st</sup> September 2020.</p>
5.	Closure	Proposed closure date.	Smithy Street School officially closes on the 31 <sup>st</sup> August 2020.

- 8.2 It should be noted there will be no actual closure of school buildings. Once this process has been completed, children will continue to be educated in the existing school buildings but they will become one school. Although the capacity of the new school (3FE) will be less than the combined existing schools (4FE), neither building has sufficient accommodation to wholly meet the needs of a 3FE school so both buildings will still be required. However, it will allow the school to use some of the accommodation for curriculum activities that are not currently available for both schools. This also means there is the potential for the school to expand to 4FE should the demand for school places increase in the future. This is an anomalous position, arising from the unique configuration of two adjoining schools. As further school organisational changes are proposed consideration will be given to the potential for alternative use of any vacated buildings.
- 8.3 The expanded 'Redlands' School will retain its existing DfE registration, but to mark the start of the newly amalgamated school, the governors of both schools are proposing that when the new school opens in September 2020 it should have a new name, Stepney Park Primary School.
- 8.4 With regard to PFI, the proposal agreed with both existing Heads will involve removing the boundary wall/fence between the two schools to create one site. Although this does remove the 'red line' defining the extent of the existing Redlands site in the PFI contract, this can be achieved without any significant change to the PFI agreement, although a derogation to the contract to define the responsibilities will be needed ie. who maintains each play area, security, etc. The other works required are within each of the sites and will not affect the PFI agreement.

- 8.5 At this stage there is no expectation that there will be any increase in the PFI charge, but there will be legal costs for amending the current PFI agreement including the change to the school name.

## **9. EQUALITIES IMPLICATIONS**

- 9.1 The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination, advance equality and to foster good relations.
- 9.2 The proposed representation period will involve a broad range of stakeholders and a thorough Equalities Impact Assessment (See Appendix 5) has been undertaken to ensure that equality and diversity issues are represented and considered to ensure the fair and equal treatment of pupils and staff in both Smithy Street and Redlands schools.

## **10. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 10.1 Both schools had substantial revenue surplus balances at the end of the 2018-19 financial year; Smithy Street's being £706k and Redlands' £632k. The three year financial projections agreed by the governing bodies at the start of the 2019-20 financial year projected in-year deficits for 2019-20 onwards under current arrangements. The year on year projections place both schools in financial difficulties by the end of the three year period.
- 10.2 The changes, if agreed, will take place after April 2020 and therefore each school will receive its own budget share for 2020-21. If Smithy Street closes in August 2020 its governing body will receive 5/12<sup>th</sup> of the budget share. The remainder of its share will pass to Stepney Park School. The transferred share will include the pro-rata value of the full lump sum (provisionally £135k). In 2021-22 transitional arrangements will apply that guarantee Stepney Park 85% of the former combined lump sums (lump sum plus £95k). No automatic transitional arrangements apply to 2022-23 but an application to extend arrangements for a further year can be made to the Secretary of State for Education.
- 10.3 Tower Hamlets' Scheme for Financing Schools sets out the arrangements for the balances of closing schools, in summary this states, in Section 4.8, that:
- When a school closes any balance (whether surplus or deficit) shall revert to the LA; it cannot be transferred as a balance to any other school, even where the school is a successor to the closing school.*
- However, the formal consultation document relating to school re-organisation may set out any arrangements for allocations to schools that have the effect of giving them the benefit of additional sums that are less than or equal to but not more than the balances of the relevant closing schools.*
- Any extra payments to a new school that is the successor to one or more schools that are closing may be abated in full or in part to no more than the extent the predecessor school or schools closed with a deficit balance.*
- 10.4 The three year budget plan submitted by the governing body of Smithy Street School indicates a surplus at closure of around £350k.
- 10.5 Any legal costs associated with the changes set out in Section 8.5 will be a charge to the General Fund.

## **11. COMMENTS OF LEGAL SERVICES**

- 11.1. Under section 15 of the Education and Inspections Act 2006 (“the 2006 Act”), a Local Authority can propose the closure of all categories of maintained school. The statutory process is set out in Part 4 of the 2006 Act. It is a detailed process that will require the publication of statutory proposals for the school’s closure. As well as the provisions in the 2006 Act, the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 must be followed and the LA must have regard to the statutory guidance – Opening and closing maintained schools (“the Guidance”)
- 11.2. The reasons for closing a maintained school include, but are not limited to, where the school is no longer considered viable, or there is no predicted demand for the school in the medium or long term, or it is to be “amalgamated” with another school. The report sets out relevant reasons.
- 11.3. The report recommends that following the pre-publication consultation which has been carried out, a decision is taken to publish a statutory notice and proposal (‘statutory publication’) for the closure of Smithy Street School. The pre-publication consultation has been carried out at a formative stage, when responses can be taken into account in the development or taking forward of the proposals and before taking the decision about whether to publish the statutory notice. Cabinet must take the outcome of the consultation conscientiously into account in taking a decision about whether to progress to statutory publication.
- 11.4. If a decision is taken to publish the statutory notice, the statutory representation period runs for 4 weeks from the date of publication. The draft notice at Appendix 1 complies with the statutory requirements. The statutory proposal should be published within 12 months of the initial consultation.
- 11.5. The LA can publish a proposal to close one school (Smithy Street) and enlarge or transfer site (following the statutory process) of an existing school (Redlands) to accommodate displaced pupils. The report includes consideration of proposals to expand Redlands School to make available places for the pupils by the potential closure of Smithy Street. The expansion is supported in principle by the Governing Body of both schools. The process detailed in the School Organisation (Prescribed Alteration Maintained Schools) Regulations 2013 must be followed for proposals including the expansion of a school, together with the associated guidance.
- 11.6. The report indicates that the proposed closure of Smithy Street and expansion of Redlands School are related proposals and this should explained in the consultation and the publication of any subsequent statutory proposals.

### Employment considerations

- 11.7. The proposal for closure of the school may lead to the staff being made redundant. A dismissal for redundancy purposes is defined in section 139 of the Employment Rights Act 1996 and includes circumstances where an employee is dismissed for reasons wholly or mainly attributable to the fact that the employer has ceased or intends to cease to carry out the business for the purposes of which the employee was employed. By section 135 of the Employment Rights Act 1996 an employee is entitled to a redundancy

payment if the employer dismisses the employee by reason of redundancy. Separate consultation with staff regarding any school closure, redundancy situation or amalgamation will be required, if the proposals are taken forward. The school should follow its redundancy and redeployment process

- 11.8. The impact of TUPE provisions may need to be considered later depending upon the final proposals including decisions about amalgamation.

#### Equality considerations

- 11.9. When deciding whether or not to proceed with these decisions the Council must also have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristics and those who do not (the public sector equality duty). An Equality Analysis should be undertaken prior to a final decision being taken in respect of the proposals.

### **12. ONE TOWER HAMLETS CONSIDERATIONS**

- 12.1 The LA has to plan for the overall social infrastructure to meet the needs of its local population. This informs the development of the council's asset management and service planning to ensure that the necessary infrastructure is in place and that any competing issues are properly balanced.

### **13. BEST VALUE (BV) IMPLICATIONS**

- 13.1 This report confirms the benefits of amalgamation to the schools future financial viability, given that the schools budgets are based upon pupil numbers.

### **14. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 14.1 There is no sustainability or environmental implications arising out of this report. Any environmental and sustainability implications arising from the representation period will be duly considered.

### **15. RISK IMPLICATIONS**

- 15.1 Continuation of the consultation process will be carefully managed and evaluated in line with statutory guidance and taking account the views of consultees in order to minimise and mitigate risks.
- 15.2 It will be important to ensure an effective transition of pupils to minimise any impact. The Council is working with Smithy Street and Redlands schools to support them in mitigating this risk.
- 15.3 Any delay to a decision on the amalgamation is likely to further exacerbate the impact on the schools, their pupils and staff. The continuing decline in pupil numbers leads to greater financial challenges adversely affecting a school's staffing and its ability to deliver a full and balanced curriculum. The timetable and transition arrangements set out at Stage 5 in paragraph 8.1 is proposed to mitigate this risk.

## **16. CRIME AND DISORDER REDUCTION IMPLICATIONS**

16.1 There are no specific implications arising.

## **17. SAFEGUARDING IMPLICATIONS**

17.1 The report deals with the Council's approach to providing school places for the local population. The supply of school places contributes to the safeguarding of children by ensuring their early access to 'good quality' and sustainable education provision.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

30<sup>th</sup> October Cabinet Report on Planning for School Places 2019 /20 - Review and Recommendations

#### **Appendices**

#### **Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

- Appendix 1 Public consultation paper, further information and response form
- Appendix 2 Reports on the feedback to the informal public consultation for each school,
- Appendix 3 A presentation on the analysis of the consultation responses
- Appendix 4 LA Pupil Projections 2018-2028
- Appendix 5 Equalities Assessment – Amalgamation of Smithy Street and Redlands

**Officer contact details for documents: N/A**



## **Appendix 1**

### **Informal Consultation on the proposal to amalgamate Redlands Primary School and Smithy Street Primary School**

9th September 2019

#### **The Proposal**

The London Borough of Tower Hamlets, in partnership with the governors of Redlands and Smithy Street Primary Schools, are proposing to merge the two schools to form a three form entry 3-11 primary school. This will create a single primary school from the start of the September Term in 2020.

#### **Why are we proposing the change?**

Pupil numbers in Tower Hamlets schools are currently falling, particularly in the West of the borough where our schools are situated. This means that both schools do not have sufficient numbers to fill four forms from September 2020 and we also are starting to see vacancies in other year groups. As our pupil numbers fall, this affects our budget as we will get less money to educate our children, pay salaries and manage the upkeep of our elderly buildings. Our schools already work closely together and engage in joint planning. The Governors suggest that now is the right time to consider becoming a single primary school as the only thing that divides us is a wall.

#### **What would happen to our Headteachers?**

As parents from Redlands will know, Ann has decided to retire at the end of the 2019/2020 school year after a long and successful career. Edith, the current Head Teacher at Smithy Street has been responsible for maintaining its outstanding status would move into the role of Head Teacher for both schools. The Governing Bodies from Redlands and Smithy Street Schools have discussed this and agree that the headteacher post for the new school is not, in effect, vacant and therefore not subject to advertising or selection requirements.

This would mean that a single headteacher and a single governing body would collectively oversee the running of the new school. A single primary school would bring both schools together to become one community, which we believe will be the best for the children.

#### **What are the benefits of becoming a single primary school?**

Continued access for pupils and their families to extended services and facilities. The opportunity for both schools to keep improving and moving forward.

Greater financial stability to make certain we continue to improve and offer world class education.

More development opportunities for the staff, such as shared training and the chance to work more closely across the curriculum and gain experience and understanding of all key stages.

The strengthening and continued developing of community links which already exist.

### **What will it mean for the children?**

The whole purpose of the merger is to create an environment that will have a positive impact on the quality of education that children receive.

In the future there would be the same policies and procedures, and the same dates for staff training days and school holidays.

The outdoor areas will be accessed by children from both school buildings.

### **What will it mean for my child being part of a larger school?**

On a day-to-day basis very little will change. The differing needs of each age group will continue to be met.

The care and importance given to each individual child, which is a strength of both schools, will always remain paramount.

### **What will it mean for the staff?**

Again, very little will change on a day-to-day basis. Staff conditions of service will not be affected. All staff employed at the Redlands and Smithy Street Schools (at the time of the proposed amalgamation) would automatically continue their employment in the new primary school and their rights would be preserved under TUPE.

We will continue with the existing four classes for pupils already attending the school but moving forward we will reduce to three classes in each year starting from reception which means we do not anticipate having to make staff redundancies.

### **Would there be any changes to the school building?**

In the event of merger, the school would remain largely the same with all the existing premises being used in the most appropriate and effective way. Plans are being developed to help children access the resources across the two sites, with the dividing wall removed and a new entrance being developed (probably at the Smithy Street entrance). As we settle in as one school there may be changes which need to be made to ensure we use all the school space effectively.

### **Procedure to achieve the merger**

It is proposed that the New Primary School will open on 1 September 2020 catering for pupils from age 3 to 11.

The process to achieve this involves the 'technical closure' of Smithy Street School and the expansion of Redlands School on 31 August 2020. However, it should be noted there will be no actual closure of school buildings.

Once this process has been completed, children will continue to be educated in the "Redlands" or "Smithy" buildings but they will become one school. We anticipate children will move between the buildings.

To celebrate the start of this exciting new venture, the governors of both schools are proposing that when the new school opens in September 2020 it should have a new name, Stepney Park Primary School. We welcome your views on the proposed name as part of this consultation.

### **Admissions**

If the proposal is agreed a primary school would be created on 1 September 2020 and the following would apply:

- First admissions: Children who have applied for places at Redlands or Smithy Street School for September 2020 would be offered places through the standard admissions process, using the new school entrance for measuring distance.
- All children currently attending Redlands or Smithy Street School will join the New School.

If any new child applies to the New School and was not able to be offered a place there are likely to be vacancies less than 0.5 of a mile away at John Scurr School, and 0.8m away at Cayley and Halley Schools. Across the Stepney Catchment area there are nearly 200 vacancies this September.

### **Why are we consulting you?**

We want to consult you to gather your views because you are part of the school community. The governing body of the schools and the London Borough of Tower Hamlets cannot simply decide to make changes to schools without first seeking the views of parents and others. There is a legal process which must be followed before changes can be made, and it is important that the governing body and the council hear your views before deciding whether to proceed.

We have organized the following opportunities for parents and carers to share views. Meetings will be held at the same time in both schools.

Tuesday 24<sup>th</sup> September from 9-10 am  
Wednesday 25<sup>th</sup> September from 6-7 pm

### **What happens next?**

The informal consultation period starts on 9<sup>th</sup> September 2019 and ends on 18<sup>th</sup> October 2019 – the last page of this document can be used for you to feedback your view to governors. It should be returned to the school office. Following the consultation process, the governors' steering group body will review your feedback and use it to make a response to the council, on whether or not to recommend proceeding with the school merger proposal.

The full governing body of each school will consider your feedback in its representations following the publication of the formal statutory notice, if the Council decide to move to this stage at their Cabinet meeting on 30<sup>th</sup> October 2019.

If the Council decides to proceed, a public notice will specify details of the final proposal and there will be a period of at least four weeks when representations can be made. This will be the final opportunity to make any comments on the proposal. It is then anticipated that a

final decision on whether to merge the schools will be made by the council by February 2020.

### **How can I get more information on the proposal?**

The LA will publish the feedback from the consultation on the council's website during the Autumn Term.

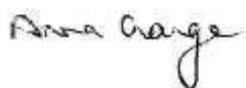
If permission is granted to publish a public notice, further details of this proposal will also be available in the Consultation sections of the Council's website

This document is also available on both school websites

[www.smithytreet.org.uk](http://www.smithytreet.org.uk)

[www.redlands.org.uk](http://www.redlands.org.uk)

Thank you for taking the time to consider our proposal, we look forward to hearing your views.



Anna Gouge

Redlands Chair of Governors



Ros Coffey

Smithy Street Chair of Governors

## Proposal to Amalgamate Redlands and Smithy Street Primary School – Response Form

Our proposal is to bring Redlands and Smithy Street Schools together as one all-through primary school from 1<sup>st</sup> September 2020. We welcome your views on this proposal. Please fill in this response form and return it to the address below no later than 18<sup>th</sup> October 2019 3.30pm.

1) Do you agree with the proposal to amalgamate our two schools to become one school?  
Please tick as applicable

Yes		No	
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2) If you like the proposal, please say why you think it is a good idea?

3) If you dislike the proposal, please tell us why you are concerned?

4) Any other comments?

	Redlands School	Smithy Street School
I have child/ren attending	<input type="checkbox"/>	<input type="checkbox"/>
I am a staff member at	<input type="checkbox"/>	<input type="checkbox"/>
I am a governor at	<input type="checkbox"/>	<input type="checkbox"/>
Other (please describe)		

Your Name (Optional) \_\_\_\_\_

Please return this form to the relevant school by 18<sup>th</sup> October 2019. Feedback from question one will be summarised numerically. Comments will be typed-up and anonymised. This information will be made available to the public (via the school website), but all respondents' comments and information will be anonymized.

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Appendix 2

**Redlands Consultation Responses Summary**

	Agree	Disagree												
Parents	19	11												
			Keep an entrance on Redman's Road/need two entrances	8	Uniform - either won't change or subsidise	4	Will be confusing	1	School too big	3	Name of school	2	Stay as we are	3
			Better for children	4	Bigger Playground	1	New Ideas	1	Will improve school	3	Logical	2	Finance	1
Staff	2													
			Job Security	1										
			New challenges for staff and children	2										
<b>Total</b>	<b>21</b>	<b>11</b>												

Other comments:

Name of school should be modern - Redsmith or Smithylands

Will miss Ann - brilliant Headteacher

Make this count!

2 parents also have children in Smithy Street - their views are included for both schools

1 member of staff works in both schools - their views have been included for both schools

**Smithy Street Consultation Responses Summary**

	Agree	Disagree												
Parents	20	3												
			Must maintain standards	1	Difficult for children	1	School too big	2	Cost of uniforms	1	Overcrowding	1	Staff may not like/manage well	1
			Better to have agreed timings	1	More teachers to help	3	New ideas/opportunities	1	Finance	1	More friendships	1	More Space	1
Staff	5													
			Team building needed to build cohesion	1	Risk of restructure/redundancy	3								
			Finance/resources	2	Improve school meals	1	Streamlining will improve schools	2	Logical choice	2	Protects both schools	1	New Challenges	1
Total	25	3												

Nothing bad in proposal

2 parents also have children in Smithy Street - their views are included for both schools

1 member of staff works in both schools - their views have been included for both schools



## Consultation Feedback Report Redlands School

November 22<sup>nd</sup> 2019

*Report compiled by Dr Helen Jenner, Independent Consultant, Tower Hamlets Primary Review.*

### Introduction

This report summarises the planning undertaken to lead to a public consultation, and the responses to that consultation, on whether or not Redlands and Smithy Street Schools should support the Local Authority to formally consult on the amalgamation of Redlands and Smithy Street Schools.

### Background

Redlands Governing Body and Smithy Street Governing Body were both prompted by the Tower Hamlets Primary Review<sup>1</sup> to consider how to make the schools' long term future and quality of education more robust in a period of falling rolls and tightening funding.

The Tower Hamlets Primary Review commissioned an Independent Consultant, Dr Helen Jenner, to work with schools they had identified as being at risk due to demographic change in the Borough. As well as working with the schools, Dr Jenner was asked to produce a public report "Future Ambitions"<sup>2</sup> setting out principles for developing school relationships for resilience and excellence. This document was shared with all Headteachers, Unions and Governors in March 2019. Regular updates on the Primary Review have been included in the termly Director's Report for Governors.

### Governors Planning

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<sup>1</sup> Tower Hamlets Primary Review

[https://www.towerhamlets.gov.uk/lgnl/education\\_and\\_learning/schools/Primary\\_Review\\_for\\_parents.aspx](https://www.towerhamlets.gov.uk/lgnl/education_and_learning/schools/Primary_Review_for_parents.aspx)

<sup>2</sup> The Future Ambitions Report is available on the Tower Hamlets Primary Review Website.

A Steering Group consisting of Chairs, Deputy Chairs and Headteachers from Redlands and Smithy Street schools, supported by the Independent Consultant has led the work on considering the implications of the review for the two schools.

They have met, in various groupings, regularly since the Local Authority first identified the schools as being “in scope” for review, in July 2018. All documents shared with governors, parents and other stakeholders have been signed off by this group, and agreed by the Local Authority.

An Informal Joint Governing Body meeting with Redlands and Smithy Street governors was held on 12<sup>th</sup> March to discuss the Primary Review, the Future Ambitions Report, and the best responses for the two schools. This Informal Meeting endorsed the work of the steering group and agreed to an Extraordinary Joint Meeting, followed by Individual Governing Body meetings on 10<sup>th</sup> June, which would consider whether or not to move to consultation on a proposal to amalgamate the two schools.

The additional Governing Body meeting on 10th June, part of which was held jointly with Smithy Street Governing Body, considered the preferred option presented by the Steering Group. The papers were sent out 7 days previously<sup>3</sup>. At the meeting, Dr Jenner presented the position for the two schools and the steering group proposal. This was followed by a joint Q and A session. The two governing bodies then met separately to consider the proposals.

Both Governing Bodies agreed to consult, in the first half of the Autumn Term, on whether or not the two schools should consider an amalgamation. This information was shared with parents and staff.

During the Summer Term the Tower Hamlets “Family Matters” newsletter contained information on the Primary Review and at the end of the Summer Term Christine Mac Innes, (Director Education and Partnership Division, Tower Hamlets) asked all schools to circulate a letter about the Review to parents. Redlands and Smithy Street Schools both circulated the letter to parents.

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<sup>3</sup> See Governing Body minutes and “Supporting Documents” appendix. These are not included with this report but are available on request to the Headteacher.

A consultation document<sup>4</sup> was prepared, and agreed with the Local Authority. This was given in paper copy to all parents, circulated to Tower Hamlets Headteachers, through the Headteacher's Bulletin; emailed to staffing unions, and the Secretary of State has been notified of potential changes.

Information about the consultation was also placed on the school website.

<http://Redlandsschool1.wixsite.com/Redlandsschool/single-post/2019/09/06/Governing-Body-Consultation-on-the-Proposal-to-Federate>

Questions raised in a range of meetings were recorded and summarized. See Appendix 1

Staff meetings regularly discussed the implications of Amalgamation.

The proposal was explained to children in Assemblies and they were given the opportunity to discuss in their classes.

Staff, children, parents and other stakeholders were all invited to respond to the consultation and to raise questions. A box was provided in the school office so that responses and queries could be easily and anonymously made if people wished.

Governors agreed responses from the different forms of consultation should be summarized in a report for Governors, to be shared with parents at a meeting led by the Local Authority on November 21<sup>st</sup>. A day time meeting was held at Smithy Street School, and an evening meeting at Redlands School. Parents were free to attend either meeting, regardless of which school their children attended, to make sure that working parents were able to attend a consultation meeting.

### Consultation Response

The majority of responses, both in meetings and in writing, were very positive.

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<sup>4</sup> Included in Appendix "Supporting Documents"

Notes from meetings, and individual forms, are available from the Headteacher.

Key messages are summarized below:

Parents felt that strong reasons for supporting the move to an amalgamation were – more sustainable finances, increased staff and other resources, increased potential for school improvement and increased play space. They were hopeful that bringing both schools together would also increase the range of specialist skills their children could access - for example there might be a wider range of curriculum experts on the staff.

Their concerns focused on the risk of becoming too large a school, the costs of a new school uniform and the need to maintain a Redmans Road entrance.

Parents were clear that they wanted the impact of changes to be minimized. There are some questions that they would prefer to have answered immediately, for example which building would their children be taught in, would friendship groups be maintained. They do understand that some cannot be addressed until the Local Authority have reached a decision on whether to proceed with the amalgamation.

They have confidence that the leadership of the schools will ensure they are kept well informed and concerns will be addressed.

The importance of maintaining a high standard of education was seen as crucial to any change being successful.

Staff feedback similar positive reasons to support Amalgamation. They are concerned that falling numbers may impact on staffing structures, but feel that governors taking control of the situation, rather than allowing negative drift is positive. They have been enjoying the impact of working more closely and are hopeful for the future. They particularly enjoyed a joint staff meeting where they met other staff and visited both school buildings.

Professional discussion, and strong engagement from staff, parents and children with the process, and the positive feedback received puts both schools in a strong position for responding positively to the proposals, as well as continuing to be mindful of the anxieties change can raise.

Responses to the consultation form are summarized in a PDF<sup>5</sup> which has been shared with governors. Individual Response Forms are available for viewing on request to the schools. They will be kept for 1 year.

30 parents and 2 staff members returned consultation response forms.

Of those returning forms:

19 parents agreed with the proposal to Amalgamate Redlands and Smithy Street Schools, 11 parents did not.

2 staff members agreed with the proposal, none disagreed.

Although the numbers completing forms were low, and attendance at meetings has not been huge, informal feedback , in the playground, at the school gate, etc. has also been positive. People understand the demographic changes and see the proposal as a positive way to secure strong education.

Through the forms and during the various meetings a number of important points were made, which governors should continue to consider during their considerations. Parents were pleased to hear those that could be were addressed in the Nov 21<sup>st</sup> feedback meetings.

### Recommendation

No issues have been raised by staff, parents or children that would suggest that would preclude progressing to issuing statutory notices. Stakeholders are keen to see a decision reached quickly so that, depending on the decision, planning can progress to the next stages.

The publishing of statutory notices as soon as possible is recommended.

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<sup>5</sup> See Appendix "Feedback from Response Form"

## Consultation Feedback Report Smithy Street School

November 22<sup>nd</sup> 2019

Report compiled by Dr Helen Jenner, Independent Consultant, Tower Hamlets Primary Review.

### Introduction

This report summarises the planning undertaken to lead to a public consultation, and the responses to that consultation, on whether or not Smithy Street and Redlands Schools should support the Local Authority to formally consult on the amalgamation of Smithy Street and Redlands Schools.

### Background

Smithy Street Governing Body and Redlands Governing Body were both prompted by the Tower Hamlets Primary Review<sup>6</sup> to consider how to make the schools' long term future and quality of education more robust in a period of falling rolls and tightening funding.

The Tower Hamlets Primary Review commissioned an Independent Consultant, Dr Helen Jenner, to work with schools they had identified as being at risk due to demographic change in the Borough. As well as working with the schools, Dr Jenner was asked to produce a public report "Future Ambitions"<sup>7</sup> setting out principles for developing school relationships for resilience and excellence. This document was shared with all Headteachers, Unions and Governors in March 2019. Regular updates on the Primary Review have been included in the termly Director's Report for Governors.

### Governors Planning

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<sup>6</sup> Tower Hamlets Primary Review

[https://www.towerhamlets.gov.uk/lgnl/education\\_and\\_learning/schools/Primary\\_Review\\_for\\_parents.aspx](https://www.towerhamlets.gov.uk/lgnl/education_and_learning/schools/Primary_Review_for_parents.aspx)

<sup>7</sup> The Future Ambitions Report is available on the Tower Hamlets Primary Review Website.

A Steering Group consisting of Chairs, Deputy Chairs and Headteachers from Smithy Street and Redlands Schools, supported by the Independent Consultant has led the work on considering the implications of the review for the two schools.

They have met, in various groupings, regularly since the Local Authority first identified the schools as being “in scope” for review, in July 2018. All documents shared with governors, parents and other stakeholders have been signed off by this group, and agreed by the Local Authority.

An Informal Joint Governing Body meeting with Smithy Street and Redlands governors was held on 12<sup>th</sup> March to discuss the Primary Review, the Future Ambitions Report, and the best responses for the two schools. This Informal Meeting endorsed the work of the steering group and agreed to an Extraordinary Joint Meeting, followed by Individual Governing Body meetings on 10<sup>th</sup> June, which would consider whether or not to move to consultation on a proposal to amalgamate the two schools.

The additional Governing Body meeting on 10th June, part of which was held jointly with Redlands Governing Body, considered the preferred option presented by the Steering Group. The papers were sent out 7 days previously<sup>8</sup>. At the meeting, Dr Jenner presented the position for the two schools and the steering group proposal. This was followed by a joint Q and A session. The two governing bodies then met separately to consider the proposals.

Both Governing Bodies agreed to consult, in the first half of the Autumn Term on whether, or not, the two schools should consider an amalgamation. This information was shared with parents and staff.

During the Summer Term the Tower Hamlets “Family Matters” newsletter contained information on the Primary Review and at the end of the Summer Term Christine Mac Innes, (Director Education and Partnership Division, Tower Hamlets) asked all schools to circulate a letter about the Review to parents. Smithy Street and Redlands Schools both circulated the letter to parents.

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<sup>8</sup> See Governing Body minutes and “Supporting Documents” appendix. These are not included with this report but are available on request to the Headteacher.

A consultation document<sup>9</sup> was prepared, and agreed with the Local Authority. This was given in paper copy to all parents, circulated to Tower Hamlets Headteachers, through the Headteacher's Bulletin; emailed to staffing unions, and the Secretary of State has been notified of potential changes.

Information about the consultation was also placed on the school website.

[http://www.smithystreet.org.uk/uploads/6/1/1/5/61157919/consultation\\_on\\_proposal\\_to\\_amalgamate\\_redlands\\_primary\\_school\\_and\\_smithy\\_street\\_primary\\_school.pdf](http://www.smithystreet.org.uk/uploads/6/1/1/5/61157919/consultation_on_proposal_to_amalgamate_redlands_primary_school_and_smithy_street_primary_school.pdf)

Meetings were held for staff (30<sup>th</sup> Sept and 3<sup>rd</sup> Oct) and parents ( 24<sup>th</sup> and 25<sup>th</sup> September)

Children were given the opportunity to discuss the proposal in Assemblies on 23<sup>rd</sup> and 30<sup>th</sup> September.

Notes from these meetings were recorded and summarized. See Appendix 1

Staff, children, parents and other stakeholders were all invited to respond to the consultation and to raise questions. A box was provided in the school office so that responses and queries could be easily and anonymously made if people wished.

Governors agreed responses from the different forms of consultation should be summarized in this report for Governors, and organized a meeting for parents on November 21<sup>st</sup> for a summary of the consultations to be reported to parents, with Senior LA officers, governors representatives and the Headteachers available to answer questions. Although numbers attending were low, parents were re-assured to hear that any concerns that had been raised were being addressed. Those attending were supportive of the proposals, and helpfully raised any aspects which they felt may not yet have been addressed.

### Consultation Response

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<sup>9</sup> Included in Appendix "Supporting Documents"



The majority of responses, both in meetings and in writing, were positive. Although numbers attending meetings and returning forms were low, the informal feedback, in the playground, staff meetings and at the school gate is positive. Strong communication has meant that there is only low level anxiety about the proposals.

Responses to the consultation form are summarized in a PDF<sup>10</sup> which will be shared with governors. Individual Response Forms are available for viewing on request to the schools. They will be kept for 1 year.

23 parents and 5 staff members returned consultation response forms.

Of those returning forms:

20 parents agreed with the proposal to Amalgamate Smithy Street and Redlands Schools, 3 parents did not.

5 staff members agreed with the proposal, none disagreed.

Through the forms and during the various meetings a number of important points were made, which governors should consider during their considerations.

Parents felt that strong reasons for supporting the move to an amalgamation were – more sustainable finances, increased staff and other resources, increased potential for school improvement and increased specialist expertise through a wider staff team. They would like to see a decision reached quickly so that details can be worked through and there is plenty of time for transition. Joint coffee mornings and parents visits to the Redlands building were suggested. Parents were pleased to hear that there are ideas about how the children can be introduced to each other, but understood that these cannot easily progress until decisions are reached.

Parents concerns focused on the risk of becoming too large a school and the costs of a new school uniform. Some parents were worried that children with special educational needs might find a larger school more difficult to manage, but they also felt that there could be advantages if joining together might mean more available finance and access to SEN training.

The importance of maintaining a high standard of education was seen as crucial to any change being successful. Confidence in the school's leadership and governors to manage change positively was expressed.

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<sup>10</sup> See Appendix "Feedback from Response Form"

Increased play space was particularly welcomed by children.

Some children are not certain that all the children in Redlands School are as kind as the children in Smithy Street, others are excited by the prospect of making new friends.

Staff feedback similar positive reasons to support Amalgamation. They are concerned that falling numbers may impact on staffing structures, but feel that governors taking control of the situation, rather than allowing negative drift is positive. Curriculum leaders have been enjoying the impact of working more closely and are hopeful for the future. The staff at both schools enjoyed the joint staff meeting where they had the opportunity to spend time in both buildings.

Professional discussion, and strong engagement from staff, parents and children with the process, put governors in a strong position for considering their proposal in the November Steering Group meeting.

In the light of consultation feedback, the Chairs of Governors will write to the Local Authority in support of the publishing of Statutory Notices.

#### Recommendation

No issues have been raised by staff, parents or children that would suggest that would preclude progressing to issuing statutory notices. Stakeholders are keen to see a decision reached quickly so that, depending on the decision, planning can progress to the next stages.

The publishing of statutory notices as soon as possible is recommended.

# Redlands And Smithy Street Schools Possible AMALGAMATION Consultation Feedback Meetings

REDLANDS AND SMITHY STREET SCHOOLS

21<sup>ST</sup> NOVEMBER 2019

- WHAT PARENTS AND STAFF THOUGHT IN EACH SCHOOL
- WHAT SENIOR LOCAL AUTHORITY OFFICERS THINK
  - WHAT WILL HAPPEN NEXT ?

SMITHY STREET SCHOOL HALL 9 AM

REDLANDS SCHOOL HALL 6PM

You are welcome to attend either venue regardless of where you work or where your children go to school

# BOTH SCHOOLS

- Held positive parents meetings, and LA will attend on 21<sup>st</sup> November
- Circulated consultation report and put on website
- Have kept staff, parents and children informed about discussions
- Held school assemblies to explain to the children
- Have held joint and separate governing body meetings to consider proposals and to analyse possible options before recommending consultation with parents.
- Listened to parents, staff and children in a variety of settings – playground, meetings, classrooms

# CONSULTATION FEEDBACK — BOTH SCHOOLS COMBINED

## MAIN POINTS RAISED IN A VARIETY OF SETTINGS

### Benefits

Financial/resource benefits

Bigger playground

New ideas

Makes sense

Better for children/improved education

More staff expertise

Streamlining/agreed timings

Improved school meals

### Concerns

Keep 2 entrances

Affording school uniform

Will it be too big?

Don't see the need to change

Staff job security

Maintaining standards during change

How will everyone get on

	Agree	Disagree	Percentage of positive Form Respondents
Parents	39	14	74%
Staff	7	0	100%

# REDLANDS FEEDBACK

## Benefits

Financial/resource benefits  
Bigger playground  
New ideas  
Makes sense  
Better for children

## Concerns

Keep 2 entrances  
Affording school uniform  
Will it be too big?  
Don't see the need to change  
Staff job security

	Agree	Disagree	Percentage of positive Form Respondents
Parents	19	11	63%
Staff	2	0	100%

# SMITHY STREET FEEDBACK

## Benefits

More staff expertise  
New ideas/opportunities  
Finance  
Space  
Agreed timings  
Streamlining  
Makes sense – protects both  
Improved school meals

## Concerns

Ensuring standards  
maintained during change  
Risk to staff jobs  
Cost of uniform  
School too big  
How everyone will get on

	Agree	Disagree	Percentage of positive Form Respondents
Parents	20	3	87%
Staff	5	0	100%

# WHAT IS THE VIEW OF THE LOCAL AUTHORITY

Feedback from a Senior Local Authority Officer

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Either:

9 am: Christine MacInnes , Director of Education and Partnerships

6 pm: Terry Bryan, Service Head (Pupil Services and School Sufficiency)



# WHAT HAPPENS NEXT

- Statutory Consultation (posting statutory notices)
- Council receive representations
- Council decide at Cabinet meeting (February 2020)
- If agreed transition planning starts. Temporary Governing Body established to help plan the next stages
- Summer Term transition activities
- September 2020 Redlands and Smithy Street might become one school!

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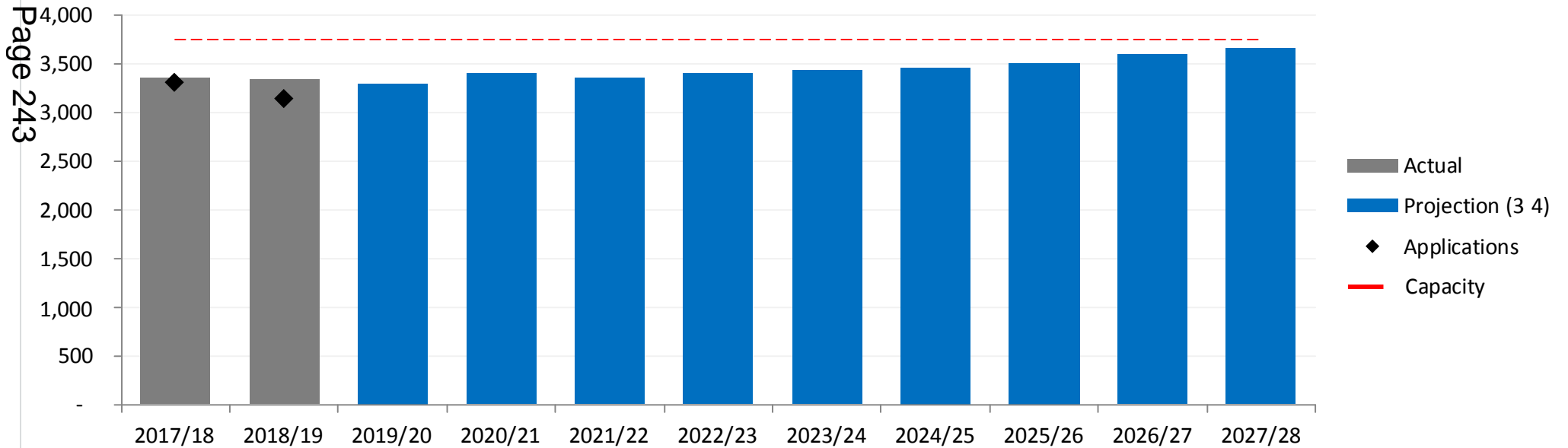
### School roll projections for Reception

Produced July 19 using: Jan 2019 school rolls, GLA 2016-based population projection model (UPC), and Local Plan + LLDC development trajectory, 3 4 option

#### Borough

		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		3,353	3,340									
<b>Projection (3 4)</b>				3,299	3,403	3,364	3,398	3,436	3,469	3,512	3,606	3,658
<b>Applications</b>		3,305	3,136									
<b>Capacity</b>		3,740	3,766	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761
<b>Variance (3 4)</b>	<b>Pupils</b>	387	426	462	358	397	363	325	292	249	155	103
	<b>FE</b>	12.9	14.2	15.4	11.9	13.2	12.1	10.8	9.7	8.3	5.2	3.4
	<b>%</b>	10%	11%	12%	10%	11%	10%	9%	8%	7%	4%	3%

Reception projections: borough



## Catchment 1 - Stepney (INCLUDES BOTH BONNER SITES)

		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		756	730									
<b>Projection</b>				727	753	716	712	703	696	692	698	699
<b>Capacity</b>		840	840	840	840	840	840	840	840	840	840	840
<b>Variance</b>	<b>Pupils</b>	84	110	113	87	124	128	137	144	148	142	141
	<b>FE</b>	2.8	3.7	3.8	2.9	4.1	4.3	4.6	4.8	4.9	4.7	4.7
	<b>%</b>	10%	13%	13%	10%	15%	15%	16%	17%	18%	17%	17%

## Catchment 2 -

### Bow

(does not include Bonner sites)

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		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		390	408									
<b>Projection</b>				366	358	359	358	359	358	359	362	364
<b>Capacity</b>		450	450	450	450	450	450	450	450	450	450	450
<b>Variance</b>	<b>Pupils</b>	60	42	84	92	91	92	91	92	91	88	86
	<b>FE</b>	2.0	1.4	2.8	3.1	3.0	3.1	3.0	3.1	3.0	2.9	2.9
	<b>%</b>	13%	9%	19%	20%	20%	20%	20%	20%	20%	20%	19%

## Catchment 3 - Poplar

		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28							
<b>Actual</b>		842	866																
<b>Projection</b>				846	866	895	914	934	952	968	1,005	1,022							
<b>Capacity</b>		885	890	890	890	890	890	890	890	890	890	890							
<b>Variance</b>	<b>Pupils</b>	43	24	44	24	-	5	-	24	-	44	-	62	-	78	-	115	-	132
	<b>FE</b>	1.4	0.8	1.5	0.8	-	0.2	-	0.8	-	1.5	-	2.1	-	2.6	-	3.8	-	4.4
	<b>%</b>	5%	3%	5%	3%	-1%	-3%	-5%	-7%	-9%	-9%	-13%	-15%						

## Catchment 4 - Isle of Dogs

		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		419	410									
<b>Projection</b>				406	438	449	472	500	527	556	591	617
<b>Capacity</b>		425	425	441	441	441	441	441	441	441	441	441
<b>Variance</b>	<b>Pupils</b>	6	15	35	3	8	31	59	86	115	150	176
	<b>FE</b>	0.2	0.5	1.2	0.1	0.3	1.0	2.0	2.9	3.8	5.0	5.9
	<b>%</b>	1%	4%	8%	1%	-2%	-7%	-13%	-20%	-26%	-34%	-40%

## Catchment 5 - Wapping

		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		418	418									
<b>Projection</b>				409	416	402	400	396	392	388	389	388
<b>Capacity</b>		480	480	480	480	480	480	480	480	480	480	480
<b>Variance</b>	<b>Pupils</b>	62	62	71	64	78	80	84	88	92	91	92
	<b>FE</b>	2.1	2.1	2.4	2.1	2.6	2.7	2.8	2.9	3.1	3.0	3.1
	<b>%</b>	13%	13%	15%	13%	16%	17%	18%	18%	19%	19%	19%

## Catchment 6 - Bethnal Green

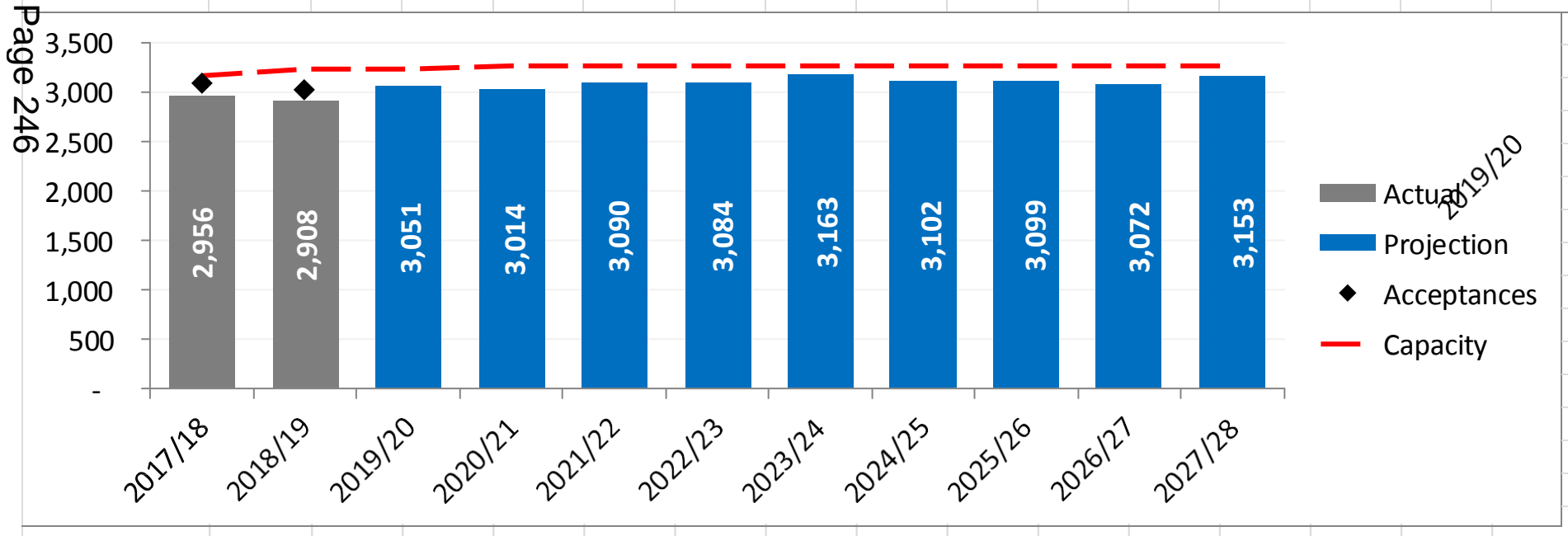
		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>		528	508									
<b>Projection</b>				528	539	517	513	514	513	516	524	529
<b>Capacity</b>		660	660	660	660	660	660	660	660	660	660	660
<b>Variance</b>	<b>Pupils</b>	132	152	132	121	143	147	146	147	144	136	131
	<b>FE</b>	4.4	5.1	4.4	4.0	4.8	4.9	4.9	4.9	4.8	4.5	4.4
	<b>%</b>	20%	23%	20%	18%	22%	22%	22%	22%	22%	21%	20%

# School roll projections for Year 7

Produced July 19 using: Jan 2019 school rolls, GLA 2017-based population projection model (UPC), and Local Plan + LLDC development trajectory, 3 4 option

## Borough

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Actual</b>	2,956	2,908									
<b>Projection</b>			3,051	3,014	3,090	3,084	3,163	3,102	3,099	3,072	3,153
<b>Acceptances</b>	3,078	3,009									
<b>Capacity</b>	3,152	3,233	3,233	3,263	3,263	3,263	3,263	3,263	3,263	3,263	3,263
<b>Variance</b>											
<b>Pupils</b>	196	325	182	249	173	179	100	161	164	191	110
<b>FE</b>	6.5	10.8	6.1	8.3	5.8	6.0	3.3	5.4	5.5	6.4	3.7
<b>%</b>	6%	10%	6%	8%	5%	5%	3%	5%	5%	6%	3%



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## Summary of the School Roll Projection Methodology

Tower Hamlets Council commissions school roll projections through the Greater London Authority (GLA), like most other London boroughs. GLA have access to data on all pupils in London (via the National Pupil Database) which enables them to model movements across borough boundaries in a way that would be difficult for an individual authority.

Projections are run each year in March/April using the following methodology:

- Step 1.** The borough's population is projected based on demographic trends (e.g. births, deaths, and migration) and the borough's housing development trajectory using planning data submitted by the council.
- Step 2.** The flow of pupils from their ward of residence (including those out of borough) to each mainstream state school is determined, based on the Spring School Census and estimates of the number of children living in each ward. These are turned into ratios, for example, one in five Year 1 pupils living in XYZ Ward go to ABC Primary School. These existing ratios are not available for new children entering school in Reception, so these ratios are determined based on previous years.
- Step 3.** The number of pupils in each school is projected by multiplying the flow ratios by the populations in each ward. For example, if one in five Year 1 pupils in XYZ Ward go to ABC Primary School, and it is projected that there will be 100 Year 1 pupils in the ward, then 20 pupils from this ward are expected to go to ABC Primary. The number of pupils from each ward is then added up for each school.
- Step 4.** Projections are aggregated to catchment area and borough-level to improve reliability.
- Step 5.** Validation of pupil numbers and local intelligence checks are made against GLA projections.

Scrutiny on the reliability and accuracy of the pupil forecasting system has taken place over the summer. Historically GLA forecasting has over-estimated the numbers of pupils expected in Reception and Year 7 for medium and long term planning purposes; Tower Hamlet's recent figures fall within the tolerances set by the Department for Education (DfE) for total pupils projected. The main conclusion from the review of the methodology for calculating demand and projections on primary and secondary places is that it is fit for purpose. The overall primary and secondary phase projections are robust and ensure that the local authority is complying with its statutory duty to ensure a school place for every child that wants one, and as far as possible, in the place where they want it.

To further enrich localised planning within the borough, a complementary forecasting system is in development to use in conjunction with the GLA projections. This will be stress tested and put in place to further embed accuracy within the pupil place planning area.

The unprecedented growth in residential developments within LBTH has not, as yet, yielded the number of children expected in our schools. The LA must be mindful and vigilant, should this trend change. Pupil forecasting is just one of a number of tools used to plan for future school demand and much discussion and intelligence sharing between internal departments, the GLA and neighbouring boroughs has taken place to ensure a joined up approach. Pupil forecasting can be skewed significantly in times of change, such as LBTH has experienced during recent years – as such, ongoing scrutiny of patterns of live births, school admissions, pupil migration and flow should be monitored and a flexible place planning strategy put in place to enjoy best value for Tower Hamlet's children, ensuring sufficient school places are in the right place at the right time.

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# Equality Analysis (EA)

## Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose  
*(Please note – for the purpose of this doc, ‘proposal’ refers to a policy, function, strategy or project)*

### Planning for School Places 2019/20

#### Amalgamation of Redlands and Smithy Street schools

This Equalities Impact Assessment concerns the proposal to amalgamate Redlands and Smithy Street Primary Schools, whereby Smithy would close and its pupils would transfer to Redlands, which would expand to accommodate Smithy pupils (should their parents choose to take up a place there). A new school would therefore be created.

Tower Hamlets has a great tradition of excellent education; we value the important role that schools have in increasing the life chances of our children. However the borough is now in a position where there is the need for longer term planning to maintain the success and future sustainability of its schools.

Demand for school places is driven by population growth and housing development. Although population growth in Tower Hamlets is among the fastest in the country, it has not translated into the expected increased demand for primary school places. Falling birth rates, changing resident demographics and young families migrating out of the borough have resulted in a significant surplus of primary school places in some areas of the borough. As of January 2019, there is a 6.5% surplus in primary schools places (1656 are unfilled). This is over the recommended 5% surplus that urban local authorities are recommended to operate with. The 5% surplus is designed to allow local authorities to meet their statutory duty to provide sufficient school places, yet still enable parents to have some choice of schools.

The impact of falling rolls in certain areas of the borough, reductions in education funding and schools in financial deficit, present a number of challenges. It has therefore been necessary to consider making changes that will ensure we have the right provision in the right place at the right time going forward. Provision that can be well resourced and is of high quality will enable schools to continue to thrive and offer the opportunities that children deserve: a strong curriculum with excellent teaching, enriching activities and a joyful experience at primary school.

In the Stepney catchment area, where Smithy Street and Redlands are located, there are currently 840 reception places available. As of January 2019, 110 places, equating to four FTE classes, were unfilled. Projections indicate this will increase to 141 unfilled places by 2027. In order to give every chance to every child to fulfil their aspirations, starting with a robust education, it is necessary for the LA to manage and support a series of school organisation changes to ensure that we can provide the right number of places in the right area. This should safeguard the high quality provision that exists within our schools, and is being developed in collaboration with school leaders and other key stakeholders.

The work is being planned and supported through the LA’s work with the Tower Hamlets Education Partnership (THEP), which plays a key role in enabling schools to meet the challenge of ensuring that all children and young people in Tower Hamlets achieve the best possible outcomes and can flourish if schools are working in effective partnerships.

See Appendix A

Current decision rating



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Ultimately, access to good quality school places is essential to raising achievement and addressing poverty and inequality in the long term. The reorganisation of school provision and the development of new schools in certain areas of the borough should have a positive impact on all groups by improving accessibility, increasing parental choice and promoting inclusive education.

**Conclusion - To be completed at the end of the Equality Analysis process**

*(the exec summary will provide an update on the findings of the EA and what outcome there has been as a result. For example, based on the findings of the EA, the proposal was rejected as the impact on a particular group was unreasonable and did not give due regard. Or, based on the EA, the proposal was amended and alternative steps taken)*

Based on the findings of the EA, the proposal is robust. The proposal ensures increased equality of opportunity in regards to improved educational outcomes for all Smithy Street and Redlands pupils. This should ensure that these pupils will leave primary education with a robust education, and having had the opportunity to participate in enriching extra-curricular activities

**EA completed by: Elizabeth Freer**

(officer completing the EA)

**EA signed off by:**

(service manager)

**Date signed off:**

(approved)

Service area:

SPP

Team name:

Children and Culture

Name and role of the officer completing the EA:

Elizabeth Freer, Strategy and Policy Manager

**Section 2 – Evidence (Consideration of Data and Information)**

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The following evidence has been considered:

**Engagement evidence**

The schools' governing bodies have undertaken an initial, informal consultation with their communities after forming a steering group consisting of Chairs, deputy Chairs and Headteachers from both schools. They have been supported by an independent consultant. Since July 2018, when the schools were first identified as being "in scope" for review by the local authority, they have met regularly. Both governing bodies agreed to consult in the first half of the Autumn Term 2019, and shared this information with parents and staff, as well as circulating a

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letter about the review to all parents. A consultation document, agreed with the local authority, was circulated via email, paper versions and placed on the school websites. The following meetings have been held:

Smithy Street:

Staff on 30<sup>th</sup> and 3<sup>rd</sup> October 2019

Parents on 24<sup>th</sup> and 25<sup>th</sup> September 2019

Children discussed the proposal in assemblies held on 23<sup>rd</sup> and 30<sup>th</sup> September

Redlands:

Staff on 7<sup>th</sup> October and 9<sup>th</sup> October

Parents on 24<sup>th</sup> and 25<sup>th</sup> September 2019

Children discussed the proposal in assemblies held on 30<sup>th</sup> September and 8<sup>th</sup> October 2019

**Other Evidence**

Ofsted reports

Pupil projections

School census data of Redlands and Smithy Street and London Borough of Tower Hamlets

Demographic data held on current staff and pupils at Redlands and Smithy Street

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### Section 3 – Assessing the Impacts on the Equality Groups

Please refer to the guidance notes and evidence with sources how your proposal impacts upon the equality groups and our Equality Duty (for information on the Public Sector Equality Duty, please refer to section xxx of guidance notes).

**Remember -**

You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations, this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.

Reports/stats/data can be added as an Appendix.

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Equality Groups	Impact			Reason(s)
	What impact will the proposal have on specific groups of service users or staff?	Positive	Neutral	
<b>Protected characteristics</b>				
Age	X			<p>Changing schools during any phase of education can be viewed as possibly disruptive. To ease any possible disruption, the change is proposed to take place between academic years. This will allow the current Year 6 pupils to continue to attend their current school before they transition to secondary school, thereby minimising any potential disruption. It also reduces the amount of pupils affected, as the 120 pupils in year 6 at Smithy and Redlands (60 at each school) will have moved on. Children in Year 2 preparing for SATs will be able to take the tests at their current school in a familiar environment.</p> <p>As the purpose of this proposal is to ensure that all children in the borough have access to sustainable, high quality education, there is a clear benefit for all Smithy Street pupils who are currently at a school which Ofsted have recently judged to “Require Improvement”, dropping from “Outstanding”. Ofsted, the regulatory body</p>

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

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				<p>and sole arbiter of quality, identified that “pupils have gaps in their knowledge. They do not achieve as well as they should.” Conversely, Redlands is graded “Good” with pupils “making strong progress in phonics, mathematics and writing”.</p> <p>11% of pupils at Redlands achieve at a higher standard in reading, writing and maths, compared to 7% at Smithy Street. However, the progress score for maths at Smithy Street is higher than at Redlands, meaning Redlands pupils will benefit from the experience and knowledge Smithy Street staff have. Combining staff and pupils from both schools should enhance the current offer at Redlands, as staff will bring with them additional skills and share best practice.</p> <p>Both schools have been experiencing a decline in pupil numbers from 2015 onwards. In 2015, Redlands received 144 applications, declining to 98 in 2019, representing a decrease of almost 32%. Smithy Street received 174 applications in 2015, compared to 121 in 2019, a decrease of just over 30%. As a school’s financial position is based on the number of children on roll, operating at capacity is imperative to ensure there is the budget to offer a rich curriculum, as well as extra-curricular activities. Joining the two schools will ensure this is possible and therefore improve the already comprehensive offer at Redlands, such as bike training, cooking lessons, running its own newspaper and a woodland school offer for nursery children.</p> <p>The impact on staff, who will also join together to form one staffing structure, will be minimal as there are no redundancies owing to natural wastage. During the informal consultation, parents at both schools identified that joining the two schools will lead to increased staffing levels and other resources, sustainable finances and increased potential for school improvement. Staff fed back similar reasons, and also identified that staffing structures might change. However, staff at both schools have enjoyed also the impact of working more closely. By joining together the two schools, pupils and staff, this will lend itself to the creation of a new staffing structure, with more senior positions. This will create more opportunities for career progression, especially for BAME staff who are currently under-represented in senior leadership roles.</p>
Disability	X			<p>There are 57 pupils on roll with identified Special Educational Needs/Disabilities (SEND) at Redlands, 10 of whom have an Education, Health and Care Plan (EHCP). At Smithy Street, there are 59 children with identified SEND, 18 of whom have an EHCP. No children are in receipt of SEND transport. Although children with SEND may be “disadvantaged” by a change of school, the transition will be eased by the change occurring over the summer holidays. Of the 59 Smithy Street pupils, 6 are in Year 6, so will have moved on to secondary school, as would the 13 year 6 pupils at Redlands.</p> <p>The new school will have a robust, inclusive approach to supporting children with SEND, and teach children</p>

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

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				<p>with SEND alongside their peers, planning lessons to cater for the needs of all children.</p> <p>In order to make sure any unknown special needs are picked up early, all pupils will be assessed within their first half term at school, as is the norm at Redlands currently. There are, and will continue to be, regular assessment and monitoring procedures, including the review of termly assessments, which continue throughout the children’s time at school to look out for any special needs that may develop later.</p> <p>Joining the two schools together will also maximise resources and ensure that all pupils with SEND have access to enhanced provision through the expertise that exists across both schools, and particularly at Redlands where a Speech and Language Therapist is employed to work in school one day a week and an Educational Psychologist is also brought in to work in school. As and when needed, the new school will continue to work with St. Joseph’s Hospice and other local charitable organisations to offer therapeutic support for children, e.g. play therapy for children suffering from significant loss. It will also continue to make best use of local charities such as ‘Stepney Relief in Need’ who offer financial support to families in order for them to access specific resources.</p> <p>Annual Reviews for students with EHCPs will be brought forward to ensure their needs are being met, and will continue to be met. The progress for students with SEND will be regularly reviewed. Support with transitions and integration into Redlands will be offered by the Parent and Family Support Service.</p> <p>As both sites will continue to be used (current entrances are 0.2 miles apart) and accessibility increased, there is minimal impact on pupils and families. The local authority has planned capital investment to ensure that access across both sites is improved and it supports the particular requirements of children with SEND. During the informal consultation period, parents also identified that joining the schools would lead to increased play space. It is unclear whether those parents have children with SEND, but increased access to more space will benefit all children. Using both sites will allow optimal use of classrooms, thereby freeing up budget for other uses.</p>
Sex		X		<p>Redlands and Smithy Street have a similar gender breakdown, with slightly fewer girls than boys: 46% of pupils identify as female at Redlands and 48% at Smithy Street. Therefore, amalgamating the two schools will have a neutral impact – the school demographic will remain similar in terms of gender.</p> <p>More female staff than male are employed at both schools, as is the case with the majority of primary schools in the borough. However, as no staff will face redundancy, and staff at both schools have expressed they are enjoying working closely with one another, there is no negative impact from the proposal to amalgamate.</p>

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Gender reassignment		X		No impact identified.																																																
Marriage or civil partnership		X		No impact identified.																																																
Religion or belief		X		No impact identified - information on religion is not collected as neither school are faith provisions, but instead are non-denominational.																																																
Race		X		<p>Redlands and Smithy Street have a very similar pupil demographic in terms of ethnicity, as evidenced below (data from school census 2018, which is the last validated data available at the moment)</p> <table border="1"> <thead> <tr> <th>Ethnicity</th> <th>Redlands</th> <th>Smithy Street</th> </tr> </thead> <tbody> <tr> <td>Any Other Asian Background</td> <td>3</td> <td>5</td> </tr> <tr> <td>Any Other Ethnic Group</td> <td>8</td> <td>15</td> </tr> <tr> <td>Any Other Mixed Background</td> <td>0</td> <td>2</td> </tr> <tr> <td>Any Other White Background</td> <td>13</td> <td>2</td> </tr> <tr> <td>Bangladeshi</td> <td>378</td> <td>373</td> </tr> <tr> <td>Black - Any Other Black African Background</td> <td>4</td> <td>5</td> </tr> <tr> <td>Black - Somali</td> <td>14</td> <td>18</td> </tr> <tr> <td>Chinese</td> <td>1</td> <td>1</td> </tr> <tr> <td>Indian</td> <td>1</td> <td>1</td> </tr> <tr> <td>Pakistani</td> <td>9</td> <td>9</td> </tr> <tr> <td>Vietnamese</td> <td>3</td> <td>3</td> </tr> <tr> <td>White - British</td> <td>0</td> <td>0</td> </tr> <tr> <td>White and Asian</td> <td>5</td> <td>5</td> </tr> <tr> <td>White and Black African</td> <td>2</td> <td>2</td> </tr> <tr> <td>Total</td> <td>441</td> <td>441</td> </tr> </tbody> </table> <p>Joining the schools will not cause any significant changes to the pupil demographic of the new school. Both schools have a similar proportion of pupils with English as an additional language so will be able to share best practice with how to support children who are bi/multi-lingual. All children upon reaching Key Stage 2 will have access to Spanish lessons, thereby enhancing their language skills and abilities.</p>	Ethnicity	Redlands	Smithy Street	Any Other Asian Background	3	5	Any Other Ethnic Group	8	15	Any Other Mixed Background	0	2	Any Other White Background	13	2	Bangladeshi	378	373	Black - Any Other Black African Background	4	5	Black - Somali	14	18	Chinese	1	1	Indian	1	1	Pakistani	9	9	Vietnamese	3	3	White - British	0	0	White and Asian	5	5	White and Black African	2	2	Total	441	441
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Total	441	441																																																		

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			As with pupils, staff have a very similar demographic in terms of ethnicity:																																													
			<table border="1"> <thead> <tr> <th>Ethnicity</th> <th>Redlands</th> <th>Smithy Street</th> </tr> </thead> <tbody> <tr> <td>Bangladeshi</td> <td>29</td> <td>33</td> </tr> <tr> <td>Indian</td> <td>1</td> <td>1</td> </tr> <tr> <td>Pakistani</td> <td>1</td> <td>0</td> </tr> <tr> <td>Any Other Asian Background</td> <td>1</td> <td>1</td> </tr> <tr> <td>Black Caribbean</td> <td>2</td> <td>0</td> </tr> <tr> <td>White and Asian</td> <td>1</td> <td>2</td> </tr> <tr> <td>White and Black Caribbean</td> <td>0</td> <td>1</td> </tr> <tr> <td>Any Other Mixed Background</td> <td>1</td> <td>0</td> </tr> <tr> <td>White - British</td> <td>23</td> <td>19</td> </tr> <tr> <td>White - Irish</td> <td>3</td> <td>0</td> </tr> <tr> <td>Any Other White Background</td> <td>5</td> <td>0</td> </tr> <tr> <td>Any Other Ethnic Group</td> <td>0</td> <td>1</td> </tr> <tr> <td>Information Not Yet Obtained</td> <td>7</td> <td>9</td> </tr> <tr> <td>Grand Total</td> <td>74</td> <td>67</td> </tr> </tbody> </table>	Ethnicity	Redlands	Smithy Street	Bangladeshi	29	33	Indian	1	1	Pakistani	1	0	Any Other Asian Background	1	1	Black Caribbean	2	0	White and Asian	1	2	White and Black Caribbean	0	1	Any Other Mixed Background	1	0	White - British	23	19	White - Irish	3	0	Any Other White Background	5	0	Any Other Ethnic Group	0	1	Information Not Yet Obtained	7	9	Grand Total	74	67
Ethnicity	Redlands	Smithy Street																																														
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			As there will be no redundancies, but instead increased opportunities for career progression into more senior roles, there is no negative impact on staff. BAME staff, who are currently under-represented in senior positions, will therefore have an increased opportunity to move into said roles.																																													
Sexual orientation		X	No impact identified. No data on sexual orientation collected.																																													
Pregnancy or maternity		X	No impact identified. No data collected.																																													
<b>Other</b>																																																
Socio-economic	X		Approximately 19% of pupils at Smithy Street are eligible for Free School Meals, compared to the slightly higher proportion of 25% at Redlands. BBC Children in Need have given Redlands School a grant to support their breakfast club, and the charity Magic Breakfast provides Redlands School with free bagels, cereals and fruit juice. The current children at Smithy Street will be able to access this if the schools amalgamate. Bringing together the two schools will allow the new school to develop extended provision, such as breakfast and																																													



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				afterschool clubs, and to increase the amount of extra-curricular activities and trips pupils have access to.
Parents/Carers		X		As previously mentioned, the majority of parents who responded to the information consultation by returning forms are positive about the amalgamation, stressing the importance of maintaining a high standard of education was paramount to any change being successful. Their concerns focussed around the cost of a new school uniform, the risk of becoming too big a school and the need to maintain a Redman’s Road entrance. The decision about a new uniform is being undertaken by the governing bodies, which may choose to offer financial assistance. The new school will be bigger in terms of roll, as it will be a 3 form entry school, instead of the current 2 form entry school at both sites. However, this also brings with it the benefits of more staff, and a bigger site. Therefore, the main difference will be more space and more support for the most vulnerable.

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**Section 4 – Statutory Duties**

Tick the relevant box(es) to indicate whether the proposed change will adversely impact on the Council’s ability to meet any aspect of the Public Sector Duty as set out in the Equality Act 2010:

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

If the proposed change adversely impacts on the Council’s ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in Section 5 below.

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**Section 5 - Action Plan**

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

**Example**

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
1. Better collection of feedback, consultation and data sources 2. Non-discriminatory behaviour	1. Create and use feedback forms. Consult other providers and experts  2. Regular awareness at staff meetings. Train staff in specialist courses	1. Forms ready for January 2020 Start consultations Jan 2020  2. Raise awareness at one staff meeting a month. At least 2 specialist courses to be run per year for staff.	1.NR & PB  2. NR	

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**Your action plan**

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress

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## **Section 6 – Monitoring**

Have monitoring processes been put in place to check the delivery of the above action plan and impact on equality groups?





Yes?                      No?


Please state how this will be undertaken.

**NOTE: Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

## **Appendix A**

### **Equality Assessment Criteria**

<b>Decision</b>	<b>Action</b>	<b>Risk</b>
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	<b>Suspend – Further Work Required</b>	<b>Red</b> 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	<b>Further (specialist) advice should be taken</b>	<b>Red Amber</b> 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	<b>Proceed pending agreement of mitigating action</b>	<b>Amber</b> 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	<b>Green:</b> 

<p><b>Cabinet</b></p> <p>29 January 2020</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Neville Murton, Corporate Director of Resources</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>The Council's 2020-21 Budget Report and Medium Term Financial Strategy 2020-23</b></p>	

<b>Lead Member</b>	<b>Councillor Candida Ronald, Cabinet Member for Resources and the Voluntary Sector</b>
<b>Originating Officer(s)</b>	Kevin Bartle, Interim Divisional Director of Finance, Procurement & Audit
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	24 <sup>th</sup> December 2019
<b>Reason for Key Decision</b>	To set the Council's Budget for 2020-21 and MTFS 2020-23
<b>Strategic Plan Priority / Outcome</b>	<ol style="list-style-type: none"> <li>1. People are aspirational, independent and have equal access to opportunities;</li> <li>2. A borough that our residents are proud of and love to live in;</li> <li>3. A dynamic outcomes-based Council using digital innovation and partnership working to respond to the changing needs of our borough.</li> </ol>

## **Executive Summary**

In February 2019 the Council agreed a 3 year budget and Medium Term Financial Strategy (MTFS) for the period 2019-22, including new savings of £15.390m that would need to be delivered to achieve a balanced budget over that period.

As part of the Council's annual budget cycle, Cabinet considered a draft budget report on the 8<sup>th</sup> January that updated the assumptions for the years 2020-22 and incorporated a new financial year, 2022-23, to maintain the Council's three year MTFS.

This report presents the final budget proposals that will be recommended for Full Council approval on the 19<sup>th</sup> February. The assumptions set out in last year's MTFS for 2020-21 have been reviewed and updated to allow Members to agree a balanced budget and Council Tax requirement for that year.

2019-20 was the final year of the government's 'guaranteed' funding settlement and in the light of the continued uncertainty surrounding Brexit the government published on 4 September 2019 a Spending Round (SR2019) for one year only.

A technical consultation covering issues for 2020-21 to inform a provisional Local Government settlement, in accordance with the recommendations of the recent Hudson review, commenced in October 2019. A provisional Local Government Finance Settlement (LGFS) was published on 20<sup>th</sup> December 2019; however the final complete settlement is still to be published.

As a consequence, this budget report includes a number of areas where planning assumptions have needed to be made in advance of the final settlement and it is important to recognise that this creates some uncertainty over the final shape of the Council's proposed budget until the final details are available.

Following receipt of the final settlement, the Chief Finance Officer (CFO) will need to be assured of the robustness of estimates and adequacy of reserves.

As in previous years, officers have evaluated the financial impact of new demographic and inflationary budget pressures in comparison to estimated impacts included for the years 2020-21 and 2021-22 in the previous years' MTFS together with an evaluation of those pressures arising in the newly incorporated year 2022-23; the action that is needed to meet these additional commitments over the existing MTFS assumptions is built into the budget proposals.

A summary of the projected General Fund budget for each of the three years 2020-23 is shown in Appendix 1A with a more detailed service analysis in Appendix 1B.

The report also includes revised assessments of the Dedicated Schools Budget (DSB), Housing Revenue Account (HRA) and the three year Capital Programme 2020-23.

The report also includes the outcome of the Council's 2020-21 budget consultation that ended on the 5<sup>th</sup> December 2019.

## Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve a General Fund Revenue Funding Requirement of £354.496m subject to any changes arising from the final Local Government Finance Settlement.
2. Propose a Band D Council Tax of £1,060.35 for 2020-21 to be referred to Full Council for consideration.
3. Authorise the Corporate Director Resources after consultation with the Mayor and Lead Member of Resources to make any changes required to the budget following the final settlement announcement.
4. Approve the provisional Capital Programme for the period 2020-23; as detailed in Appendix 8 and adopt the associated capital estimates.
5. Approve the 2020-21 Housing Revenue Account budget as set out in Appendix 7.
6. Approve the 2020-21 Management Fee payable to Tower Hamlets Homes (THH) of £32.415m as set out in Table 5.
7. Note that under the Management Agreement between the Council and THH, THH manages delegated income and expenditure budgets on behalf of the Council. In 2020-21, THH will manage delegated income budgets totalling £93.792m and delegated expenditure budgets totalling £93.465m.
8. Approve the 2020-21 Dedicated Schools Budget.
9. Agree that the National Schools Funding Formula (NSFF) adopted by Tower Hamlets in 2019-20 continues for 2020-21. The only changes are increases to the factor values in line with the NSFF.
10. Agree that the Minimum Funding Guarantee (the mechanism that guarantees schools a minimum uplift in per-pupil funding) is set at 1.84%, the maximum allowed.
11. Agree that the structure of the Early Years Funding Formula remains unchanged except that hourly rates will increase in line with the Early Years National Funding Formula.
12. Propose that Council approves no changes to the current Local Council Tax Reduction Scheme for 2020-21.
13. Note the Equalities Impact Assessment and specific equalities considerations as set out in Section 4.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The Council is under an obligation to set a balanced and sustainable budget and to set the Council Tax Levels for the financial year 2020-21 by 9th March 2020 at the latest. The Council's Chief Financial (S151) Officer must confirm the robustness of the estimates applied and the adequacy of the Council's reserves as part of the budget setting report to the Council.
- 1.2 The setting of the budget is a decision reserved for Full Council. The Council's Budget and Policy Framework requires that a draft budget is issued for consultation with the Overview & Scrutiny Committee to allow for their comments to be considered before the final budget proposals are made to Full Council.
- 1.3 The announcements and consultations made about Government funding for the Council in the Chancellor's Spending Round and the technical consultation on the 2020-21 Local Government Finance Settlement require a robust and timely response to enable a balanced budget to be set.
- 1.4 A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.
- 1.5 As the Council develops its detailed proposals it must continue to keep under review those key financial assumptions which underpin the Council's MTFS; in particular as the Council becomes ever more dependent on locally raised sources of income through Council Tax and retained business rates these elements become fundamental elements of its approach and strategies.
- 1.6 The Mayor is required by the Local Government and Housing Act 1989 to determine a balanced Housing Revenue Account (HRA) budget prior to the start of the new financial year. The Council must also approve the Management Fee payable to Tower Hamlets Homes (THH) so that it can fulfil its obligations under the Management Agreement to manage the housing stock on behalf of the Council.
- 1.7 In accordance with Financial Regulations, capital schemes must be included within the Council's capital programme, and capital estimates adopted prior to any expenditure being incurred. This report includes the revised three year Capital Programme 2020-23 and associated capital estimates to be approved.



## **2. ALTERNATIVE OPTIONS**

- 2.1 The Council is required to set an affordable Council Tax and a balanced budget, while meeting its duties to provide local services. This limits the options available to Members. Nevertheless, the Council can determine its priorities in terms of the services it seeks to preserve and protect where possible, and to the extent permitted by its resources, those services it wishes to prioritise through investment.
- 2.2 The Council has a statutory duty to set a balanced HRA and provide THH with the resources to fulfil its obligations under the Management Agreement. Whilst there may be other ways of delivering a balanced HRA, the proposals contained in this report are considered the most effective, in realising all the Council's statutory duties having regard to the matters set out in the report.

## **3. DETAILS OF THE REPORT**

### **3.1 BACKGROUND**

- 3.1.1 In February 2019 the Council agreed a balanced budget for 2019-20 and a Medium Term Financial Plan (MTFP) to 2021-22 identifying additional savings of £15.390m to be delivered over the medium term period. This was done in the context of certainty over government grant funding levels only to the end of March 2020 which is when the government's four year guaranteed funding settlement expires. The estimates for 2020-21 and later years were therefore speculative and reflected a number of significant unknown elements such as any changes arising from a new Spending Review period and a stated intention to implement a 'Fair Funding' review of Local Government finances including the expected introduction of changes to the business rate retention scheme.
- 3.1.2 In the event, the next multi-year Spending Review has been delayed by other Government business and instead the Chancellor of the Exchequer announced a one year Spending Round (in September 2019). This included headline information on the funding levels for Local Government including clarification in respect of a number of separate grant funding streams outside of Revenue Support Grant (RSG) and retained business rates. A provisional Local Government Finance Settlement (LGFS) was then announced on 20 December 2019.
- 3.1.3 This report updates Members on the impact of all of these changes, and identifies the additional growth and savings proposals that will inform consideration of the budget package by the Overview and Scrutiny Committee.
- 3.1.4 The main body of the report has the following sections:
- Strategic Approach (Section 3.2)
  - Medium Term Financial Strategy & Proposed Budget (Section 3.3)
  - Financial Resources (Section 3.4)

- Budget Pressures and Growth Allocations (Section 3.5)
- Savings Proposals (Section 3.6)
- Risks and Opportunities (Section 3.7)
- Reserves (Section 3.8)
- Schools' Funding (Section 3.9)
- Housing Revenue Account (Section 3.10)
- Capital (Section 3.11)
- Treasury Management Strategy (Section 3.12)
- Budget Consultation (Section 3.13)

3.1.5 The key planning assumptions that support the draft budget proposals are set out in the body of the report and in the attached appendices.

3.1.6 In developing these proposals the Council has taken account of the government's previous approaches to measuring the total resources that it believes are available to each Council. This is known as Core Spending Power (CSP) and reflects the government's assumptions for a number of key grants, retained business rates and Council Tax.

3.1.7 The Council's CSP calculation is attached as Appendix 2; the most recent calculation reflects the following:

- Settlement Funding Assessment and Revenue Support Grant – unchanged from the technical consultation.
- New Homes Bonus – an increase from 2019-20 (£19.2m) to 2020-21 (£22.0m).
- Council Tax Requirement (base and levels of growth), and assumptions on the level of assumed Council Tax increases for inflationary purposes.
- Adult social care Winter Pressures Grant rolled into Improved Better Care Fund.
- The additional announcement of one-off funding to support pressures in adults and children social care through the Social Care Grant.

## 3.2 STRATEGIC APPROACH

### Strategic Plan 2019-22

3.2.1 In April 2019 Cabinet agreed a three year Strategic Plan focusing on improving outcomes for local people and delivering sustainable improvements in the way the Council operates. The Strategic Plan is designed to reflect and deliver the Mayor's manifesto. The Plan is refreshed annually to ensure it is aligned with emerging priorities for the organisation and borough. The Council's vision is to work with the community for a fairer, cleaner and safer borough. The Council is focused on becoming a dynamic outcome based organisation using digital innovation and partnership working to respond to the changing needs of our borough. This renewed focus on outcomes requires us to think differently. Working together across traditional organisational boundaries, we need a relentless focus on what has the biggest impact on outcomes. This needs us to question not only how our services are performing, but also whether we are doing the right things to deliver the impact

needed. The Strategic Plan embeds Outcomes Based Accountability and Budgeting (OBA/OBB) in our planning and performance approach for 2020-21.

3.2.2 In line with this approach, the Council’s priorities and outcomes are set out in the table below:

**Table 1 – Strategic Priority Outcomes**

<b>Priority 1: People are aspirational, independent and have equal access to opportunities</b>	
Outcomes we want to achieve	People access a range of education, training, and employment opportunities.
	Children and young people are protected so they get the best start in life and can realise their potential.
	People access joined-up services when they need them and feel healthier and more independent.
	Inequality is reduced and people feel that they fairly share the benefits from growth.
<b>Priority 2: A borough that our residents are proud of and love to live in</b>	
Outcomes we want to achieve	People live in a borough that is clean and green.
	People live in good quality affordable homes and well-designed neighbourhoods.
	People feel safer in their neighbourhoods and anti-social behaviour is tackled.
	People feel they are part of a cohesive and vibrant community.
<b>Priority 3: A dynamic, outcomes-based Council using digital innovation and partnership working to respond to the changing needs of our borough</b>	
Outcomes we want to achieve	People say we are open and transparent putting residents at the heart of everything we do.
	People say we work together across boundaries in a strong and effective partnership to achieve the best outcomes for our residents.
	People say we continuously seek innovation and strive for excellence to embed a culture of sustainable improvement.

3.2.3 The Council’s approach to delivering services going forward are underpinned by the following transformation principles;

- Achieve the best outcomes for our residents by integrating services across the council and partners to make the most of the money we have.
- Become a modern council with new ways of working and an agile workforce that is supported by the necessary infrastructure now and at our new home in Whitechapel.

- Use technology and information to provide better services and empower our citizens so they take a more active role in their area and co-design services.
- Reduce future demand on the council through measures including better forecasting of need, supporting independent living and providing early intervention to prevent problems escalating in later life.
- Harness economic growth that benefits our residents by making it simple for businesses to set up and invest in our borough.

3.2.4 The Council's approach to strategic and financial planning has been informed by an understanding of the opportunities and potential in the borough. This includes:

- Ongoing economic growth and a rising employment rate;
- A vibrant population with a high proportion of young people;
- An active voluntary and community sector; and
- A partnership committed to collaborative working around priority outcomes.

3.2.5 It also recognises that there are longer term challenges which need to be addressed by working with the community to create a fairer, cleaner and safer borough. These challenges include:

- Growth and development impacting on local infrastructure and services;
- Lower employment levels, particularly for women and some ethnic minorities;
- Significant child poverty and the impact of welfare benefit reductions;
- Local people priced out by spiralling housing prices, and the danger of a polarised community;
- Climate change and air quality affecting the way residents live their lives now and in the future;
- Low levels of health and life expectancy; and
- The need to be vigilant and tackle the potential for radicalisation and extremism.

### 3.3 **MEDIUM TERM FINANCIAL STRATEGY & PROPOSED BUDGET**

3.3.1 The revised Medium Term Financial Strategy is set out in Appendix 1A, and the detail by service area in Appendix 1B. The detailed figures and assumptions incorporated in these tables are explained more fully in this report. The figures assume a Council budget requirement of £354.496m for 2020-21; a Council Tax at Band D of £1,060.35 and a net transfer from reserves of £1.740m in 2020-21.

#### **Spending Round 2019**

3.3.2 The 4-year funding settlement agreed with the Government expires at the end of the current financial year. The government previously stated its intention to hold a new Spending Review in 2019, covering the period 2020-21 to 2023-24. However, due to the government's focus on other legislative agendas, it was announced on 4th September 2019 that a one-year Spending Round

would be provided, covering the financial year 2020-21 only; and that this would be followed in 2020 by a full Spending Review, reviewing public spending as a whole and again setting multi-year budgets.

3.3.3 The government has indicated that it projects that Core Spending Power (CSP) will increase by £2.9bn in 2020-21, a real terms increase of 4.3% (i.e. a cash increase of 6.2%). This compares to a cash increase in CSP of £1.7bn between 2015-16 to 2019-20.

3.3.4 Within this, the government has indicated that there will be £1bn for Social Care, which will be in addition to grants of £2.5bn already being paid, which might be taken to include the current Improved Better Care Fund (IBCF), Winter Pressures Grant and Social Care Support grant. In addition, the government has consulted on a further 2% Adult Social Care Precept for 2020-21 and the provisional LGFS indicates this level of precept will be agreed.

### **Local Government Finance Settlement (LGFS) 2020-21**

3.3.5 A provisional LGFS was published on 20<sup>th</sup> December 2019, however the final settlement has not been received to date. The MTFs includes consideration of the provisional settlement and these assumptions will be revised as soon as we receive the final settlement information.

### **Fair Funding Review and Business Rates Reset**

3.3.6 The Fair Funding Review and Business Rates Reset will be deferred until 2021-22 however, the government has announced that the London 75% Business Rate pilot will come to an end in March 2020.

3.3.7 Notwithstanding this, the Leaders of all London Councils together with the Greater London Authority (GLA) intend to continue with the London wide pooling arrangement for 2020-21, permissible under the original business rate retention scheme. This allows for the offset of the top-up and tariff position of each authority in the pool.

## **3.4 FINANCIAL RESOURCES**

### **Council Tax**

3.4.1 Council Tax income is a key source of funding for Council Services. The amount generated through Council Tax is principally determined by the Council Tax Base (the number of properties adjusted for exemptions and discounts) the rate of charge per property and the collection rate.

3.4.2 The borough has seen a year-on-year increase in the number of new homes over the last few years and this continues to be a key priority area for growth for both central government and the Council.

- 3.4.3 The Council can, subject to legislative constraints, increase its Council tax rate through two mechanisms; the Adult Social Care precept and general inflationary increases. Each 1% increase in the Council Tax rate generates around £1m per annum, which equates to approximately 20 pence per week for the average Band D property. In the Spending Round the Chancellor announced that the referendum level (which excludes amounts attributable to the Adult Social Care precept) will be set at a level of up to 2% - a fall from previous levels and reflecting the government's broad view of inflation and an assumed rise of 1.99% which is now reflected in their calculation of Core Spending Power (CSP).
- 3.4.4 For the Adult Social Care (ASC) precept, the government consulted on a maximum increase of 2% and have indicated in the provisional LGFS that this level will be agreed for 2020-21. The increase in Council Tax attributable to the ASC precept must be directed towards Adult Social Care pressures.
- 3.4.5 Currently Tower Hamlets has one of the lowest Council Tax rates across the 33 London Boroughs. It is likely that even after implementing the proposed increase for the ASC precept this year, the Council will continue to have one of the lowest Council Tax rates in London.
- 3.4.6 A general inflationary increase of 1.99% is proposed over all years of the MTFS. This equates to 39 pence per week for the average Band D property. A 2% increase in the ASC precept is also proposed and included in all years of the MTFS. Taking all of these factors into account it is proposed to increase the Council Tax by 3.99% in 2020-21. This equates to an increase of 78 pence per week (2% ASC and 1.99% Inflation).
- 3.4.7 Taking into account the forecast growth in tax base and decisions around rate increases referred to above, the Council's share of Council Tax income in 2020-21 is estimated to be £108.438m and this has been built into the proposed Budget for 2020-21.

#### **Local Council Tax Reduction Scheme (LCTRS) 2020-21**

- 3.4.8 Following a full public consultation, the council introduced changes to its Local Council Tax Reduction Scheme last year, effective from April 2019.
- 3.4.9 Each year, the council is required to consider whether it wishes to change its Local Council Tax Reduction Scheme. Any changes to the scheme would require a full public consultation and impact analysis.
- 3.4.10 As part of the Medium Term Financial Strategy refresh and budget planning for 2020-21, Cabinet decided on 8 January to maintain the existing 100% Local Council Tax Reduction Scheme for 2020-21 protecting our residents on low incomes.
- 3.4.11 It is, therefore, recommended that the current Local Council Tax Reduction Scheme should remain unchanged for 2020-21.

3.4.12 The reasons for this are:

- The current scheme was adopted after full public consultation
- The current scheme is a 100% scheme and remains amongst the most generous in the UK protecting Tower Hamlets residents on low incomes

### **Settlement Funding Assessment and Revenue Support Grant**

3.4.13 Settlement Funding Assessment (SFA) reflects the government's current approach to funding most local authorities through Revenue Support Grant (RSG) and retained business rates.

3.4.14 Each authority's SFA is based on a needs assessment established at the beginning of the funding arrangements and thereafter reflecting the impact primarily of government funding reductions. The Baseline Funding Level represents the amount of retained business rates that the government expects each local authority to generate assuming no increase in the tax base since the scheme inception (i.e. it continues to increase only in line with the increase in the relevant business rate multiplier).

3.4.15 The difference between SFA and the Baseline Funding Level is the amount of RSG an authority receives. For Tower Hamlets this calculation is shown below.

**Table 2 – Provisional Settlement Funding Assessment 2020-21**

<b>Provisional Settlement Funding Assessment</b>	<b>£m</b>
Settlement Funding Assessment (SFA)	145.3
Baseline Funding Level (BFL)	111.5
Revenue Support Grant (RSG)	33.8

### **Business Rates Retention Scheme**

3.4.16 In 2018-19 and 2019-20, the Council participated in a London-wide Business Rates Retention Pilot scheme. In the 2019 Spending Round it was announced that the London pilot scheme would not exist in 2020-21.

3.4.17 However, on the 8<sup>th</sup> October 2019 the Leader's Committee at London Councils agreed to pool business rates in 2020-21 under the original business rates pool provisions. This allows for the offsetting of individual authorities top-up and tariff payments. The estimated net benefit to the Council from this arrangement is £1.4m.

### **Core Grants**

3.4.18 In addition to Revenue Support Grant (RSG), the Council receives a number of other grants to support specific service priorities. The estimated value of

these grants are summarised in the table below and further details on how they have been treated in the MTFS are provided in the sections that follow:

**Table 3 – Summary Core Grants 2020-23**

<b>Core Grants</b>	<b>2020-21 £m</b>	<b>2021-22 £m</b>	<b>2022-23 £m</b>
New Homes Bonus	21.981	9.992	3.812
Improved Better Care Fund (includes previous Winter Pressures Grant)	16.316	16.316	16.316
Public Health Grant	35.045	35.746	36.461
Social Care Grant (includes previous Social Care Support Grant)	9.367	2.500	2.500
<b>Total Core Grants</b>	<b>82.709</b>	<b>64.554</b>	<b>59.089</b>
NHB transferred to reserves	(15.999)	(6.810)	(0.630)
<b>Total Core Grants (Revenue)</b>	<b>66.710</b>	<b>57.744</b>	<b>58.459</b>

### **New Homes Bonus**

- 3.4.19 The New Homes Bonus (NHB) scheme was introduced in 2011-12 as a means to help tackle the national housing shortage. The scheme was designed to reward those authorities who increased their housing stock either through new build or by bringing empty properties back into use.
- 3.4.20 The Council reduced its reliance on NHB as a funding source in support of its revenue budget since 2016-17. Of the £22.0m NHB the Council expects to receive in 2020-21, £6.0m will be used to support the revenue budget. This includes £2.8m from the increase in NHB from 2019-20 (£19.2m) to 2020-21 (£22.0m). The MTFS allocates £3.2m NHB to support the revenue budget in 2021-22 and 2022-23.
- 3.4.21 The provisional LGFS indicates NHB decreasing to £10.0m in 2021-22, £3.8m in 2022-23 and nil in 2023-24. It is expected that decreases in NHB will be re-allocated nationally into grant funding such as the Revenue Support Grant and other core grants.

### **Improved Better Care Fund and Winter Pressures Grant**

- 3.4.22 The Better Care Fund (BCF) was introduced in the 2013-14 spending review. The Fund is a pooled budget, bringing together local authority and NHS funding to create a national pot designed to integrate care and health services.
- 3.4.23 In addition to this, an Improved Better Care Fund (IBCF) was announced in the 2016-17 budget to support local authorities to deal with the growing health and social care pressures during the period 2017-20. The Spending Round



2019 confirmed the continuation of this grant for a further year in 2020-21. This funding takes into account local authorities' ability to raise resources locally through the Adult Social Care precept.

- 3.4.24 In the Chancellor's 2019-20 Budget, £240m of additional funding was announced for Councils to spend on adult social care services to alleviate winter pressures on the NHS. This Winter Pressures Grant funding was allocated using the existing Adult Social Care Relative Needs Formula. The provisional LGFS has indicated that for 2020-21, the Winter Pressures Grant allocations will be rolled into the pooled allocation for the Improved Better Care Fund, and will no longer be ring-fenced for alleviating winter pressures. As in the previous year the Corporate Director for Health, Adults and Community will identify appropriate interventions in consultation with the Clinical Commissioning Group (CCG) and other relevant partners.

### **Public Health Grant**

- 3.4.25 The Public Health Grant allocation for 2020-21 has not been confirmed. The government has, however, announced its intention to increase the overall level of the national grant by the level of the GDP deflator (1.84%).
- 3.4.26 The provision for free school meals to all primary aged children over and above the current government policy of funding for Key Stage 1 pupils will continue to be partly supported from the public health grant. The total cost to the Council is estimated to be approximately £3m per annum and £1m has been included in the MTFS to be funded from the Public Health grant with the balance to be funded from an earmarked reserve in line with the Council's strategic priorities to support our young people.

### **Social Care Grant**

- 3.4.27 In the Chancellor's 2019-20 budget, £410m of additional funding was announced for use for adult and children's social services. The Spending Round 2019 indicated that there will be additional Social Care funding of up to £1.5bn in total for 2020-21, partly delivered through grant (over and above funding currently received in 2019-20) and through an additional year of Adult Social Care Precept. The government believes there is not a single bespoke needs formula that can be used to model relative needs for both adult and children's social care, therefore the existing Adult Social Care Relative Needs Formula will also be used to distribute this Social Care Support Grant funding.
- 3.4.28 The provisional LGFS indicates that the previous Social Care Support Grant allocations will be rolled into a new Social Care Grant for 2020-21. In the absence of the final LGFS and grant determination, the MTFS currently assumes a one-off increase in 2020-21 to £9.4m from the 2019-20 Social Care Support Grant allocation of £2.5m.

### **3.5 BUDGET PRESSURES, GROWTH AND INFLATION**

#### **Budget pressures**

- 3.5.1 A key part of the annual budget setting process is the review of growth pressures across the Medium Term Financial Strategy period arising from demographic changes, new requirements or responsibilities or inflationary pressures.
- 3.5.2 In previous budget setting rounds, the Council approved amounts for unavoidable growth over the period 2020-22. Following a review as part of updating the MTFs for the period 2020-23, some additional growth pressures arising from demographic changes, new requirements or responsibilities have been identified. These items are set out in Appendix 3 and have been built into the budget proposal presented in this report.

#### **Inflation**

- 3.5.3 In addition to the budget pressures identified above, a further financial risk facing the Council is the impact of inflation.
- 3.5.4 The Government's target projection for inflation which is reflected in the MTFs is 1.7% (CPI) throughout the MTFs period. Most of the Council's contracts for goods and services which span more than one year contain inflation clauses and although service directorates have been successful in negotiating annual increases which are below inflation this will be a difficult position to maintain.
- 3.5.5 The Council remains part of the National Joint Council for Local Government Services for negotiating pay award arrangements. The MTFs anticipates that staffing costs will increase by at least 2% in each year of the three year plan.
- 3.5.6 The estimated impact of inflation is also set out in Appendix 3.

### **3.6 SAVINGS PROPOSALS**

- 3.6.1 In 2019-20 the Council approved savings covering the whole of the period of the MTFs which ensured that a balanced budget for 2020-21 and 2021-22 was already in place. Detailed consultation and impact assessments will continue to be undertaken as the proposals agreed previously are taken through to implementation.
- 3.6.2 However, there have been a number of changes made to the 2020-22 budget assumptions, largely to take account of the revised analysis of demographic growth requirements and, after a re-assessment, the expected deliverability and timescales of savings. This has resulted in the need to reprofile £5.4m of 2020-21 savings to later financial years, mainly to allow for the planned contractual efficiencies to be delivered in line with procurement timescales, greater commercialisation opportunities to be developed and information technology improvements to become embedded.

### **Prior year savings written off - £3.8m**

- 3.6.3 The following previously agreed savings are no longer deliverable and it is proposed in this budget that these are now written off;
- Better targeting of services for children with special educational need and disabilities (SEND) ref: CHI005/17-18 (£0.940m) – Savings made in this area will be attributable to the Dedicated Schools Budget, instead of the General Fund.
  - Increasing the involvement of partners in Early Years services ref: CHI003/17-18 (£2.408m) - Savings made in this area will be attributable to the Dedicated Schools Budget, instead of the General Fund.
  - Pan-London Homelessness Prevention Procurement Hub (“Capital Letters”) ref: SAV/PLA003/19-20 (£0.200m) – Savings made in this area will be attributable to the Housing Revenue Account (HRA), instead of the General Fund.
  - Income Through Wi-Fi Concession Contract ref: SAV/RES07/18-19 (£0.300m) - This saving related to revenues generated from the rental of street furniture that was anticipated from the exclusive concession award for Wi-Fi. This approach has now been abandoned based on independent legal advice received. Despite this, the Council has made significant progress in delivering publicly accessible Wi-Fi at Council office buildings, Idea Stores, libraries and youth centres.
- 3.6.4 New savings have been identified for 2020-21 as well as future years. The high level summary of the proposed saving areas are detailed in Appendix 4. The 2020-21 budget position is balanced, albeit with the planned use of reserves to fund short-term priority investments agreed in earlier budget rounds.
- 3.6.5 The business rates income for Tower Hamlets since 2013-14 has included an extra amount of income to reward the level of local growth that has occurred since 2013-14 (the incentivising of growth by government by allowing local councils to retain a share of the growth). A proposed business rates reset by the Ministry of Housing, Communities and Local Government means that the baseline level will be raised in 2021-22 to the current level of business rates, and, therefore, Tower Hamlets will only retain extra income for growth that occurs above the new baseline expected level.
- 3.6.6 The effect of the business rate baseline reset is not confirmed, however the current estimate for Tower Hamlets is that business rates income could reduce by circa £16m in 2021-22 and we have, therefore, planned on that basis. New savings identified across 2021-23 reduce the MTFs impact of this estimated income reduction, however there remains a budget gap in both 2021-22 and 2022-23. Work is already underway to develop transformational Council-wide savings to eliminate this medium term budget gap.

## **Income generation through fees and charges**

- 3.6.7 The current MTFS assumes that an additional £0.570m of general fund income will be generated through the Fees and Charges changes proposed for 2020-21. This contributes £0.125m estimated extra income to the 2020-21 MTFS position above the £0.445m allocated to the existing Debt Management & Income Optimisation savings target. The MTFS assumes further increases in fees & charges income for 2021-22 (£0.545m) and 2022-23 (£0.420m).

## **3.7 RISKS AND OPPORTUNITIES**

- 3.7.1 When setting the draft MTFS, Service Directors have provided their best estimate of their service costs and income based on the information currently available to them. However there will always be factors outside of the Council's direct control which have the potential to vary the key planning assumptions that underpin those estimates.
- 3.7.2 There are a number of significant risks that could affect either the level of service demand (and therefore service delivery costs) or its main sources of funding. In addition, there are general economic factors, such as the level of inflation and interest rates that can impact on the net cost of services going forward. Pressures in service demand are demonstrated in the Council's projected overspend for 2019-20, especially for children's and adults social care and special educational needs transport. A recovery plan is in place with the aim to reduce spend where appropriate, with a view to eliminating or at least minimising the need for a drawdown of general fund reserves.
- 3.7.3 Similarly there are opportunities to either reduce costs or increase income which will not, as yet, be fully factored into the planning assumptions. The main risks and opportunities are summarised below.

### **Risks**

#### **Regulatory Risk**

- **Business Rate Reset** – A proposed business rates reset by the Ministry of Housing, Communities and Local Government (MHCLG) means that the baseline level will be raised in 2021-22 to the current level of business rates, and therefore Tower Hamlets will only retain extra income for growth that occurs above the new baseline expected level.
  - The target business rates amount since 2013-14 was set on cash amounts received in previous years. This created winners and losers depending on the timing of appeals. Tower Hamlets benefited from the methodology chosen, plus has benefitted from growth achieved locally since 2013-14.
  - It was always MHCLG's intention to update the target amounts. This was supposed to happen in 2019-20, so Tower

Hamlets has gained by a further two years. Resets will occur periodically going forward also.

- The growth is not lost to MHCLG, but will be redistributed based on need (within the funding formula) and Tower Hamlets will receive a share. Also Tower Hamlets should receive more resources going forward, if local growth continues.
- The forecast reduction in business rates income for the Council in 2021-22 has been factored into our planning.

## **General Economic Factors**

- **Impact of decision to leave European Union (Brexit)** - London Boroughs are still determining the impact of leaving the EU under a range of scenarios. Some of the key points to consider whether financial provision may be required are:-
  - Potential workforce impact arising from direct or indirect employment of EU nationals.
  - Supply chains could be affected by any changes in procurement legislation, and there are potential cost implications associated with currency fluctuations that must be considered.
  - The implications for pension funds are mixed as global investment vehicles have already priced in much of the uncertainty, but valuations on balance sheets and the cost of borrowing may lead to greater vulnerability.
  - Commercial strategies may need to take into account the potential for any downturn in demand for properties in their investment portfolios which impact rental income and profitability.
- **Fair Funding Review** - The government has committed to reforming the way local authorities are funded. Its Fair Funding Review aims to introduce a new funding formula from April 2021.
- The government has said that the Fair Funding Review will:
  - set new baseline funding allocations for local authorities;
  - deliver an up-to-date assessment of the relative needs of local authorities;
  - examine the relative resources available to local authorities;
  - focus initially on the services currently funded through the local government finance settlement;
  - be developed through close collaboration with local government to seek views on the right approach.
- It is considered likely that London authorities will be adversely affected by the changes and it is therefore sensible to plan for a variation in funding levels even after allowing for transitional arrangements.

#### Other risks

- Economic growth slows down or disappears
- A general reduction in debt recovery levels
- Further reductions in Third Party Funding
- Further reductions in grant income
- Reductions in the level of income generated through fees and charges
- Increase in fraud

#### **Increases in Service Demand**

- Children's Social Care including an increase in the number of looked after children, unaccompanied asylum seekers or those with no recourse to public funds
- Housing (and homelessness in particular)
- General demographic trends (including impact of an ageing population)
- Impact of changes to Welfare Benefits

#### **Efficiencies and Savings Programme**

- Slippage in the expected delivery of the savings programme
- Non delivery of savings remains a key risk to the Council and will be monitored during the year

#### **Opportunities**

- Growth in local taxbase for both housing and businesses
- Service transformation and redesign including digital services
- Invest to save approach to reduce revenue costs
- Income generation opportunities including through a more commercial approach.

3.7.4 In addition to the above there is a risk that the combined impact of some of these factors will adversely impact on service standards and performance.

### 3.8 **RESERVES**

3.8.1 Reserves are an important part of the Council's financial strategy and are held to create long-term budgetary stability. They enable the Council to manage change without undue impact on the Council Tax and are a key element of its financial standing and resilience.

3.8.2 The Council's key sources of funding face an uncertain future and the Council, therefore, holds earmarked reserves and a working balance in order to mitigate future financial risks.

3.8.3 There are two main types of reserves:

- Earmarked Reserves – which are held for identified purposes and are used to maintain a resource in order to provide for expenditure in a future year(s); and

- General Reserves – these are held for ‘unforeseen’ events
- 3.8.4 The Council maintains reserves both for its General Fund activities and in respect of its Housing Revenue Account (HRA). In addition it accounts for the reserves of schools.
- 3.8.5 The amount of reserves held is a matter of judgment which takes into account the reasons why reserves are maintained, and the Council’s potential financial exposure to risks. A Reserves Policy is included in Appendix 5.
- 3.8.6 The Council holds reserves in order to mitigate future risks, such as increased demand and costs; to help absorb the costs of future liabilities; and to enable the Council to resource policy developments and initiatives without a disruptive impact on Council Tax. Capital reserves play a similar role in funding the Council’s capital investment strategy.
- 3.8.7 The Council also relies on interest earned through holding cash and bank balances to support its general spending plans.
- 3.8.8 Reserves are one-off money and, therefore, the Council generally aims to avoid using reserves to meet on-going financial commitments other than as part of a sustainable budget plan. The Council has to balance the opportunity cost of holding reserves in terms of Council Tax against the importance of interest earning and long term future planning.
- 3.8.9 Reserves are therefore held for the following purposes:
- Providing a working balance i.e. Housing Revenue Account and General Fund.
  - Smoothing the impact of uneven expenditure profiles between years e.g. local elections, structural building maintenance and carrying forward expenditure between years.
  - Holding funds for future spending plans e.g. Capital Expenditure plans, and for the renewal of operational assets e.g. Information Technology renewal.
  - Meeting future costs and liabilities where an accounting ‘provision’ cannot be justified.
  - Meeting future costs and liabilities so as to cushion the effect on services e.g. the Insurance Reserve for self-funded liabilities arising from insurance claims.
  - To provide resilience against future risks.
  - To create policy capacity in a context of forecast declining future external resources.
- 3.8.10 All earmarked reserves are held for a specific purpose. A summary of the movement on each reserve is published annually, to accompany the annual Statement of Accounts.
- 3.8.11 The use of some reserves is limited by regulation e.g. reserves established through the Housing Revenue Account can only be applied within that account

and the Car Parking reserve can only be used to fund specific transport related expenditure. Schools reserves are also ring-fenced for their use.

### **3.9 SCHOOLS' FUNDING**

- 3.9.1 The largest single grant received by the Council is the Dedicated Schools Grant (DSG), which is ring-fenced to fund school budgets and services that directly support the education of pupils. The Local Authority receives its DSG allocation gross (including allocations relating to academies and post 16 provision), and then the Education & Skills Funding Agency (ESFA) recoups the actual budget for these settings to pay them direct, leaving a net Local Authority allocation.
- 3.9.2 The methodology for allocating the DSG to local authorities changed significantly in 2018-19. The DSG is now allocated through four blocks: The Schools Block (SB), Central School Services Block (CSSB), High Needs Block (HNB) and Early Years Block (EYB). A new national funding formula was introduced in 2018-19 with the Early Years Block funded by a new national formula from 2017-18.
- 3.9.3 Responsibility for agreeing the DSG is split between Tower Hamlets' Schools Forum and the Council. The former agrees any transfers between blocks, de-delegation (see 3.9.13), the allocation of the CSSB and approves any centrally retained budgets within the EYB. The Council agrees the schools and early years funding formulae and the use of the HNB.
- 3.9.4 As in 2019-20 the Schools Block allocation will be calculated on the basis of the national school funding formula reforms but will be aggregated and allocated to each Local Authority for local decisions on distribution.
- 3.9.5 In December 2019 the ESFA published the DSG allocations for 2020-21. These are the final allocations for the Schools Block and Central Services Block but the High Needs Block will be subject to minor adjustments during the year. The Early Years Block allocation is still based on January 2019 data and will be updated when the January 2020 pupil numbers become available.
- 3.9.6 Three of the four DSG blocks have increased for 2020-21. The Schools Block has increased by 1.60% despite a 0.19% fall in pupil numbers. This represents an increase of 1.84% per pupil (the funding floor) once a reduction in the funding for future growth is taken into account. Growth in the provisional Early Years Block is 0.14%, but when updated for January 2020 data this is expected to reflect a 1.84% uplift per child. The funding floor is set at the level of the GDP deflator and therefore only covers inflation. The High Needs Block shows an increase of £7.7m (15.26%).
- 3.9.7 There are a number of continuing pressures, specifically in relation to the High Needs Block which is managed by the Council for those pupils with needs that cannot be fully met from mainstream schools' individual budgets. The Government has extended the scope of the High Needs funding to cover educational costs of children and young people up to the age of 25. This



expansion of the age range, coupled by an increase in the number of children who are applying for Education, Health and Care plans places significant pressure on both the retained budget and schools' own budgets.

- 3.9.8 The High Needs Block overspent by £7m in 2018-19, offset by underspends in other blocks to give a net DSG overspend of £4.5m. Despite action to find savings the HNB overspend is projected to increase to £9.3m in 2019-20.
- 3.9.9 The increase in the High Needs Block for 2020-21 will go some way to ease the pressure but is not in itself sufficient to remove it. Various savings in the block have been identified, including reductions in central services and the Council has also consulted on reductions in special needs top-up funding.
- 3.9.10 Tower Hamlets' Schools Forum has agreed to a transfer of the £1.031m headroom available in the 2020-21 Schools Block to the High Needs Block. Transfers can only be made on an annual basis. The headroom is what remained in the Schools Block after mirroring the uplift in the National Schools Funding Formula (NSFF) and applying the maximum Minimum Funding Guarantee (MFG).
- 3.9.11 The level of top-up in Tower Hamlets is high compared to similar local authorities. A limiting factor in reductions to top-up funding for special schools is the recently imposed change to the Minimum Funding Guarantee (MFG), effectively prohibiting reductions to special school top-up funding without the approval of the secretary of state.
- 3.9.12 The Central Schools Services Block (CSSB) was introduced in 2018-19 to fund LAs for their statutory duties relating to maintained schools and academies. The CSSB brings together funding previously allocated through the retained duties element of the Education Services Grant; funding for ongoing central functions e.g. admissions; and funding for historic commitments e.g. items previously agreed locally, such as combined budgets. There is a significant reduction of £0.61m (12.7%) in this block for 2020-21. The reduction is partly due to the move to a national funding formula for this block but more significantly to a fall in provision for historic commitments that are expected to be reducing.
- 3.9.13 In addition to the Central Schools Services Block, maintained schools can also, through the Schools Forum, agree to de-delegate some of their Schools Block resources for certain specific services such as to fund release time for trade union duties and allow the Local Authority to fund them centrally on behalf of all schools. De-delegation also covers contributions to support the former Education Services Grant (ESG) general duties. Although the ESG was discontinued by the government in 2017, the Council is obliged to carry out a number of statutory duties, for example in relation to financial regulation, asset management and the provision of information to government departments and agencies. Schools Forum in January 2020 agreed the funding to be de-delegated.

## School Improvement Monitoring and Brokering Grant

- 3.9.14 In November 2016, the government announced a £50m fund for local authorities to “continue to monitor and commission school improvement for low-performing maintained schools”. This is allocated to local authorities on the basis of the number of maintained schools, an area cost adjustment and top-up to ensure each local authority receives a minimum. The Council has been allocated £0.372m for 2019-20 and assumes this will continue for 2020-21 onwards.
- 3.9.15 This partly replaced the former Education Services Grant which previously secured the authority £3.8m in 2016-17 and £2.7m in 2017-18 and therefore represents a reduction in government grant funding.
- 3.9.16 The table below sets out the December 2019 DSG allocation over the funding blocks for 2020-21.

**Table 4 - Dedicated Schools Grant 2020-21 and 2019-20**

<b>Block</b>	<b>2020-21 £m</b>	<b>2019-2020 £m</b>	<b>Change £m</b>
Schools Block	264.819	260.646	4.173
CSSB	4.200	4.811	(0.611)
High Needs Block	58.524	50.777	7.747
Early Years Block	29.658	29.617	0.041
<b>Total</b>	<b>357.200</b>	<b>345.851</b>	<b>11.350</b>

- 3.9.17 Table 5 sets out the proposed Schools Budget for 2020-21 following Forum decisions.

**Table 5 – Schools Budget**

Schools Budget	2020-21 £m
1.0 Schools Block (including Growth Fund and Post 16)	274.953
1.1 De-delegated Items (Schools Block)	1.714
1.2 High Needs Block	59.555
1.3 Early Years Block	29.658
1.4 Central School Services Block	4.200
<b>Total</b>	<b>370.080</b>
Funding Sources	2020-21 £m
1.7.1 DSG (After Recoupment)	(288.084)
1.7.3 ESFA Post 16 Funding (Indicative)	(12.880)
1.7.5 Academy Recoupment (Indicative)	(65.330)
1.7.5 High Needs Block Recoupment	(3.786)
<b>Total</b>	<b>(370.080)</b>

3.9.18 In addition the Council receives, and passports fully to schools, funding for the pupil premium (£16.8m 2019-20). Final allocations for the pupil premium will be confirmed in July 2020 and 6th form funding in March 2020.

**3.9.19 Additional funding for SEN**

3.9.20 Capital provision to expand special needs provision has been programmed for the years 2018-19 to 2020-21. For Tower Hamlets this totalled £6.015m.

**Tower Hamlets' Funding Formulae**

3.9.21 The agreement of the local Schools Funding Formula and Early Years Funding Formula is a decision for the Council following consultation with the Schools Forum. Forum has been consulted on both and endorsed the following recommendations for 2020-21. Cabinet is asked to formally agree these recommendations:

- That the National Schools Funding Formula (NSFF) adopted by Tower Hamlets in 2019-20 continues for 2020-21. The only changes are increases to the factor values in line with the NSFF.
- That the Minimum Funding Guarantee (the mechanism that guarantees schools a minimum uplift in per-pupil funding) is set at 1.84%, the maximum allowed.

- That the structure of the Early Years Funding Formula remains unchanged except that hourly rates will increase in line with the Early Years National Funding Formula.

### **3.10 HOUSING REVENUE ACCOUNT (HRA)**

3.10.1 The Housing Revenue Account (HRA) relates to the activities of the Council as landlord of its dwelling stock. Since April 1990 the HRA has been “ring-fenced”. This means that any surplus or deficit on the Housing Revenue Account cannot be transferred to the General Fund. The HRA must also remain in balance.

3.10.2 From April 2012, the HRA subsidy grant was abolished and replaced by self-financing, under which local authorities retain all rental income, but are responsible for meeting all costs relating to Council housing.

#### **2020-21 Rent Increase**

3.10.3 Section 23 of the Welfare Reform and Work Act forced local authorities to implement a rent reduction of 1% for four years starting in 2016-17. The last year to which the rent reduction applies is 2019-20.

3.10.4 In September 2018 the government published a consultation entitled ‘Rents for social housing from 2020-21’ in which it set out its proposals for social rent policy from 2020-21. The proposals are that the Regulator of Social Housing’s rent standard will, from 2020-21, apply to local authorities. This will mean that, in common with other Registered Providers (RPs), local authorities will be permitted to increase their rents by a maximum of CPI + 1% for at least five years. In line with this updated rent policy, the Mayor in Cabinet agreed on 8<sup>th</sup> January 2020 that a rent increase of CPI + 1% be implemented from the first rent week in April 1<sup>st</sup> 2020.

3.10.5 The current year’s estimate for rent income is £64.600m. As a result of the rent increase and the movements in stock arising from property acquisitions and disposals (including right to buy sales), the 2020-21 budget is estimated at £65.497m. September 2019 CPI was 1.7%, therefore the average increase is 2.7% which equates to an average weekly rent increase in 2020-21 of £2.94.

#### **2020-21 Increase in Tenanted Service Charges**

3.10.6 The Mayor in Cabinet agreed on 8<sup>th</sup> January 2020 that tenanted service charges be increased by 2.7%. This is consistent with the new Social Housing rent standard rent policy which increases rents in line with the previous year’s September Consumer Price Index +1%. In this case, the September 2019 CPI was 1.7%, which will lead to an average weekly increase in tenanted service charges of approximately £0.23. It should be noted that energy charges are billed separately based on actual costs incurred.

3.10.7 The current year's budget for tenanted service charges is £5.511m. As a result of the proposed increase in charges and the movements in stock arising from property acquisitions and disposals (including right to buy sales), the 2020-21 budget is estimated at £5.714m. This income is included within the budget for heating and tenant charges shown in Appendix 7.

### **Savings**

3.10.8 At its meeting on 26<sup>th</sup> July 2016, the Mayor in Cabinet agreed a HRA medium-term savings target of £6m. In 2019-20 savings of £0.5m have been made across the delegated budgets. However, as well as these savings there are also elements of growth requested within the 2020-21 management fee, as detailed in table 5. The Council will work with THH over the next few months to identify efficiencies to be effected on the management fee to release monies for costs to be incurred in the wider HRA. Any amendments will be approved via a specific report to the Mayor in Cabinet.

### **Repairs and Maintenance**

3.10.9 The 2020-21 repairs and maintenance budget has been held almost constant in cash terms. The inflationary increase under the contract (£0.456m) has been offset by savings agreed with the contractor (£0.443m).

### **Energy**

3.10.10 The 2020-21 energy budget has been held at the same level as the current year as, despite current forecasts that 2020-21 energy contract prices will increase, there is currently extra capacity within this budget to meet projected demand.

### **Growth**

3.10.11 As part of setting the budget for 2017-18 approval was given to a three year programme to tackle ASB on LBTH estates. This involved an agreement to fund additional police officers through a buy one get one free deal with MOPAC and securing a patrol service from an accredited organisation called Parkguard. This has proved very successful. It is now proposed to make this a permanent scheme. The scheme actually started in the autumn of 2017 so part year funding of £0.552m is required for 2020-21, with full year funding from 2021-22. MOPAC no longer offers the buy one get one free arrangement so the costs have increased.

### **Management Fee**

3.10.12 In February 2019, The Mayor in Cabinet approved the 2019-20 Management Fee payable to THH for services provided to the Council. At £31.105m, the Management Fee represents the largest single expenditure element of the HRA budget.

3.10.13 The table below shows the calculation of the proposed 2020-21 Management Fee payable to THH.

**Table 5 – Calculation of 2020-21 Management Fee**

Description	Total £m
<b>Management Fee 2019-20</b>	<b>31.105</b>
Add: 2018-19 Pay award	0.470
Adjustment to numbers in pension fund	0.140
Environmental Services restructure growth agreed last year	0.350
One off growth – Hackitt review	0.350
<b>Management Fee 2020-21</b>	<b>32.415</b>

3.10.14 At this stage, the proposed management fee does not include an inflationary increase in relation to a pay award. Salary costs represent approximately £20m of the management fee, resulting in an increase in employee costs of approximately £0.4m if a pay award of 2% is agreed. These costs are built into the HRA MTFP but will only be released to THH once the pay award is formally agreed.

3.10.15 As in previous years, there is scope to adjust the management fee outlined in the table above during the 2020-21 financial year, including work on efficiencies as mentioned above in paragraph 3.10.8.

#### **One-off Growth Items**

3.10.16 The 2019-20 management fee incorporated growth of £0.300m a year for the following two years. This relates to extending the fire safety team for two years to enable visits to be undertaken to all residents in order to minimise the risk from fire. It should be noted that there have been other benefits from the fire safety team's visits including the identification of Houses of Multiple Occupation (HMOs) and illegal subletting. HTT propose further growth in this budget of £0.350m for 2020-21 only.

#### **Risks**

3.10.17 Increasing costs associated with staffing and accommodation continues to be a risk and will be monitored and reported in the year.

## **Medium Term Financial Plan**

3.10.18 Appendix 7 shows the HRA Medium Term Financial Plan (MTFP) for the period 2020-21 to 2024-25.

### **Overall position on the HRA**

3.10.19 The MTFP incorporates various income and expenditure assumptions and includes changes that will affect the budget, for example changes to stock numbers due to assumed Right to Buy sales and new supply resulting from agreed new-build schemes.

3.10.20 The revised MTFP shows that, on current projections, the HRA reserve will reduce over the next few years, but will remain above the assumed minimum balance of £15m.

### **Capital Programme, Stock Needs and 30 Year Business Plan**

3.10.21 The recent stock condition survey provided an updated view of the needs of the Authority's current stock over the next 30 years, and included additional sums of £50m for fire safety works, £20m for energy efficiency and £30m for environmental works. On current projections the business plan is fully funded over the 30 year period. The capital programme includes provision for investment in the existing stock for the 3 years 2020-21 to 2022-23. The needs of the housing stock will be a key element of the review of the capital programme – see capital section below. It is essential that before future capital estimates are formally adopted, schemes are assessed in light of their affordability within the HRA.

### **New Housing Supply**

3.10.22 In relation to new housing supply, additional and detailed financial modelling will need to be undertaken to ensure that manifesto commitments can be funded. Early indications had been that it would be possible for the HRA to finance all current and planned new housing supply schemes given that the HRA debt cap has been abolished. It should be noted that this does not include the acquisition of properties that are being acquired for use as temporary accommodation as these are being purchased by and held within the General Fund, nor does it include the purchase of s106 properties.

3.10.23 It should also be noted that previous modelling assumptions had been that no HRA debt would be repaid during the 30 year period. Clearly this is not sustainable and, therefore, the current budget includes provision for a contribution to debt repayment (Minimum Revenue Provision or MRP) of 2% of outstanding debt (see paragraph 3.10.26 below).

### **Update on Government Policies Affecting the HRA**

3.10.24 There have been a number of recent government consultations and announcements and these are outlined below.

## **Removal of HRA debt cap**

- 3.10.25 The government announced in October 2018 that the HRA debt cap would be scrapped and this took effect from 29<sup>th</sup> October 2018. Removing the HRA debt cap means that instead of having a limit to the amount of debt that the HRA can undertake, HRA borrowing must – along with General Fund borrowing - be subject to the Prudential Code meaning that borrowing must be affordable, prudent and sustainable.
- 3.10.26 Under current rules, although interest charges on outstanding debt must be paid, the HRA has not made any provision for debt repayment in recent years. As non-repayment of debt is not sustainable over the long-term as it would result in increasing levels of interest charges being incurred on a scheme, the Chief Financial Officer has decided that the charging of Minimum Revenue Provision (MRP) must be made to ensure the repayment of any borrowing is made over the usable lifespan of the assets, similar to the Minimum Revenue Provision (MRP) arrangements that operate for the Council's General Fund. If MRP is not charged, then future administrations will inherit ongoing debt costs that will be very difficult to reduce within budget constraints.

## **Social Rent policy post 2019-20**

- 3.10.27 On 13<sup>th</sup> September 2018 the government published a consultation 'Rents for social housing from 2020-21' in which the government set out its proposals in relation to social rent policy from 2020-21.
- 3.10.28 In the consultation the government proposed that the Regulator of Social Housing's rent standard will:
- i. permit Registered Providers (RPs) to increase their rents by a maximum of CPI + 1% for at least five years
  - ii. also now apply to Local Authorities
- 3.10.29 The government has now confirmed this policy and this means that in future local authorities will no longer have any discretion over their rent policy and will have to adhere to the Regulator's rent standard.
- 3.10.30 Historically local authorities have been able to make decisions on their rent policy with the only control mechanism being the annual 'Limit Rent', used to control Housing Benefit grant paid to the Authority by the Government.
- 3.10.31 With the introduction of HRA Self-Financing in April 2012, in return for being responsible for all items of expenditure within the HRA, local authorities were meant to have discretion over their rent policy. As rent is the largest income stream within the HRA, having discretion over rent levels is crucial in terms of running the HRA as a 'business'.
- 3.10.32 However, since 2012, the government has in relation to rents -:
- ended their rent restructuring policy a year early;



- implemented legislation to impose a 1% rent cut for four years;
- is now proposing that the Regulator's rent standard will apply to local authorities (as well as RPs) so that annual rent increases will be set out by the Regulator.

3.10.33 The most recent HRA 30 year financial modelling already assumes that after the four years of 1% rent cuts, HRA rents will increase by CPI + 1% for five years, and then by CPI only. The financial model assumes CPI of 2% throughout the 30 year period.

3.10.34 The government published its housing Green Paper 'A new deal for social housing' on 14<sup>th</sup> August 2018. In his foreword the Secretary of State set out the five principles that underlie the Green Paper:

1. Ensuring that homes are safe and decent
2. Swift and effective resolution of disputes
3. Empowering residents and making sure their voices are heard
4. Addressing the stigma that residents in social housing face
5. Boosting the supply of social housing and supporting home ownership

#### **Possible Impact on the HRA**

3.10.35 Until the consultation has ended and the government has published its response and policy proposals it will not be clear what the impact on the HRA will be, however some of the main issues are outlined below.

#### **Ensuring that homes are safe and decent**

3.10.36 The government is seeking views on whether to change the Decent Homes standard - which has not been revised since 2006 - to see whether it is demanding enough. The government is also seeking views on whether new safety measures that apply to the private rented sector – for example, the requirement to install smoke alarms on every storey, inspecting electrical appliances every five years – should also apply to social housing.

3.10.37 Any additional such requirements that may be introduced in future could lead to extra costs in order for the Authority to maintain its housing stock at a higher standard.

#### **Boosting the supply of social housing and supporting home ownership**

3.10.38 The government is asking for views about the current balance between grant funding for Housing Associations and HRA borrowing for LAs, and what additional affordable could be provided if capacity by social housing providers had more funding certainty.

3.10.39 The paper highlights problems identified by local authorities that wish to build more social housing and sets out ways the government is willing to tackle them including a separate consultation on the use of Right to Buy receipts.

3.10.40 The Green Paper consultation ended on 6<sup>th</sup> November 2018.

### **Cancellation of the Sale of Higher Value voids levy**

3.10.41 The government confirmed in August 2018 that this policy will not be implemented. Previous assumptions were that a levy of £8.4m would be payable in 2019-20, continuing for five years. This has now been removed from future year budgets.

### **Right to Buy receipts consultation**

3.10.42 The government published its consultation 'Use of receipts from Right to Buy sales' on 14<sup>th</sup> August 2018 and the main proposed changes are summarised below

Q1. Increased time limit for spending existing Right to Buy receipts

3.10.43 Current rules set out that Right to Buy one for one receipts must be spent on replacement social housing within three years. The consultation asked for views on extending the time limit for using existing receipts from three to five years, but keeping the timescales for new receipts at three years.

### **GLA Agreement – Right to Buy ring-fence**

3.10.44 It should be noted that in June 2018 the Authority signed an agreement with the GLA in order that any currently retained Right to Buy one for one receipts that are unspent by the Authority by the three year deadline and must be returned to the government with interest, will then be passed to the GLA and subsequently ear-marked to be returned to the Authority as grant money, with another three years to spend. The Authority must make a firm commitment to deliver a programme of projects on a three-year rolling delivery programme. It is not clear whether the proposals resulting from the Right to Buy receipts consultation will have any impact on the status of this agreement.

Q2. Flexibility of the 30% cap on 1-4-1 receipts funding new housing

3.10.45 Under current Right to Buy rules the retained Right to Buy one for one can finance 30% of the cost of the 'replacement social housing', and the local authority must finance the remaining 70% from its own resources.

3.10.46 The consultation set out two possible areas of flexibility over the 30%:

- a) Increase the cap to 50% of build costs for homes for social rent where LAs meet the eligibility of the Affordable Homes Programme, and can demonstrate a clear need for social rent rather than affordable rent.
- b) Permit LAs to 'top-up' insufficient Right to Buy receipts with funding from the Affordable Homes Programme up to 30% of build cost for affordable rent, or up to 50% of build costs for social rent, where the LA can

demonstrate a need for social rent (top up bids are to be submitted to the Affordable Homes Programme).

### Q3. Use of one for one receipts for property acquisition

3.10.47 The government is looking to restrict property acquisitions and outlined two options, but stated that its preference is option a:

- a) Introducing a cap per dwelling based on average build costs; acquiring a property at above these (indicative) caps would not be allowed:
  - £268,000 in Inner London
  - £265,000 in Outer London
  - £167,000 in the South-East), or
- b) allowing acquisitions in certain areas (e.g. where average build costs are more than acquisition costs).

3.10.48 If agreed, this may mean that the Authority may not be able to use any Right to Buy one for one receipts to finance 30% of the costs of any acquisitions that are higher than the average build costs in the relevant area.

3.10.49 The Authority has adopted substantial capital estimates in order to undertake property acquisitions both in and out of the borough, but may need to revise this commitment when the government publishes its final proposals.

### Q5. Cost of transferring land between the General Fund (GF) and the HRA

3.10.50 Under current rules, where LAs transfer land from their GF to their HRA the land must – in effect – be ‘bought’ by the HRA, with an adjustment made to the HRA Capital Financing Requirement and the GF compensated for the value of the land.

3.10.51 The government is considering relaxing the conditions so that LAs would be able to gift GF land to the HRA at zero cost, thereby making it easier for LAs to use GF land for housing.

### Q7. Suspension of interest payments for three months

3.10.52 Under current rules, if Right to Buy one for one receipts are not returned to the government immediately (at the end of the quarter in which they arise) then interest is payable on the sum if the local authority subsequently decides to return the receipts. The government is proposing that local authorities would have a short period of time – 3 months - to return receipts without paying interest.

### **Update on Right to Buy receipts position**

3.10.53 Currently (as at the end of Q2 of 2019-20) the Authority has retained Right to Buy one for one receipts of £56.4m, which means that, under the original (current) Right to Buy agreement, the Authority would have to spend £188m

on replacement social housing within three years i.e. the end of September 2022.

3.10.54 As at the end of Q2 of 2019-20, since Q3 2016-17, spend in excess of £188m on replacement social housing has been reported to the government, in line with our spend targets. The table below outlines future spend deadlines showing the three year deadlines, for information.

**Table 6 – Three year spend deadlines for existing Right to Buy one for one receipts**

<b>Deadline</b>	<b>Cumulative spend needed on replacement social housing £m</b>
31-Dec-19	262.5
31-Mar-20	281.0
30-Jun-20	296.5
30-Sep-20	318.3
31-Dec-20	336.0
31-Mar-21	352.0
30-Jun-21	365.3
30-Sep-21	376.3
31 Dec 21	396.9
31 Mar 22	410.1
30 Jun 22	411.4
30 Sep 22	416.7

3.10.55 As outlined earlier, the Authority has an agreement with the GLA so that any currently retained Right to Buy one for one receipts unspent by the Authority by the three year deadline can be returned to the government with interest, but then passed to the GLA and subsequently returned to the Authority as grant money, with another three years to spend. Therefore the Authority now has some added flexibility in relation to its deadlines to spend current Right to Buy receipts. To date the authority has not had to use this flexibility.

3.10.56 As outlined in paragraph 3.10.39, one of the proposals in the consultation 'Use of receipts from Right to Buy sales' is that local authorities would have an extra two years to spend the receipts that they currently hold, but still only three years to spend newly arising receipts. It is not currently clear whether this proposed change would supersede the agreement with the GLA to receive our expired Right to Buy receipts as grant and then give us an additional three years (on top of the a new five year deadline) to spend these.

## **Risks – Welfare Reform**

3.10.57 The cumulative impact on the HRA will not be clear until the various reforms all take effect. Provision has been made within the HRA MTFP for an increase in bad debts but as the introduction of Universal Credit has been delayed once again it is not yet clear precisely what the future level of bad debts will be.

### **3.11 CAPITAL**

#### **Provisional Capital Programme**

3.11.1 The provisional capital programme for 2020-21 to 2022-23 is set out in Appendix 8. It shows the budget requirements for each programme area. Where projects are at the feasibility stage, the budgets set out in this report are estimated costs and will be revised ahead of the project commencing.

3.11.2 Last year, a capital programme totalling £867.647m was presented, for the period 2018-19 to 2028-29. This year, the capital programme is for a three-year period. There are £7m of future commitments resulting from the current programme and these will be funded in future years.

3.11.3 A fundamental review of the provisional capital programme will be carried out over the next few months to ensure that programmes are delivering value for money and agreed outcomes for our communities and identifying where there are options to defer, reduce or delete schemes in order to minimise the requirement for prudential borrowing or allow headroom for new schemes that are currently unfunded. Outcomes from the Asset Strategy will form part of this review. The options from this review will be brought to Cabinet for consideration in April.

3.11.4 The provisional programme relies on new General Fund borrowing of £112m over the next 3 years which will have revenue implications for the Council, and the funding of borrowing costs will need to be factored into the future MTFS and included as part of the fundamental review. If this were to be financed long term at 3% per annum and, as an indicative figure the capital cost spread over 25 years (a minimum revenue provision of 4%), this would lead to a £8m increase in debt charges by 2023-24.

3.11.5 Monthly monitoring of housing capital projects through the capital governance arrangements will continue to demonstrate progress, manage risk and identify slippage that will be used to inform the capital programme. As new schemes are brought forward and funding sources identified, they will form part of the future programme.

3.11.6 Additions to the capital programme will only be brought forward through the capital governance process and to Cabinet for approval when funding sources are confirmed.

### *New Town Hall*

- 3.11.7 In 2015, the intention was to fund the development of the new Town Hall through the disposal of assets identified as surplus to requirement. Since that date, more flexibility has been sought on how the project is funded and the scheme is now proposed to be largely funded through prudential borrowing.

### *Liveable Streets future programme*

- 3.11.8 A budget of £6.4m to fund Liveable Streets projects in 2020-21 is included in the draft programme. A review of the proposed projects for 2021-22 and beyond will be carried out in the next few months to inform the future programme. This will be presented to Cabinet when funding sources have been identified.

### *Accelerated Carriageway and Footway Planned Improvements Programme*

- 3.11.9 The current Carriageway and Footway Planned Improvements Programme is programmed over a 10 year period, with a total projected cost of £75.649m. The core improvement works in the 5 years from 2019-20 to 2023-24 are estimated at £34m to deal with the roads and footways that have either, failed, or are close to failing if left untreated. The programme of work will contribute to delivering the Council's Love Your Neighbourhood agenda, and the Mayor's Manifesto Pledge to 'invest in good quality road and footway surfaces to reduce accidents and make all journeys more pleasant', and public realm improvements linked to the Council's statutory duty to maintain the public highway within the Highways Act 1980.
- 3.11.10 Approval was given for £15m in 2019-20, as the first tranche of the programme and requests to fund further works will be brought forward when funding sources have being identified.

### *Accelerated Street Lighting and LED Replacement Programme*

- 3.11.11 The current Accelerated Street Lighting and LED replacement Programme is programmed over a number of years. £3.50m of the approved £7.0m approved for 2019-20 is committed for expenditure in 2019-20 as the first tranche of the programme, with the balance being slipped into 2020-21. A total of £16.5m is included in the core capital programme for the next three years. The programme will contribute towards the Mayor's Manifesto Pledge to switch all street lights to low energy LEDs, delivering revenue savings based on lower energy consumption charges and reducing maintenance requirements.

### *London Dock School*

- 3.11.12 The commitment to delivering London Dock School was approved by Cabinet in October 2018, as part of the report to Cabinet on school places. A budget of £51m has been programmed, some of which has been spent and the rest

included in 2020-23, with an assumption that the development will be entirely funded by grant from DfE. The costs for the end of 2019-20 will be covered by s106 and CIL. There will be no prudential borrowing for this project.

### **Provisional Capital Programme Forward Plan**

3.11.13 This report seeks budget approval for the provisional capital programme as set out in Appendix 8A. Beyond this, service areas are working on emerging capital schemes, which will be brought forward when they have been developed further and funding has been identified. Where funding sources are limited, the capital programme will need to be re-prioritised to ensure best use of available financial resources.

#### *New council homes*

3.11.14 The current capital programme includes the budget for the delivery of the first 1,000 new council homes. The new build schemes are either on site, in development, contractors being appointed or ready to be submitted for planning. Where planning consent has yet to be granted or contractors procured, best estimates of costs have been made for inclusion in the capital programme. However, it should be recognised that there may be changes required to the approved budgets when contractors are ready to be appointed and total scheme costs are known. These will be reviewed through the capital governance process.

3.11.15 A number of the sites in the new council homes delivery programme currently sit within the General Fund. These sites were identified for development through the review of assets, including community buildings, and many are mixed use schemes. The current assumption is that there is a nil land value for appropriation of land from the General Fund to the Housing Revenue account, because the land is being used to deliver new council homes for rent. If there is a change to this approach as a result of policy development, it will be brought back to Members for their consideration.

3.11.16 The purchase of 115 new homes at Barchester Court, being built by Canary Wharf Group as part of a s106 agreement, is included in the current programme. Further s106 purchases are expected to be brought forward in future years.

3.11.17 For the second 1,000 council homes, many of the sites have been identified, initial feasibility work is underway and community consultation has commenced. The strategy for delivery is being developed and will be presented to Members when the affordability of the programme has been established and funding availability confirmed. As with the first 1,000 homes, the second 1,000 is expected to be delivered through a mix of new build schemes, estate regeneration, buy-backs and s106 purchases.

3.11.18 The feasibility for Clichy (Harriott, Apsley and Pattison Houses) is underway, and, following the ballot, the future plans for the estate will be developed and the funding strategy put in place. If regeneration is supported, the scheme will

provide new homes for existing tenants and resident leaseholders and has potential to deliver in the region of 350 additional new homes. The preferred approach to development and required budget will be presented to Cabinet for consideration as part of a Housing Capital Programme report later in the year.

3.11.19 Buy-backs continue to be part of the delivery options for the second 1,000 homes. These properties are purchased in the General Fund for the provision of temporary accommodation, reducing the cost of homelessness prevention and providing a good quality directly-managed home in the borough for local families. Based on the development of a robust business case, the strategy for buy-backs is being refreshed, and will clarify the extent of savings that are being achieved within this programme through cost avoidance and the contribution made towards the borrowing requirement from the rental income stream.

3.11.20 One of the new opportunities to increase the supply of council homes to meet the Mayor's pledge of 2,000 new council homes is to deliver new build rooftop extensions. A pilot project to provide in the region of 26 new homes, initially on two-storey blocks, is proposed. The location of these blocks has yet to be identified. A detailed programme will be brought forward early in 2020-21.

#### *PLACE Ltd Temporary Accommodation*

3.11.21 The Council is one of four local authorities in London who are part of a newly-formed company, the Pan-London Accommodation Collaborative Enterprise (PLACE) which is utilising £11m of GLA grant to fund the purchase of modular housing units to provide temporary accommodation across the capital, as meanwhile use on available publically-owned sites. This is included in the £13.6m budget allocation in the current capital programme.

3.11.22 In addition to the grant, which will fund the modular units, funding will be required for site preparation and installation. This has yet to be included in the capital programme. The project is expected to deliver in the region of 60 homes in the next few years. A detailed programme will be brought forward early in 2020-21 when funding has been identified and the affordability of the project has been assessed.

#### *Housing Company Review*

3.11.23 In February 2017, two housing delivery vehicles were set up to expand the options available to the council to deliver new supply across tenures, of both permanent and temporary homes, to complement the council's existing delivery approaches within the HRA and General Fund. The Wholly Owned Company (WOC), called Seahorse Homes, was set up with a commercial purpose to provide homes for rent and sale, returning a dividend to the Council from long term profit-making activities; and the charitable Community Benefit Society (CBS), called Mulberry Homes, was set up to provide homes for sub-market rent, subsidised by grant of land and retained Right To Buy receipts, made possible by governance arrangements within which the Council holds a minority position. A review of the use of the companies is underway



and a decision on their future use will be presented for consideration to Cabinet in the coming months.

*Antill Road and Sewardstone Road*

3.11.24 In order to deliver service improvements, including related revenue savings, there is a proposal from Adult Services to make better use of the site at Antill Road (day service) and Sewardstone Road (respite service) to increase provision for people with high/complex needs in Tower Hamlets. The project will include developing the vacant first floor and refurbishing the ground floor at Antill Road to provide a building based day service for an additional 15-20 adults with high/complex needs; and refurbishing Sewardstone Road to provide personalised respite for this client group. Feasibility is underway and details of the scheme will progress through the capital governance process when funding sources have been identified.

*Provision of a new depot*

3.11.25 The contract with Veolia comes to an end in March 2020, bringing the waste service back in-house. To enable the development of new depot facilities on the existing site, an interim depot building is being provided, which will be available for occupation in April 2020. Feasibility is underway for the long-term provision and this will form the basis of a report to Cabinet when the proposals have been developed and funding sources have been identified.

*Local History Library and Archive Service*

3.11.26 There is a need to upgrade the accommodation provision for the Local History Library and Archive Service, which is currently based at Bancroft Library and feasibility work is underway to explore the alternative options. As a significant project, further work is required before a fully-funded proposal can be brought forward for approval and inclusion in the capital programme.

*Investment in Leisure Centres ahead of contract review*

3.11.27 The contract with GLL is due for renewal in 2022. Ahead of contract review, funding will be required for works on the existing leisure assets over the next few years, recognising the challenges of carrying out these works while the existing operator is in occupation, and for feasibility studies to be carried out on the long term options for the leisure portfolio.

3.11.28 The Physical Activity and Sport Strategy, considered by Cabinet in December 2019, set out how assets in the borough could be used to enable residents to have better access to physical activity and sport. This strategy will help to inform the recommended works on the leisure portfolio to deliver improved health and wellbeing outcomes for residents. An allocation of £0.2m is included in the current capital programme for the feasibility works to identify the development and improvement options and assess the affordability of these.

- 3.11.29 A Project Team will be established in the next few months to agree the proposals and consider funding options which will be brought to Cabinet for approval before the end of 2020-21.

*Implementing the Primary School Review*

- 3.11.30 Cabinet received a report on Planning for School Places 2019-20 Review and Recommendations in October 2019, which agreed to rationalise primary school provision in areas of surplus and increase places elsewhere in the borough to meet the anticipated need.
- 3.11.31 To inform the implementation of these recommendations, a series of design appraisals are required, for which a feasibility budget will be identified. Following consideration of the emerging options, a strategy for delivering the outcomes of the Primary School Review will be presented to Cabinet for approval. Funding is expected to be available through grants from the Department of Education, Basic Needs Grant and any prudential borrowing the Council may approve will be confirmed as part of the report. If funding is limited, the programme will need to be prioritised based on the funding available.

*Communities Driving Change*

- 3.11.32 The Public Health service has been consulting with local communities on environmental improvements which are intended to deliver improved health outcomes for residents. Prioritisation of the programme of works, based on the delivery of improved outcomes for local residents and value for money, is required. Funding sources are yet to be identified for programme of works.

*LIF*

- 3.11.33 CIL regulations provide concessions around the use of the neighbourhood portion, known as Local Infrastructure fund (LIF), which gives the Council freedom to use LIF for aspects of delivering infrastructure where it can be demonstrated that it addresses demands that development places in an area. In response to the LIF consultation in 2017, £1.3m will be programmed to fully fund the delivery of projects to meet local capital infrastructure priorities, on a project by project basis during the year, through the capital governance process.

**Housing Revenue Account (HRA)**

*THH Capital programme and the wider HRA capital budget*

- 3.11.34 In January 2019, the Council approved a budget of £132.634m for the period from 2018-19 to 2023-24, of which £115.634m was for the period to 2022-23. The provisional 2020-21 capital programme now includes £71.552m to fund capital works to the council's existing social housing stock until end of 2022-23. This is due to the programme being reduced to the level of the

depreciation charge to the HRA – the depreciation charge is designed to set aside enough budget to keep the stock at the existing stock condition level.

3.11.35 There are several strategic decisions that have yet to be made relating to the HRA Capital programme. Significant additional financial resources are expected to be required to cover future anticipated costs, such as for fire safety, when the outcome of the Grenfell Inquiry is known. The Council has yet to agree a strategy to fund the 2<sup>nd</sup> 1,000 new Council homes and the impact of that needs to be assessed, alongside existing stock condition requirement.

3.11.36 It is therefore proposed to limit the THH programme to depreciation plus leaseholder contributions until a review of the HRA capital programme is carried out; this will form part of a future report to Cabinet.

### 3.12 **TREASURY MANAGEMENT STRATEGY**

3.12.1 The Treasury Management Strategy Statement will be revised and presented to the Audit Committee and subsequently to Full Council in February 2020 in accordance with the CIPFA Treasury Management Code of Practice. The Statement will set out the proposed strategy with regard to borrowing, the investment of cash balances and the associated monitoring arrangements.

3.12.2 The proposed prudential indicators set out in the Treasury Management Strategy will be based on the capital programme above in section 3.11 once finalised.

### 3.13 **BUDGET CONSULTATION**

3.13.1 The Council must undertake statutory budget consultation with Business Rate payers in the borough and it is also good practice to consult with Council Tax payers and a broad range of other stakeholders. In addition, meaningful consultation must take place with service users before any changes to service provision are implemented. Furthermore, the Council's budget framework sets out the need for the Overview and Scrutiny Committee to be fully involved in the setting of the Council's budget.

3.13.2 The Council launched the six week Your Borough Your Future budget consultation campaign on Friday, 25 October 2019. Your Borough Your Future provides the Council with an overarching brand identity for public consultations around budget setting. In the first instance, and for the purposes of this report, Your Borough Your Future relates to the general consultation run between 25 October and 5 December 2019, which sought to provide residents with details of the financial challenges the Council currently faces and requested feedback on priorities for Council services. It also asked how the Council should consider its approach in light of the budgetary pressures it faces.

3.13.3 A 'campaign narrative was agreed with the Mayor and Cabinet which identified and articulated the key drivers for the council's approach via Your Borough Your Future. The key messages in this narrative are:

- Significant real terms government core funding cuts since 2010 and growing pressure on key public services mean the Council has to find an additional £39m of savings by 2023.
- Tough choices will have to be made to maintain good quality services, and to continue to support our most vulnerable residents including children and older people.
- The Council has made significant savings (£190m since 2010) while continuing to find ways to deliver cost effective services and generate income from additional sources.
- Residents and businesses were encouraged to get involved by giving their views on what matters most to them, and suggesting ways in which Tower Hamlets can do things differently to help make savings.

3.13.4 The campaign aimed to engage as many residents and businesses as possible during a six week consultation period. A wide range of high visibility communication methods were employed, including press releases, dedicated budget website content and consultation on the council website, major social media channel promotion, on-street advertising, plasma advertising screens in public buildings (including Idea Stores), as well as direct mail of a dedicated budget consultation booklet to every household in the borough. The campaign also ensured representative views were sought (i.e. there was opportunity for people from all parts of the borough and from different age groups and ethnicities to take part). The council employed a dual approach of self-selection (opting-in to the online consultation) and targeted outreach (via a telephone survey and face-to-face interviews) to ensure a representative set of responses.

3.13.5 The consultation on Your Borough Your Future started on Friday 25 October and closed on Thursday 5 December 2019. A total of 1,917 responses were received. Whilst most people identified with the demographic and geographic breakdown, not all demographic responses were fully completed and no assumptions have been made where these have been left blank.

3.13.6 Key findings of the Your Borough Your Future consultation include:

- Overall, children's services and education & protecting and supporting vulnerable children were the most valued services in Tower Hamlets.
- Protecting and supporting vulnerable children is seen as the most important service the council should prioritise.
- Over half felt the council should reduce spending on temporary agency staff as well as generating more commercial income.
- The majority felt that efficiency, availability and quality will decline as a result of further savings.
- Around half said it was most important for the council to make services more efficient.
- 38% support a general council tax rise of up to 2 per cent, with 51% opposed, and 12% don't know.

- Just under half (47%) were in favour of a 2% increase in council tax to support adult social care services; slightly more than opposed it.
- Around two-thirds support the council expanding its approach to income generation.

3.13.7 A detailed report of the budget consultation has been included in Appendix 9 of this report. This was considered by Cabinet on the 18<sup>th</sup> December 2019 and informed the final budget proposals detailed within this report.

## **4 EQUALITIES IMPLICATIONS**

4.1 The Equality Act 2010 requires the council, in the exercise of its functions to have due regard to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

4.2 Tower Hamlets is a dynamic place where a thriving economy co-exists with high levels of poverty. The council is working to make the borough a safer, cleaner and fairer place to live and improve outcomes for local people however inequalities still exist. The borough is the second most densely populated local authority in the country with almost 19,000 people on the housing waiting list – the second highest in London – and 35,110 additional homes are needed over the next decade. There are significant health problems and the borough has the lowest life expectancy rates in London (disability-free) and 43 per cent of Year 6 children are overweight or obese. Tower Hamlets has the highest rates of child poverty in England at 32.5% and half of all residents aged 60+ live below the poverty line (three times the national rate). Coupled with this is the fact that Tower Hamlets has one of the fastest growing populations in the UK which is projected to rise from 323,700 in 2019 to 341,000 by 2023 and 376,300 in 2029.

4.3 These inequalities and rapid growth mean that ensuring equality is embedded throughout council plans, services and activities is the number one priority and at the heart of all decision making. To help meet its duty under the Equality Act the council undertakes equality impact assessments to analyse a proposed change in order to assess whether it has a disproportionate impact on persons who share a protected characteristic. As part of our budget setting process an equality impact assessment checklist is carried out on all new savings proposals to determine if a full equality impact assessment needs to be carried out.

4.4 The budget setting process for 2020-21 to 2022-23 has identified 17 savings proposals. Equality impact assessment checklists have been completed for all proposals and it has been determined that 11 of these will require a full equality impact assessment prior to a decision to implement being made.

Details of the proposals are set out below:

Savings Proposal Reference	Savings Proposal Title	Directorate	Full Equality Impact Assessment Required?
SAV / HAC 001 / 20-21	Accommodation and Support for Single Homeless People	Health, Adults & Community	Yes
SAV / HAC 002 / 20-21	Merging of the PD Day Opportunities Service with the Riverside Day Service	Health, Adults & Community	Yes
SAV / HAC 003 / 20-21	Changes to the Adult Social Care Charging Policy	Health, Adults & Community	Yes
SAV / HAC 004 / 20-21	Integration of Tower Hamlets Short Term Support Services - Rehabilitation and Reablement	Health, Adults & Community	Yes
SAV / HAC 005 / 20-21	Technology-Enabled Care	Health, Adults & Community	No
SAV / CHI 001 / 20-21	Rationalisation and Development of Early Help Services from Conception to Age 25 in Youth and Commissioning	Children & Culture	Yes
SAV / CHI 002 / 20-21	Savings and Traded Delivery of Education & Partnership Services	Children & Culture	Yes
SAV / CHI 003 / 20-21	Transformation of Service Delivery provided by the Integrated Early Years' Service	Children & Culture	Yes
SAV / CHI 004 / 20-21	Transformation of Service Delivery Following the Youth Service Review	Children & Culture	Yes
SAV / CHI 005 / 20-21	Transformation of SEND Transport Commissioning	Children & Culture	Yes
SAV / PLA 001 / 20-21	Property Asset Strategy	Place	No
SAV / PLA 002 / 20-21	Deletion of Dedicated Business Assurance Function for Place Directorate	Place	No
SAV / PLA 003 / 20-21	New Town Hall Revenue Savings	Place	No
SAV / GOV 001 / 20-21	Legal Services	Governance	No
SAV / GOV 002 / 20-21	Modernisation of the Registration Service	Governance	No
SAV / RES 001 / 20-22	Revenues - Cashiers - reduce cash and cheque handling and eliminate the need for cheque printing	Resources	No
SAV / RES 002 / 20-21	Benefits Service – Centralisation of Assessments – Service Review and Restructure	Resources	Yes

- 4.5 As part of its budget setting process the council also consults with residents, businesses and community organisations to get their views in order to help shape the council's budget and council tax rate for 2020-21.
- 4.6 Increasing pressures on the councils limited finances mean that the council need to save an extra £39 million by 2023. This is a major challenge for the council which needs to give careful consideration to every penny spent while ensuring that equality remains at the heart of all decision making.

## **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 The preparation of the MTFS has taken account of the Council's obligations in relation to its Best Value duty. The budget proposals are based on securing best value within the context of continuing reductions in Council funding and service demand pressures.
- 5.2 The sustainable action for a greener environment implications of individual proposals in the budget are set out in the papers relating to those proposals.
- 5.3 Managing financial risk is of critical importance to the Council and maintaining financial health is essential for sustaining and improving service performance. Setting a balanced and realistic budget is a key element in this process. Specific budget risks are set out in section 3.7 of this report.
- 5.4 The crime and disorder implications of individual proposals in the budget are set out in the papers relating to those proposals.
- 5.5 Any safeguarding implications of individual proposals in the budget are set out in the papers relating to those proposals.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 As this report is primarily financial in nature the comments of the Chief Financial Officer have been incorporated throughout this report.
- 6.2 The government's Core Spending Power calculation makes assumptions about the level of growth in the Council Tax base and that authorities will increase Council Tax each year up to the referendum limit. On that basis Council Tax Income is assumed to increase to £110.3m by 2020-21 as shown in the Core Spending Power (CSP) analysis at Appendix 2. However, based on previous decisions and the Council's actual tax base the current MTFS estimates £108.438m Council Tax income by 2020-21.
- 6.3 Not increasing the Council Tax in line with government assumptions could result in a growing financial pressure over the MTFS due to the impact on the Council's on-going tax raising base and also through the Fair Funding review where the government has indicated its preference to use a notional level of Council Tax rather than actual Council Tax levels to determine the extent of

resources available to each authority.

- 6.4 Following receipt of the final settlement, the Chief Finance Officer (CFO) will need to be assured of the robustness of estimates and adequacy of reserves.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Council is required by section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs. The budget planning represented in this report is consistent with this legal duty.
- 7.2 However, the adoption of the final budget is reserved as a non-executive decision of full Council in accordance with Section 19 (3) of Part B of the Constitution. Therefore, in order for the recommendations in this report to be effective, a positive decision of a meeting of full Council is required in accordance with the budget framework.
- 7.3 There are areas covered in the report where persons with a protected characteristic may be indirectly affected by changes to the budget for the purposes of the Equality Act 2010. However, where changes in the budgetary position result in a change to the delivery of a service, the effect on persons should be considered immediately prior to the making of a change to the service.

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## **Linked Reports, Appendices and Background Documents**

### **Appendices**

- Appendix 1A Medium Term Financial Strategy Summary
- Appendix 1B Medium Term Financial Strategy Detail by Service Area
- Appendix 2 Core Spending Power
- Appendix 3 New Growth Proposals 2020-21 to 2022-23
- Appendix 4 New Savings Proposals 2020-21 to 2022-23
- Appendix 5 Reserves Policy
- Appendix 6 Projected Movement in Reserves
- Appendix 7 Housing Revenue Account Budget Summary
- Appendix 8A Provisional Capital Programme Summary
- Appendix 8B Provisional Capital Programme
- Appendix 9 Budget Consultation 2020-21

### **Linked Report**

- None

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None

### **Officer contact details for documents:**

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## Medium Term Financial Strategy 2019-2023 Summary

## Appendix 1A

as at Cabinet 29 January 2020

	2019-20	2020-21	2021-22	2022-23
	£'000	£'000	£'000	£'000
<b>Net Service Costs</b>	343,730	342,560	354,496	347,449
<b>Growth</b>				
- Previously approved by Full Council	6,176	(5,050)	1,108	-
- New	-	14,673	(1,236)	3,235
<b>Inflation</b>				
- Previously approved by Full Council	7,500	8,233	6,500	-
- New	-	-	-	6,500
<b>Savings</b>				
- Previously approved by Full Council	(14,845)	(14,590)	(8,159)	-
- Write back of previously approved Savings by Full Council	-	4,822	69	74
- New	-	3,848	(5,329)	(7,172)
<b>Total Funding Requirement</b>	<b>342,560</b>	<b>354,496</b>	<b>347,449</b>	<b>350,086</b>
<b>Revenue Support Grant</b>	(33,281)	(33,823)	(34,501)	(35,191)
<b>Retained Business Rates</b>	(139,555)	(142,346)	(126,346)	(126,346)
<b>Business Rates (London Pilot)</b>	(4,000)	(1,439)	-	-
<b>Council Tax</b>	(100,331)	(108,438)	(116,148)	(124,406)
<b>Core Grants</b>	(56,393)	(66,710)	(57,744)	(58,459)
<b>Total Funding</b>	<b>(333,561)</b>	<b>(352,756)</b>	<b>(334,739)</b>	<b>(344,402)</b>
<b>Budget Gap (excluding use of Reserves)</b>	<b>8,999</b>	<b>1,740</b>	<b>12,710</b>	<b>5,684</b>
<b>General Fund Reserve Contribution / Drawdown (+/-)</b>	<b>(8,999)</b>	<b>(1,740)</b>	-	-
<b>UNFUNDED GAP BEFORE ADDITIONAL SAVINGS</b>	-	-	<b>12,710</b>	<b>5,684</b>
<b>Additional Savings to be identified</b>			(12,710)	(5,684)
<b>EXPECTED BUDGET GAP</b>	-	-	-	-

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Medium Term Financial Strategy 2019-2023 Detail by Service Area

Appendix 1B

	2019-20		Savings		Growth		One Off Adjustments		2020-21		Savings		Growth		One Off Adjustments		2021-22		Savings		Growth		2022-23		
	Total	Approved	New	Approved	New	Approved	New	Total	Approved	New	Approved	New	Approved	New	Approved	New	Total	Approved	New	Approved	New	Total	Approved	New	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Funding Requirement</b>																									
<b>Services</b>																									
Health, Adults & Community	105,811	(1,190)	(132)	3,499	2,388	(2,804)	-	107,572	(1,700)	(791)	4,375	-	(477)	-	108,980	-	(550)	-	4,770	-	-	-	4,770	-	113,200
Public Health	34,124	-	-	-	921	-	-	35,045	-	-	-	701	-	-	35,746	-	-	-	715	-	-	-	715	-	36,461
Children & Culture	99,679	(1,500)	(44)	(2,032)	10,596	(120)	-	106,579	(300)	(2,168)	1,604	(400)	(2,031)	-	103,284	-	(1,327)	-	(2,250)	-	-	-	(2,250)	-	99,707
Place	72,897	(3,380)	379	(1,578)	1,464	(1,716)	-	68,065	(329)	(1,135)	374	-	(2,522)	-	64,453	-	(525)	-	-	-	-	-	-	-	63,928
Governance	14,697	-	-	-	-	-	-	14,697	-	(140)	-	330	(100)	-	14,787	-	(200)	-	-	-	-	-	-	-	14,587
Resources	12,537	(2,120)	(80)	-	1,285	(300)	-	11,322	(200)	(650)	-	-	(115)	-	10,357	-	(200)	-	-	-	-	-	-	-	10,157
<b>Net Service Costs</b>	<b>339,745</b>	<b>(8,190)</b>	<b>123</b>	<b>(111)</b>	<b>16,654</b>	<b>(4,939)</b>	<b>-</b>	<b>343,281</b>	<b>(2,529)</b>	<b>(4,884)</b>	<b>6,353</b>	<b>631</b>	<b>(5,245)</b>	<b>-</b>	<b>337,608</b>	<b>-</b>	<b>(2,802)</b>	<b>-</b>	<b>3,235</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,235</b>	<b>-</b>	<b>338,041</b>
<b>Corporate Costs</b>																									
Capital Charges	6,839	-	-	-	-	-	-	6,839	-	-	-	-	-	-	6,839	-	-	-	-	-	-	-	-	-	6,839
Levies	1,892	-	-	-	-	-	-	1,892	-	-	-	-	-	-	1,892	-	-	-	-	-	-	-	-	-	1,892
Pensions	12,790	-	-	-	-	-	-	12,790	-	-	-	-	-	-	12,790	-	-	-	-	-	-	-	-	-	12,790
Corporate Contingency	3,150	-	-	-	-	-	-	3,150	-	-	-	-	-	-	3,150	-	-	-	-	-	-	-	-	-	3,150
Other Corporate Costs	(26,824)	(6,400)	3,725	-	2,841	-	-	(26,658)	(5,630)	(445)	-	(1,798)	-	(34,531)	-	(4,370)	-	-	74	-	-	-	74	-	(38,827)
<b>Net Corporate Costs</b>	<b>(2,153)</b>	<b>(6,400)</b>	<b>3,725</b>	<b>-</b>	<b>2,841</b>	<b>-</b>	<b>-</b>	<b>(1,987)</b>	<b>(5,630)</b>	<b>(445)</b>	<b>-</b>	<b>(1,798)</b>	<b>-</b>	<b>(9,860)</b>	<b>-</b>	<b>(4,370)</b>	<b>-</b>	<b>-</b>	<b>74</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>74</b>	<b>-</b>	<b>(14,156)</b>
<b>Inflation</b>	<b>4,969</b>	<b>-</b>	<b>-</b>	<b>7,500</b>	<b>-</b>	<b>733</b>	<b>-</b>	<b>13,202</b>	<b>-</b>	<b>-</b>	<b>6,500</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19,702</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,500</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,500</b>	<b>-</b>	<b>26,202</b>
<b>Total Funding Requirement</b>	<b>342,560</b>	<b>(14,590)</b>	<b>3,848</b>	<b>7,389</b>	<b>19,495</b>	<b>(4,206)</b>	<b>-</b>	<b>354,496</b>	<b>(8,159)</b>	<b>(5,329)</b>	<b>12,853</b>	<b>(1,167)</b>	<b>(5,245)</b>	<b>-</b>	<b>347,449</b>	<b>-</b>	<b>(7,172)</b>	<b>-</b>	<b>9,809</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9,809</b>	<b>-</b>	<b>350,086</b>
<b>Funding</b>																									
Revenue Support Grant	(33,281)	-	-	-	(542)	-	-	(33,823)	-	-	-	(678)	-	(34,501)	-	-	-	-	(690)	-	-	-	(690)	-	(35,191)
Retained Business Rates	(139,555)	-	-	-	(2,791)	-	-	(142,346)	-	16,000	-	-	-	(126,346)	-	-	-	-	-	-	-	-	-	-	(126,346)
Business Rates (London Pilot)	(4,000)	-	-	-	2,561	-	-	(1,439)	-	-	-	1,439	-	-	-	-	-	-	-	-	-	-	-	-	-
Council Tax	(100,331)	-	-	-	(8,106)	-	-	(108,438)	-	-	-	(7,710)	-	(116,148)	-	-	-	-	(8,258)	-	-	-	(8,258)	-	(124,406)
<b>Core Grants</b>																									
Public Health Grant	(34,124)	-	-	-	(921)	-	-	(35,045)	-	-	-	(701)	-	(35,746)	-	(715)	-	-	-	-	-	-	-	-	(36,461)
New Homes Bonus	(3,182)	-	-	-	(2,800)	-	-	(5,982)	-	-	-	2,800	-	(3,182)	-	-	-	-	-	-	-	-	-	-	(3,182)
Improved Better Care Fund	(16,351)	-	-	-	35	-	-	(16,316)	-	-	-	-	-	(16,316)	-	-	-	-	-	-	-	-	-	-	(16,316)
Social Care Support Grant	(2,500)	-	-	-	(6,867)	-	-	(9,367)	-	-	-	6,867	-	(2,500)	-	-	-	-	-	-	-	-	-	-	(2,500)
School Improvement Monitoring and Brokering Grant	(200)	-	-	-	200	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Local Lead Flood	(36)	-	-	-	36	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Core Grants</b>	<b>(56,393)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(10,317)</b>	<b>-</b>	<b>-</b>	<b>(66,710)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,966</b>	<b>-</b>	<b>(57,744)</b>	<b>-</b>	<b>(715)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(58,459)</b>
<b>Total Funding</b>	<b>(333,561)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(19,195)</b>	<b>-</b>	<b>-</b>	<b>(352,756)</b>	<b>-</b>	<b>16,000</b>	<b>-</b>	<b>2,017</b>	<b>-</b>	<b>(334,739)</b>	<b>-</b>	<b>(715)</b>	<b>-</b>	<b>-</b>	<b>(8,948)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(8,948)</b>	<b>-</b>	<b>(344,402)</b>
<b>Budget Gap (excluding use of Reserves)</b>	<b>8,999</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,740</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,710</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,684</b>
<b>General Fund Reserve Contribution / Drawdown (+/-)</b>	<b>(8,999)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(1,740)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

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Tower Hamlets Core Spending Power

Appendix 2

<b>Illustrative Core Spending Power of Local Government;</b>						
	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
	£ millions	£ millions	£ millions	£ millions	£ millions	£ millions
Settlement Funding Assessment	187.9	170.7	158.1	151.1	143.0	145.3
Compensation for under-indexing the business rates multiplier	1.5	1.5	1.6	2.5	3.6	4.5
Council Tax of which;	69.8	76.9	85.8	93.8	100.3	110.3
<i>Council Tax Requirement excluding parish precepts (including base and levels growth)</i>	69.8	75.4	81.8	87.6	92.8	100.1
<i>additional revenue from referendum principle for social care</i>	0.0	1.5	4.1	6.2	7.5	10.2
<i>potential additional Council Tax from £5 referendum principle for all Districts</i>	0.0	0.0	0.0	0.0	0.0	0.0
Improved Better Care Fund	0.0	0.0	8.7	11.9	14.9	16.3
New Homes Bonus	24.8	28.6	23.9	20.7	19.2	22.0
New Homes Bonus returned funding	0.3	0.2	0.2	0.0	0.0	0.0
Rural Services Delivery Grant	0.0	0.0	0.0	0.0	0.0	0.0
Transition Grant	0.0	0.0	0.0	0.0	0.0	0.0
Adult Social Care Support Grant	0.0	0.0	1.5	0.9	0.0	0.0
Winter Pressures Grant <sup>1</sup>	0.0	0.0	0.0	1.5	1.5	0.0
Social Care Support Grant <sup>2</sup>	0.0	0.0	0.0	0.0	2.5	0.0
Social Care Grant	0.0	0.0	0.0	0.0	0.0	9.4
<b>Core Spending Power</b>	<b>284.3</b>	<b>278.0</b>	<b>279.8</b>	<b>282.3</b>	<b>284.9</b>	<b>307.8</b>
Change since 2015-16 (£ millions)						23
Change since 2015-16 (% change)						8
<sup>1</sup> For 2020-21, Winter Pressures Grant allocations will be rolled into the Improved Better Care Fund, and no longer ringfenced for alleviating winter pressures.						
<sup>2</sup> For 2020-21, Social Care Support Grant allocations will be rolled into the Social Care Grant.						
Please see the Core Spending Power Explanatory note for details of the assumptions underpinning the elements of Core Spending Power.						
The figures presented in Core Spending Power do not reflect the changes to Settlement Funding Assessment made for authorities with increased Business Rate Retention arrangements. For information about authorities with increased Business Rates Retention Arrangements see the Explanatory Note. For Settlement Funding Assessment figures after adjustments for increased Business Rate Retention authorities please see the Key Information for Local Authorities table.						

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**New Growth Proposals 2020-21 to 2022-23**

**Appendix 3**

Title	Reference	Directorate	Strategic Priority Outcome	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Demographic pressures in adult social care	GRO / HAC 001 / 20-21	Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	-	-	4,770	<b>4,770</b>
Children's social care post Ofsted	GRO / CHI 001 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	3,400	(400)	-	<b>3,000</b>
Children's social care – looked after children	GRO / CHI 002 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	1,262	-	-	<b>1,262</b>
SEND transport budget pressures and demographic growth	GRO / CHI 003 / 20-21	Children & Culture	1. People access a range of education, training, and employment opportunities	2,936	-	-	<b>2,936</b>
In-sourcing of waste services (employee costs)	GRO / PLA 001 / 20-21	Place	5. People live in a borough that is clean and green	1,300	-	-	<b>1,300</b>
Local Community Fund Mitigation (to reduce 2021-22 savings to allow investment in Local Community Fund)	GRO / GOV 001 / 20-21	Governance	8. People feel they are part of a cohesive and vibrant community	-	330	-	<b>330</b>
New Microsoft licenses for applications and servers	GRO / RES 001 / 20-21	Resources	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	905	-	-	<b>905</b>
Budget management IT system improvement and necessary hosting	GRO / RES 002 / 20-21	Resources	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	80	-	-	<b>80</b>

**Unachievable Savings**

Better targeting of services for Children with Special Educational Need and Disabilities (SEND) <i>Reversal of 2017-18 Approved Saving (SAV/ CHI 005 / 17-18)</i>	GRO / CHI 004 / 20-21	Children & Culture	1. People access a range of education, training, and employment opportunities	940	-	-	<b>940</b>
Early Years <i>Reversal of 2017-18 Approved Saving (SAV/ CHI 003 / 17-18)</i>	GRO / CHI 005 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	2,408	-	-	<b>2,408</b>
Pan-London Homelessness Prevention Procurement Hub ("Capital Letters") <i>Reversal of 2019-20 Approved Savings (SAV / PLA 003 / 19-20)</i>	GRO / PLA 002 / 20-21	Place	4. Inequality is reduced and people feel that they fairly share the benefits from growth	200	-	-	<b>200</b>
Income Through Wi-Fi Concession Contract <i>Reversal of 2018-19 Approved Saving (SAV/ RES 07 / 18-19)</i>	GRO / RES 003 / 20-21	Resources	9. The Council is open and transparent putting residents at the heart of everything we do	300	-	-	<b>300</b>

**Achievement of Income Target through improved Council Tax Base**

Budgeted increase in Council Tax Base (number of properties) - allocated against existing Debt Management & Income Optimisation saving	GRO / COP 001 / 20-21	Corporate Costs	9. The Council is open and transparent putting residents at the heart of everything we do	974	69	74	<b>1,117</b>
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**Planned Removal of Agreed Short-Term Growth**

Tower Hamlets Education Partnership (THEP)	GRO / CHI 002 / 19-20	Children & Culture	2. Children and young people are protected so they can realise their potential	-	-	(250)	<b>(250)</b>
Universal Free School Meals	GRO / CHI 004 / 19-20	Children & Culture	4. Inequality is reduced and people feel that they fairly share the benefits from growth	-	-	(2,000)	<b>(2,000)</b>

**Core Grants**

Improved Better Care Fund		Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	2,388	-	-	<b>2,388</b>
Public Health Grant		Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	921	701	715	<b>2,337</b>
Social Care Support Grant (one-off increase)		Corporate Costs	3. People access joined-up services when they need them and feel healthier and more independent	1,867	(1,867)	-	<b>-</b>
School Improvement Monitoring and Brokering Grant <i>Removed from Core Grant and now appearing as a specific grant within the service</i>		Children & Culture	2. Children and young people are protected so they can realise their potential	(350)	-	-	<b>(350)</b>
Local Lead Flood <i>Removed from Core Grant and now appearing as a specific grant within the service</i>		Place	5. People live in a borough that is clean and green	(36)	-	-	<b>(36)</b>

**Inflation**

Contractual Inflation		Cross-Directorate	9. The Council is open and transparent putting residents at the heart of everything we do	-	-	3,400	<b>3,400</b>
Pay Award		Cross-Directorate	9. The Council is open and transparent putting residents at the heart of everything we do	-	-	3,100	<b>3,100</b>

<b>Total Growth &amp; Inflation</b>	<b>19,495</b>	<b>(1,167)</b>	<b>9,809</b>	<b>28,137</b>
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## GROWTH PROPOSAL

<b>Proposal Title:</b>	Demographic pressures in adult social care	<b>Growth Type:</b>	Budget Pressure
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<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	GRO / HAC 001 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Warwick Tomsett, Joint Director of Integrated Commissioning

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	-	-	-	-	-
Other Costs	74,383	-	-	4,770	4,770
Income	-	-	-	-	-
<b>Total</b>	<b>74,383</b>	<b>-</b>	<b>-</b>	<b>4,770</b>	<b>4,770</b>
Staffing Impact:					
Employees (FTE)	-	-	-	-	-

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### Proposal Summary:

Demographic pressures in adult social care have been recognised nationally as a growing concern for local authority budgets. The government has provided an increase in the Improved Better Care Fund (IBCF) and allowed local authorities to add a precept increase to council tax but demand for services continues to rise. In Tower Hamlets, the increase in funding from IBCF and the adult social care precept have historically been used to fund demographic and inflationary pressures in adult social care. However there is an increased level of uncertainty surrounding these funding streams in future years despite them being significant for the council. For example, a 2 per cent social care precept generates additional funding of between £1.8m - £1.9m for Tower Hamlets.

The demographic growth calculation assumes that increases in population, combined with other demographic factors detailed below will lead to more clients needing social care support for longer. National and local policy is designed to maintain independence for as long as possible through community based support, thus reducing the need for more costly residential services. However, more people are living longer with more complex needs.

This increase in demand and resulting cost is subject to transformation work underway across health and social care services, through the Tower Hamlets Together partnership. This includes savings proposals detailed elsewhere, which are designed to make best use of resources across the system to provide community based support, reduce overall unit costs and ensure efficiencies through contracts with services. This includes joint funded packages of care where appropriate.

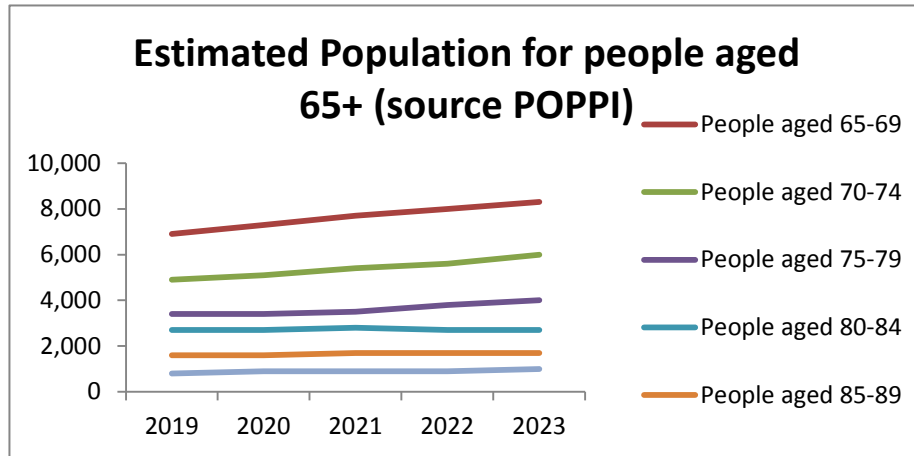
The estimated average rate of growth per client group is different and is influenced by a number of factors such as age, ethnicity, deprivation and other such demographic factors.

Predicted population growth in Tower Hamlets will inevitably bring an increase in the number of people who need adult social care services. Tower Hamlets has high levels of deprivation, which in turn is associated with poor mental and physical health. Deprivation levels may be further exacerbated by welfare reform. An increase in the number of people living for longer with poor health is also a factor driving an increase in demand for adult social care across all client groups.

There is likely to be an increased demand for adult social care from all sections of the population as it continues to expand. Based on the GLA projections (2015 SHLAA capped household size), the borough's population is expected to grow by 22 per cent between 2016 and 2026. By 2021, the population is predicted to have increased to 337,600. While the projected growth is mainly in the lower working age range (people aged 30 to 49), over the course of the next decade, the age structure of Tower Hamlets is expected to shift, with the proportion of young adults in their twenties and thirties decreasing and the proportion of older adults increasing.



This bid uses estimated growth rates from the Greater London Authority's housing-linked projections and the Department of Health sponsored systems 'Projecting Adult Needs and Service Information' (PANSI) and 'Projecting Older People Population Information' (POPPI) systems. The latter two systems combine population projections with benefits data and research on expected prevalence rates to produce projections of the likely future demand on social care and health services. Projections from POPPI and PANSI for previous years have proven to be reasonably accurate and we are satisfied that these are the most robust figures available for calculating projections of future growth in demand for adult social care for older people and adults accessing physical disability and mental health services.



**Budgeted Outcomes / Accountability (focus on improved performance):**

This growth bid relates directly to the 2018-21 strategic plan outcome – people access joined-up services when they need them and feel healthier and more independent. It is aligned to the vision and aims of the 2017-20 ageing well in Tower Hamlets strategy, the 2017-20 living well learning disability strategy and the 2015-19 mental health strategy, which all aim to support people to be as healthy and independent as possible.

The bid is necessary to ensure the council can fulfil its statutory duties to residents needing care and support, as articulated in the 2014 Care Act. It relates to the outcomes for adult social care expected nationally, as set out in the adult social care outcomes framework.

Accountability in adult social care is set out in our local quality assurance framework. In terms of our accountability of residents, a key mechanism is the annual local account. This publication is produced every year and sets out the quality and performance of services over the preceding 12 months. It enables residents to scrutinise and challenge our performance.

**Risks and Implications:**

**Older people services**

Due to the health and demographic factors, demand for adult social care services from older people is predicted to continue to increase between now and 2022. For 2022-23, the forecast growth rate is 4.1 per cent (using POPPI), giving a growth requirement in 2022-23 of £1.832m.

Home care, which is particularly heavily used by older people in Tower Hamlets, is expected to continue to be under growing pressure over the next eight years. Separate inflationary growth is allowed for in the MTFs to cover rising unit costs in home care (related to the Ethical Care Charter and the annual uprating of the London Living Wage), but does not include any allowance for rising demand, which is dealt with here.

**Physical disability services**

The causes of physical disabilities and sensory impairments in working-age adults are complex. This information, along with predictions on future prevalence rates, is not detailed in this report. Evidence suggests there has been a moderate increase in demand in the number of working-age adults who have a physical disability or sensory impairment and who are eligible to receive support from adult social care.

PANSI has a number of future predictions for physical disability and sensory impairment prevalence rates amongst working-age adults in Tower Hamlets. This information is categorised according to health condition and does not give an indication as to who might be eligible for adult social care. The average rate of growth for this group between 2020 and 2025 is 2.7 per cent per year giving a growth requirement of £0.195m.

### **Learning disabilities services**

#### **18-25 years old (transitions)**

Young people transitioning from children's to adult services are estimated using service data from the children with disabilities team and the community learning disability service (CLDS). Historically around 70-80 per cent of young people identified by children's services as having needs which may be met by adults services are found to be eligible for the CLDS in adult social care. Using the Year 9 tracking record that is maintained by CLDS, it is anticipated 52 people will turn 18 in 2019-20, 61 in 2020-21 and 70 in 2021-22. Using this trend, it can be anticipated that approximately 79 children will turn 18 in 2022-23. Given the average cost of a transition care package is £62,000, the growth requirement for 2022-23 estimated at £2.434m.

#### **26-64 years old**

To calculate the growth required for new clients aged between 18-64 years the actual cost of new clients who joined the service in 2018-19 is used to estimate what this may look like in 2022-23.

Given the estimated growth rate of learning disabilities in the Tower Hamlets population is 1.2% annually (per PANSI), this would result in expected growth in 2022-23 being £0.244m

Therefore the total growth requirement for these services in 2022-23 is £2.658m.

### **Mental health services**

Evidence suggests there has been a steady increase in the number of adults who have a mental health problem and who are eligible to receive support from adult social care PANSI has a number of future predictions for mental health prevalence rates amongst working-age adults in Tower Hamlets.

This information is categorised according to mental health condition and does not give an indication as to who might be eligible for adult social care.

In addition to this general growth in the number of mental health clients, there are also particular pressures in Tower Hamlets on the number of mental health forensic placements, and there is also an increasing group of young people with mental health issues that will transition to adult social care. The average annual growth rate for mental health services is 1.2 per cent, which demonstrates a requirement of £0.085m.

If demographic growth was only funded in part, work to reduce overall expenditure would need to be developed to mitigate the impact of this in 2022-23. This would likely need to focus on demand management to reduce the level of social care support provided to all individuals by the council, so that the pressures of demographic growth could be contained within current budgets.

### **Value for Money and Efficiency:**

The amount required for growth is intended to meet the assessed eligible needs of vulnerable individuals, including home care, day care, meals, direct payments and residential and nursing care services.

Scrutiny on the quality of assessments and their value for money in legally meeting assessed needs is central to social care operational practice. The eligibility criteria are set nationally through regulations within the Care Act, which has a threshold of significant impact on wellbeing as the benchmark on where the duty is reached. This demand led service is therefore very sensitive to demographic changes.

Against the backdrop of increasing demographic and inflationary pressures, adult social care has set out to improve value for money by:

- Increasing the use of home care and direct payments to reduce and delay residential and nursing care placements.
- Improving the independence of service users through reablement (care after illness or hospital discharge) and employment opportunities.
- Utilising more supported accommodation, extra care sheltered housing and intensive housing support to reduce residential and nursing care placements.

Adult social care achieved £2.1m savings in 2018-19 and is forecasting to achieve a further £1.8m savings in 2019-20.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	Children's social care post Ofsted	<b>Growth Type:</b>	Budget Pressure
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<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	GRO / CHI 001 / 20-21
<b>Service Area:</b>	Children's social care	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Richard Baldwin, Divisional Director Children Social Care

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	27,500	1,600	(400)	-	1,200
Other Costs	15,300	1,800	-	-	1,800
Income	-	-	-	-	-
<b>Total</b>	<b>42,800</b>	<b>3,400</b>	<b>(400)</b>	-	<b>3,000</b>
<b>Staffing Impact:</b>					
Employees (FTE)	TBC	25	-6	-	19

### Proposal Summary

**Staffing** - There was a service redesign in 2016, resulting in a growth bid of £1.597 million to realign the children's Social Care (CSC) staffing budget. Following the Ofsted inspection rating of 'inadequate' in early 2017, an improvement plan was developed that secured £4.7m one-off investment over two and a half years. The service has undergone major changes and improvements to successfully achieve a good rating in the 2019 inspection. To continue this standard of service delivery, CSC require an additional investment of £1.6m to increase its frontline social work establishment by 25 posts. These 25 posts were funded through the Ofsted improvement budget. This bid is requesting maintaining the current staffing levels, which have delivered the significant improvements seen over the past two years and endorsed by Ofsted

**Placements** - The placement budget is currently £15.8m with a projected overspend of £1.8m. The sufficiency strategy has had an impact on the numbers of older young people reducing within the high cost placements and younger children placements increasing. It should be noted that overall the 0-5 weekly unit cost has increased from £15.2k in 2017 to £46.5k in 2019 due to the mother and baby placements. These additional costs have therefore not produced an overall cost reduction for the service. Initial benchmarking data and exercises indicate that our current unit spend on children's social care sits towards the bottom of our statistical neighbours. We are currently ranked 11 out of 16 in terms of funding. Therefore, in terms of unit cost, many of our comparator local authorities now spend more on children's social care than we do in Tower Hamlets. .CSC has proposed a growth bid of £1.8m to realign its placement budget.

CSC will continue to implement previously agreed efficiency savings to offset some of the increased costs identified above. For example, we have already identified £1m of savings against the Social Work Academy and associated recruitment activity. These savings will come from turning current agency staff into permanent positions, through the recruitment, support and retention of newly qualified social workers, (and through the recruitment of experienced social workers over a three year period. This has previously been identified against the medium term financial strategy savings.

#### **Budgeted Outcomes / Accountability (focus on improved performance):**

The ability to maintain the existing staff numbers (through the retention and funding of the 25 FTE) will allow for caseloads to remain at the current rates, which are instrumental in delivering the quality of work that was highlighted within the Ofsted inspection.

Our current rate of children in care remains low and with good outcomes for young people and good levels of placement stability. The additional funding will ensure that the current level of service to these children is maintained and our most vulnerable children remain in safe, good quality placements.

#### **Risks and Implications:**

- Not agreeing this growth bid would result in needing to reduce the current 'looked after' population by between 50-60 young people to eliminate the current £1.8m pressure against this budget. This would mean raising thresholds to obtain these savings within the next 9-12 months. Ensuring that we only accommodated the number of young people provided for by the current budget would eradicate the current £1.8m pressure/overspend.
- A decision not to fund the 25 FTE additional social worker posts would lead to a rise in caseloads, which would impact on quality of practice and our ability to recruit permanent staff.

#### **Value for Money and Efficiency:**

While the council has invested heavily in CSC over recent years, the unit cost of the base budget is lower than most of our statistical neighbours. In 2018, bench-marking for CSC showed that the council ranked seventh out of our 16 statistical neighbours. This year, our unit cost ranking has fallen to eleventh out of 16, suggesting the service achieves good value for money despite growing demand.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	Children's social care – looked after children	<b>Growth Type:</b>	Budget Pressure
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<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	GRO / CHI 002 / 20-21
<b>Service Area:</b>	Children's social care	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Richard Baldwin, Divisional Director Children Social Care

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	-	-	-	-	-
Other Costs	15,369.2	1,262	-	-	1,262
Income	-	-	-	-	-
<b>Total</b>	15,369.2	1,262	-	-	1,262
<b>Staffing Impact:</b>					
Employees (FTE)	-	-	-	-	-

### Proposal Summary

There is significant pressure on the looked after children (LAC) placement budget resulting from the increasing demand in placements due to demographic and population growth. Despite these increasing demographic pressures, the bench-marking of Children's Services against statistical neighbours show that the unit cost for Children's Services is considerably lower when these comparisons are made. When compared against 16 statistical neighbouring local authorities we rank 11 out of 16 for unit cost.

While unit costs are lower than other boroughs, the sufficiency strategy refresh conducted in January 2019 (looked after children detail 2018/19) demonstrated the increasing demand for LAC placements. From April 2018 to March 2019, an additional 27 LAC placements were required. A LAC placement has an average weekly cost of approximately £898.86. The increase in demand is expected to continue as the young population of the borough continues to grow.

In addition to these demographic pressures, the council will need to be accepting an increased number of un-accompanied asylum-seeking children (UASC). The percentage of UASCs to our child population will now be 0.8 per cent rather than 0.7 per cent due to continued pressures in the number of children entering the UK.

The council has also agreed to accommodate 10 'Dubs' children from refugee camps. All 10 children are now placed. The majority of these children will require considerable support and have additional needs. The estimated annual cost of these children is £545k. The Home Office funds each placement at £798 per week, therefore, we are expecting £414k in total. The shortfall that the council will have to fund for these 10 placements is £131k.

### Budgeted Outcomes / Accountability (focus on improved performance):

The increase in budget allows the service to keep pace with projected increased demand due to the higher number of families living in the borough. This will ensure that we can continue to develop a range of placement options for the different needs of young people that require foster care.

### Risks and Implications:

Without this growth, the demographic changes within our community may mean that increased demand for placements begins to outstrip our ability to recruit carers and to ensure that the support we offer to carers remains at an appropriate level. This support is crucial to keep the number of carers leaving our employment over the coming years to a minimum.

**Value for Money and Efficiency:**

The recruitment of 'in-house' foster carers is significantly better value for money than a reliance on agency placements. Funding that allow us to recruit and retain our pool of in house carers represents a more sustainable long-term strategy.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	SEND transport budget pressures and demographic growth	<b>Growth Type:</b>	Budget Pressure
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<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	GRO / CHI 003 / 20-21
<b>Service Area:</b>	Education and partnership	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Christine McInnes, Service Head Education & Partnership

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	603	400	-	-	400
Other Costs	4,515	2,536	-	-	2,536
Income	(201)	-	-	-	-
<b>Total</b>	<b>4,917</b>	<b>2,936</b>	-	-	<b>2,936</b>
<b>Staffing Impact:</b>					
Employees (FTE)	19	8	-	-	8

### Proposal Summary

**This proposal should be read in conjunction with the corresponding savings proposal SAV-CHI-005 - 20-21 Transformation of SEND transport commissioning**

In 2018-19, special educational needs and disabilities (SEND) transport provided journeys to 762 pupils. The council has a statutory duty to provide home to school transport for children with SEND. The service is delivered by the transport services unit (TSU) which is part of the Place Directorate and provides buses, drivers and escorts, and through externally commissioned taxi providers.

This area faces a number of pressures.

Between 2015-16 and 2018-19, the number of children with SEND requiring transport increased by 22 per cent (from 626 in 2015-16 to 762 in 2018-19). SEND transport is a demand-led service. However, the council has control over the administration and the cost of the provision of transport.

The table below shows that the budget for the last four years on SEND transport was not increased in line with increased demand:

Year	Internal transport	Budget	External transport	Budget	Total
2018-19	385	£2,898,500	377	£1,459,600	£4,358,100
2017-18	400	£1,898,500	321	£1,259,600	£3,158,100
2016-17	419	£1,812,500	263	£1,173,600	£2,986,100
2015-16:	418	£1,812,500	208	£1,173,600	£2,986,100

An analysis of the budget for SEND transport shows that the actual spend on internal and external transport was approximately 31 per cent higher than the agreed budget for the last four financial years (2015-16 to 2018-19).

For 2019-20, the service is forecasting expenditure of £6.9 million which is 40 per cent over its general fund budget. Although the service will be undertaking in-year actions to alleviate the current budget pressures, these are unlikely to fully resolve the pressures.

**SEND transport demography**

Based on 10 per cent demographic growth, the proposed budget for SEND transport services is £436K. The proposal will improve our ability to meet the projected increase in demand for transport services, arising because of the borough's growing population and the increase in the number of children with an education, health and care plan (EHCP). Any changes in legislation etc, alongside the projected population increase, are projected to lead to an increase in the number of EHCPs. This will, in turn, lead to more resources required to transport children with an EHCP.

**SEND budget pressure (transport services)**

For 2020-21, SEND transport is predicting an overspend of £2.5m (£1.5 m in historical pressures and the cessation of the 2019-20 £1m one-off growth funding).

This growth bid requests funding of £2.5m in 2020-21. A separate SEND transport transformation review is being conducted to explore options for containing future overspends but these will not be resolved until the review and the subsequent action plan delivers a full set of outcomes. The plan aims to reduce the pressure by £0.5m in 2021-21 and a further £0.5m in 2022-23. A separate savings proposal has been submitted in conjunction with this growth bid for the £1m savings.

**SEND budget pressure (staffing)**

One-off growth of £0.4m was provided in 2017-18, funding additional posts to manage the increased workload of converting statements of special educational needs into EHCPs, following the change in law.

In addition to the budget pressure in SEND transport, there is also a corresponding budget pressure against the SEND staffing budget. EHCP rates have grown at approximately 14 per cent per year for the last three years and the temporary staff have remained in post to deal with the increase of EHCPs due to growth in client numbers. In addition to this, the council now has over 3,000 children and young people with EHCPs and these are all required to be reviewed on an annual basis. The staff who have remained have supported the work to ensure that 20 week statutory deadlines for assessment continue to improve and that guidance around annual reviews can be followed.

**Budgeted Outcomes / Accountability (focus on improved performance):**

A review is being undertaken to agree actions to deliver a transformed SEND transport offer. The action plan will propose changes to the arrangements for SEND transport policy, governance, financial monitoring, procedural redesigns and the introduction of a new approach to commissioning best value taxi routes.

It is anticipated that the action plan will support the reduction of the current budget pressures that apply to SEND transport and that they will drive down future cost pressures supporting effective demand management and ultimately achieve a balanced budget.

**Risks and Implications:**

If the budget pressure is not realised, SEND transport is at risk of failing to deliver its statutory obligations to transport children.  
Continued expenditure against the SEND transport budget risks officers being non-compliant to local authority financial regulations.  
Failure to regularise the SEND general fund will result in continued requests for further growth.

Failure to maintain the current staffing levels in SEND would risk a failure to comply with the SEND Code of Practice, which describes how the Children and Families Act 2014 should be implemented for children and young people with SEND. This will result in an increase in tribunals and a service that does not meet the needs of this vulnerable group.

**Value for Money and Efficiency:**

The growth bid is intended to reduce the current budget pressure. A separate savings proposal has been submitted in conjunction with this growth bid for the £1m savings, £0.5m in 2021-21 and a further £0.5m in 2022-23.



## GROWTH PROPOSAL

<b>Proposal Title:</b>	In-sourcing of waste services (employee costs)	<b>Growth Type:</b>	Unavoidable Growth
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<b>Directorate:</b>	Place	<b>Reference:</b>	GRO / PLA 001 / 20-21
<b>Service Area:</b>	Public realm	<b>Strategic Priority Outcome:</b>	5. People live in a borough that is clean and green
<b>Lead Member &amp; Title:</b>	Cllr David Edgar, Cabinet Member for Environment	<b>Lead Officer &amp; Job Title:</b>	Mark Griffin, Waste Mobilisation Advisor

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	-	1,300		-	1,300
Other Costs	19,509	-	-	-	-
Income	-	-	-	-	-
<b>Total</b>	<b>19,509</b>	<b>1,300</b>	-	-	<b>1,300</b>
<b>Staffing Impact:</b>					
Employees (FTE)	-	-	-	-	-

### Proposal Summary:

This growth bid relates to potential employee costs arising from the in-sourcing of waste services and informed by the following:

- The contribution towards staff pension costs in the original projections was 15.6 per cent based on information provided. The latest advice is that the contribution level should be 19.9 per cent. This equates to an additional cost of approximately £500k.
- Recent salary increases approved by Veolia, post the Cabinet report, include a 4.5 per cent increase for contract staff in 2018/19. Given that the inflationary increases to the salary budget for the authority was set at 2 per cent, this creates a budget differential of approx. £200k.
- The projection for sickness cover estimate has been revised adding approximately £250k of cost to the current projection.
- The overtime rate for Sunday, bank holiday and night cover has been amended to reflect terms currently received by Veolia operatives. Additional approx. £150k
- The projection is based on the current Veolia establishment of approximately 330 employees.

The full implication of such costs will not be confirmed until later in the mobilisation programme. Officers are assessing the available information from Veolia to calculate the impact of the 2019/20 Veolia pay award for operatives and the consolidation of bonuses. A further analysis will be required after the Veolia managers pay award in January 2020. A budget contingency of £200k has also been factored into this bid.

### Budgeted Outcomes / Accountability (focus on improved performance):

In-sourcing provides direct management of resources and a completely transparent service where operational performance can be clearly judged and influenced by actions taken by operational management in line with the council's strategic plans. The bid is a contingency to ensure that resources are available to fund the operational costs of the service.

### Risks and Implications:

The mobilisation of in-house waste services is a key corporate project with significant implications for the delivery of frontline operations. The bid aims to provide a contingency should pension and salary costs exceed current estimates and will be incorporated into the service budgets.

### Value for Money and Efficiency:

The costs will be calculated in line with pension regulations and current contractual obligations arising from Veolia's current operations.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	Local Community Fund Mitigation	<b>Growth Type:</b>	Mayoral Priority
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<b>Directorate:</b>	Governance	<b>Reference:</b>	GRO / GOV 001 / 20-21
<b>Service Area:</b>	Strategy, Policy and Performance	<b>Strategic Priority Outcome:</b>	8. People feel they are part of a cohesive and vibrant community
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Sharon Godman, Divisional Director Strategy, Policy and Performance

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	-	-	330	-	330
Other Costs	-	-	-	-	-
Income	-	-	-	-	-
<b>Total</b>	-	-	330	-	330
<b>Staffing Impact:</b>					
Employees (FTE)	-	-	-	-	-

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**Proposal Summary:**  
 Cabinet in July 2019 agreed a new funding programme for the voluntary and community sector called the Local Community Fund (LCF). Through this fund the Council has allocated £2.66m to organisations to deliver a range of services to local residents. The LCF Equality Analysis identified a range of mitigating actions that will need to be delivered to ensure the programme does not have adverse impact on particular equalities groups. This included young carers, young people with mental health issues, young people with disabilities, older people and the Somali community.

This proposal is to reverse saving proposal (reference SAV / ALL 006/ 19-20) agreed as part of 19-20 savings proposal to deliver the mitigations actions agreed by Cabinet in July 2019. The LCF mitigation will cost £330k per annum which is being costed through discussions with organisations. The majority of the mitigations have already been identified and set out in the report to Cabinet in July. Any additional funding above the growth bid will be delivered through reallocation of existing funding within the service.

**Budgeted Outcomes / Accountability (focus on improved performance):**  
 The proposal will support delivery of strategic priorities including reducing inequalities and building a more cohesive community. It supports the Council's commitment set out in the Voluntary and Community Sector Strategy to develop a vibrant local voluntary and community sector. It will ensure vulnerable people are supported to live healthy and independent lives and help deliver better outcomes.

**Risks and Implications:**  
 The Equality Analysis of LCF sets out the risks to vulnerable groups and through the delivery of the mitigating actions we will be able to address these. The Council has a legal duty under the Equality Act 2010 to address any inequality that may arise as a result of a decision and through the delivery of the mitigating actions we will be able to meet our duty.

**Value for Money and Efficiency:**  
 All mitigating actions will be costed and analysed to ensure they deliver value for money and build on the existing performance regime. This will be monitored and reported to Grants Determination Committee as appropriate.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	New Microsoft licenses for applications and servers	<b>Growth Type:</b>	Unavoidable Growth
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<b>Directorate:</b>	Resources	<b>Reference:</b>	GRO / RES 001 / 20-21
<b>Service Area:</b>	IT	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Adrian Gorst, Divisional Director IT

Financial Impact:	Current Budget	Growth Breakdown by Financial Year				
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000	
Employee Costs	-	-	-	-	-	-
Other Costs	526	905	-	-	905	
Income	-	-	-	-	-	
<b>Total</b>	<b>526</b>	<b>905</b>	-	-	<b>905</b>	
<b>Staffing Impact:</b>						
Employees (FTE)	-	-	-	-	-	

### Proposal Summary

The council makes extensive use of Microsoft products and services including the Windows operating system, Word, Excel, PowerPoint, Exchange and Outlook for emails and our application servers. We anticipate significant cost increases when we renew our three year contract in 2020:

- A catch-up of price increases we've been protected from in the current contract
- A move from per computer to per user licencing
- Additional functionality to support new ways of working and maintain security
- An increasing number of people using IT with the implementation of new kit.

We continue to seek mitigations to offset these cost increases including working with Crown Commercial services to challenge the 55 per cent price rise if we retain any of our existing technology rather than upgrading and an improved process to ensure accounts are frozen and licences reused promptly when staff leave.

The proposal is to procure three year licences for Microsoft applications and servers with costs at minimum of £1.244 million to £1.431m per year, allowing 15 per cent contingency. The licences need to be renewed to deliver the council's IT services and move away from the old onsite data centre based infrastructure, to a modern cloud based service.

The figures below show the current costs against the future figures. The 55 per cent discount on commercial price we currently enjoy is no longer available if we remain on our existing systems, so additional costs apply regardless of transformation.

2019-2020	2020-2021	Increase
£526,000	£1,431,000	£905,000

### Budgeted Outcomes / Accountability (focus on improved performance):

The new licensing agreement with Microsoft will modernise and transform the council's IT infrastructure, enabling a reliant and effective IT service. It will also provide effective mobile and flexible working, as well as more homeworking, thereby reducing desk space requirements. Moreover, the new Microsoft contract and adding cloud based Office 365 will allow sharing and collaborative working in and outside of the workplace. Additional costs apply regardless as the discount on licencing our existing estate ends in 2020.

**Risks and Implications:**

It is imperative to renew - these licences run and operate the council's services that are reliant on IT. Moreover, cloud based IT services transformation would be at risk if the council does not move away from onsite IT infrastructure. The cloud services will also support the move to the new town hall. Furthermore, the costs of onsite licences are higher, with no discount available. We need to improve our joiners and leavers processes to ensure per-user licences are added and removed promptly.

**Value for Money and Efficiency:**

The cloud based IT infrastructure will provide more reliable, secure and effective IT services than the current onsite setup. It will be more cost effective in the long run, as suppliers like Microsoft are offering their cloud based services at a discounted rate to encourage take up, while all discounts are removed from existing on premise services. Moreover, it will provide employees flexibility and better collaborative working, which is not available under the current setup.

It will support staff to provide a more effective and efficient service to our residents.

## GROWTH PROPOSAL

<b>Proposal Title:</b>	Budget management IT system improvement and necessary hosting	<b>Growth Type:</b>	Unavoidable Growth
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<b>Directorate:</b>	Resources	<b>Reference:</b>	GRO / RES 002 / 20-21
<b>Service Area:</b>	Finance	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Kevin Bartle, Divisional Director, Finance, Audit and Procurement

Financial Impact:	Current Budget	Growth Breakdown by Financial Year			
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Employee Costs	-	-	-	-	-
Other Costs	320	80	-	-	80
Income	-	-	-	-	-
<b>Total</b>	<b>320</b>	<b>80</b>	<b>-</b>	<b>-</b>	<b>80</b>
<b>Staffing Impact:</b>					
Employees (FTE)	-	-	-	-	-

### Proposal Summary:

The main objective of this proposal is to: upgrade the council's core finance system to the current release of the software; to host the solution with an appropriately skilled and experienced provider; and to secure appropriate support arrangements for both the upgrade and ongoing support of the solution.

The council's core finance solution will be fully supported by the software provider and securely hosted on an up to date platform with appropriate resilience/ business continuity arrangements / failover arrangements in place.

The current version of the software is no longer supported by the software provider and the current contract for hosting and support cannot be renewed beyond 31 March 2021. In July 2019, a major incident highlighted the limitations of, and risks around the current arrangements.

There are significant risks of operating the council's core financial system without the full support of the software provider. The existing technology platform is reaching the end of physical life and the existing contract cannot be further extended. The approach to seek new hosting and support provider(s) before the software upgrade is delivered ensures that the upgrade is delivered by a provider(s) who will have an ongoing interest in the success of the solution.

Costs are estimated at this stage and will not be fully validated until procurement process progresses further.

### Budgeted Outcomes / Accountability (focus on improved performance):

This proposal will deliver a stable, up to date solution supported by expert provider(s). This proposal will position the council to move forward with effective financial processes and control which can be further enhanced or optimised through a process of continuous improvement rather than further major projects.

The solution will be more stable and screen response times should improve but measurement of this area is extremely subjective. The later versions of the software offer a more intuitive user interface and processes through user experience packs. Although it is unlikely that the requirement for user training will completely disappear, more intuitive software and processes will reduce this overhead significantly. System availability during core working hours would be expected to be 99.9 per cent or above.

**Risks and Implications:**

The current contract for support and hosting of the council's Unit4 Business World (previously known as Agresso) ends in March 2021. It has previously been extended and further extension is not viable. We could work with the current provider (Agilisys) to upgrade to the current release of Agresso but there would be a significant risk that the work would not be completed and fully embedded and stabilised before the procurement process has to begin to ensure a new contract / provision is safely in place before the end of the existing contract on 31 March 2021.

There are significant and obvious implications of any failure of the council's core finance solution including a lack of ability to pay suppliers, invoice customers and meet other financial obligations in a timely manner.

**Value for Money and Efficiency:**

A majority of the costs of this work are around achieving compliant and reliable solutions rather than efficiency / value for money but up to date and well managed software will ensure a sound base with improved response times from which the council can move forward on a continuous improvement basis.

**New Savings Proposals 2020-21 to 2022-23**

**Appendix 4**

Title	Reference	Directorate	Strategic Priority Outcome	2020-21 £'000	2021-22 £'000	2022-23 £'000	Total £'000
Accommodation and support for single homeless people	SAV / HAC 001 / 20-21	Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	-	(343)	(350)	(693)
Merging of the physical disability day opportunities service with the Riverside Day Service	SAV / HAC 002 / 20-21	Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	-	(316)	-	(316)
Changes to the adult social care charging policy	SAV / HAC 003 / 20-21	Health, Adults & Community	1. People access a range of education, training, and employment opportunities	(132)	(132)	-	(264)
Integration of Tower Hamlets short-term support services - rehabilitation and reablement	SAV / HAC 004 / 20-21	Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	-	-	(100)	(100)
Technology-enabled care	SAV / HAC 005 / 20-21	Health, Adults & Community	3. People access joined-up services when they need them and feel healthier and more independent	-	-	(100)	(100)
Rationalisation and development of early help services from conception to age 25 in youth and commissioning	SAV / CHI 001 / 20-21	Children & Culture	1. People access a range of education, training, and employment opportunities	-	(512)	-	(512)
Savings and traded delivery of education and partnership services	SAV / CHI 002 / 20-21	Children & Culture	1. People access a range of education, training, and employment opportunities	-	(506)	(110)	(616)
Transformation of service delivery provided by the integrated early years service	SAV / CHI 003 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	(494)	-	(406)	(900)
Transformation of service delivery following the youth service review	SAV / CHI 004 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	(50)	(450)	-	(500)
Transformation of SEND transport commissioning	SAV / CHI 005 / 20-21	Children & Culture	1. People access a range of education, training, and employment opportunities	-	(500)	(500)	(1,000)
Property Asset Strategy	SAV / PLA 001 / 20-21	Place	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	-	(1,000)	-	(1,000)
Deletion of dedicated business assurance function for Place Directorate	SAV / PLA 002 / 20-21	Place	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	(56)	-	-	(56)
New Town Hall revenue savings	SAV / PLA 003 / 20-21	Place	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	-	-	(225)	(225)
Legal services	SAV / GOV 001 / 20-21	Governance	13. Not aligned with Strategic outcome	-	(100)	(200)	(300)
Modernisation of the Registration Service	SAV / GOV 002 / 20-21	Governance	12. Not aligned - Statutory function	-	(40)	-	(40)
Revenues - Cashiers - reduce cash and cheque handling and eliminate the need for cheque printing	SAV / RES 001 / 20-22	Resources	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	(130)	-	-	(130)
Benefits service – centralisation of assessments – service review and restructure	SAV / RES 002 / 20-21	Resources	12. Not aligned - Statutory function	(600)	(100)	(100)	(800)
Fees & Charges	SAV / ALL 001 / 20-21	Cross-Directorate	9. The Council is open and transparent putting residents at the heart of everything we do	(125)	(545)	(420)	(1,090)

**Reprofiling of Agreed Savings**

Sharing Costs with CCG for Children with Disabilities <i>Reprofiling of agreed savings (SAV/CHI 004/19-20)</i>	SAV / CHI 008 / 20-21	Children & Culture	2. Children and young people are protected so they can realise their potential	500	(200)	(311)	(11)
Review of Parks <i>Reprofiling of agreed savings (SAV/PLA 05/18-19)</i>	SAV / PLA 005 / 20-21	Place	5. People live in a borough that is clean and green	300	-	(300)	-
Street Lighting Efficiencies <i>Reprofiling of agreed savings (SAV/ PLA 04 / 18-19)</i>	SAV / PLA 006 / 20-21	Place	5. People live in a borough that is clean and green	135	(135)	-	-
ICT Savings <i>Reprofiling of agreed savings (SAV/ RES 05 / 18-19)</i>	SAV / RES 003 / 20-21	Resources	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	550	(550)	-	-
Finance Services – Process improvements and new Finance System Implementation <i>Reprofiling of agreed savings (SAV/ RES 06 / 18-19)</i>	SAV / RES 004 / 20-21	Resources	10. The Council works collaboratively across boundaries in strong and effective partnerships to achieve the best outcomes for residents	100	-	(100)	-
Contract Management Efficiencies <i>Reprofiling of agreed savings (SAV/CORP 02 / 18-19)</i>	SAV / ALL 001 / 20-21	Cross-Directorate	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	2,850	(900)	(1,950)	-
Greater Commercialisation <i>Reprofiling of agreed savings (SAV/ ALL 007 / 19-20)</i>	SAV / ALL 002 / 20-21	Cross-Directorate	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	1,000	1,000	(2,000)	-

<b>Total Savings</b>	<b>3,848</b>	<b>(5,329)</b>	<b>(7,172)</b>	<b>(8,653)</b>
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## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Accommodation and support for single homeless people</b>		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 001 / 20-21
<b>Service Area:</b>	Integrated commissioning	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Warwick Tomsett, Joint Director, Integrated Commissioning

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	-
	4,872	-	343	350	<b>693</b>	Total FTE Reductions	-

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### Proposal Summary:

The council currently spends £4.872 million per annum on accommodation based and floating support services for vulnerable residents who are experiencing, or have experienced, homelessness and rough sleeping. The services currently commissioned include support in seven hostels in the borough, providing a total of 450 bed spaces and a floating support service that engaged with around 350 people during 2018/19, providing a range of different support types. None of these services are required by statute, although they do support the delivery of a range of statutory duties relating to homelessness as well as potentially reducing demand for adult social care and substance misuse services.

Consideration has been given to whether it may be possible to reduce the level of support provided in each of the seven hostels to reduce expenditure. The hostels are, however, supporting people with increasingly complex levels of need and reducing levels of support are very likely to lead to unacceptable levels of risk for residents and staff.

It is therefore proposed to make changes to two of the services that support people with lower levels of need, decommissioning one of the low support hostels and reducing the capacity of the floating support service.

The Hackney Road project is a 35 bed hostel for residents with relatively low levels of support needs comparative to the other six hostels in the borough. The annual value of the contract is £466k. The current provider of the support service at the hostel does not own the building – it is owned by a separate housing association and it may be possible to work with this owner to consider alternative uses for the building that would continue to support the council's work to tackle homelessness and rough sleeping.

Similarly, the floating support service supports individuals with varying levels of need to sustain their social housing or private rented sector tenancies once they have moved on from a hostel or other supported housing setting. The floating support service also works with individuals housed directly into private rented sector accommodation from the street. The service works closely with a number of other outreach services including similar mental health floating support services and services provided through Reset and other substance misuse services. It would be possible to look at ways in which these other commissioned services could incorporate elements of the tenancy support that the floating support service currently provides. This may bring benefits for individuals in terms of reducing the number of services and workers they are expected to engage with. The annual value of the contract is £497k. It is proposed to reduce this by half.

Decommissioning the Hackney Road project and reducing the floating support service would reduce the number of available bed spaces in the borough by 35, from 450 to 415, and would also mean a reduction in the number of people seen by the floating support service per year. Some of these people would need to be redirected to other forms of open access and/or specialist support services. It may be possible to work with the remaining hostel providers to develop alternative drop-in models, within existing resources, to provide some support to this group of people. The reduction in bed numbers would need to be offset by the securing of additional private rented sector or similar accommodation, which would be funded through housing benefit. There will also be opportunities to further refine the admission criteria for other hostels in the borough to ensure that remaining provision is utilised as fully as is practicably possible and that those most in need continue to be prioritised for accommodation.



The proposed reduction of capacity of 50 per cent in the floating support service would reduce the overall cost of the service to an estimated £270k, generating a saving of £227k. It would also be possible to implement this reduction with a full year effect from April 2021.

Significant engagement with a range of stakeholders would be required to manage the change successfully and in a way that minimised the impact on service users.

A benchmarking exercise found that Tower Hamlets has the second highest number of commissioned hostel bed spaces among the six inner London boroughs benchmarked against (Newham, Tower Hamlets, Westminster, Camden, Lambeth and Hackney). Tower Hamlets currently has 450 hostel bed spaces, second only to Westminster which has 652. Neighbouring Hackney has 200 and Newham has 163.

#### **Risk and Mitigations:**

The key risk relates to the reduction of capacity to support local people who are homeless, including rough sleepers, at a time of increasing levels of homelessness being experienced. Retaining a floating support service, albeit at 50 per cent of current capacity, rather than fully decommissioning it, will provide a means of mitigating this risk.

The achievable saving has been modelled on the basis that the saving would be delivered from quarter four of 2020/21 to provide sufficient time to undertake the necessary stakeholder engagement and to allow for contractual termination notices to be issued.

Given the complexity of the individuals using the current services, it is not possible to quantify the cost that this proposal will create for adult social care and community safety. However, it is anticipated there will be some adverse impact.

#### **Resources and Implementation:**

Officer time to undertake more detailed impact modelling work will be required.

Officer time will also be required to undertake the necessary stakeholder engagement.

Legal support will be required in order to ensure that all necessary contractual termination processes are duly executed.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Accommodation and support for single homeless people		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 001 / 20-21
<b>Service Area:</b>	Integrated commissioning	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Warwick Tomsett, Joint Director, Integrated Commissioning

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	Yes	The proposals as set out would reduce the availability of temporary accommodation in the borough for vulnerable people, as well as reducing the availability of support for vulnerable individuals living in other forms of temporary accommodation. A proportion of those individuals will have characteristics, such as disability, protected under the Equality Act 2010.
Does the change involve direct impact on front line services?	Yes	The proposals as set out would reduce the availability of accommodation and support services that play a part in enabling the council to meet its homelessness and housing duties. This may impact on frontline council services, including the housing needss, mental health, substance misuse, social care and health services.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	The proposals as set out would reduce access to supported accommodation for vulnerable residents as well as reducing access to support services for individuals living in other forms of temporary accommodation.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	Further work is needed to identify the full impact of the proposals and this will need to be carried out with relevant stakeholders. There is a strong possibility that staff in commissioned services will be reduced.
Does the change involve a redesign of the roles of staff?	Yes	Further work is needed to identify the full impact of the proposals and this will need to be carried out with relevant stakeholders. It may be necessary to consider the roles of some staff due to the changing nature of the service.

<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Merging of the physical disability day opportunities service with the Riverside Day Service</b>		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 002 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Claudia Brown, DD Adult Social Care Christine Oates, Localities Service Manager

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	15.2
	732	-	316	-	<b>316</b>	Total FTE Reductions	7.2

### Proposal Summary:

The physical disability day opportunities service based in Stepney Way provides for up to 15 service users per day that come from a range of communities within the borough and present with a variety of long-term health conditions. Most users are within the working age category, i.e. below the age of 65 but the age range of the current attendees is from 28 to 67 years. All users have an allocated key worker within the service to ensure continuity of care and support and help foster meaningful relationships to encourage users to express their needs and achieve the goals of their support plan. User numbers have fallen, particularly over the last five years, and the current number of users on the register is 19. The maximum planned attendance on two days is 10 and on one day of the week, this falls to seven, which is less than half of the maximum capacity.

This proposal recommends merging the service with the Riverside Day Service where under occupancy is an increasing concern with registered numbers standing at 25. The Riverside Day Service currently provides care and support for predominantly older people who present with a variety of long term health conditions and experience social isolation.

Universal services are not accessible to the user group, which has led to the reliance on a building based, accessible service with appropriately trained staff. With capacity to accommodate up to 30 users each day, the service has current vacancies on each day of the working week. The maximum planned daily attendance based on user numbers on 1<sup>st</sup> July is 18 and falls to 12 on other days.

Merging services will achieve effective and efficient use of one building based service while maintaining the same level of support to users with eligible needs for care and support. For some service users this will be an opportunity to consider other ways to have their eligible needs met in a more personalised way.

The proposal to merge two services will increase efficiency through increased attendance at one site with some users, a maximum of 19, experiencing a change in venue but not a loss of a service. The proposal will still ensure that support to carers is maintained as attendance at a day service can provide a valuable respite opportunity, which enables them to continue in their caring role. At the same time, the proposal will produce savings arising, in the main, from reduced salary costs. There may be costs associated with vacating the physical disability day opportunities centre, which have not currently been factored in to the financial impact.

Aside from the financial benefits arising from the proposed merger, service users will continue to be supported to achieve outcomes, which will potentially be enhanced by increased attendance at Riverside:

- I play an active part in my community.
- I am supported to make healthier choices.
- I am confident that those providing my care are competent.
- I am able to access the services I need, to a safe and high quality.
- I want to see money is being spent in the best way to deliver local services.
- I feel like services work together to provide me with good care.
- It is likely I will live a long healthy life.

- I have a good level of happiness and wellbeing.
- Regardless of who I am, I am able to access care services for my physical and mental health.
- I have a positive experience of the services I use, overall.
- I am supported to live the life I want.

#### **Risk and Mitigations:**

The Riverside Day Service operates out of Jack Dash House. As the council reviews its assets to ensure value for money, this building may change use.

Alternative options would need to be sought should the Riverside service not be available. This would require a review of all service users and consideration of alternative, commissioned care and support to meet eligible need. By placing a hold on recruitment within internal day services, there could be a wider range of redeployment opportunities available to displaced staff.

Should the risk materialise, the proposed savings could be achieved but Riverside would not achieve increased efficiency through the increase in service user numbers and raised client contributions. Depending on the needs to be met in commissioned care settings, there could be an increase in the cost to the commissioning care package costs.

#### **Resources and Implementation:**

Support from finance to confirm potential savings over three years is required. HR support in relation to staffing considerations /consultation processes would be required and should the proposal go ahead, support for staff at risk of redundancy and mitigating those risks.

If approved, all service users, carers and staff would need to be consulted. Ideally, this would need to begin at the latest by November 2020. Potentially, all service users would require a review before closure to ensure that their needs can be met once the service closed. It is envisaged that the majority of users could have their needs met at Riverside but there may be more appropriate outcomes that are better suited to meet individual needs.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	<b>Merging of the physical disability day opportunities service with the Riverside Day Service</b>
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<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 002 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Claudia Brown, DD Adult Social Care Christine Oates, Localities Service Manager

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	Yes	The transfer of the service to Riverside will reduce available resources to adults with a disability, some of whom are of working age. Riverside does not currently provide support to adults of working age.
Does the change reduce resources available to support vulnerable residents?	Yes	The change does reduce resources available to support vulnerable residents (disabled adults). However, there are services with capacity, particularly for those who are not of working age. Commissioned services can also be considered where in house provision may not be the best outcome to support users with eligible needs for care and support.
Does the change involve direct impact on front line services?	Yes	See above
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	The transfer to Riverside for the majority of people with lived experience will mean that the physical disability day opportunities service will not be a point of access.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	The exact details of the staff reductions will be considered as part of the equalities impact assessment.
Does the change involve a redesign of the roles of staff?	No	

<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Changes to the adult social care charging policy</b>		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 003 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Joanne Starkie (Head of Strategy and Policy – Health, Adult and Community Services), Adrian Osborne (Head of Strategic Finance – Health, Adult and Community Services) and Claudia Brown (Divisional Director, Adult Social Care)

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	-
	(2,350)	132	132	-	<b>264</b>	Total FTE Reductions	-

### Proposal Summary:

It is proposed to change the adult social care charging policy from 1 October 2020 so that:

- The current capped maximum weekly charge of £250 is increased to £1,000.
- The standard utilities allowance of £15 per week is reduced to £5 per week (currently this amount is disregarded in financial assessment).
- Respite and carer relief is provided free of charge.

Charging for community-based adult social care services was introduced in October 2017 based on the premise that only those who could afford to pay would do so.

This proposal follows benchmarking activity carried out in autumn 2018, which indicated that our policy is likely to be out of step with other local authorities. Of the 23 local authorities we benchmarked with (of which four are in London: Greenwich, Camden, Islington and Enfield), 17 had no weekly cap, five had a higher cap and one was lower.

In October 2019, a further light-touch benchmarking exercise was carried out with eight other London boroughs (Greenwich, Camden, Islington, Enfield, Southwark, Lewisham, Hackney and Newham). Of the eight, five local authorities have no weekly cap. Of the remaining three, Greenwich has a cap of £546.55 per week, Hackney has a cap that is based on 92 per cent of the personal budget amount (i.e. the cost of the care package) and Newham has a weekly cap of £200.

The same benchmarking exercise of 23 other local authorities looked at the minimum income guarantee (MIG). Eighteen have a lower weekly MIG for working age adults and 20 have a lower MIG for older people. All but one appear to be lower than our current offer of the MIG plus £15 per week. The £15 per week that is disregarded is the Standard utilities allowance, which is arguably already accounted for in the MIG calculation.

Based on impact assessments carried out in October 2018 and June 2019, there is no clear evidence to suggest that charging is discouraging people from coming forward for help or that it is having an overall negative impact on wellbeing. The impact assessments did identify a number of areas for improvement, most noticeably around the importance of clear communication with adult social care users and carers and the potential increased burden being placed on unpaid carers. These areas have been worked on over the last 12 months and the importance of clear communication is included in this proposal .

Increasing the current maximum weekly contribution of £250 per week to £1,000 would result in additional income to the council of up to £295,000 in year one, depending on the level of bad debt. It is estimated this would impact 24 adult social care users.

- Currently, the council provides an additional £15 weekly utilities allowance, which is disregarded when the financial assessment is undertaken. This amount is on top of our MIG, which is already set at a level to take utilities charges into account.

Reducing the standard utilities allowance to £5 would result in additional annual charging income of £458,000.

**For the purposes of this proforma the anticipated, savings have been reduced by 40 per cent to reflect the need to include a bad debt provision based on the income collected to date compared to the value of invoices raised.**

To mitigate the risk that a change in policy will put an increased burden on unpaid carers, it is proposed that the charging policy also be changed so that respite or carer relief be provided free of charge if it is in place primarily to meet the needs of the carer. Currently, carer respite services are charged for. Providing respite and carer relief free of charge would cost the council between £36,000 to £343,000 per annum. For this proposal, the additional cost has been assumed to be £198,000 – the mid-point of the anticipated range.

#### Risk and Mitigations:

1. The proposal is likely to be subject to significant challenge as a number of individuals/groups are opposed to the principle of charging for community-based services. This will need to be managed through a communication and engagement plan that highlights the evidence on which the proposal is based.
2. Without clear communication, there may be confusion and heightened anxiety among service users and this risk will need to be managed through a communications plan owned by the financial assessment team.
3. There is a risk that a change in policy will put an increased burden on unpaid carers. This is an issue that was raised in the 2018 impact assessment. As a result, the impact assessment suggested we look into changing the charging policy so that respite and carers relief be provided free of charge if it is in place to primarily meet the needs of a carer. The current policy position is that these services are subject to being charged for in the same way as other community-based services (note that it is the person who is the direct recipient of the service – ie the service user – who is assessed and charged, in line with statutory guidance). Providing respite and carer relief free of charge would have an adverse financial impact to the council of between £36,000 to £343,000 per annum. These figures are based on the data currently available. A range is provided to try and account for the assumption that not all cases of carers relief are currently correctly flagged within the social care data. Taking this approach may also provide some assurance to individuals and groups who may be strongly opposed to this proposal.
4. There is a risk that the anticipated income from this change will not be fully realised due to debt. Debt levels have lowered by £0.2 million over the last nine months but remain comparatively high. For example, the amount of income received between 1 October 2017 to 31 March 2019 (a time period of 18 months) is £2.4m. The amount invoiced is £3.6m. The amount of debt is £1.2m. A monthly adult social care debt recovery panel takes place to review cases where service users are not paying the charges that have been raised and, where agreed, standard corporate debt proceedings are followed. Further mitigation can be provided by increasing the bad debt provision raised for social care debt, which would decrease the level of saving achievable. A 40 per cent bad debt provision on the additional income that could be generated from these proposals has been included in the savings.

#### Resources and Implementation:

##### 1. Strategy, policy and performance (SPP) and finance

Resources from these teams will be required to:

- Carry out more detailed financial modelling.
- Coordinate consultation and engagement on the proposed changes.
- **Carry out an equalities analysis on the proposed changes.**

##### 2. Financial assessment team

Resource will be needed from this team to:

- Communicate the final policy changes to staff, service users and carers
- Change financial assessment processes in line with the change in policy
- Carry out reviews to update financial assessments in line with any changes in policy
- Manage the likely increase in requests for reassessment following any change in policy

##### 3. Adult social care

Resource will be needed from this team to:

- Support SPP and finance with consultation and engagement (it is likely that engagement activity will result in issues relating to care packages – eg requests for reassessments).
- Support the financial assessment team in communicating final policy changes to service users and carers.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Changes to the adult social care charging policy		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 003 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Joanne Starkie (Head of Strategy and Policy – Health, Adult and Community Services), Adrian Osborne (Head of Strategic Finance – Health, Adult and Community Services) and Claudia Brown (Divisional Director, Adult Social Care)

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	Yes	The change will impact on adult social care users and carers. The nature of adult social care means there are specific implications for people with a disability. A previous impact assessment in October 2018 identified that approximately 43 per cent of adult social care users are being charged an amount of money at any one time (around 1170 people). Older people and people of a White ethnic background were more likely to be paying the full cost of their care (up to the maximum amount of £250 per week) compared to other groups in this assessment.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>



## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Integration of Tower Hamlets short-term support services - rehabilitation and reablement</b>		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 004 / 20-21
<b>Service Area:</b>	Localities east and reablement	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Paul Swindells, Service Manager Claudia Brown, DD Adult Social Care

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	60
	2251	-	-	100	<b>100</b>	Total FTE Reductions	3

### Proposal Summary:

The proposal is to explore the options for the integration of a range of short-term support services (rehabilitation and reablement) across the East London Foundation Trust (ELFT) and the London Borough of Tower Hamlets (LBTH). The present range of short-term support services includes:

- Reablement service – LBTH
- Rapid response service – ELFT
- Intermediate care – ELFT
- Admissions avoidance / discharge to assess - ELFT

The proposal explores opportunities to merge these various offers together with options to either realign, partially integrate, or fully integrate these services. Many of the services above presently provide an offer to residents being discharged from hospital, and/or those who are already at home when they start to become unwell or need input to improve or restore their independence and wellbeing.

The benefits of exploring an integrated service model include:

- Users will experience a seamless and better co-ordinated short term support offer.
- Clearer referral pathways and access for partners and service users.
- Maximise efficiency, better use of staff resource and skill mix and reduced duplication and handoffs.
- Single point of access for hospital discharges.
- Promotion of joint working culture and best/evidence based practice through integrated protocols and shared responsibilities and learning.

Project objectives:

- Offer a joint health and social care short-term support service.
- A 'one stop shop' approach for all residents who have reablement or rehabilitation needs
- Standardised offer and approach that is Care Act compliant while also meeting the requirements of health and CCG partners.
- Identification of ongoing health and social care needs and the promotion of joint care and support planning.

In turn this would deliver a service which:

- Supports Tower Hamlets delivery of the prevention and wellbeing agenda.
- Supports the health and wellbeing strategy 2017-20 aim to develop a fully integrated health and social care system.
- Facilitates swift and safe hospital discharge.
- Reduces user dependency on long term care and support.

- Promotes user engagement and building resilience through a goal oriented, outcomes focused and strengths based service model and approaches.
- Promotes the creation of integrated health and social care support plans.

The proposal does not include specialist rehabilitation services in the borough; for example the community neuro service, cardiac rehabilitation offer (ARC).

It is acknowledged that considerable work will be required to take this proposal forward and there are some interdependencies with other integration workstreams. For example, the single point of access to health and social care and the localities model of integrated support. As a result of the considerable work still required, a saving of £100,000 is estimated for 2022-23. However, as the work progresses and potential outcomes are understood, the savings opportunity will be refined.

Significant stakeholder and user consultation will be required as part of this proposal as access to the range of short-term support offers have many interdependencies across current services.

#### **Risk and Mitigations:**

Failure of stakeholders and/or partners to agree on a model of integration.

Potential partner organisation intention to also capitalise on the project to make financial savings.

Users and residents' opposition to proposed plans.

Conflicting priorities of partner organisations and shifting of key strategic priorities including national policy.

To mitigate these risks, we are proposing a potential 18 month planning and implementation phase, ensuring stakeholder involvement and strategic and political support from both organisations.

Quantifying risk is challenging at present, the potential saving being proposed is low value at present so the risk is potentially low.

#### **Resources and Implementation:**

Resources required include service/team manager input from all parties and potentially the CCG.

Project management support.

The initial milestone is the joint presentation of models and proposals to the senior management groups in LBTH and ELFT for strategic buy in and steer – following this, a more detailed project plan will need to be developed detailing timelines, activities and proposals.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Integration of Tower Hamlets short-term support services - rehabilitation and reablement		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 004 / 20-21
<b>Service Area:</b>	Localities east and reablement	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Paul Swindells, Service Manager Claudia Brown, DD Adult Social Care

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	Yes	The change will involve the integration of a range of short-term support services., As part of this re-structure/realignment, there will be efficiency savings achieved, due to streamlining the offer and reducing duplication. –While resources will reduce, the workforce and offer will be improved and refreshed. The impact on vulnerable residents and services should be minimal and no individuals with protected characteristics would be disproportionately impacted. A full equalities impact assessment will be taken to consider this in detail.
Does the change reduce resources available to support vulnerable residents?	Yes	See explanation above
Does the change involve direct impact on front line services?	Yes	See explanation above
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	Access workflows may change. However, a potential outcome is an improvement in accessibility across the range of services.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	Risk of redundancy or redeployment are minimal but possible.
Does the change involve a redesign of the roles of staff?	Yes	Some roles may involve: <ul style="list-style-type: none"> <li>- A change to job descriptions.</li> <li>- Enhanced roles to include 'health' related support activities.</li> <li>- Change of employer for staff contracts e.g. may have all staff employed by one organisation.</li> <li>- Working hours and days may need to be more flexible e.g. seven day service.</li> <li>- Work location may change (within borough).</li> </ul>

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Technology-enabled care</b>		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 005 / 20-21
<b>Service Area:</b>	Adult Social Care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Joanne Starkie (Head of Strategy and Policy – Health, Adult and Community Services), Claudia Brown (Divisional Director, Adult Social Care), Warwick Tomsett (Joint Director of Integrated Commissioning)

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	-
	21,359	-	-	100	<b>100</b>	Total FTE Reductions	-

<b>Page 340</b>	<b>Proposal Summary:</b>
	<p>This proposal seeks to offer more technology-enabled care to adult social care users, carers and to residents with the aim of:</p> <ul style="list-style-type: none"> <li>- Providing more technology-enabled care when it is safe to do so, supplementing and potentially avoiding more costly and more traditional community-based care packages (e.g. home care provision).</li> <li>- Promoting technology related care to residents and carers, with a view to delaying or reducing the need for wider care and support across the health and care system.</li> </ul> <p>To do this we will expand the catalogue of items for staff, service users, carers and residents. This can include sensors, monitors, voice-activated technology in the home and technology-enabled homes more broadly. This proposal is likely to require working with an external partner with expertise in the technology sector. As a result of this, there is likely to be a requirement for invest to save funding and the potential for capital expenditure. These elements will be refined as work on the proposal progresses.</p> <p>Significant further work is required to understand what the potential savings may be, therefore, it is currently proposed that a £100,000 saving is attributed to 2022-23. However, as work progresses, this figure will be refined.</p> <p>Providing care through technology when it is safe to do so has the potential to reduce demand for more traditional care packages. Technology can support people to carry out daily tasks (e.g. turning lights on and off, setting reminders), to stay safe (e.g. sensors that flag when someone wanders, falls or does something outside a regular routine) and to monitor and take action in relation to their health and wellbeing (e.g. checking physical activity levels). Furthermore, technology can enable people to connect with one another and communicate more easily, in-keeping with commitments to tackle loneliness and social isolation in the borough. Overall, technology can work as a preventative measure to delay and reduce the need for care and support, increase independence and can supplement more traditional social care services. This technology is already available but the options and functionality are constantly evolving, meaning that the benefits are ever-changing and developing.</p> <p>The proposal is in line with wider strategic aims to promote independence and empower residents, service users and carers to have more control over their health and wellbeing. It provides us with the opportunity to work with health partners (through Tower Hamlets Together) to look at technology, health and care more holistically.</p>

<b>Risk and Mitigations:</b>
<ol style="list-style-type: none"> <li>1. There is a risk that once the catalogue of technology-enabled care has been expanded, staff in adult social care may not be fully aware of or engage with this offer when developing care packages with adult social care users. This risk can be managed through a communication and engagement plan that involves staff in planning at an early stage.</li> </ol>

<b>Resources and Implementation:</b>
<ol style="list-style-type: none"> <li>1. <b>Strategy, policy and performance – health, adult and community services</b> The team will support work to understand current practice in relation to technology-enabled care and support research and insight into future opportunities. This will be done in partnership with experts within the local authority and in Tower Hamlets Together.</li> </ol>

2. There is a risk that adult social care users, carers or residents may not be willing or able to use the technology available. This could be due to things like internet access (in the 2018 service user survey in adult social care, 17 per cent of users had access to the internet, another 29 per cent said someone accesses it on their behalf, and the remainder had no access). It could also be due to preferences, such as concerns around voice-activated technology and data protection. These issues will need to be looked at in more detail to understand the barriers to using technology-enabled care and how we may be able to overcome them.
3. The pace of change in relation to technology is a key challenge (as well as being a key opportunity). We need to keep up-to-date on the changing opportunities technology provides and on research and evidence associated with the impact of technology-enabled care. The pace of change can also be a barrier for staff and resident engagement.
4. There is a risk that this work is perceived as automation that will result in a reduction in care staff. This is not expected to be the case, although it may be that technology impacts on how people work (e.g. if demand for social care rises in line with things like an ageing population, it may be that technology enables staff to support more people). The risk of people perceiving this work as something that could result in job losses can be managed through clear communication, highlighting case studies to show how technology can be used in practice.

## **2. Integrated commissioning**

Integrated commissioning will work with and across providers delivering health and social care, building on and incorporating the work related to technology-enabled care.

## **3. Adult social care**

Practitioners would be expected to proactively offer technology-enabled care in assessments and reviews. While this already happens, this proposal involves the expansion of the offer.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Technology-enabled care		
<b>Directorate:</b>	Health, Adults & Community	<b>Reference:</b>	SAV / HAC 005 / 20-21
<b>Service Area:</b>	Adult social care	<b>Strategic Priority Outcome:</b>	3. People access joined-up services when they need them and feel healthier and more independent
<b>Lead Member &amp; Title:</b>	Cllr Amina Ali, Cabinet Member for Adults, Health and Wellbeing	<b>Lead Officer &amp; Job Title:</b>	Joanne Starkie (Head of Strategy and Policy – Health, Adult and Community Services), Claudia Brown (Divisional Director, Adult Social Care), Warwick Tomsett (Joint Director of Integrated Commissioning)

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	Yes	Offering more technology-enabled care will impact on adult social care users and carers in providing different options for their care. The nature of adult social care means there are specific implications for people with a disability.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>
The scale and nature of the change being proposed is not yet defined but we are not proposing a policy shift at this stage that would restrict current care package options. For this reason, a full equalities impact assessment is not considered to be required at this stage.

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Rationalisation and development of early help services from conception to age 25 in youth and commissioning</b>		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 001 / 20-21
<b>Service Area:</b>	Early help service, integrated early years service, youth service part of the youth and commissioning division	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins Taylor, Divisional Director Youth and Commissioning

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	80
	Early Help 783 IEYS 6047 Youth 3606	-	512	-	<b>512</b>	Total FTE Reductions	16

### Proposal Summary:

This saving proposal is intended to create effective early intervention pathway(s) from pre-conception to age 25 that will address problems as soon as they emerge; supporting families with the right help at the right time.

This is intended to save money by reducing demand through effective early help preventing issues from escalating. The proposal will introduce a pre-conception to age 25 offer across youth and commissioning. This will include the early help service, the integrated early years service and the youth service. This will enable the council to move from later intervention to early intervention and will ensure the development of robust social and emotional bedrock for babies, children, young people and families to increase their resilience and self-reliance. The rationalisation of the service will also reduce duplication and the number of services working with any given family and enable delivery against phase three of the government's 'Troubled Families' Programme.

The further development of a restorative practice model will help to build further resilience within families and create services and focus on sustainability of change. Evidence from other local authorities who have adopted this approach shows a reduction in the number of re-referrals from families into services.

The new approach will ensure families to benefit as soon as possible from the help available. Early intervention foundation research indicates that this approach will save money in the future. It indicates that the gains of this change are significant but not immediate. The initial saving relates to the anticipated reduction in duplication through streamlined services over time, this new approach will filter and reduce the number of families requiring statutory services resulting in further savings opportunities.

### Risk and Mitigations:

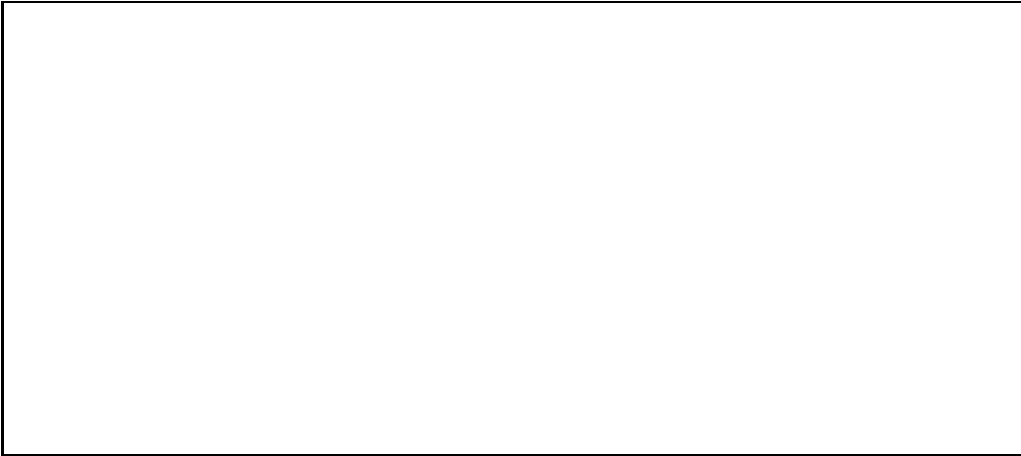
- Changes to frontline staff could increase the caseloads of early help practitioners, reducing their ability to undertake more intensive work with families if required as a result the cost of later intervention for children and families could be higher.
- Any redundancy costs from the outcome of this MTFs saving proposal would need to be met corporately.
- These saving proposals could reduce the number of staff available to operate key sites/provision in for example children centres or youth centres.
- A legal duty may arise to consult both the DfE and the public prior to proposed changes.

### Resources and Implementation:

- HR support through the organisational change is required.
- For implementation to happen the following is required:
  - August 2019 appointment of project management team
  - September to October 2019, functional analysis and planning to develop the business case.
  - November to January 2020, public and staff consultations.
  - February to April, implementation.

These risks can be mitigated through a number of measures including:

- Further development of restorative practice and other training to develop and equip staff.
- Use of holistic whole family working, which reduces the number of services and professionals working with any one family.
- Use of technology to help effectively target families using risk indicators.
- Better integration of IT systems across early help services and with children's social care (CSC), improving access to timely information to support families. This will be delivered through the planned IT changes in CSC.
- Maximisation of the funding from phase three of the government's Trouble Families Programme and working to get additional grant funding as is currently the case with a range of early help programmes.
- If the risks materialise, the impact on the ability to achieve the saving will be minimal due to the implementation of the above listed mitigation strategies.





## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Rationalisation and development of early help services from conception to age 25 in youth and commissioning		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 001 / 20-21
<b>Service Area:</b>	Early help service, integrated early years service, youth service part of the youth and commissioning division	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins Taylor, Divisional Director Youth and Commissioning

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	Yes	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	The way in which services are accessed has the potential to be very different with early help and other changes being implemented.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	As part of the review, the exact numbers and details will be established.
Does the change involve a redesign of the roles of staff?	Yes	Inevitably, due to the scale of the change, some staff roles will have to change to meet the needs of the new environment.

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Savings and traded delivery of education and partnership services</b>		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 002 / 20-21
<b>Service Area:</b>	Education and partnerships	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Christine McInnes, Service Head Education & Partnership

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	70
	3,773.6	-	506	110	<b>616</b>	Total FTE Reductions	7

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### Proposal Summary:

The education and partnership services have identified potential savings through improved efficiencies, ceasing non statutory functions, additional income generation and trading income.

#### **Parental engagement**

A proposed £200,000 reduction will be achieved through a combination of actions including charging children's social care/early help services for delivery of parenting programmes mandated by the courts. The use of early help funding to pay for parenting courses, including through the use of the Troubled Families Programme funded by government, which has not yet been confirmed or allocated beyond 2020/2, may help to mitigate any adverse impact on other children's social care or early help budgets.

#### **Education safeguarding service**

The service fulfils a number of statutory duties for the local authority in relation to safeguarding in education. In previous years, the council invested heavily in this service as a way of mitigating the high level of risk locally.

The service has a previously agreed saving of £70,000, to be implemented in 2020-21, achieved by deleting the head of service post. It is proposed to save a further £210,000 from a 30 per cent reduction in the general fund contribution to the service. The proposed reduction would be implemented over a two year period and will reduce the service of eight staff by the equivalent of two posts and increase the income generation target of the service. There is currently a high level of investment in developing school capacity in safeguarding practice, which can decrease over time to become more focused on a quality assurance role or traded delivery.

Now the team comes under the leadership of the corporate school for vulnerable children (as part of the agreed saving on reducing the head of service), there are also opportunities for further efficiency savings, which are being scoped. The savings would be delivered over a two year period 2021/22 and 2022/23.

The model is underpinned by an assumption that schools will, over time, need less direct support for safeguarding as an outcome of developing their capacity through a variety of ways including the establishment of the schools designated safeguarding leads development programme and school safeguarding audits.

#### **Attendance and welfare service**

The attendance service is a traded service with schools. The majority of schools currently buy into the service. The local authority retains statutory duties in this area supported by £500,000 from the general fund. The proposed saving of £100,000 represents a reduction of 20 per cent, which can be met by efficiency savings resulting from identified underspends.

#### **Educational psychology**

This service was reduced by £200,000 in 2018-19. The new saving of £85,000 would be achieved by reducing a post and increasing income generation.

### **School improvement primary (Gorsefield)**

Gorsefield Rural Studies Centre is a residential centre based in the village of Stansted Mountfitchet in Essex. The Edwardian house sits on a seven acre site surrounded by the picturesque Essex countryside. It has been owned by the London Borough of Tower Hamlets since 1990 and welcomes schools and community groups from the borough throughout the year.

Gorsefield currently generates £248k in income and £268k in expenditure and therefore relies on the general fund contribution to cover costs of £20k.

The intention is to become a fully traded model from 2021-22. The centre is currently running a deficit and work is being undertaken to develop a business plan with a view to it becoming self-financing. Increased income would remove the general fund contribution and require the centre to cover its costs.

This relatively modest increase in traded income to ensure that the centre is financially sustainable would be planned for over the financial year 2020/21. We have a headteacher in the borough who has agreed to work on this, alongside others with business experience and therefore we are confident that the increase in income can be made. The centre will look at improving its marketing and bookings so that more people can book when the centre is not being used for school visits and ensure greater use in school holidays. We are also considering how to explore options for other, wider, council uses of the building including for early help, family support and respite.

### **Risk and Mitigations:**

#### **Parental engagement**

##### Risks

- With regard to charging for the parenting programmes, this will result in a financial pressure on children's social care (CSC) /early help. If another provider were to be used, this is likely to be to the detriment of quality and possibly increase costs to Children's Services as a whole.
- The service is a key contributor to the early help offer and a reduction in the early help capacity, potentially increasing pressures on CSC.
- The service is a key contributor to the capacity to deliver wider council anti-poverty, cohesion and employability priorities.

These risks may be mitigated through:

- Close coordination between children's social care, early Years and the service.
- The use of early help funding to pay for parenting courses, including through the Troubled Families Programme government funding if it is extended.

#### **Education safeguarding service**

##### Risks:

- There will be some reduction of frontline capacity to keep vulnerable children safe and a possible impact on the council's early help capacity, potentially increasing pressures on CSC.
- Detailed plans have yet to be developed but each function is underpinned by a variety of legislative requirements and reducing the capacity in the service, without mitigation, risks the council not fulfilling its statutory duties or maintaining its Ofsted rating.

#### **Attendance and welfare service**

The council's statutory duties are generously met at present and it is anticipated that this reduction can be made with limited impact.

### **Resources and Implementation:**

#### **Parental engagement**

A review of the current service delivery model to identify where efficiencies can be made and feasibility study in collaboration with CSC regarding the transition to payment for parenting courses. It is anticipated that the majority and possibly all the work can be undertaken internally by the service.

#### **Education safeguarding service**

2020-21

Specialist project capacity is required to undertake an analysis and benchmarking exercise to develop a proposal that minimises the increase in risks, which will arise from reducing this service.

The proposal is likely to require a public consultation; communications and legal advice would be required to ensure a robust consultation. Project and HR capacity will be needed to support the development of proposed new staffing structure and drafting of reports.

#### **Attendance and welfare service**

There are no significant resource implications anticipated.

#### **Educational psychology**

It is anticipated that the majority and possibly all of the work can be undertaken internally by the service. HR support will be needed to support the deletion of a post. This may require redundancy costs to be funded corporately.

#### **School improvement primary (Gorsefield)**

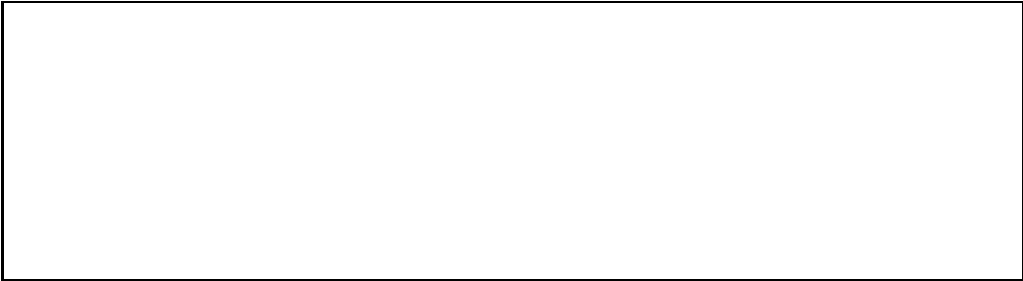
Support to undertake a detailed feasibility study and to develop the business case demonstrating that the centre can become self-financing.

**Educational psychology**

There is a risk that this reduction will reduce the capacity in the team to undertake discretionary work in addition to traded delivery, such as providing support in children's centres.

**School improvement primary (Gorsefield)**

This relatively modest increase in traded income to ensure that the centre is financially sustainable would be planned for over the financial year 2020/21, therefore the risk is considered minimal.



## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	<b>Savings and traded delivery of education and partnership services</b>
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<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 002 / 20-21
<b>Service Area:</b>	Education and partnerships	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Christine McInnes, Service Head Education & Partnership

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	Yes	<b>Age, disability, race, religion or belief</b> By its very nature, this proposal sees a reduction in resources relating to children and young people. There is a reduction in staff who are dedicated to work with identified priority groups in the borough and to promoting community cohesion.
Does the change reduce resources available to support vulnerable residents?	Yes	This service supports a number of groups that could be considered vulnerable, including parents in need of or required to undertake parenting classes, parents/carers in need of early years childcare, children vulnerable to exploitation, children with health issues, children electively home educated, and children missing education.
Does the change involve direct impact on front line services?	Yes	There is the potential for significant impacts on frontline services, particularly in the council's capacity to deliver early Help. The full equalities impact assessment will detail how these impacts are to be mitigated.

<b>Changes to a Service</b>
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Does the change alter who is eligible for the service?	Yes	Eligibility for the service will need to be considered, including introducing eligibility criteria or amending it to better reflect the new services.
Does the change alter access to the service?	Yes	Thresholds to access the services will need to be considered, including introducing or changing them to better reflect the new services.

<b>Changes to Staffing</b>
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Does the change involve a reduction in staff?	Yes	Potentially this proposal could result in a reduction of a maximum of seven full time equivalent staff across services as detailed in the proposal. This is in the context of a total staff of 70, so a reduction of a maximum of 10 per cent.
Does the change involve a redesign of the roles of staff?	Yes	The roles of staff will have to be considered as part of the changes to these services. The level of transformation is likely to mean some change of roles, however, this will be considered and managed working closely with HR to identify the best approach.

Summary:	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

Additional Information and Comments:

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Transformation of service delivery provided by the integrated early years service</b>		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 003 / 20-21
<b>Service Area:</b>	Integrated early years service, youth and commissioning division	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins Taylor, Divisional Director Youth and Commissioning

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total £'000</b>	Current FTE 2019-20	TBC
	6,077	494	-	406	<b>900</b>	Total FTE Reductions	TBC

### Proposal Summary:

This saving proposal offers up recurring savings through the delivery of improved efficiencies (£494k in 2020-21) and structural change (£406k in 2022-23). The details of the savings proposals are as set out below:

- In 2020-21, £494k of efficiency savings have been identified from underspends and uncommitted general fund in the integrated early years service.
- The period covering 2021 -22 will be used to review the impact and effectiveness of (SAV / CHI 006 / 20-21) a previously agreed budget savings focused on the rationalisation and development of early help services from conception to age 25 in youth and commissioning. It is anticipated that following this review further efficiencies would be possible to achieve an additional £406k saving in 2022/23.

### Risk and Mitigations:

*What will the major risks on the project be?*

- Possible reductions in the delivery of sessions and services at children's centres due to staffing ratio issues.
- The IEYS may no longer be able to support further developments in areas such as early language acquisition through children's centres, childcare settings and school EY units.
- The level of language acquisition birth to five could potentially fall leading to lower Early Years Foundation Stage Profile outcomes, and lower education and health outcomes.

*What will their impact be on the IEYS and Tower Hamlets Council?*

- Capacity for partnership work with health professionals (HV teams, hospitals, GPCG at al.) could be significantly reduced.
- This could lead to further demand for additional educational support during primary school age.

*What are the possible mitigation strategies?*

### Resources and Implementation:

*What are the resources needed to build up the proposal?*

- No additional resources required.
- Organisational change team required.

*Is feasibility work required?*

- No.
- Yes - specifically an equalities impact analysis for users for any proposed service changes.

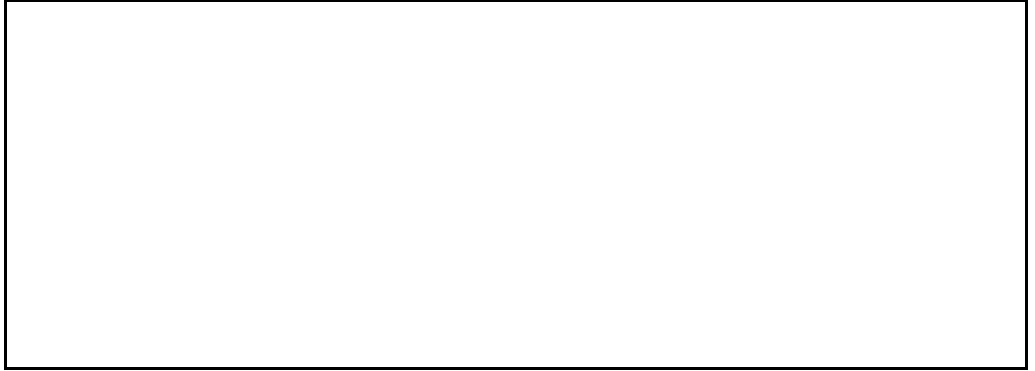
*Activities required by 2020-21?*

- No.
- Organisational process to consult staff. Potential public consultation to any service changes, should this be required.

- Exploring additional partnership working and delivery of activity; with voluntary sector partners or other statutory partners e.g. health services
- Additional services being co-located in Children's Centres e.g. early help workers.
- Undertake analysis of further efficiencies and reduction in discretionary services or exploring possibilities of traded income generation.

*Quantify the risk if possible:*

- If the risks materialise the impact on the ability to achieve the saving will be minimal due to the implementation of the above listed mitigation strategies.



## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	<b>Transformation of service delivery provided by the integrated early years service</b>
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<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 003 / 20-21
<b>Service Area:</b>	Integrated Early Years' Service (IEYS), Youth and Commissioning Division	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins Taylor, Divisional Director Youth and Commissioning

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	Yes	This proposal reduces the resources dedicated to early education settings: School Early Years units, childcare providers, child minders and therefore has the potential to impact on families living in disadvantage across a range of protected characteristics.
Does the change reduce resources available to support vulnerable residents?	Yes	This proposal reduces the resources dedicated to early education settings: School Early Years units, childcare providers, child minders and therefore has the potential to impact on families living in disadvantage across a range of protected characteristics.
Does the change involve direct impact on front line services?	Yes	This proposal reduces the resources dedicated to early education settings: School Early Years units, childcare providers, child minders and therefore has the potential to impact on families living in disadvantage across a range of protected characteristics.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	Yes	Because services will be reduced, eligibility for services may have to be reviewed.
Does the change alter access to the service?	Yes	Because services will be reduced, access to services may have to be reviewed.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	The level of savings rely on savings being made from the IEYS staffing budget. An organisational change process will be followed with full public consultation as appropriate.
Does the change involve a redesign of the roles of staff?	Yes	In considering the new staffing structure, the roles of some remaining staff may need to be reviewed.

<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>



## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Transformation of service delivery following the youth service review</b>		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 004 / 20-21
<b>Service Area:</b>	Youth service part of the youth and commissioning division	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins Taylor, Divisional Director Youth and Commissioning

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	TBC
	3,606	50	450	-	<b>500</b>	Total FTE Reductions	TBC

### Proposal Summary:

This savings proposal is predicated on the findings from the youth service review (YSR), which concluded in October 2019. The YSR is intended to provide a comprehensive assessment of what young people and key stakeholders want from their future youth service. The YSR will support the delivery of a co-produced youth offer through the involvement of young people and key stakeholders in the consultation process. The YSR is currently being analysed to enable an understanding of:

- what children and young people want from youth activity
- what children and young people, youth activity providers, the community, and elected members want from the youth service;
- the key priority areas for the future delivery of youth work, including the shape of commissioned, detached, and universal youth work delivery
- the revised outcomes that need to be achieved to deliver effective and accountable youth provision from both internal and external youth providers.

The key principles that will be embedded in the youth service following the YSR will be:

- 66 per cent of the available budget for youth work delivery will be spent on commissioned providers. The primary focus of work will be universal youth work delivery.
- 33 per cent of the available budget for youth work delivery will be spent on internal provision. The primary focus will be targeted youth work delivery.
- The provision of enhanced or specialist youth hubs (arts, sports, enterprise, digital /media).
- Youth service participation in the provision of an integrated area based early help offer (0 - 25).
- Targeted and intensive one-to-one work with vulnerable young people.
- Prioritising young people's safety, aspirations and health and wellbeing.
- Prioritising youth inclusion (LGBTQ, SEND, girls and young women).
- Prioritising the provision of a bespoke offer for under-represented youth based on assessed need.
- Delivering a young carers offer.
- Supporting the delivery of youth voice and influence.

The savings will deliver greater economies of scale to better and more effectively use the youth service budget. The service will be restructured during 2020 to deliver a mixed youth provision that will include:

- Youth hubs: The delivery of youth activity only in key high quality youth hubs. Wherever possible, the focus will be on using partner premises such as in schools or the voluntary sector. This will result in having fewer premises related costs.
- Detached youth work: This will offer more flexibility at the local level where the areas of greatest need will be targeted. This approach will incur fewer overheads.
- A greater focus on externally commissioned universal youth provision.: This will incur less cost than internally delivered provision.
- A team of internal support workers: The team will deliver:

- one-to-one work with vulnerable young people in partnership with colleagues in early help and the integrated early years' service;
- participation to support the youth council, young carers and the Children in Care Council; and
- contract management and oversight.

**Please note:** This also relates to the early help proposal to introduce a pre-conception to age 25 offer across the youth and commissioning division. The youth service would contribute staff to work effectively with young people who had identified risks and concerns.

#### Risk and Mitigations:

The risks include:

- Changes to the delivery of frontline services could increase the numbers of young people not engaging with the service or not receiving early help.
- Risk that savings will not be made if the service redesign from the YSR is not implemented.
- Numbers of families in need of in-depth support will increase logarithmically.

To mitigate, we will:

- Ensure that the youth service works with other services to deliver an integrated early help offer for families, children and young people.
- Ensure the YSR review is implemented with a range of external partners, including commissioned providers.
- Continually engage with young people so that the service reflects their needs and priorities to maximise engagement and opportunities.

Note: The further details of risk and mitigation will be considered by the proposals emerging from the YSR.

#### Resources and Implementation:

Resources needed:

- Significant project management support and functions analysis.
- Redundancy and early retirement costs to be identified and met separately from corporate budgets.
- Feasibility work will be required.

To implement, the following needs to happen:

- Completion of youth service mapping and consultation exercise, analysis and recommendations report to Cabinet. These need to be costed to provide accurate potential savings/choices on changes to delivery.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Transformation of service delivery following the youth service review		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 004 / 20-21
<b>Service Area:</b>	Youth service, youth and commissioning	<b>Strategic Priority Outcome:</b>	2. Children and young people are protected so they can realise their potential
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Ronke Martins-Taylor, Divisional Director Youth and Commissioning

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	Yes	The reduction in resources devoted to children and young people could be seen as addressing a particular inequality. A full Equalities Impact Assessment (EQIA) will consider information about demographics of service users in order to summarise the impact.
Does the change reduce resources available to support vulnerable residents?	Yes	The reduction in resources has the potential to affect vulnerable residents in particular. A full Equalities Impact Assessment (EQIA) will consider information about demographics of service users in order to summarise the impact.
Does the change involve direct impact on front line services?	Yes	The change focuses on a range of frontline services. A full equalities impact assessment will consider information about demographics of service users to summarise the impact.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	Awaiting information as to demographics of service users in order to summarise the impact. Fewer hubs have the potential to affect those users with SEND, as they may need to travel further. There may also be effects on particular age groups (ie 11-25 year olds), and certain ethnicities.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	The scale of the changes mean that it is likely that a reduction of staff will be necessary. A full equalities impact assessment will consider information about demographics of staff in order to summarise the impact
Does the change involve a redesign of the roles of staff?	Yes	The scale of the changes mean that it is likely that some redesign of staff roles will be necessary. A full equalities impact assessment will consider information about demographics of staff to summarise the impact.

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Transformation of SEND transport commissioning</b>		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 005 / 20-21
<b>Service Area:</b>	Education and partnerships	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Christine McInnes, Service Head Education & Partnership

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	19
	4,917	=	500	500	<b>1,000</b>	Total FTE Reductions	0

<b>Proposal Summary:</b>
<p><b>This proposal should be read in conjunction with the corresponding growth bid GRO/CHI-003/20-21 SEND transport budget pressures and demographic growth</b></p> <p>There is a predicted overspend for special educational needs and disabilities (SEND) transport of £2.5 million, for which a growth bid has been submitted to fund the pressures in 2020-21.</p> <p>A review is being undertaken to agree actions to deliver a transformed SEND transport offer. The action plan will propose changes to the arrangements for SEND transport policy, governance, financial monitoring, procedural redesigns and the introduction of a new approach to commissioning taxi routes that is intended to deliver best value.</p> <p>It is anticipated that the action plan will result in savings of £0.5m in 2021-21 and a further £0.5m in 2022-23 through driving down future cost pressures and supporting effective demand management.</p> <p>During this period ,the expectation is that the following issues will be resolved:</p> <ul style="list-style-type: none"> <li>- Introduce new commissioning arrangements through a new dynamic purchasing system to increase the range of providers used and decrease costs.</li> <li>- Introduce new SEND transport policies to support children and families to access alternative means of travel, including the use of direct payments and maximising use of independent travel schemes.</li> <li>- Maximise the use of internal transport services, through improved routes and reducing demand for second runs.</li> <li>- Introduce new governance arrangements to ensure, among other things, there is more robust oversight of SEND transport finances.</li> </ul> <p>The implementation of the action plan will require full engagement with a range of stakeholders including full public consultation on any significant policy change proposals.</p>

<b>Risk and Mitigations:</b>
<p>The risks are:</p> <ul style="list-style-type: none"> <li>• Failure to implement the SEND recovery action plan.</li> <li>• Failure to deliver the savings and increased pressures on SEND transport budget.</li> </ul> <p>These risks will be mitigated by the new governance arrangements for SEND transport and commissioning. If the risks materialise, the impact on the ability to achieve the saving will be minimal due to the implementation of the above mitigation strategies.</p>

<b>Resources and Implementation:</b>
<ul style="list-style-type: none"> <li>• Significant project management support and functions analysis on an ongoing basis.</li> <li>• Full involvement of elected members will be required to make any policy changes that may be needed.</li> <li>• Public consultation may be required for some elements of the project.</li> </ul>

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Transformation of SEND transport commissioning		
<b>Directorate:</b>	Children & Culture	<b>Reference:</b>	SAV / CHI 005 / 20-21
<b>Service Area:</b>	Education and partnerships	<b>Strategic Priority Outcome:</b>	1. People access a range of education, training, and employment opportunities
<b>Lead Member &amp; Title:</b>	Cllr Danny Hassell, Cabinet Member for Children, Schools and Young People	<b>Lead Officer &amp; Job Title:</b>	Christine McInnes, Service Head Education & Partnership

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	

Changes to a Service		
Does the change alter who is eligible for the service?	Yes	There is the potential for eligibility arrangements to change. The detailed plans will consider this, alongside an equalities impact assessment and any mitigation resulting from it.
Does the change alter access to the service?	Yes	There is the potential for service access arrangements to change. The detailed plans will consider this, alongside an equalities impact assessment and any mitigation resulting from it.

Changes to Staffing		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	Yes	There is the potential for staff roles to change. The detailed plans will consider this, alongside an equalities impact assessment and any mitigation resulting from it.

Summary:	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

Additional Information and Comments:

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Property Asset Strategy</b>		
<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 001 / 20-21
<b>Service Area:</b>	Corporate property and capital delivery	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Alan McCarthy, Interim Head of Asset Management

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	N/A
	Inc 852 Exp 4,894	-	1,000	-	<b>1,000</b>	Total FTE Reductions	N/A

**Proposal Summary:**

The asset management service is in the process of delivering the council's property asset strategy. The programme consists of four discreet work strands as follows:

- Work strand A – Service review
- Work strand B – Property optimisation
- Work strand C – Income generation
- Work strand D – Review of operational estate

To ensure that the outcomes of the asset strategy can be delivered effectively and efficiently, we are undertaking reviews of property use and engagement with service teams at the same time. The objective of the property asset strategy is to enable the asset management service to: provide an efficient property estate that supports service delivery; take a holistic view of the council's estate; and match service requirements with property assets, rather than taking a piecemeal approach that leads to higher costs in the long-term and missed opportunities. It is anticipated that individual opportunities will arise that can lead to quick wins and, where available these will be taken.

The delivery of the asset strategy will be led by the head of asset management and overseen by the divisional director property and major programmes. The programme will be monitored through the asset management working group and report into the asset management board.

**Proposed savings and timeframe:**

The proposed saving is £1 million in 2021/22. This saving is a minimum target for the property asset strategy and will be delivered through financial efficiencies and income generation that will be identified through the work strands.

The following financial efficiencies have been identified:

- £120k rental income from the letting of Bromley Public Hall (part of the St Georges Town Hall project).
- £20k rental income from St Georges Town Hall (part of the St Georges Town Hall project).
- £200k rental income from Montefiore Centre (part of the Montefiore Centre refurbishment project).
- £200k saving from more efficient working, outsourcing, income generation.
- £250k generated from other rental income (Shadwell Centre project, review of service leases, rent reviews for non-HRA, short term letting empty buildings).
- £50k from new advertising lettings.
- £260k reduction in building running costs across estate.

Capital expenditure will be required, to support individual projects and the delivery of the planned savings. It is unlikely that the delivery of the property asset strategy will have a major impact on specific service delivery as a collaborative approach is being undertaken and stakeholders are being engaged through all through all four work strands.

**Risk and Mitigations:**

There is a risk that without investing to save funding, the project cannot continue.

There is a risk that services do not engage in the service review workshops.

There is a risk that no opportunities to make financial efficiencies are identified.

Services have been engaged at corporate leadership team and directorate leadership team levels and through the asset management board for over the last 12 months.

Initial investigation identified £1m of financial efficiencies.

**Resources and Implementation:**

The asset management service requires £100k of invest to save funding to support the appointment of a consultant to lead the property asset strategy, facilitate workshops, review property assets and develop business cases for the delivery of individual projects. This funding is required in 19/20 as the project is in delivery and the service does not have the funds to continue delivery.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Property Asset Strategy		
<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 001 / 20-21
<b>Service Area:</b>	Corporate property and capital delivery	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Alan McCarthy, Interim Head of Asset Management

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impact on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	The property asset strategy may lead to a reduction in staff through the closure of buildings. This impact will be assessed on a project by project basis and HR guidance sought as appropriate including a full equalities impact assessment if this is appropriate.
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>



## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Deletion of dedicated business assurance function for Place Directorate</b>		
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<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 002 / 20-21
<b>Service Area:</b>	Growth and economic development	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Motin Uz-Zaman, Cabinet Member for Work and Economic Growth	<b>Lead Officer &amp; Job Title:</b>	Vicky Clark, Divisional Director Growth and Economic Development

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	64
	317	56	-	-	<b>56</b>	Total FTE Reductions	1

<b>Proposal Summary:</b>
This proposal is to delete the business assurance role which is based in the growth and economic development team but which services the entire Place Directorate. New approaches and tools to manage risk and assurance means there is a diminished requirement for a dedicated officer to support this agenda, creating the opportunity for savings.

<b>Risk and Mitigations:</b>
The major risk for this project is that the Place Directorate falls behind in meeting its risk and assurance obligations and that risks which could have been mitigated are not, negatively impacting service delivery.
The mitigation is to ensure that risk issues are discussed at directorate leadership team and senior leadership team level so that managers are aware of and compliant with risk protocols and that risk management compliance forms part of objective setting.

<b>Resources and Implementation:</b>
No resources are required to build up the proposal.
Work is required to establish the mitigations identified – this work can be conducted by the postholder during their notice period, should the saving be taken up.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Deletion of dedicated business assurance function for Place Directorate		
<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 002 / 20-21
<b>Service Area:</b>	Growth and Economic Development	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Motin Uz-Zaman, Cabinet Member for Work and Economic Growth	<b>Lead Officer &amp; Job Title:</b>	Vicky Clark, Divisional Director Growth and Economic Development

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	One post will be deleted and the post holder will be at risk of redundancy
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	New Town Hall revenue savings		
<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 003 / 20-21
<b>Service Area:</b>	Corporate property and capital delivery	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Yasmin Ali, Project Director – Town Hall

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total £'000</b>	Current FTE 2019-20	-
	5,291	-	-	225	<b>225</b>	Total FTE Reductions	-

### Proposal Summary:

The council's move to the new town hall at Whitechapel in 2022 will generate substantial revenue savings from 2022/23 onwards. The completion of the project will be Spring 2022 when we will start a phased occupation of the site.

Currently, we envisage to move ground floor services into the new town hall first, which will release savings of £225,480 for the closure of Albert Jacob House. The remaining building closures will not release savings until 2023/24.

The full year savings will be realised by 2023/24 when the lease of Mulberry Place expires saving the council £3,445,588 a year. This includes **estimated** running costs of the new Town Hall of £1,620,000.

Saving area	£
Mulberry Place – Rental pa	4,000,000
Mulberry Place running costs (including Compass House) (13,828.8m2)	829,728
Albert Jacob House running costs (3,758 m2) – <i>Expected to be delivered in 2022</i>	225,480
John Onslow House running costs (3,931 m2)	235,860
<b>Total</b>	<b>5,291,068</b>
An estimated reduction needs to be applied for the projected running costs for new Town Hall (27,000 m2)	<b>(1,620,000)</b>
<b>Overall saving for all three buildings</b>	<b>3,671,068</b>
<b>Savings for 2022/23</b>	<b>225,480</b>
<b>Savings for 2023/24</b>	<b>3,445,588</b>

All running costs based on £60 per square metre benchmarking that was referenced in the Cabinet June 2017 report.

**Risk and Mitigations:**

The risk to the savings in 2022/23 is that the project is not delivered on time and therefore we are not able to close Albert Jacob House first as planned in 2022.

We are working directly with Bouygues UK our appointed building contractor and our employers agent, T&T, to mitigate all risks within the project and keep to the project programme.

If there is slippage to the programme, the savings will be delivered in 2023.

**Resources and Implementation:**

There are no further resources required for the implementation of these savings as they will be worked on by the Town Hall project team.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	New Town Hall revenue savings		
<b>Directorate:</b>	Place	<b>Reference:</b>	SAV / PLA 003 / 20-21
<b>Service Area:</b>	Corporate Property & Capital Delivery	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Yasmin Ali, Project Director – Town Hall

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	Legal services		
<b>Directorate:</b>	Governance	<b>Reference:</b>	SAV / GOV 001 / 20-21
<b>Service Area:</b>	Legal services	<b>Strategic Priority Outcome:</b>	13. Not aligned with Strategic outcome
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Janet Fasan, Divisional Director Legal Services

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	N/A
	1,198	-	100	200	<b>300</b>	Total FTE Reductions	NIL

**Proposal Summary:**

There will be a reduction in external professional fees, through usage of frameworks and skills development within the legal team.

Spend on agency staff will be reduced by recruiting permanent staff, where possible. Recruitment difficulties (including to some of the posts that are funded by the existing three year growth bid agreed in 2019-20) have led to a reliance on agency staff. It is anticipated that continuing efforts to reduce agency spend will result in a saving as profiled above.

**Risk and Mitigations:**

Legal services are demand led and will be impacted by the transformation of services across the council.

**Resources and Implementation:**

Ongoing review of legal demand will be completed within existing council resources.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Legal services		
<b>Directorate:</b>	Governance	<b>Reference:</b>	SAV / GOV 001 / 20-21
<b>Service Area:</b>	Legal services	<b>Strategic Priority Outcome:</b>	13. Not aligned with Strategic outcome
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Janet Fasan, Divisional Director Legal Services

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	No	
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	No	

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Modernisation of the Registration Service</b>		
<b>Directorate:</b>	Governance	<b>Reference:</b>	SAV / GOV 002 / 20-21
<b>Service Area:</b>	Registrars	<b>Strategic Priority Outcome:</b>	12. Not aligned - Statutory function
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Kathy Constantinou, Head of Registration, Citizenship & Immigration Services/Superintendent Registrar

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	16
	459	-	40	-	<b>40</b>	Total FTE Reductions	1

**Proposal Summary:**

The proposal is to restructure the Registration service to make it more robust and efficient in delivering statutory and non-statutory services. This will deliver a small financial saving in the budget as not all current vacant posts will be recruited to.

Some of the roles will be changed and shifted to different areas within the service where there are currently deficiencies in the delivery of these services. By doing this it will create a better balance within the team duties creating more flexibility across the statutory and non-statutory functions of the service. This in turn will benefit our customers who will be able to access appointments themselves on-line thus reducing the pressure on staff to answer phone calls and emails for bookings and will release more time to deliver additional face to face appointments and increase ceremony booking availability.

This is in line with the Council's strategic priority of putting the residents at the heart of everything we do. No other services will be impacted by the proposal. All current staff will have a job to apply for which will be ring fenced or assimilated to therefore no reduction in staff is anticipated though a saving will be delivered through not recruiting to a vacant role. The service is also moving to larger premises in 2020 which will give us more capacity to increase appointment availability and revenue.

**Risk and Mitigations:**

There are risks involved in reducing the budget and this relates to any changes that are made to the legislation which would reduce the income related to the current statutory fees we charge.

In addition we currently deliver certain non-statutory immigration services in conjunction with the Home Office and the European Settlement Service (EUSS) and this service is reliant on certain government policies which could be subject to change. However the Home Office is keen to keep the partnership with local Registration Services and will look to introduce further immigration checking services for us to deliver in the future.

In November 2018 the Home Office took away the Nationality Checking Service (NCS) from LA's and introduced the EUSS. This resulted in a drop of £50k in annual income where the set fee for NCS was much higher than the set fee for EUSS from £60 per customer to £14 per customer. However we have increased revenue in other areas where the statutory fee was raised from £4 per certificate to £11 per certificate which should see a balanced budget at the end of the financial year if no further changes are made.

**Resources and Implementation:**

There are no further resources required that are not already accounted for in the restructure.

There are currently vacant posts which have not been filled pending the restructure and not all of these posts are included in the new structure. There are enough roles for all current staff members. Budget savings are profiled in 2021-22 when the restructure would have demonstrated the benefits of the change in officer roles and the effect of the restructure providing better business opportunities and maximising the benefits of new larger premises.

The move to St. George's should also create more ceremony bookings with the introduction of wedding packages for customers and also paid advertising opportunities for our partners.



## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Modernisation of the Registration Service		
<b>Directorate:</b>	Governance	<b>Reference:</b>	SAV / GOV 002 / 20-21
<b>Service Area:</b>	Registration Service	<b>Strategic Priority Outcome:</b>	12. Not aligned - Statutory function
<b>Lead Member &amp; Title:</b>	Mayor John Biggs, Executive Mayor	<b>Lead Officer &amp; Job Title:</b>	Kathy Constantinou, Head of Registration, Citizenship & Immigration Services/Superintendent Registrar

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	Yes	There should be an increase in appointment and ceremony availability after the restructure is implemented and the move to St.George's has taken place.
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	More opportunities for customers to access self-serve appointment bookings 24/7.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	No	
Does the change involve a redesign of the roles of staff?	Yes	New roles will be introduced to better fit the statutory demands of the service and creating more business opportunities in non-statutory areas.

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	Revenues - Cashiers - reduce cash and cheque handling and eliminate the need for cheque printing		
<b>Directorate:</b>	Resources	<b>Reference:</b>	SAV / RES 001 / 20-21
<b>Service Area:</b>	Revenue Services	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Roger Jones, Head of Revenue Services

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total £'000</b>	Current FTE 2019-20	5
	578	130	-	-	<b>130</b>	Total FTE Reductions	3

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**Proposal Summary:**  
 The various projects working on a cashless and chequeless organisation will result in improved and more efficient processes. This includes the prepaid card project and eliminating the use of cheques for making payments to customers and suppliers.  
 As result of these changes the Cashiers and Revenue Support Teams will be restructured and merged into one single team.

**Risk and Mitigations:**  
 The effect of these changes will introduce a more efficient process on how we make payments to customers, and control and monitor spend, particularly around Adult Social Care, and our use of petty cash.

**Resources and Implementation:**  
 These projects are currently funded and underway and will be completed by December 2019.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Revenues - Cashiers - reduce cash and cheque handling and eliminate the need for cheque printing		
<b>Directorate:</b>	Resources	<b>Reference:</b>	SAV / RES 001 / 20-21
<b>Service Area:</b>	Revenue Services	<b>Strategic Priority Outcome:</b>	11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Roger Jones – Head of Revenue Services

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	No	
Does the change involve direct impact on front line services?	No	
<b>Changes to a Service</b>		
Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	Access to funds will be more efficient and more secure.
<b>Changes to Staffing</b>		
Does the change involve a reduction in staff?	Yes	A restructure of the cashiers and Revenue support Teams will be undertaken.
Does the change involve a redesign of the roles of staff?	Yes	Yes and will form part of the restructure of the teams involved.

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<b>Summary:</b>	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>No</b>

<b>Additional Information and Comments:</b>

## SAVINGS PROPOSAL

<b>Proposal Title:</b>	<b>Benefits service – centralisation of assessments – service review and restructure</b>		
<b>Directorate:</b>	Resources	<b>Reference:</b>	SAV / RES 002 / 20-21
<b>Service Area:</b>	Benefits service	<b>Strategic Priority Outcome:</b>	12. Not aligned - Statutory function
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Steve Hill, Head of Benefits Services

<b>Financial Impact:</b>	<b>Current Budget</b>	<b>Net Saving / Income Breakdown</b>				<b>Staffing Impact:</b>	
	Budget 19-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000	<b>Total</b> £'000	Current FTE 2019-20	82.8 FTE
	2,162	600	100	100	<b>800</b>	Total FTE Reductions	11.8 FTE

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**Proposal Summary:**

The proposal, which is part of the council's centralisation of assessments programme, is to review and restructure the benefits service.

The proposal will deliver savings of £600k from staffing and other cost reductions for 2020/21 and subject to the Universal Credit roll out and corresponding housing benefit caseload reductions, will also deliver a further £100k per year for 2021/22 and 2022/23.

The benefits service has been working on the proposals since April and is reporting to the council's support services programme board.

**Risk and Mitigations:**

Meeting review deadlines – decision taken at the board to exclude the adult social care financial assessment team from this review but to revisit this activity together with other assessment functions as part of the next phase of centralisation of assessments next year.

This decision enables the benefits service review and restructure to be completed in time to deliver the £600k savings for 2020/21.

It is hoped that staffing reductions can be achieved through voluntary redundancy and early retirement to reduce any impact on staff.

**Resources and Implementation:**

Resources for the financial assessments part of the review have been sourced and are in place and being met from existing budget.

## SAVINGS PROPOSAL – BUDGET EQUALITY ANALYSIS SCREENING TOOL

<b>Proposal Title:</b>	Benefits service – centralisation of assessments – service review and restructure		
<b>Directorate:</b>	Resources	<b>Reference:</b>	SAV / RES 002 / 20-21
<b>Service Area:</b>	Benefits service	<b>Strategic Priority Outcome:</b>	12. Not aligned - Statutory function
<b>Lead Member &amp; Title:</b>	Cllr Candida Ronald, Cabinet Member for Resources and the Voluntary Sector	<b>Lead Officer &amp; Job Title:</b>	Steve Hill, Head of Benefits Services

Trigger Questions	Yes / No	If Yes – please provide a brief summary of how this impacts on each protected characteristic as identified in the Equalities Act 2010. This will need to be expanded in a full Equality Analysis at full Business Case stage.
Does the change reduce resources available to address inequality?	No	
Does the change reduce resources available to support vulnerable residents?	Yes	By its very nature, the benefits service supports vulnerable households and this proposal constitutes a reduction in the resources available for it. However, the significant caseload reduction in housing benefit due to Universal Credit, means that the remaining resource after the saving will be more than adequate for the benefits service to continue to support vulnerable households.
Does the change involve direct impact on front line services?	No	

Changes to a Service		
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Does the change alter who is eligible for the service?	No	
Does the change alter access to the service?	Yes	Access to the service should be improved. Planned improvements include electronic and intelligent claim forms for residents who are ICT literate and more efficient new ways of working proposed to support our homeless households who claim housing benefit.

Changes to Staffing		
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Does the change involve a reduction in staff?	Yes	A full equalities impact assessment will be undertaken as part of the benefits service review and the restructure will be conducted in accordance with the council's organisational change process. It is hoped that staffing changes can be achieved through voluntary redundancy and early retirement.
Does the change involve a redesign of the roles of staff?	Yes	Changes to the roles of staff are necessary to reflect the move to Universal Credit and improvements in the access and efficiency of the service.

Summary:	
To be completed at the end of completing the Screening Tool.	
Based on the Screening Tool, will a full EA will be required?	<b>Yes</b>

Additional Information and Comments:
A full equalities impact assessment will be undertaken as part of the benefits service review and restructure.

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## Reserves Policy

### 1. Background and Context

- 1.1. Sections 32 and 43 of the Local Government Finance Act 1992 require local authorities to consider the level of reserves when setting a budget requirement. Section 25 of the Local Government Act 2003 requires the Chief Financial Officer (Section 151 Officer) to report formally on the adequacy of proposed reserves when setting a budget requirement. The accounting treatment for reserves is set out in the Code of Practice on Local Authority Accounting.
- 1.2. CIPFA has issued Local Authority Accounting Panel (LAAP) Bulletin No.55, Guidance Note on Local Authority Reserves and Balances and LAAP Bulletin 99 (Local Authority Reserves and Provisions). Compliance with the guidance is recommended in CIPFA's Statement on the Role of the Chief Financial Officer in Local Government.
- 1.3. This policy sets out the Council's approach for compliance with the statutory regime and relevant non-statutory guidance.
- 1.4. Reserves are an important part of the Council's financial strategy and are held to create long-term budgetary stability. They enable the Council to manage change without undue impact on the Council Tax and are a key element of its strong financial standing and resilience. The Council's key sources of funding face an uncertain future and the Council therefore holds earmarked reserves and a working balance in order to mitigate future financial risks.
- 1.5. Earmarked reserves are reviewed annually as part of the budget process, to determine whether the original purpose for the creation of the reserve still exists and whether or not the reserves should be released in full or in part. Particular attention is paid in the annual review to those reserves whose balances have not moved over a three year period.

### 2. Overview

- 2.1. The Council's overall approach to reserves will be defined by the system of internal control. The system of internal control is set out, and its effectiveness reviewed, in the Annual Governance Statement. Key elements of the internal control environment are objective setting and monitoring, policy and decision-making, compliance with statute and procedure rules, risk management, achieving value for money, financial management and performance management.
- 2.2. The Council will maintain:
  - a general fund general reserve;
  - a housing revenue account (HRA) general reserve; and
  - a number of earmarked reserves.
- 2.3. Additionally the Council is required to maintain **unusable** reserves to comply with accounting requirements although, as the term suggests, these reserves are not available to fund expenditure.
- 2.4. The level of the general reserve is a matter for the Council to determine having had regard to the advice of the S151 Officer. The level of the reserve will be a matter of judgement which will take account of the specific risks identified through the various corporate processes. It will also take account of the extent to which specific risks are supported through earmarked reserves. The level will be expressed as a cash sum over the period of the general fund medium-term financial strategy. The level will also be expressed as a percentage of the general funding requirement (to provide an indication of financial context).
- 2.5. In principle, only the income derived from the investment of reserve funds should be available to support recurring spending.

### 3. Strategic context

- 3.1. The Council is facing a significant withdrawal of grant funding and the transfer of funding risk from Government with demand for at least some services forecast to grow. The Council has to annually review its priorities in response to these issues.

- 3.2. Reserves play an important part in the Council's medium term financial strategy and are held to create long-term budgetary stability. They enable the Council to manage change without undue impact on the Council Tax and are a key element of its strong financial standing and resilience.
- 3.3. The Council holds reserves in order to mitigate future risks, such as increased demand and costs; to help absorb the costs of future liabilities; and to enable the Council to resource policy developments and initiatives without a disruptive impact on Council Tax.
- 3.4. Capital reserves play a crucial role in funding the Council's Capital Strategy. The Capital Expenditure Reserve is used to create capacity to meet future capital investment.
- 3.5. The Council relies on interest earned through holding reserves to support its general spending plans.
- 3.6. Reserves are one-off money. The Council aims to avoid using reserves to meet ongoing financial commitments other than as part of a sustainable budget plan. The Council has to balance the opportunity cost of holding reserves in terms of Council Tax against the importance of interest earning and long term future planning.

#### **4. Purposes**

- 4.1. Reserves are therefore held for the following purposes, some of which may overlap:
  - Providing a working balance i.e. Housing Revenue Account and General Fund general reserves.
  - Smoothing the impact of uneven expenditure profiles between years e.g. local elections, structural building maintenance and carrying forward expenditure between years.
  - Holding funds for future spending plans e.g. Capital Expenditure Reserve, and for the renewal of operational assets e.g. repairs and renewal, and Information Technology renewal.
  - Meeting future costs and liabilities where an accounting 'provision' cannot be justified.
  - Meeting future costs and liabilities so as to cushion the effect on services e.g. The Insurance Reserve for self-funded liabilities arising from insurance claims.
  - To provide resilience against future risks.
  - To create policy capacity in a context of forecast declining future external resources e.g. Tackling Poverty Reserve.
- 4.2. All earmarked reserves are held for a specific purpose. This, together with a summary on the movement on each reserve, is published annually, to accompany the annual Statement of Accounts.
- 4.3. The use of some reserves is limited by regulation e.g. the Collection Fund balance must be set against Council Tax levels, reserves established through the Housing Revenue Account can only be applied within that account and the Parking Reserve can only be used to fund specific spending. Schools reserves are also ring-fenced for their use, although there are certain regulatory exceptions.

#### **5. Management**

- 5.1. All reserves are reviewed as part of the budget preparation, financial management and closing processes. The Council will consider a report from the S151 Officer on the adequacy of the reserves in the annual budget-setting process. The report will contain estimates of reserves where necessary. The Audit Committee will consider actual reserves when approving the statement of accounts each year.
- 5.2. The following matters apply to individual reserves:
  - The General Fund working balance will not fall below £20 million without the approval of The Council.
  - The Capital Expenditure Reserve is applied to meet future investment plans and is available either to fund investment directly or to support other financing costs. The reserve can also be used for preliminary costs of capital schemes e.g. feasibility.
  - The Parking Reserve will be applied to purposes for which there are specific statutory powers. This is broadly defined as transport and environmental improvements (the latter as defined in the Traffic Management Act 2004).
  - The Schools Reserve, the Insurance Reserve, and the Barkantine (PFI Reserve) are clearly defined and require no further authority for the financing of relevant expenditure.
- 5.3. The Council will review the Reserves Policy on an annual basis.



**Projected Movement in Reserves  
and Capital Conditional Resources April 2019 to March 2022**

**Appendix 6**

<b>Reserves Summary</b>	<b>Final 31/03/2018</b>	<b>Draft 31/03/2019*</b>	<b>Projected 31/03/2020</b>	<b>Projected 31/03/2021</b>	<b>Projected 31/03/2022</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>General Fund Reserve</b>	<b>33.3</b>	<b>26.8</b>	<b>20.0</b>	<b>20.0</b>	<b>20.0</b>
<b>Earmarked Reserves</b>					
Insurance	21.2	9.6	9.6	9.6	9.6
New Civic Centre	17.2	17.2	13.8	12.1	12.1
Parking Control	3.3	3.3	3.3	3.3	3.3
Transformation Reserve	15.0	9.2	2.4	0.0	0.0
Collection Fund Smoothing Reserve	0.0	6.5	6.5	0.0	0.0
ICT Reserve	21.0	16.1	8.1	3.1	0.0
Mayor's Tackling Poverty Reserve	4.1	3.4	1.7	0.0	0.0
Free School Meals Reserve	4.0	4.0	2.0	0.0	0.0
Mayor's Priority Investment Reserve	7.0	4.6	1.7	0.0	0.0
Risk Reserve	8.8	4.4	4.4	0.0	0.0
New Homes Bonus	12.1	28.9	44.9	60.9	67.7
Public Health Reserve	1.3	1.7	0.7	0.4	0.4
Services Reserve	3.6	1.9	1.9	1.9	1.9
Revenue Grants Unused	0.0	9.5	0.0	0.0	0.0
<b>Total Earmarked Reserves</b>	<b>118.6</b>	<b>120.3</b>	<b>101.0</b>	<b>91.3</b>	<b>95.0</b>
<b>Capital Reserves</b>					
Capital Receipts	194.6	190.7	143.9	89.7	55.2
Community Infrastructure Levy	38.5	45.1	33.6	14.7	0.2
Capital Grants and Contributions	82.1	82.6	82.6	82.6	82.6
Major Repairs Reserve	5.5	0.0	4.1	0.0	0.0
<b>Total Capital Reserves</b>	<b>320.7</b>	<b>318.4</b>	<b>264.1</b>	<b>187.1</b>	<b>137.9</b>
<b>Other Reserves</b>					
Housing Revenue Account	<b>47.6</b>	<b>53.7</b>	<b>55.8</b>	<b>53.9</b>	<b>50.9</b>
Schools	<b>23.4</b>	<b>23.3</b>	<b>24.7</b>	<b>24.7</b>	<b>24.7</b>
<b>Reserves Total</b>	<b>543.5</b>	<b>542.5</b>	<b>465.7</b>	<b>376.9</b>	<b>328.5</b>

<b>Capital Conditional Resources</b>	<b>Final 31/03/2018</b>	<b>Draft 31/03/2019*</b>	<b>Projected 31/03/2020</b>	<b>Projected 31/03/2021</b>	<b>Projected 31/03/2022</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>Section 106</b>	<b>85.7</b>	<b>101.1</b>	<b>76.0</b>	<b>49.6</b>	<b>32.9</b>

**Notes:**

\*The figures as at 31/03/2019 are draft, due to the ongoing audit of the 2018-19 financial statements.

The capital reserves and capital conditional resources balances do not include the effect of future building developments which would contribute Community Infrastructure Levy, Section 106 and other funding to the balances above.

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	2018-19	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
	Outturn	Approved	Forecast	Draft	Draft	Draft	Draft	Draft
	£'000	Budget £'000	£'000	Budget £'000	Budget £'000	Budget £'000	Budget £'000	Budget £'000
<b>INCOME</b>								
Dwelling rents	(66,061)	(62,800)	(64,600)	(65,497)	(69,012)	(73,279)	(76,304)	(78,525)
Non-dwelling rents	(4,195)	(2,003)	(4,203)	(4,311)	(4,412)	(4,515)	(4,620)	(4,728)
Heating and other tenant charges	(7,164)	(7,038)	(7,038)	(7,306)	(7,458)	(7,613)	(7,771)	(7,931)
Leaseholder charges for services and facilities	(15,034)	(15,562)	(16,862)	(16,562)	(16,894)	(17,231)	(17,576)	(17,928)
Contributions towards expenditure	(119)	(115)	(115)	(115)	(115)	(115)	(115)	(115)
<b>GROSS INCOME</b>	<b>(92,573)</b>	<b>(87,518)</b>	<b>(92,818)</b>	<b>(93,792)</b>	<b>(97,890)</b>	<b>(102,753)</b>	<b>(106,386)</b>	<b>(109,228)</b>
<b>EXPENDITURE</b>								
Repairs & Maintenance	15,856	16,814	16,722	16,738	17,073	17,415	17,763	18,118
Tower Hamlets Homes management fee	31,359	31,105	31,105	32,415	32,114	32,114	32,114	32,114
Supervision & Management	9,520	6,696	8,115	8,647	9,184	9,724	9,866	10,411
Special Services	4,592	7,038	5,856	6,631	6,973	6,029	6,145	6,240
Rents rates & taxes	5,716	5,310	5,345	5,475	5,591	5,710	5,832	5,956
Increased/(Decrease) provision for bad debts	(589)	600	600	600	600	600	600	600
Interest (Item 8)	2,724	1,671	3,138	4,776	6,995	8,370	8,683	8,522
Depreciation - HRA dwellings	15,912	17,091	17,091	17,068	17,317	17,617	17,712	17,696
Depreciation - Non Dwellings	952	1,011	1,011	1,036	1,062	1,088	1,116	1,143
Debt Management Costs	79	75	75	79	88	90	90	90
Sale of High Value Voids levy	0	0	0	0	0	0	0	0
<b>GROSS EXPENDITURE</b>	<b>86,121</b>	<b>87,411</b>	<b>89,057</b>	<b>93,465</b>	<b>96,997</b>	<b>98,758</b>	<b>99,919</b>	<b>100,891</b>
<b>NET COST OF HRA SERVICES</b>	<b>(6,452)</b>	<b>(107)</b>	<b>(3,761)</b>	<b>(327)</b>	<b>(894)</b>	<b>(3,995)</b>	<b>(6,466)</b>	<b>(8,337)</b>
Investment Income received	(523)	(317)	(417)	(322)	(222)	(122)	(123)	(124)
Amortised Premiums and Discounts	435	352	352	352	352	352	352	352
Debt repayment		0	1,676	2,194	3,820	5,116	5,605	5,512
<b>(SURPLUS)/ DEFICIT ON HRA</b>	<b>(6,540)</b>	<b>(72)</b>	<b>(2,149)</b>	<b>1,898</b>	<b>3,056</b>	<b>1,351</b>	<b>(633)</b>	<b>(2,597)</b>
<b>Appropriations</b>								
Revenue Contribution to Capital (RCCO)	409	36,800	0	0	0	0	0	0
<b>NET POSITION</b>	<b>(6,131)</b>	<b>36,728</b>	<b>(2,149)</b>	<b>1,898</b>	<b>3,056</b>	<b>1,351</b>	<b>(633)</b>	<b>(2,597)</b>
<b>Balances</b>								
Opening balance	(47,560)	(51,754)	(53,691)	(55,840)	(53,943)	(50,887)	(49,536)	(50,168)
(Surplus)/ Deficit on HRA	(6,131)	36,728	(2,149)	1,898	3,056	1,351	(633)	(2,597)
<b>CLOSING BALANCE</b>	<b>(53,691)</b>	<b>(15,026)</b>	<b>(55,840)</b>	<b>(53,943)</b>	<b>(50,887)</b>	<b>(49,536)</b>	<b>(50,168)</b>	<b>(52,765)</b>

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**Capital Programme by Directorate**

Directorate	2020-21 Budget £m	2021-22 Budget £m	2022-23 Budget £m	Total Budget £m
Health, Adults & Community	17.168	5.431	2.601	25.200
Children's Services	41.074	71.575	25.454	138.103
Place	68.901	37.535	5.381	111.817
Resources	2.496	0.500	-	2.996
Corporate	50.781	40.551	2.190	93.522
Housing Revenue Account	138.761	121.653	70.362	330.776
<b>Total Capital Programme</b>	<b>319.181</b>	<b>277.244</b>	<b>105.988</b>	<b>702.413</b>

**Capital Programme by Strategic Priority Outcome**

Strategic Priority Outcome	2020-21 Budget £m	2021-22 Budget £m	2022-23 Budget £m	Total Budget £m
1. People access a range of education, training, and employment opportunities	37.730	69.657	23.132	130.519
2. Children and young people are protected so they can realise their potential	-	-	-	-
3. People access joined-up services when they need them and feel healthier and more independent	13.297	3.119	-	16.416
4. Inequality is reduced and people feel that they fairly share the benefits from growth	-	-	-	-
5. People live in a borough that is clean and green	39.193	17.262	5.783	62.238
6. People live in good quality and affordable homes and neighbourhoods	157.673	138.601	72.012	368.286
7. People live in safer neighbourhoods and anti-social behaviour is tackled	3.500	0.150	0.090	3.740
8. People feel they are part of a cohesive and vibrant community	0.567	2.662	2.781	6.010
9. The Council is open and transparent putting residents at the heart of everything we do	61.443	45.793	2.190	109.426
10. The Council works collaboratively across boundaries in strong and effective partnerships to achieve the best outcomes for residents	3.297	-	-	3.297
11. The Council continuously seeks innovation and strives for excellence to embed a culture of sustainable improvement	1.041	-	-	1.041
12. Not aligned - Statutory function	-	-	-	-
13. Not aligned with strategic outcome	1.440	-	-	1.440
<b>Total Capital Programme</b>	<b>319.181</b>	<b>277.244</b>	<b>105.988</b>	<b>702.413</b>

**Capital Programme Funding**

Funding Source	2020-21 Budget £m	2021-22 Budget £m	2022-23 Budget £m	Total Budget £m
Grants	54.283	72.766	28.557	155.606
S106	26.386	16.776	3.924	47.086
CIL	18.831	14.576	2.601	36.008
Capital Receipts	54.134	34.541	17.197	105.873
Prudential Borrowing (Non HRA)	60.684	45.551	5.444	111.679
Prudential Borrowing (HRA)	83.475	68.655	29.559	181.689
Revenue	0.202	6.000	-	6.202
Major Repairs Reserve	21.187	18.379	18.706	58.272
<b>Total Capital Programme Funding</b>	<b>319.181</b>	<b>277.245</b>	<b>105.988</b>	<b>702.413</b>

**Capital Programme Funding by Directorate**

Directorate	Grants £m	S106 £m	CIL £m	Capital Receipts £m	Prudential Borrowing £m	Revenue £m	Major Repairs Reserve £m	Total Funding £m
Health, Adults & Community	0.120	10.968	14.112	-	-	-	-	25.200
Children's Services	112.214	23.089	2.600	0.200	-	-	-	138.103
Place	28.272	12.894	19.133	25.720	19.597	6.202	-	111.817
Resources	-	0.135	0.133	2.728	-	-	-	2.996
Corporate	-	-	-	1.440	92.082	-	-	93.522
Housing Revenue Account	15.000	-	0.030	75.784	181.689	-	58.272	330.776
<b>Total Capital Programme Funding</b>	<b>155.606</b>	<b>47.086</b>	<b>36.008</b>	<b>105.873</b>	<b>293.368</b>	<b>6.202</b>	<b>58.272</b>	<b>702.413</b>

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Provisional Capital Programme 2020-21 to 2022-23

Appendix 8B

Programme	Total Funding 2020-21 to 2022-23												
	2019-20 Forecast	2020-21 Budget	2021-22 Budget	2022-23 Budget	3 Yr Total Budget	Grants	S106	CIL	Capital Receipts	Prudential Borrowing	Revenue	Major Repairs Reserve	Total Funding
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
<b>Health, Adults &amp; Community</b>													
Adult Social Care	0.070	0.120	-	-	0.120	0.120	-	-	-	-	-	-	0.120
Public Health	5.147	13.698	5.431	2.601	21.730	-	10.968	10.762	-	-	-	-	21.730
Tele Care/Telehealth Equipment	0.097	-	-	-	-	-	-	-	-	-	-	-	-
Community Safety	-	3.350	-	-	3.350	-	-	3.350	-	-	-	-	3.350
<b>Health, Adults &amp; Community Total</b>	<b>5.314</b>	<b>17.168</b>	<b>5.431</b>	<b>2.601</b>	<b>25.200</b>	<b>0.120</b>	<b>10.968</b>	<b>14.112</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>25.200</b>
<b>Children's Services</b>													
Basic Need/Expansion	17.663	29.546	65.105	23.057	117.708	102.377	12.731	2.600	-	-	-	-	117.708
Conditions and Improvement	4.131	4.473	3.000	-	7.473	7.473	-	-	-	-	-	-	7.473
Culture	1.218	0.520	0.285	0.215	1.020	-	0.820	-	0.200	-	-	-	1.020
Health and Wellbeing	0.550	0.758	0.600	0.180	1.538	-	1.538	-	-	-	-	-	1.538
Healthy Pupil Capital Funding (HPCF)	0.048	-	-	-	-	-	-	-	-	-	-	-	0.000
Mayor's Priority - Parks and Open Spaces	0.027	-	-	-	-	-	-	-	-	-	-	-	0.000
Parks	4.165	3.413	2.585	2.002	8.000	-	8.000	-	-	-	-	-	8.000
Provision for 2 year olds	0.529	2.364	-	-	2.364	2.364	-	-	-	-	-	-	2.364
<b>Children's Services Total</b>	<b>28.331</b>	<b>41.074</b>	<b>71.575</b>	<b>25.454</b>	<b>138.103</b>	<b>112.214</b>	<b>23.089</b>	<b>2.600</b>	<b>0.200</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>138.103</b>
<b>Place</b>													
Asset Maximisation	0.050	0.351	-	-	0.351	-	-	-	0.351	-	-	-	0.351
BSF ICT Infrastructure	-	-	0.977	-	0.977	0.970	-	-	0.007	-	-	-	0.977
Carbon Offsetting	0.696	1.340	0.300	0.200	1.840	-	1.840	-	-	-	-	-	1.840
Community Hubs/Buildings	2.508	0.059	-	-	0.059	-	-	0.059	-	-	-	-	0.059
Contaminated Land Works	0.100	0.044	-	-	0.044	-	-	-	0.044	-	-	-	0.044
Conversion of council buildings to temporary accommodation	0.325	4.425	-	-	4.425	-	-	-	1.328	3.097	-	-	4.425
Disabled Facilities Grants	1.700	1.771	1.500	1.500	4.771	4.771	-	-	-	-	-	-	4.771
Establish a Community Benefit Society	-	-	2.500	-	2.500	-	2.500	-	-	-	-	-	2.500
Establish a Wholly Owned Company	-	-	6.000	-	6.000	-	-	-	-	-	6.000	-	6.000
ICT Solution - Handheld Devices	0.051	0.202	-	-	0.202	-	-	-	-	-	0.202	-	0.202
Improving Air Quality	0.062	0.058	-	-	0.058	-	0.058	-	-	-	-	-	0.058
Investment works to LBTH Assets	0.125	4.512	1.542	-	6.054	-	-	-	6.054	-	-	-	6.054
Montefiore Centre Refurbishment Programme	0.350	1.600	-	-	1.600	-	-	0.500	1.100	-	-	-	1.600
OPTEMS	0.145	-	-	-	-	-	-	-	-	-	-	-	0.000
Private Sector Improvement Grants	0.050	0.100	0.100	0.100	0.300	0.079	-	-	0.221	-	-	-	0.300
Public Realm Improvements	31.561	15.727	5.334	3.254	24.315	-	-	1.667	6.148	16.500	-	-	24.315
Purchase of properties for use as Temporary Accommodation and purchase of s106 properties	56.360	6.800	6.800	-	13.600	11.000	-	-	2.600	-	-	-	13.600
Registered Provider Grant Scheme (from 1-4-1)	1.093	6.039	0.174	-	6.213	-	-	-	6.213	-	-	-	6.213
Section 55 Programme - Transport and Improvements	0.440	-	-	-	-	-	-	-	-	-	-	-	0.000
S106 Schemes	1.487	5.282	1.326	0.327	6.935	-	5.925	1.010	-	-	-	-	6.935

Provisional Capital Programme 2020-21 to 2022-23

Appendix 8B

Programme	Total Funding 2020-21 to 2022-23												
	2019-20 Forecast	2020-21 Budget	2021-22 Budget	2022-23 Budget	3 Yr Total Budget	Grants	S106	CIL	Capital Receipts	Prudential Borrowing	Revenue	Major Repairs Reserve	Total Funding
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
Section 106 Passported Funding	0.026	-	-	-	-	-	-	-	-	-	-	-	0.000
St Georges Town Hall Refurbishment Programme	0.350	1.638	-	-	1.638	-	-	-	1.638	-	-	-	1.638
CIL Schemes - South Dock Bridge	1.250	6.990	6.760	-	13.750	7.053	-	6.697	-	-	-	-	13.750
TfL Schemes	2.936	4.182	-	-	4.182	4.146	0.037	-	-	-	-	-	4.182
Local Infrastructure Initiatives (LIF)	0.900	5.500	3.700	-	9.200	-	-	9.200	-	-	-	-	9.200
Thriving High Streets Pilot Programme	0.200	0.253	-	-	0.253	0.253	-	-	-	-	-	-	0.253
Transport S106 Funded Schemes	1.211	2.012	0.522	-	2.534	-	2.534	-	-	-	-	-	2.534
WorkPath / Young WorkPath	-	0.016	-	-	0.016	-	-	-	0.016	-	-	-	0.016
<b>Place Total</b>	<b>103.976</b>	<b>68.901</b>	<b>37.535</b>	<b>5.381</b>	<b>111.817</b>	<b>28.272</b>	<b>12.894</b>	<b>19.133</b>	<b>25.720</b>	<b>19.597</b>	<b>6.202</b>	-	<b>111.817</b>
<b>Resources</b>													
Idea Store	-	0.268	-	-	0.268	-	0.135	0.133	-	-	-	-	0.268
ACT Transformation	3.159	1.041	-	-	1.041	-	-	-	1.041	-	-	-	1.041
Improved Local Presence - Local History Library and Archives	0.025	-	-	-	-	-	-	-	-	-	-	-	0.000
Local Presence Project	1.092	0.387	-	-	0.387	-	-	-	0.387	-	-	-	0.387
RESOURCES - Mayoral Priority Growth 2017-18 to 2019-20	0.200	0.800	0.500	-	1.300	-	-	-	1.300	-	-	-	1.300
<b>Resources Total</b>	<b>4.476</b>	<b>2.496</b>	<b>0.500</b>	<b>0.000</b>	<b>2.996</b>	-	<b>0.135</b>	<b>0.133</b>	<b>2.728</b>	-	-	-	<b>2.996</b>
<b>Corporate</b>													
CORP - Indicative Schemes - Other	-	1.440	-	-	1.440	-	-	-	1.440	-	-	-	1.440
Whitechapel Civic Centre	17.000	49.341	40.551	2.190	92.082	-	-	-	-	92.082	-	-	92.082
<b>Corporate Total</b>	<b>17.000</b>	<b>50.781</b>	<b>40.551</b>	<b>2.190</b>	<b>93.522</b>	-	-	-	<b>1.440</b>	<b>92.082</b>	-	-	<b>93.522</b>
<b>Housing Revenue Account</b>													
Blackwall Reach	1.062	1.263	0.045	-	1.308	-	-	-	-	-	-	1.308	1.308
Community Benefit Society - 1-4-1 receipts	-	-	4.500	4.500	9.000	-	-	-	9.000	-	-	-	9.000
Fuel Poverty Works	-	0.412	-	-	0.412	-	-	-	-	-	-	0.412	0.412
Housing Capital Programme	19.000	24.512	23.334	23.706	71.552	15.000	-	-	-	-	-	56.552	71.552
Mayor's Priority - Housing	1.478	1.450	0.326	-	1.776	-	-	-	1.776	-	-	-	1.776
New Supply - On site	19.480	11.304	7.500	-	18.804	-	-	-	0.940	17.864	-	-	18.804
New Supply Pre construction (Phase 1)	2.138	28.293	29.500	19.850	77.643	-	-	-	21.458	56.185	-	-	77.643
Ocean Estate Regeneration	0.620	0.228	-	-	0.228	-	-	-	-	0.228	-	-	0.228
Purchase of S106 Properties	8.500	15.200	-	-	15.200	-	-	-	4.560	10.640	-	-	15.200
Infill Schemes (1-4-1)	2.027	37.836	32.259	14.256	84.351	-	-	0.030	22.899	61.422	-	-	84.351
Mixed Tenure Schemes (1-4-1)	0.480	18.263	24.188	8.050	50.501	-	-	-	15.150	35.351	-	-	50.501
<b>Housing Revenue Account Total</b>	<b>54.785</b>	<b>138.761</b>	<b>121.653</b>	<b>70.362</b>	<b>330.776</b>	<b>15.000</b>	-	<b>0.030</b>	<b>75.784</b>	<b>181.689</b>	-	<b>58.272</b>	<b>330.776</b>
<b>Total Capital Programme 2019-20 to 2022-23</b>	<b>213.882</b>	<b>319.181</b>	<b>277.244</b>	<b>105.988</b>	<b>702.413</b>	<b>155.606</b>	<b>47.086</b>	<b>36.008</b>	<b>105.873</b>	<b>293.368</b>	<b>6.202</b>	<b>58.272</b>	<b>702.413</b>

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# TOWER HAMLETS

Budget Consultation 2019  
On behalf of London Borough of Tower Hamlets

Prepared by

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## 1.0 Headline Findings

### 1.1 Headline findings

Overall, **children's services and education** and **protecting and supporting vulnerable children** were deemed to be the **most valuable** services in Tower Hamlets. Just under half (45%) considered children's services and education to be amongst the two council services they value the most, making it the top priority. Protecting and supporting vulnerable children was also highly valued within Tower Hamlets with 44% that said they value this service the most. Highways and transport services alongside culture, libraries and parks were revealed to be the least valued services that Tower Hamlets Council provides (both 13%).

There was a shift in results when considering only business respondents, with business respondents placing the most value on community safety (45%), closely followed by children's services and education (41%) and economic growth and job creation (39%).

When considering limited availability of resources, respondents in Tower Hamlets believed that **protecting and supporting vulnerable children** (29%) was the service that is **most important to prioritise**. Over a tenth thought that economic growth and job creation (14%), community safety (14%) and children's services and education (13%) were the most important services to prioritise.

Again, the perceptions of businesses varied from those of residents with community safety (20%) being the most important to prioritise amongst businesses. Economic growth and job creation (19%) and protecting and supporting vulnerable children (18%) were also ranked highly by businesses in terms of which services are most important to prioritise.

Over half felt the council should reduce spending on temporary agency staff (55%) and that more commercial income should be generated (52%) to help tackle reductions in core council funding and savings targets. A reduction of spending on frontline services was the least preferred action with only 7% selecting this option.

The majority felt that efficiency, availability and quality will all decline as a result of further savings. Nine out of every ten concluded the impact of further savings on the borough will mean fewer services will be available and slightly fewer believed that service quality would decline (85%). Around three-quarters (73%) thought that efficiency would be affected by the impact of further savings; believing that the council will be less efficient.

In order to minimise the impact of savings nearly half (49%) took the position the council should make services more efficient. Respondents also indicated positively towards the

options of the council working with voluntary and community services to deliver services (37%), investigating better use of assets and other ways to generate income (33%) or sharing services with neighbouring boroughs (33%). The least favourable option was outsourcing services to the private sector with only 4% that thought this was a viable option.

Just **over half** said they would be **opposed to a 2% increase** in council tax (51%) with 38% that said they were in favour of the proposed increase; 9% said that they were not sure.

Support amongst respondents was higher towards a 2 per cent increase to council tax to specifically aid adult social care services with nearly half (47%) confirming they would accept this rise; slightly higher than those that would not be willing to pay the extra 2% (44%). When considering residents and businesses separately, it was businesses (57%) that were more willing to back the rise, whereas residents took a more reserved standpoint (43%).

Around two-thirds (65%) were in favour of Tower Hamlets Council expanding its approach towards income generation in order to protect frontline services and limit the impact of government cuts. Businesses (68%) were more likely than residents (63%) to support the council taking this approach.

## 2.0 Introduction

### 2.1 Background

Since the Government's austerity programme started in 2010, Tower Hamlets Council has worked hard to protect our vulnerable children, adults and frontline services while making savings of £190 million.

The council have made a number of tough choices to minimise the impact on those services our residents have told us that they rely on the most. This includes reducing running costs, being more efficient and reducing our workforce by a third since 2010. As the pressures continue to grow, Tower Hamlets Council will need to prioritise what matters most to residents' lives.

In addition to an online consultation, hosted on the council's website, SMSR Ltd, an independent research company was commissioned to undertake a survey with residents, businesses and community groups from across the borough help the council understand priorities and the impact savings may have on people living and working in Tower Hamlets.

### 2.2 Report structure

Included in this report are a set of headline findings which provide quick reference to all the questions asked throughout the survey. In addition, all questions have been analysed by demographic groupings and any differences in opinion are commented on throughout the report.

It should be noted that when the results are discussed within the report, often percentages will be rounded up or down to the nearest one per cent. Therefore, occasionally figures may add up to 101% or 99%.

### 2.3 Acknowledgements

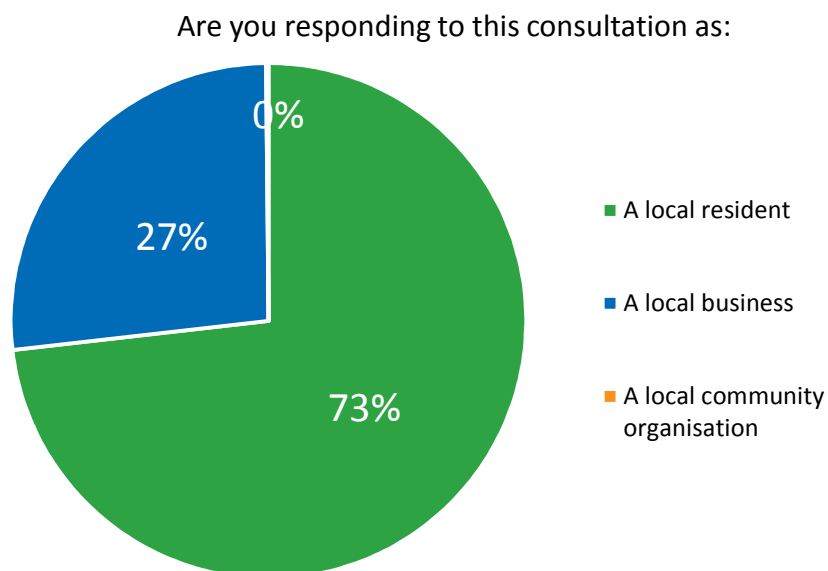
SMSR would like to thank the 1,917 Tower Hamlets residents, businesses and community groups who took part in the consultation.

### 3.0 Sample / Methodology

An interviewer led, telephone and CAPI (face to face) questionnaire was designed by SMSR in conjunction with staff from Tower Hamlets Council. The survey script mirrored the online consultation open to all residents in the borough located on the council's website.

Interviews were conducted using quota sampling to ensure the sample was representative. Quotas for age, gender and ethnicity were set using the mid-2017 census figures for the residents' consultation and the sample included representation from each of the ward within the borough. Quotas for business interviews were set by business size.

Respondents were asked to identify as a local resident, a local business or a community group:



A total of 1,917 residents, businesses and community groups took part in the consultation, overall. A representative sample of 1,102 residents were interviewed by SMSR Ltd, predominantly by telephone and supported by face to face interviewing at Ideas Stores across the borough. A further sample of 508 businesses was interviewed by SMSR Ltd, using the same methodologies. In addition, a total of 307 residents, businesses and community groups responded to an online consultation, hosted on the council's website. Overall, just under three-quarters responded as a local resident (73%), around a quarter responded as a business (27%) and less than 1% (3 respondents) as a local community organisation. All responses have been combined in this report.

The demographic and geographic breakdown of residents and businesses was as follows:

## Residents

Please note that not all residents provided demographic information.

Gender	Number	Percentage of sample
Male	642	50%
Female	631	49%
Prefer to self-identify	3	0%
Prefer not to say	4	0%

Age	Number	Percentage of sample
0-15	1	0%
16-24	183	14%
25-34	459	36%
35-44	275	21%
45-54	149	12%
55-64	119	9%
65-74	76	6%
75-84	15	1%
85+	3	0%

Ethnicity	Number	Percentage of sample
White	608	47%
BAME	668	52%
Prefer not to say	5	0%

Ward	Number	Percentage of sample
Bethnal Green	75	5%
Blackwall & Cubitt Town	67	5%
Bow East	69	5%
Bow West	52	4%
Bromley North	37	3%
Bromley South	45	3%
Canary Wharf	65	5%
Island Gardens	60	4%
Lansbury	60	4%
Limehouse	24	2%
Mile End	74	5%
Poplar	25	2%
Shadwell	56	4%
Spitalfields & Banglatown	56	4%
St Dunstan's	54	4%
St Katharine's & Wapping	48	3%
St Peter's	74	5%
Stepney Green	43	3%
Weavers	53	4%
Whitechapel	65	5%
Not known*	301	21%

\*Please note that no geographical information was collected during the online consultation.



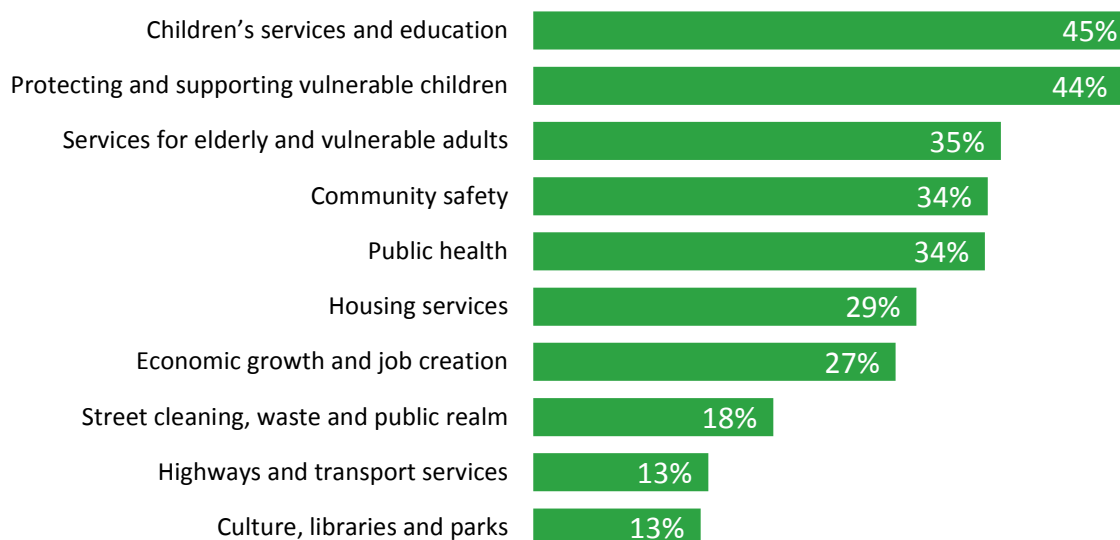
## Businesses

Business size	Number	Percentage of sample
Micro (1-10 employees)	335	66%
Small (11-49 employees)	130	26%
Medium (50-249 employees)	33	6%
Large (250+ employees)	10	2%

Ward	Number	Percentage of sample
Bethnal Green	69	14%
Blackwall & Cubitt Town	5	1%
Bow East	31	6%
Bow West	28	5%
Bromley North	3	1%
Bromley South	4	1%
Canary Wharf	40	8%
Island Gardens	4	1%
Lansbury	5	1%
Limehouse	10	2%
Mile End	42	8%
Poplar	22	4%
Shadwell	27	5%
Spitalfields & Banglatown	47	9%
St Dunstan's	2	0%
St Katharine's & Wapping	62	12%
St Peter's	4	1%
Stepney Green	36	7%
Weavers	4	1%
Whitechapel	63	12%
Not known	3	1%

## 4.0 Findings

In your opinion, which council service(s) do you value the most? Choose up to three options:



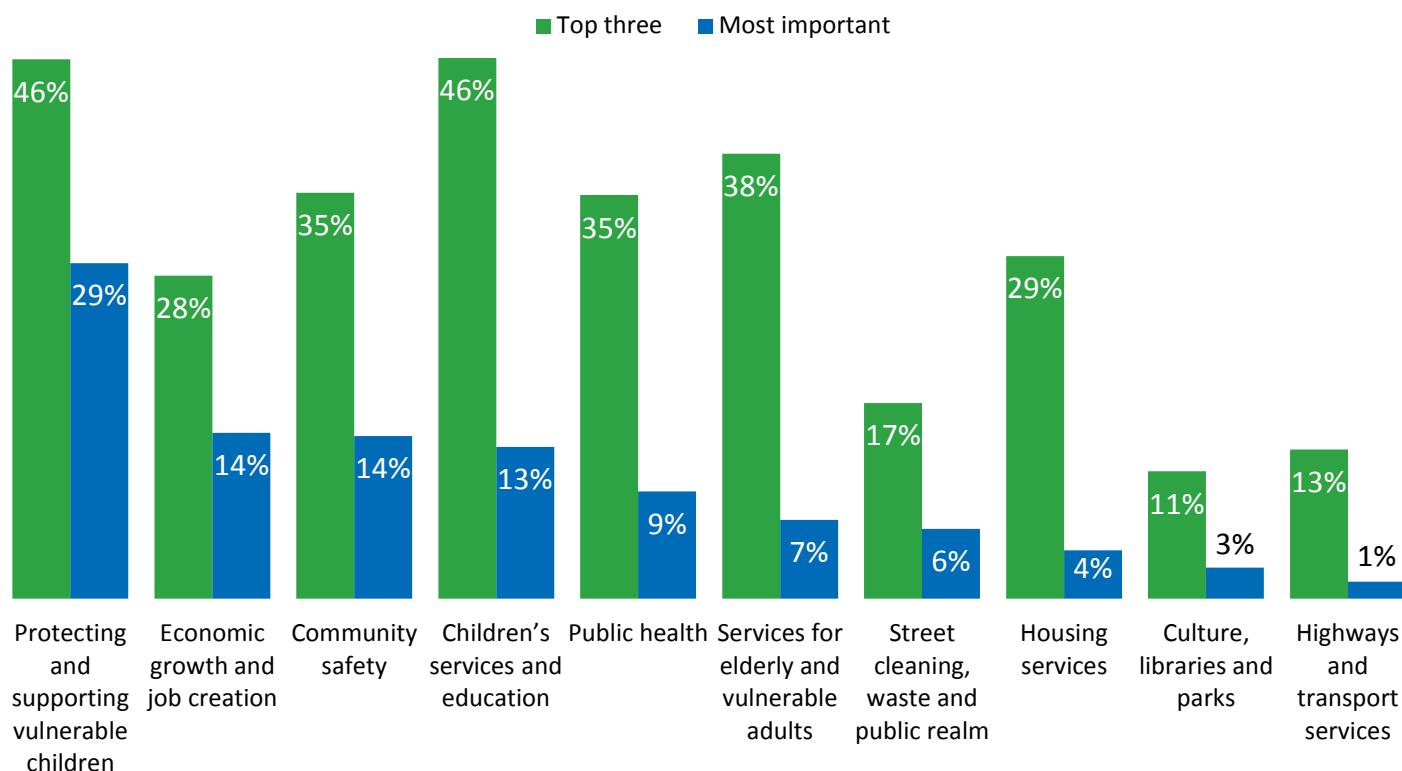
Over two-fifths valued children's services and education the most (45%), closely followed by protecting and supporting vulnerable children (44%). Over a third thought that services for elderly and vulnerable adults (35%), community safety (34%) and public health (34%) were amongst the top three most valuable services provided by Tower Hamlets Council. Culture, libraries and parks and highways and transport services were deemed less important overall, with 13% considering these services to be the most valuable.

Females and BAME respondents were more likely to value both children's services and education and protecting and supporting vulnerable children when compared to males and white respondents. Those aged 35-34 (51%) and 35-44 (50%) were more likely to value children's services and education, with those aged 16-24 (50%), 25-34 (53%) and 65 and over (53%) most likely to value protecting and supporting vulnerable children.

Those in Bromley South (76%), Mile End (63%) and Canary Wharf (60%) were the most likely to value children's services and education, whereas those in Bromley North (98%), St Peter's (68%) and St Katherine's and Wapping (64%) were most likely to value protecting and supporting vulnerable children.

When considering the most valuable services to those who responded as a local resident, nearly half mentioned protecting and supporting vulnerable children (49%) and children's services and education (47%) followed by services for elderly and vulnerable adults (39%). Conversely, business respondents placed more value on community safety (45%) and economic growth and job creation (39%), although children's services and education (41%) was still seen as the second most valued service amongst businesses

In your opinion, with limited resources available, which council services do you think the council should prioritise?



Respondents were asked to consider, with limited resources available, which council services should be prioritised. Respondents were asked to provide their top three priorities, followed by the service they regarded as the most important for Tower Hamlets Council to prioritise.

Overall, respondents said that protecting and supporting vulnerable children (29%) was the most important service to prioritise. Over a tenth deemed economic growth and job creation (14%), community safety (14%) and children's services and education (13%) the most important service for the council to prioritise.

Those aged 25-34 (37%) were most likely to view protecting and supporting vulnerable children as the most important priority, with those aged 55-64 (23%) and 65 and over (22%) least likely to value this. Respondents aged 16-24 were most likely to value economic growth and job creation (25%), whereas those aged 65 and over were more likely to value services for elderly and vulnerable adults (33%).

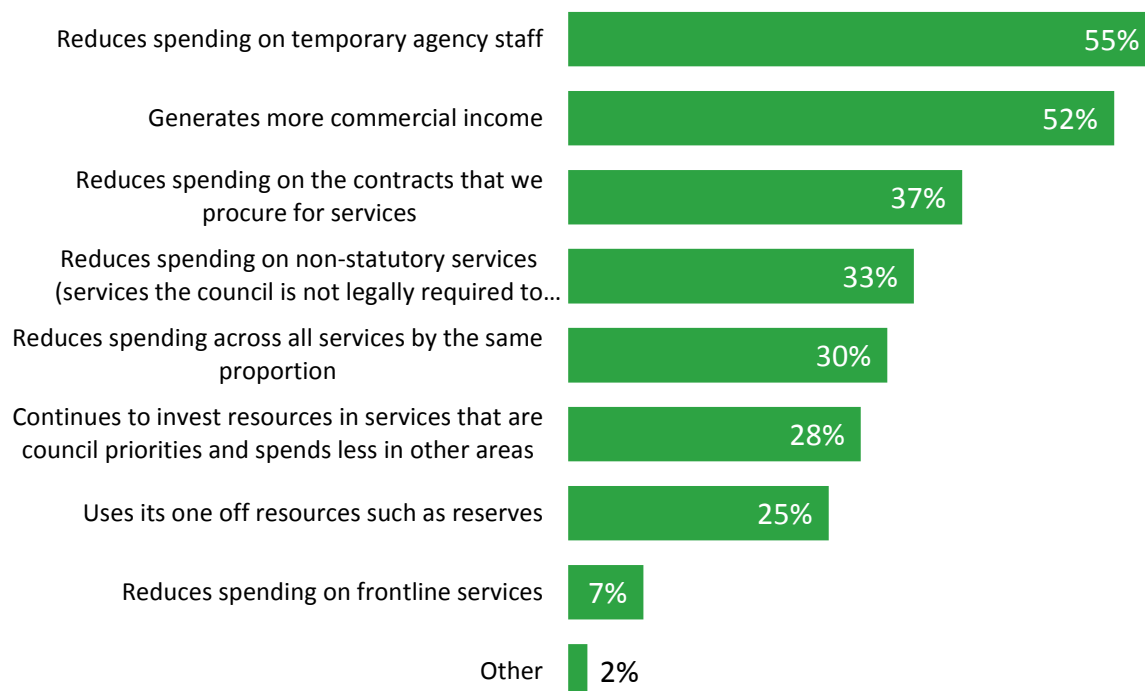
Females (33%) and BAME respondents (32%) were more likely to have said protecting and supporting vulnerable children was the most important service for the council to prioritise when compared to males and white respondents (both 28%). Respondents with a disability

placed more value on services for elderly and vulnerable adults (19%) when compared to those without a disability (6%).

The vast majority of residents and businesses in the ward of Bromley North (95%) indicated that protecting and supporting vulnerable children was the most important service to prioritise. Over half of those in St Peter's (63%), St Katherine's and Wapping (51%) and St Dunstan's (50%) also placed the most importance on protecting and supporting vulnerable children, however, it was deemed a less important priority within Weavers (19%), Lansbury (17%), Whitechapel (14%) and Canary Wharf (11%).

Residents in Tower Hamlets deemed protecting and supporting vulnerable children as the most important to prioritise (33%), with over a tenth that felt children's services and education (14%), community safety (12%) and economic growth (12%) were most important. Businesses, on the other hand, ranked community safety as the most important to prioritise (20%), closely followed by economic growth and job creation (19%) and protecting and supporting vulnerable children (18%).

As our core government funding continues to fall, the council have to save a further £39m by 2023. Would you prefer that the council:



Respondents were presented with options that may help Tower Hamlets Council tackle savings required to be made by 2023 and asked which three they would prefer. Overall, over half of respondents would prefer the council to either reduce spending on temporary agency staff (55%) or to generate more commercial income (52%). Reducing frontline services was the least preferred option (7%).

Older respondents were less likely to favour the council generating more commercial income with only 42% of those aged 65 and over that said the council should undertake this action compared to 56% of those aged 35-44.

Residents and businesses within Bromley North (75%), Canary Wharf (68%) and Bow West (65%) were most likely to prefer that the council reduced spending on temporary agency staff, whereas those in Bromley South (76%), Canary Wharf (70%) and Shadwell (69%) were the most likely to favour the council generating more commercial income.

Residents (58%) were more likely than businesses (49%) to have said the council should reduce spending on temporary agency staff, with businesses (63%) likelier to have said the council should generate more commercial income than residents (47%). Businesses were twice as likely to have said the council should use its one off resources, such as reserves (39%), when compared to residents (19%).

Do you think the impact of further savings on the borough will mean?



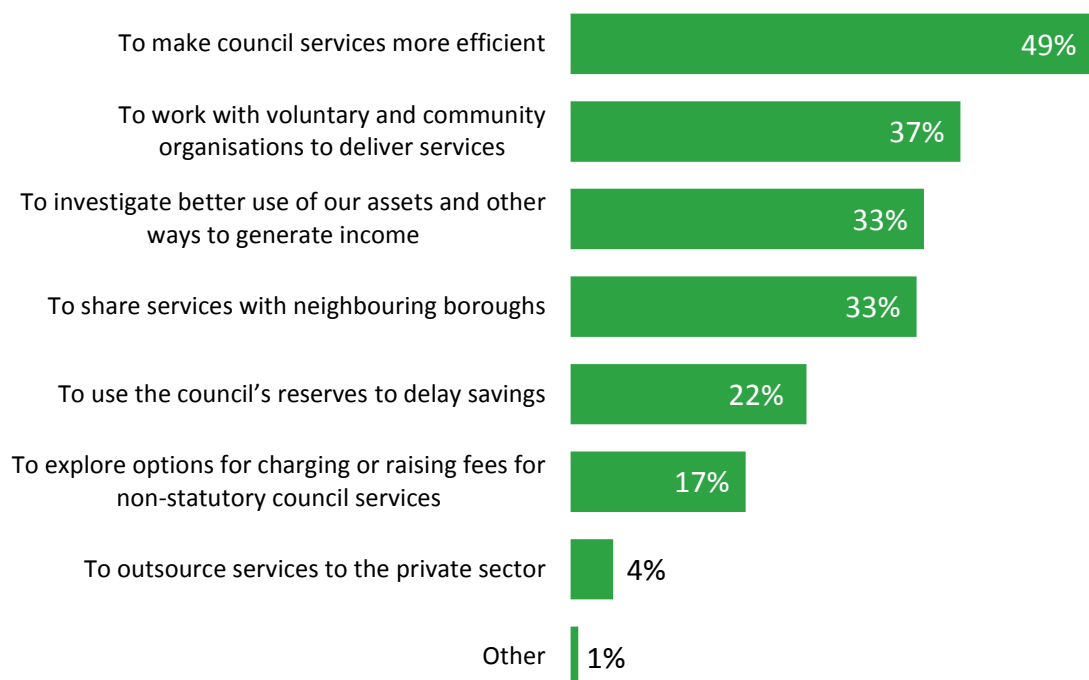
Respondents were asked to provide their thoughts on the impact of further savings on the availability, efficiency and quality of services in the borough. There was strong sentiment that further savings would impact on each aspect with 9 out of every 10 believing fewer services would be available, nearly three-quarters (73%) forecasting the council will be less efficient and more than 8 out of every 10 of the impression that service quality will go down (85%).

Younger respondents, specifically those aged 16-24 and 25-34 were the most likely to believe that further savings will have a negative effect of availability (96% and 93% respectively), efficiency (81% and 78% respectively) and quality (94% and 90% respectively) of services compared to all other age groups.

In general, those in Blackwall and Cubitt Town, Bow East, Bow West, Bromley North, Bromley South and Canary Wharf were more likely to feel efficiency, availability and quality will decline as a result of further savings. Those in Limehouse, Shadwell, Spitalfields and Banglatown, Weavers and Whitechapel were less likely to feel efficiency, availability and quality will decline as a result of further savings.

Residents were more likely than business to feel fewer services would be available (91% compared to 87%) and that service quality would decline (87% compared to 80%), however, when considering efficiency there was very little difference in those that thought the council would be less efficient with 73% of residents and 74% of businesses that thought that would be the case.

If we had to pursue just two options below, which are most important to you?



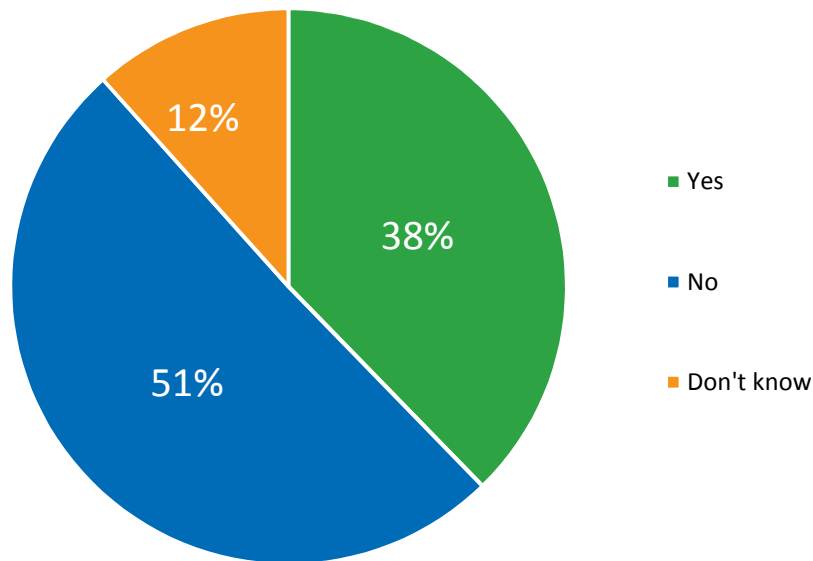
Tower Hamlets Council is exploring a range of options to minimise the impact of the savings the council is required to make. Respondents were asked to choose two options which they thought were most important for the council to pursue.

Around half of respondents specified the council should strive to make services more efficient (49%). Additionally, a third or more thought the council should work with voluntary and community services to deliver services (37%), investigate better use of assets and other ways to generate income (33%) and share services with neighbouring boroughs (33%). The least favourable option was outsourcing services to the private sector (4%).

Resident and businesses in Poplar (74%), Limehouse (62%) and Canary Wharf (59%) were the most likely to favour making council services more efficient, whereas those from Bromley North (60%), St Dunstan's (52%) and Spitalfields and Banglatown (51%) more frequently favoured the council working with voluntary and community organisations to deliver services.

Although residents and business respondents both agreed that making council services more efficient was most important, business respondents were more inclined to believe this to be the most important course of action (55%) when compared to residents (47%).

Would you be prepared to support a proposal to add an increase to council tax by up to 2 per cent?



Respondents were asked if they would be prepared to support a proposal to add an increase to council tax by up to 2 per cent. Just over half (51%) were opposed to the proposal; 38% supported the proposal and 12% were unsure.

Older respondents were more likely to support an increase of up to 2% to council tax, with 53% of those aged 45-54, 55% of those aged 55-64 and 49% of those aged 65 and over in favour of the increase. Support was much lower amongst younger respondents with only 19% of those aged 16-24 and 27% of those aged 25-34 in favour of the 2% increase to council tax.

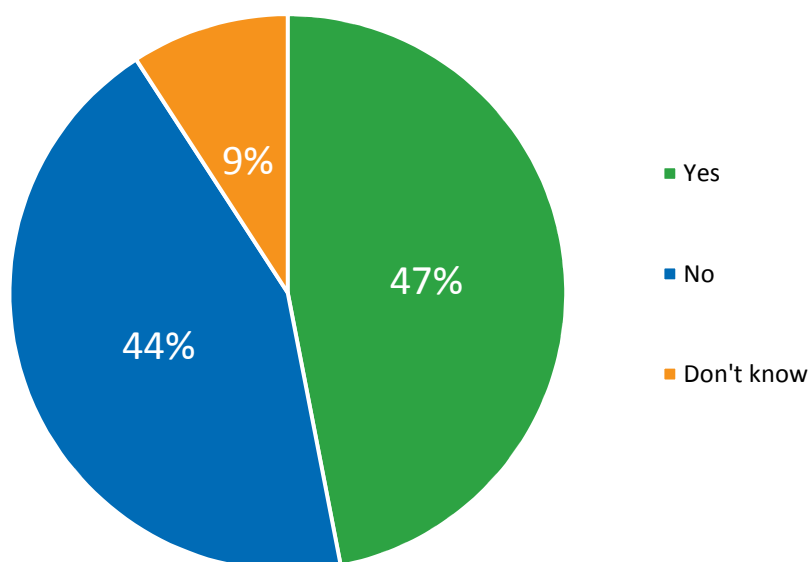
White respondents (41%) and those with a disability (48%) were also more inclined to support an increase than BAME respondents (33%) and those without a disability (36%).

Residents and businesses in Limehouse (53%), Poplar (43%) and St Katherine's and Wapping (42%) revealed the most support towards a 2% increase to council tax compared with those in Bow West (25%), Canary Wharf (23%), Bromley South (20%) and Lansbury (20%).

Residents and businesses were equally likely to support a 2% increase to council tax with 38% of both groups that said they'd be willing to support the increase.



Do you support a 2 per cent increase in council tax to support adult social care services?



Based on an estimate that additional cost pressures to Tower Hamlets Council for adult social care services in 2020/21 will be £3.5m, respondents were asked if they would support a 2% increase in council tax to support adult social care services.

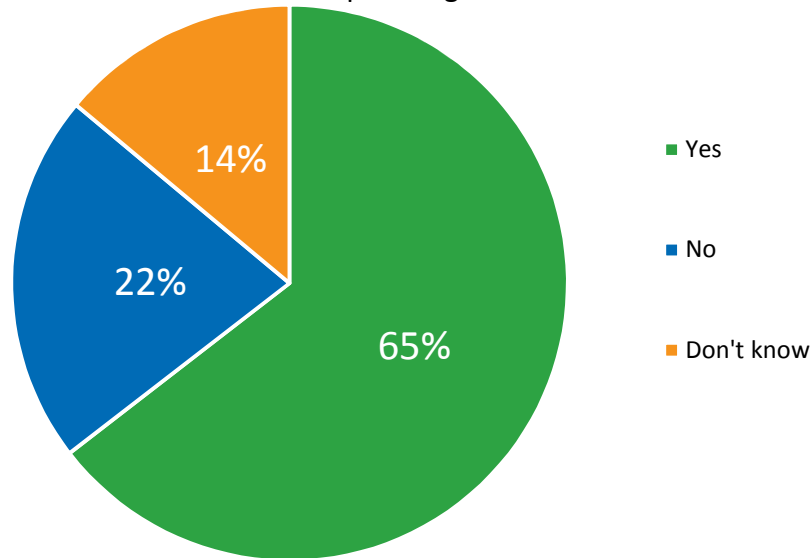
Overall, around half (47%) said they would support this increase in council tax to aid adult social care services, with a slightly smaller proportion (44%) that did not support the proposed increase and a tenth (9%) that did not know.

Those aged 16-24 (24%) and 25-34 (39%) were less likely to support a 2 per cent increase in council tax than those aged 45-54 (60%) and 55-64 (61%). White respondents (49%) were more inclined to favour an increase to support adult social care services compared to BAME respondents (44%).

When examining ward trends, residents and businesses in Limehouse (65%), Spitalfields and Banglatown (64%), Shadwell (55%) and Poplar (53%) were most likely to favour the 2% increase whereas those in Blackwall and Cubitt Town (39%), Bromley South (39%), Bromley North (28%), Canary Wharf (25%) and Lansbury (25%) were least likely to be in favour of this increase.

Businesses were more likely to support an increase with over half (57%) willing to pay more to uphold adult social care services, when compared to residents (43%).

Do you support the council expanding this approach to income generation so we can continue to protect frontline services, and limit the impact of government cuts?



One of the ways Tower Hamlets Council already generates income is by hiring out unique council-owned assets such as parks for events and filming, and the use of venues for ceremonies and sporting activities. Fees and charges are compared against other councils and the council is exploring more innovative ways to raise income. Respondents were asked if they support the council expanding this approach.

Just under two-thirds (65%) confirmed they support the council expanding this approach, with around a fifth (22%) stating they do not and a further 14% mentioning that they did not know.

Those aged 45-54 (75%) were found to be more supportive towards the council than other age groups, the least supportive being those aged 16-24 (50%) and 65 and over (53%). White respondents (66%) were more inclined to favour expanding this approach compared to BAME residents (60%). Respondents with a disability (56%) were also less open to this approach.

Residents and businesses located in Bromley South (84%), Island Gardens (78%), Blackwall and Cubitt Town (74%) and Mile End (72%) were more likely to support the council expanding its approach to income generation compared to those in Lansbury (48%), Shadwell (47%), Whitechapel (47%), St Dunstan's (41%), St Peter's (35%) and Bromley North (20%).

Businesses (68%) were more likely to be in favour of supported the council in expanding its approach to income generation to enable frontline service to be protected, when compared to residents (63%).

## 5.0 Appendices

## 5.1 Questionnaire

# Tower Hamlets Council

## Budget Consultation 2019

### Introduction

Good morning / afternoon / evening. My name is ..... and I am calling / speaking to you on behalf of Tower Hamlets Council from SMSR Ltd, an independent research company.

We are speaking to residents in the borough to get their views on the Council's budget for next year.

Do you have a few minutes to get your thoughts on this today and help shape the budget in your local area?

In compliance with GDPR you are able to withdraw your consent at any point during or after the interview and we can provide contact details for both Tower Hamlets Council and SMSR at any point if you so wish. The data is being collected in accordance with the MRS Code of Conduct and will only be used by SMSR and Tower Hamlets Council. Data collected will not be used for marketing purposes and the interview will take around 10 minutes.

Your responses will remain strictly confidential and anonymous, and your personal details will not be forwarded to a third party. It should take approximately 10 minutes, and anonymised responses will be used by SMSR Ltd and Tower Hamlets Council.

If respondent wishes to check validity of research, offer the following contact details: SMSR Ltd - Freephone 0800 1380845 and speak to Lee Atkinson (Project Manager) or call the Market Research Society freephone on 0800 975 9596.

### READ OUT:

This year the council is spending £342.6 million on public services with half of the budget spent on supporting children and vulnerable adults.

The Council have worked hard to make £190m in savings since 2010, but they will still have to save an extra £39m by 2023.

Despite these challenges, Tower Hamlets Council are proud to have continued to invest in frontline services and have the seventh lowest council tax in London.

The Council have made a number of tough choices to minimise the impact on those services residents have told the council that they rely on the most. They have reduced their own running costs, been more efficient in how they deliver services, and reduced their workforce by a third since 2010.

The Council have to make the most of the money they have, as well as continuing to look at innovative ways to generate income.

Q1 Are you responding to this consultation as:

- a local resident
- a local business
- a local community organisation

**Services you value**

Q2 In your opinion, which council service(s) do you value the most? Choose up to three options:

- Services for elderly and vulnerable adults
- Children's services and education
- Protecting and supporting vulnerable children
- Housing services
- Public health
- Culture, libraries and parks
- Community safety
- Highways and transport services
- Street cleaning, waste and public realm
- Economic growth and job creation

**Services to prioritise**

Q3a In your opinion, with limited resources available, which council services do you think the council should prioritise? Choose up to three options:

- Services for elderly and vulnerable adults
- Children's services and education
- Protecting and supporting vulnerable children
- Housing services
- Public health
- Culture, libraries and parks
- Community safety
- Highways and transport services
- Street cleaning, waste and public realm
- Economic growth and job creation

Q3b Please tell me which of the options you think is most important to prioritise?

- Services for elderly and vulnerable adults
- Children's services and education
- Protecting and supporting vulnerable children
- Housing services
- Public health
- Culture, libraries and parks
- Community safety
- Highways and transport services
- Street cleaning, waste and public realm
- Economic growth and job creation

**Reducing spending**

Q4 As core government funding continues to fall, the Council have to save a further £39m by 2023. We have made savings in the following areas, but as we have to make additional savings, would you prefer that the council: (choose up to three options)

- reduces spending across all services by the same proportion
- reduces spending on frontline services
- reduces spending on temporary agency staff
- reduces spending on the contracts that we procure for services
- reduces spending on non-statutory services (services the council is not legally required to provide)
- continues to invest resources in services that are council priorities and spends less in other areas
- generates more commercial income
- uses its one off resources such as reserves
- Other

Please specify other:

**Impact of further savings**

What do you think the impact of further savings on the borough will mean?

Q5a **Services.** Do you think the impact of further savings on the borough will mean:

- Fewer services will be available
- More services will be available

Q5b **Efficiency.** Do you think the impact of further savings on the borough will mean:

- Council will be less efficient  
 Council will be more efficient

Q5c **Quality.** Do you think the impact of further savings on the borough will mean:

- Service quality will go down  
 Service quality will improve

#### Minimising the impact

Q6 We are exploring a range of solutions to minimise the impact of the savings the council is required to make.

If we had to pursue just two options below, which are most important to you? (choose up to two options)

- to work with voluntary and community organisations to deliver services  
 to share services with neighbouring boroughs  
 to use the council's reserves to delay savings  
 to make council services more efficient  
 to outsource services to the private sector  
 to investigate better use of our assets and other ways to generate income  
 to explore options for charging or raising fees for non-statutory council services (services we are not legally required to provide)  
 Other

Please specify other:

#### Support for a council tax rise

Q7 The Government has said it expects councils to increase their council tax rate by an amount every year to cover inflation. It has also allowed councils in the last three years to add an additional charge to their council tax for adult social care to support some of their most vulnerable residents. This is called the adult social care precept.

In 2019/20, Tower Hamlets Council increased council tax by 2.4% and adult social care precept by 1%. Every 1 per cent increase in council tax that the council raises generates approximately £1 million, which can be used to protect services. Each 1 per cent rise in council tax costs households an average of 19p extra per week.

Would you be prepared to support a proposal to add an increase to council tax by up to 2 per cent?

- Yes  
 No  
 Don't know

**Council tax rise to support adult social care**

- Q8 The Government is likely to allow councils to add an additional charge to their council tax for adult social care to support some of their most vulnerable residents. In 2020/21, the maximum increase could be 2 per cent, which would raise approximately £2 million and cost households on average 38p extra per week.

We estimate that the additional cost pressures to the council for adult social care services in 2020/21 will be £3.5m.

Do you support an increase of up to 2 per cent in council tax to support adult social care services?

- Yes  
 No  
 Don't know

**Generating income**

- Q9 The council is looking at ways it can generate income to contribute towards the budget shortfall and minimise the impact of cuts on our services.

One of the ways the council already generates income is by hiring out its unique council-owned assets such as parks for events and filming, the use of venues for ceremonies and sporting activities. We also continually compare our fees and charges against other councils and look at how we can be more innovative in raising income.

Do you support the council expanding this approach to income generation so we can continue to protect frontline services, and limit the impact of government cuts?

- Yes  
 No  
 Don't know

**Demographics**

- Q10 How many employees work in your organisation?

- 1-10  
 11-49  
 50-249  
 250 or more



Q11 What type of business do you operate?

- |  |   |
|--|---|
| <input type="radio"/> Financial or insurance                       | <input type="radio"/> Arts, entertainment and leisure |
| <input type="radio"/> Professional, scientific or technical        | <input type="radio"/> Wholesale                       |
| <input type="radio"/> Business administration and support services | <input type="radio"/> Construction                    |
| <input type="radio"/> Information and communication                | <input type="radio"/> Property                        |
| <input type="radio"/> Health                                       | <input type="radio"/> Transport, storage and postage  |
| <input type="radio"/> Education                                    | <input type="radio"/> Manufacturing                   |
| <input type="radio"/> Accommodation and food services              | <input type="radio"/> Motor trades                    |
| <input type="radio"/> Public administration and defence            | <input type="radio"/> Other (please specify):         |
| <input type="radio"/> Retail                                       |   |

Q12 How old are you?

- 0-15
- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85+
- Prefer not to say

Q13a Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months (include any problems related to old age)?

- Yes
- No
- Prefer not to say

Q13b Please state the type of health problem or disability that applies to you?

*(People may experience more than one type of disability or health problem, in which case you may indicate more than one. If none of the categories applies, please mark 'Prefer to self-describe' and specify the type of health problem or disability.)*

- Sensory impairment, (such as being blind / having a visual impairment or being deaf / having a hearing impairment)
- Physical impairment, (such as using a wheelchair to get around and / or difficulty using your arms)
- Learning disability, (such as Downs syndrome or dyslexia) or cognitive impairment (such as autism or head-injury)
- Mental health condition, (such as depression or schizophrenia)
- Long-standing illness or health condition (such as cancer, HIV,
- diabetes, chronic heart disease, or epilepsy)
- Prefer to self-describe (please specify):
- Prefer not to say

Q14 Which best describes your gender?

- Male
- Female
- Prefer not to say
- Prefer to self-describe (please specify):

Please specify:

Q15 Is your gender identity the same as the sex you were assigned to at birth?

- Yes
- No
- Prefer not to say

Q16 Which of the following describes your sex?

- Man
- Woman
- Intersex
- Prefer not to say
- Prefer to self-describe (please specify):

Please specify:

Q17 Are you legally married or in a civil partnership?

- Yes
- No
- Prefer not to say

Q18 Which best describes your current marital, civil partnership or cohabitation status?

- Single (never married or never registered a civil partnership)
- Married
- In a registered civil partnership
- Separated, but still legally married
- Separated, but still in a registered civil partnership
- Divorced
- Formerly in a registered civil partnership which is now dissolved
- Widowed
- Surviving partner from a registered civil partnership
- Cohabiting with a partner
- Prefer not to say

Q19 Are you currently pregnant or did you give birth in the last twelve months?

- Yes
- No
- Prefer not to say

Q20 How would you describe your ethnic group?

- White: British
- White: Irish
- White: Traveller of Irish heritage
- White: Gypsy/Roma or Traveller
- White: Any other background
- Mixed/Dual Heritage: White & Black African
- Mixed/Dual Heritage: White & Asian
- Mixed/Dual Heritage: White & Black Caribbean
- Mixed/Dual Heritage: Any other background
- Asian or Asian British: Indian
- Asian or Asian British: Pakistani
- Asian or Asian British: Bangladeshi
- Asian or Asian British: Any other background
- Black or Black British: Somali
- Black or Black British: Other African
- Black or Black British: Caribbean
- Black or Black British: Any other background
- Other Ethnic Groups: Chinese
- Other Ethnic Groups: Vietnamese
- Other Ethnic Groups: Any other background
- Prefer not to say

Q21 What is your religion or belief system?

- No Religion
- Agnostic
- Muslim
- Christian
- Jewish
- Buddhist
- Sikh
- Hindu
- Humanist
- Prefer not to say
- Other

Q22 What is your sexual orientation?

- Gay/lesbian
- Bi (attracted to more than one gender)
- Heterosexual/straight
- Prefer not to say
- Prefer to self-describe

Please specify:

Q23 Do you have caring or parenting responsibilities? (for example, childcare or dependent adults)

- Yes
- No
- Prefer not to say


Q24 Tower Hamlets residents' e-newsletter contains the latest news, events, competitions and special offers from across Tower Hamlets. Would you like to sign up to our residents newsletter?

- Yes
- No

Q24a **IF YES:** Thank you. Please can I take your name and email address?

Name	<input type="text"/>
Email	<input type="text"/>

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<b>Cabinet</b>  29 January 2020	
<b>Report of:</b> Ann Sutcliffe – Corporate Director, Place	<b>Classification:</b> Unrestricted
<b>Adoption of fixed penalty notices for fly-tipping offences</b>	

<b>Lead Member</b>	<b>Councillor David Edgar, Cabinet Member for Environment</b>
<b>Originating Officer(s)</b>	Dan Jones, Divisional Director Public Realm Richard Williams. Business Manager Operational Services
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	
<b>Reason for Key Decision</b>	Impact on Wards
<b>Community Plan Theme</b>	<b>A Borough that are residents are proud of and love to live in</b>

## Executive Summary

Fly-tipping is the unauthorised dumping of waste and is a criminal offence under section 33 of the Environmental Protection Act, 1990. In Tower Hamlets this is a growing problem, particularly with illegally dumped business waste. This has a negative impact on local environmental quality, borough cleanliness and resident satisfaction.

From 2016 Local Authorities have had the power to issue fixed penalty notices (FPNs) for fly-tipping offences, with discretion to set the maximum value and level of early payment discount.

This report recommends adoption of the maximum £400 FPN for fly tipping offences, and asks the mayor in cabinet to consider and agree on the level of early payment discount in line with government guidelines. This will provide a more immediate, efficient and proportionate response to tackling fly-tipping across the borough.

The use of this new enforcement power will help tackle and reduce illegal fly tipping of business waste. It is not expected to be used to target residents who have mistakenly put waste out for collection at the wrong time.

## **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Adopt the power to charge a Fixed Penalty Notice (FPN) amount of £400 for fly-tipping offences with no early payment discount.
2. Delegate authority to the Director of Place to authorise appropriate officers to issue fixed penalty notices (FPNs), under section 33ZA of the Environmental Protection Act 1990 (EPA), to persons whom the officer has reason to believe have committed fly tipping offence.

### **1. REASONS FOR THE DECISIONS**

- 1.1 Local authorities as “Principal Litter Authorities” have a duty under Section 89 (1) of the Environmental Protection Act 1990 to ensure that their land or land they are responsible for is, so far as practical, kept clear of litter and refuse.
- 1.2 Fly tipping is the illegal dumping of liquid or solid waste and local authorities must remove and dispose of all fly tipped waste if it is on their land, or land they are responsible for.
- 1.3 This is a growing problem costing the Council over £690,000 a year in removal and disposal costs, particularly with illegal disposal of business waste.
- 1.4 From May 2016, local authorities in England have had the power to issue FPN’s for small-scale fly-tipping offences under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
- 1.5 The legislation sets out a default payment level of £200 with a lesser amount of £120 being due if payment is made within 10 days. Councils can set their own levels of charge between £150 and £400 and the discounted penalty for early payment to a minimum of £120.
- 1.6 This new enforcement power will help reduce illegal fly tipping of business waste, and is not expected to be used to target residents who have put waste bags out for collection at the wrong time.
- 1.7 The Mayor in Cabinet is required to decide on the level of penalty and any early payment discount. This report recommends adoption of the maximum £400 FPN with no early payment discount, which is considered a more efficient and proportionate deterrent for tackling fly-tipping across the borough.
- 1.8 This commitment supports our waste strategy and strategic plan outcomes of “People living in a Borough that is clean and green” and where “People live in safer neighbourhoods where antisocial behaviour is tackled”



## **2. ALTERNATIVE OPTIONS**

- 2.1 The council could decide not to adopt the new powers and continue to use the existing powers available to tackle fly tipping. However, it is officer's opinion that the existing powers do not offer a strong enough deterrent to persistent offenders and that using the Magistrates or Crown Court as a route for prosecution, which carries the threat of a custodial sentence and up to £50,000 fine, is not cost effective or successful in the first instance. Although it will still be used in the case of large scale persistent offenders.
- 2.2 Use the statutory default minimum penalty of £200 with an early payment discount of £120 if paid within 10days. If the recommended maximum amount of £400 is not adopted officers can still issue an FPN for fly-tipping at the default level. This is not considered to be enough of a deterrent to help reduce fly tipping across the borough.

## **3. DETAILS OF THE REPORT**

- 3.1 Fly-tipping is a significant and growing problem and a risk to the environment (See examples in Appendix 1). Some businesses in the borough routinely avoid paying for the legal disposal of their waste, choosing to fly tip this waste to be removed at the council and taxpayers expense.
- 3.2 More effective enforcement powers are required to deal with this problem, particularly with cases of persistent re-offending. Tackling this problem is directly linked to mayoral priorities to improve standards of environmental quality.
- 3.3 Within the Council's Waste Management Strategy 2018-2030 "Don't let our future go to waste" one of our six priorities is Priority 2 - We want more people to take responsibility for the waste they produce, to love their neighbourhood and help keep the borough clean and green by:
- Encouraging and enabling people to do the right thing with their waste.
  - Ensuring people take responsibility for their waste in order that it is managed more sustainably.
  - Ensuring waste management activities contribute to maintaining a clean and safe environment.
  - Taking corrective action against inappropriate behaviours; Taking a zero tolerance approach to littering and 'enviro crime'.
- 3.4 Numbers of reported incidents have been on the increase in recent years, with repeated illegal dumping of waste by businesses being a particular problem.

Year	Number of Incidents
2015/16	4555
2016/17	6287
2017/18	7465
2018/19	9228

- 3.5 Fly tipping or the deliberate dumping of waste to avoid disposal costs is a criminal offence under Section 33(1) (a) of the Environmental Protection Act 1990.
- 3.6 A person found guilty of illegal and unauthorised fly tipping is liable to prosecution. However, prosecutions are time consuming and expensive to pursue for both local authorities and magistrate's courts. Even if prosecutions are successful, full costs are not always granted or recovered.
- 3.7 At present, council officers enforce against fly-tipping using the same powers for the offence of leaving litter. Under section 88 of the Environmental Protection Act (1990), this includes up to 1 bag of domestic waste (or equivalent). The fixed penalty amount specified by the Council for this is £80, reduced to £50 if paid within 10 days. In the last two years from Jan 2018 to Dec 2019 we have issued 1,939 FPN's for these type of offences, with a 58% payment rate.
- 3.8 This current practice of using lower level FPN's does not provide a sufficient deterrent for tackling this growing problem. Some business have been issued with multiple £80 FPN's yet continue to fly tip when they think they can get away with it, to avoid costs of legal disposal
- 3.9 The use of new powers to issue FPN's for small-scale fly-tipping offences under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 provides this more effective enforcement approach.
- 3.10 In using this new fly tipping FPN the council is permitted to set its own penalty levels within the limits set by government of between £150 and £400, as well as any discount criteria. The current limits are set out in the table below.

<b>Offence</b>	<b>Default penalty</b>	<b>Minimum full penalty</b>	<b>Maximum full penalty</b>	<b>Minimum discounted penalty</b>	<b>Maximum penalty via conviction</b>
New fly-tipping FPN	£200	£150	£400	£120	£50,000

- 3.11 In June 2016, The London Councils Transport and Environment Committee (TEC) recommended a standard approach in using the maximum FPN of £400 for fly-tipping across London, with each borough deciding on the level of discount, if any for early payment of the penalty.
- 3.12 The maximum fixed penalty of £400, with no early payment discount is expected to provide a more effective deterrent. Helping to reduce commercial fly tipping by businesses avoiding the cost of commercial waste collections.
- 3.13 The receipts from fixed penalties for environmental offences can be spent on function related to waste management, street cleansing and enforcement.

## **Our approach to using this £400 Fly tipping Fixed Penalty Notice**

- 3.14 Businesses and residents have duty of care to lawfully dispose of their waste under the Environmental Protection Act 1990. The authority is however left with the responsibility to clear waste resulting from residents and businesses who do not meet this duty of care.
- 3.15 Whilst dumped business waste is a big problem there is also a large amount of rubbish left out when it shouldn't be from residential properties. This Fly tipping FPN will be used to target illegal dumping by businesses and more persistent and serious fly tipping. It is not expected to be used to target residents who have put waste bags out for collection at the wrong time.
- 3.16 There will continue to be a focus on communication, education and advice to businesses about their duties and responsibilities regarding waste management, as well as landlords and residents, particularly those who rent or live in properties above shops without adequate provision for storage.

## **4. EQUALITIES IMPLICATIONS**

- 4.1 The proposals contained in this report would apply across the whole Borough. The only equality issue could be affordability of the new Fixed Penalty Notice. However, a strong, simple, and consistent deterrent is needed to tackle this problem.
- 4.2 The use of this new enforcement power is expected to make a positive impact on the environment of the Borough, which will be beneficial for all regardless of their background.
- 4.3 An Equalities Analysis has been carried out in relation to the adoption of fixed penalty notices for fly-tipping offences to identify any evidence or views that suggests that different equality or other protected groups could be adversely and/or disproportionately impacted.

## **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report highlights further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration.

### **5.2 Best Value Implications**

- 5.3 The total estimated cost of fly tipping removal is estimated at over £690,000 per year. The current practice of using lower level FPN's or taking offenders to court does not offer a cost effective, or efficient enforcement route to tackling this growing problem. The recommended change to increase the penalty for fly-tipping will provide an additional tool for LB Tower Hamlets to tackle fly-tipping. The increased amount will be a more effective deterrent to fly-tippers, saving the Council waste clearance and disposal costs. The receipts from

fixed penalties for environmental offences can be spent on function related to street cleansing and enforcement.

## **5.5 Environmental (including air quality)**

5.6 The reduction in illegal and antisocial fly-tipping through more effective education, advice and enforcement is a key step in delivering environmental improvements across the borough. This will assist in driving a positive change in behaviour and encourage more responsible waste management practices by businesses, residents and visitors to the borough.

## **5.9 Risk Management**

5.10 Lack of clear policy and action on tackling fly-tipping across the borough would lead to an ever worsening situation with waste dumped on streets impacting on overall cleanliness and quality of the local environment. The lack of a clear approach would risk our ability to deliver on priority outcomes for the borough - "People living in a borough that is clean and green" and where "People live in safer neighbourhoods and antisocial behaviour is tackled".

## **5.11 Crime Reduction**

5.12 The Council's activities for tackling litter, fly tipping, removal of graffiti and flyposting that are incorporated into the Waste Management Strategy. This work contributes to the Council's efforts in managing anti-social behaviour within the Borough. The new Environmental Services Team will incorporate the new fly-tipping FPN into their enforcement toolbox.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 The purpose of the fixed penalty charge for fly tipping is to maintain and improve the cleanliness of the streets and is therefore not primarily a financial decision. However, the Council currently spends £690,000 per annum as a result of fly tipping. These costs are being absorbed within existing budgetary provision and put pressure on the budgets.

6.2 A fixed penalty fine of £400 is proposed to be introduced as a deterrent for fly tipping. This charge will cover the costs of policing fly tipping and legal challenge where fixed penalty notices are issued. Where FPN's are not paid, further legal costs will arise, however this is considered a more cost effective and efficient enforcement route, when compared to pursuing multiple cases through the courts.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 Section 33(1)(a) of the Environmental Protection Act 1990 ("the Act "creates the offence of depositing controlled waste or knowingly permitting controlled waste to be deposited on any land unless the person has a valid permit (otherwise known as fly tipping).

- 7.2 DEFRA introduced penalties to support enforcement of offences relating to fly tipping. The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 gives the statutory basis for local authorities to issue FPNs for fly tipping, allowing an authorised officer to issue an FPN where they believe a person has committed a waste deposit offence (as referred to in 7.1. above).
- 7.3 The Council is able to charge an amount of not less than £150 and not more than £400 under Section 33ZA(9) of the Act if specified in the notice. If no amount is specified, then the fixed penalty payable is £200.
- 7.4 If the FPN is not paid, the offender can be prosecuted. On conviction, a fine of up to £50,000 or an unlimited fine and/or 12 months imprisonment can be imposed in a Magistrates' Court. In the Crown Court an unlimited fine and/or up to 5 years imprisonment can be imposed.
- 7.5 When introducing the FPN's and any related policy, the Council must consider the public sector equality duty to have due regard to consider the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. An equality impact assessment has been undertaken, with details included in Appendix 2.

#### Linked Reports, Appendices and Background Documents

##### Linked Report

- NONE

##### Appendices

- Appendix 1 – Fly tipping examples
- Appendix 2- Equalities Impact Assessment (draft to be finalised)

Officer contact details for documents:

Richard Williams, Business Manager Operational Services

[richard.williams@towerhamlets.gov.uk](mailto:richard.williams@towerhamlets.gov.uk)

**Appendix 1- Typical examples of fly tipping impacting on local environmental quality**





# Equality Analysis (EA)

Financial Year  
**2019/20**

## Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose

*(Please note – for the purpose of this doc, 'proposal' refers to a policy, function, strategy or project)*

### **Increase Fixed Penalty Notice charge to businesses**

Recommends the application of the maximum allowable £400 fixed penalty for businesses guilty of fly-tipping offences with low or no early payment discount.

Aims to improve effectiveness of enforcement and increase deterrence.

**See  
Appendix A**

Current decision  
rating



### **Conclusion - To be completed at the end of the Equality Analysis process**

As a result of performing the analysis, this proposal does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.

**Name:**

(signed off by)

**Date signed off:**

(approved)

Service area:

Public Realm

Team name:

Place

Service manager:

Richard Williams

Name and role of the officer completing the EA:

Hamzah Foreman – Projects Coordinator

## Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?



According to successive annual Tower Hamlets Resident Surveys over the last three years (2016-2019), borough wide street-scene cleanliness is a high priority concern for residents. Fly tipping, or the illegal dumping of waste, particularly by businesses, contributes negatively to local street and environmental cleanliness and concomitantly, human health. Higher penalty charges (FPNs) have been shown to indiscriminately deter such negligence in lieu of prosecution

### **Section 3 – Assessing the Impacts on the 9 Groups**

Please refer to the guidance notes below and evidence how you're proposal impact upon the nine Protected Characteristics in the table on page 3?

**For the nine protected characteristics detailed in the table below please consider:-**

- **What is the equality profile of service users or beneficiaries that will or are likely to be affected?**

Use the Council's approved diversity monitoring categories and provide data by target group of users or beneficiaries to determine whether the service user profile reflects the local population or relevant target group or if there is over or under representation of these groups

- **What qualitative or quantitative data do we have?**

List all examples of quantitative and qualitative data available  
(include information where appropriate from other directorates, Census 2001 etc)  
- *Data trends – how does current practice ensure equality*

- **Equalities profile of staff?**

Indicate profile by target groups and assess relevance to policy aims and objectives e.g. Workforce to Reflect the Community. Identify staff responsible for delivering the service including where they are not directly employed by the council.

- **Barriers?**

What are the potential or known barriers to participation for the different equality target groups? E.g. communication, access, locality etc.

- **Recent consultation exercises carried out?**

Detail consultation with relevant interest groups, other public bodies, voluntary organisations, community groups, trade unions, focus groups and other groups, surveys and questionnaires undertaken etc. Focus in particular on the findings of views expressed by the equality target groups. Such consultation exercises should be appropriate and proportionate and may range from assembling focus groups to a one to one meeting.

- **Additional factors which may influence disproportionate or adverse impact?**

Management Arrangements - How is the Service managed, are there any management arrangements which may have a disproportionate impact on the equality target groups

- **The Process of Service Delivery?**

In particular look at the arrangements for the service being provided including opening times, custom and practice, awareness of the service to local people, communication

Please also consider how the proposal will impact upon the 3 One Tower Hamlets objectives:-

- Reduce inequalities
- Ensure strong community cohesion

- Strengthen community leadership.

**Please Note -**

Reports/stats/data can be added as Appendix

Target Groups	Impact – Positive or Adverse	Reason(s)
Race	Positive	<ul style="list-style-type: none"> <li>• Please add a narrative to justify your claims around impacts and,</li> <li>• Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making</li> </ul> <p>Please also how the proposal will promote the three One Tower Hamlets objectives?</p> <ul style="list-style-type: none"> <li>-Reducing inequalities</li> <li>-Ensuring strong community cohesion</li> <li>-Strengthening community leadership</li> </ul>
Disability	Positive	<p>No racial group will suffer any adverse impacts from this proposal. People of all races in the borough will be able to enjoy cleaner streets and a healthier environment due to the long term impact that higher FPNs will have in reducing incidents of fly-tipping and other forms of environmental negligence.</p> <p>Lowering the incidents of fly-tipping on Tower Hamlets streets through stronger enforcement deterrence will reduce the amount of pavement and highway clutter. This will not only improve street cleanliness, but will improve safety and ease of mobility by reducing thoroughfare impediments that many people with disabilities might experience due to the irresponsible and negligent dumping of waste.</p>

Gender	Positive - no differential impact	Men and women, residents and visitors will benefit from the cleaner streets and improved environmental quality brought about by stronger enforcement and deterrents against fly-tipping.
Gender Reassignment	Positive - no differential impact	No person of a particular gender will suffer adverse impacts from the proposal. People of all genders can enjoy the benefits of cleaner streets and a healthier environment. There is no reason that this proposal to increase the FPN amount to a maximum of £400 would have any differential impact in relation to this characteristic.
Sexual Orientation	Positive - no differential impact	No person of a particular sexual orientation will suffer adverse impacts from the proposal. People of all sexual orientations can enjoy the benefits of cleaner streets and a healthier environment. There is no reason that this proposal to increase the FPN amount to a maximum of £400 would have any differential impact in relation to this characteristic.
Religion or Belief	Positive - no differential impact	No religion or faith group will suffer adverse impacts from the proposed maximum Fixed Penalty Notice increase for fly-tipping. Most religions and faiths contain explicit teachings that the environment is important and should be cared for and kept clean.

Age	Positive - no differential impact	No person of a particular age will suffer adverse impacts from the proposal. People of all ages can enjoy the benefits of cleaner streets and a healthier environment.
Marriage and Civil Partnerships.	Positive - no differential impact	No particular relationship status will be adversely affected by the proposal. People using areas of high footfall and high numbers of businesses can enjoy cleaner streets with businesses encouraged to dispose of their waste more responsibly. There is no reason that this proposal to increase the FPN amount to a maximum of £400 would have any differential impact in relation to this characteristic.
Pregnancy and Maternity	Positive - no differential impact	Improved street cleanliness and reduced pavement and highway clutter through stronger enforcement deterrence of fly-tipping will improve safety and ease of mobility that pregnant women and people with children might experience due to the irresponsible and negligent dumping of waste.
Other Socio-economic Carers	Positive - no differential impact	Carers will not be adversely affected by the proposal and those who regularly use areas of high footfall and high numbers of businesses can enjoy cleaner streets with businesses encouraged to dispose of their waste more responsibly.

## Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

Yes? No?  X

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added / removed?

*(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. An EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

*Where you believe the proposal discriminates but not unlawfully, you must set out below your objective justification for continuing with the proposal, without mitigating action.*

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## Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes?  X No?

How will the monitoring systems further assess the impact on the equality target groups?

Tower Hamlets Council's priority approach is to encourage businesses through education and information to 'do the right thing' with their waste and manage it in accordance with their duty of care responsibilities, established by the EPA (2010) and their trade waste collections contract. Written warnings are given to offending businesses before fixed penalty notices are issued in the clearest possible terms. The process of issuing FPNs to businesses only discriminate in terms of contravention of the law and are issued for no other reason, including with regards to any of the equalities characteristics mentioned above. Council enforcement officers undergo equalities training as part of their client facing role.

Does the policy/function comply with equalities legislation?  
(Please consider the [OTH objectives](#) and [Public Sector Equality Duty](#) criteria)

Yes? X                      No?

If there are gaps in information or areas for further improvement, please list them below:

The Council does not currently have a framework for collecting equality data for residents and businesses that are caught fly tipping.

How will the results of this Equality Analysis feed into the performance planning process?

The Council will consider establishing a system to enable the collection of equalities data related to people caught fly tipping so that we are better able to assess whether this policy has any disproportionate effects on any particular group.

### Section 6 - Action Plan

*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.*

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Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress





Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress

Consider consulting widely with other services in the council to develop a framework for monitoring equality characteristics related to Tower Hamlets businesses.				




Appendix A

**(Sample) Equality Assessment Criteria**

Decision	Action	Risk
<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is recommended that the use of the policy be suspended until further work or analysis is performed.</p>	<p><b>Suspend – Further Work Required</b></p>	<p>Red</p> 
<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this policy.</p>	<p><b>Further (specialist) advice should be taken</b></p>	<p>Red Amber</p> 
<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p><b>Proceed pending agreement of mitigating action</b></p>	<p>Amber</p> 
<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p><b>Proceed with implementation</b></p>	<p>Green:</p> 

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<p><b>Cabinet</b></p> <p>29 January 2020</p>	
<p><b>Report of:</b> Ann Sutcliffe, Corporate Director, Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Local Government and Social Care Ombudsman, Determination of Outcome</b></p>	

<b>Lead Member</b>	<b>Councillor Sirajul Islam, Statutory Deputy Mayor and Cabinet Member for Housing</b>
<b>Originating Officer(s)</b>	Rafiqul Hoque - Head of Housing Options Ruth Dowden, Head of Information Governance
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	No
<b>Community Plan Theme</b>	<b>A borough that our residents are proud of and love to live in</b>

## Executive Summary

The Local Government and Social Care Ombudsman issued a Report finding fault with the way in which Miss X's homeless application was dealt with by the council when she became threatened with homelessness in February 2019 and homeless in March 2019. The Ombudsman found there was significant fault in the handling of Miss X's case causing her injustice.

Homelessness is a significant topical issue, following a change in the relevant law in April 2018 with the introduction of the Homeless Reduction Act.

The Council is in agreement with the Ombudsman recommendations and has taken steps to remedy the injustice these faults can cause homeless people.

## Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the content of the Report
2. Note the action taken in Housing Options service to remedy the situation

## **1. REASONS FOR THE DECISIONS**

- 1.1 The Council accepts the Local Government Ombudsman's findings and will implement the recommendations made.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Council does not wish to challenge the decision of the Local Government Ombudsman, which is the only alternative option available.

## **3. DETAILS OF REPORT**

- 3.1. The Commission for Local Administration in England, commonly known as the local Government Ombudsman (LGO), was established under the Local Government Act 1974 (amended by the Local Government and Housing Act 1989) to consider complaints against local authorities and other public bodies. Their remit is broad and covers actions of the authority that fall under the corporate complaints procedure, statutory Adults Social Care complaints and statutory Children's Social Care complaints. The notable exception to their remit, since April 2011, is non-strategic housing complaints which are considered by the Housing Ombudsman.
- 3.2. Since 2013, arising from the Local Government and Public Involvement in Health Act 2007, the LGO has issued and published either a 'statement of reasons' or 'report' of their findings for each complaint.
- 3.3. Over and above this requirement, complaints to the Council where fault (or maladministration) is found and a formal report against the council is issued, should also be considered by Cabinet (executive functions) and full Council (non-executive functions).
- 3.4. **Summary**
- 3.5. This complaint relates to poor record keeping by the Council and how the Council handled Miss X's homelessness application when she became threatened with homelessness in February 2019 and homeless in March 2019. She complained about Council officers' approach towards her and a lack of action to help her find somewhere to live. Miss X stayed in unsuitable, unfurnished interim accommodation while pregnant. This has affected her physical and mental health.
- 3.6. **Findings: The council was at fault when it:**
- 3.7. Did not take sufficient action to prevent Miss X's homelessness;
- 3.8. Delayed assessing her and issuing her Personalised Housing Plan (PHP);
- 3.9. Did not review the assessment and PHP when circumstances changed;

- 3.10. Applied too high a threshold when deciding whether to provide her with interim accommodation when she became pregnant in May 2019;
- 3.11. Did not properly consider the suitability of the interim accommodation it then provided;
- 3.12. Did not review the suitability of that accommodation when Miss X asked it to;
- 3.13. Did not take sufficient action to relieve Miss X's homelessness; and
- 3.14. Delayed making inquiries to consider whether it owed Miss X the full housing duty.

#### **4. Action**

- 4.1. The Housing Options Service undertook preparations by way of training and IT system changes to manage the introduction of the Homelessness Reduction Act in 2018. Those preparations involved training on the Act and a new IT module which was purchased to meet the requirements of a new HCLIC data requirement replacing P1E, and a review of processes to provide the relevant statutory notices that were required to apply new prevention and relief duty. Briefings and presentations were provided to staff to raise awareness of the changes which came into effect. Despite this preparation it is unfortunate that our service fell short of the Act's expectation in relation to Ms X almost a year on since the Act was enacted.
- 4.2. Our efforts to help Miss X have now resulted in her being assisted with temporary discretionary housing payment to secure affordable accommodation in the private rented sector. In line with what the Act says we can provide by way of relief and homelessness prevention.
- 4.3. Letter of apology will be sent to Miss X
- 4.4. £1,000 compensation will be remitted to Miss X's account
- 4.5. We are continually reviewing our ways of working and have taken steps to bring extra resources into the service and have recruited a backlog team who are working through backlog cases. In addition, 4 officers have been recruited to assist in dealing with new clients as they present to the service to enable officers to work in line with the law.
- 4.6. Further action we are taking relates to the Temporary Accommodation Bookings Team who will ensure that all factors are taken into account when assessing suitability of accommodation and that these are recorded on the file for future reference.
- 4.7. Although there is no statutory duty to review an offer of s188 accommodation, which is emergency temporary accommodation provided by the Council to relieve homelessness, the Council will agree a procedure for reconsideration

of the suitability of s188 accommodation when concerns are raised by the client or their representative.

- 4.8. The service will be increasing staffing level which will be funded through FHSG to enable some of the workload pressures to be addressed in the long-term. It will enable employees to manage their work more effectively and meet the requirements of the law, increase preventions, ensure accurate recording of data and more detailed recording keeping. The additional posts will ensure further backlog of cases does not occur once the current backlog is cleared.
- 4.9. Staff have recently had training on the Homelessness Reduction Act one year on (HRA) from Andy Gale, who is a specialist housing trainer on this topic. Andy Gale will be attending on 21 January 2020 to hold a further session with managers, and also cover a briefing session for the housing management team looking at suitability.
- 4.10. In addition, training is being organised through Shelter on Homelessness Reduction Act, which will look at Personal Housing Plans (brought in by the Act) from a reflective practice perspective. The training is funded by MHCLG. This will be in addition to the on-going training staff receives as part of their personal development plan.
- 4.11. IT improvements will continue to be made to ensure systems are streamlined and reduce duplication of work and ensure efficiency in service delivery. Off-line forms are being devised to enable applicants' to complete key forms to speed up the assessment process
- 4.12. Managers will be trained on Reflective Practice to enable them to hold sessions with their own teams. The plan is also to hold service wide sessions from February 2020 onwards which will allow staff to share their thoughts and ideas for service improvement.
- 4.13. Our work doesn't stop there. Valuable insight from the Employee Survey is being used to address the barriers that staff have identified to delivering the good service. Delivering the service through a 'prevention and a customer journey' lens will form the basis of a service improvement plan; looking at, customer flows and pathways, channel shift, improved IT, collaborative working across teams with clarity of purpose/policies and procedures that support the work of the teams. The PMO has been engaged to support the programme and a high level business case will be ready for the end of January. The Divisional Director, Housing and Regeneration, will lead the service improvement.

4.14. The Council submitted a response to the recent MHCLG call for evidence on the implications of the Homelessness Reduction Act. Our response identified the following:

- Increasing footfall from single people, non-availability of suitable housing options and the need to clarify requirements under the interim duty.
- Tower Hamlets has seen an 82% increase in the number of hotel placements for non-family households (singles and couples).
- Staff recruitment, retention and ongoing training and development issues.
- Inefficient IT systems and issues with H-CLIC;
- More bureaucracy since Act introduced and increased administrative burdens. Customer journey longer and difficulties in managing expectations.

4.15. A number of calls were placed on the Government to increase funding and bidding opportunities and to review housing and welfare policies.

## **5. COMMENTS OF THE CHIEF FINANCE OFFICER**

5.1. There are no material financial implications directly emanating from this report. Any costs incurred as a result of the Council's failings such as a compensatory payment to Mrs X will be met from existing budgetary resources.

5.2. The backlog team is being funded from New Burdens money and is not a direct pressure on revenue budgets. This is a time limited resource and will be met from reserves. The additional posts to enable some of the workload pressures to be addressed will be funded by Flexible Homelessness Support Grant.

## **6. LEGAL COMMENTS**

6.1. The Council has a duty under S188 the Housing Act 1996 ("HA 1996") to secure that accommodation is available whilst enquiries are being made, where they have reason to believe that eligible applicants are not intentionally homeless and in priority need. There is a continuing obligation to provide suitable accommodation. (S206 HA 1996).

6.2. The Homelessness Reduction Act ("HRA") introduced with effect from 3 April 2018 places additional duties on the Council, requiring it to intervene earlier and take steps to prevent homelessness and to provide relief from homelessness. Homeless applicants are entitled to assistance to avoid becoming homeless, those already experiencing homelessness are able to access assistance regardless of whether they have a priority need.

- 6.3. Following an assessment, a personalised homelessness plan must be agreed with all eligible homeless applicants or those threatened with homelessness and should be kept under review.
- 6.4. When considering its approach to homelessness, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; the need to advance equality of opportunity; and the need to foster good relations between persons who share a protected characteristic and those who do not.
- 6.5. The Local Government & Social Care Ombudsman (“LGSCO”) investigates claims where there are allegations of maladministration by a public body. This includes a failure to follow its own procedure or statutory procedures which result in a personal injustice to the complainant. Where there is a finding of maladministration or a failure in a service that is a function that the authority provides, the LGSCO must issue a report.
- 6.6. Once the report has been published, the public body has three (3) months (or longer if agreed) to notify the LGSCO of the action that it has taken or intends to take.

## **7. OTHER STATUTORY IMPLICATIONS**

- 7.1. This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
  - Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.

### **Risk Management Implications**

- 7.2. The employment of additional staff will ensure backlog of work is completed within the next 6 months, and mitigate any risks arising out of this complaint. It will ensure council is able to comply fully with the requirements of the law.



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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

None

### **Appendices**

Appendix 1 - Ombudsman Report – Reference 19 000 068

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

None

**Officer contact details for documents:** N/A

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**Report by the Local Government and Social Care  
Ombudsman**

**Investigation into a complaint against  
London Borough of Tower Hamlets  
(reference number: 19 000 068)**

**11 November 2019**

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## The Ombudsman's role

For more than 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Miss X      The complainant

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## Report summary

### Housing – Homelessness

Miss X complained about how the Council handled her homelessness application when she became threatened with homelessness in February 2019, and homeless in March 2019. She complained about Council officers' approach towards her and a lack of action to help her find somewhere to live. Miss X stayed in unsuitable, unfurnished interim accommodation while pregnant. This has affected her physical and mental health.

### Finding

Fault found causing injustice and recommendations made.

### Recommendations

We recommended the Council urgently considered options such as a temporary discretionary housing payment to make private rented accommodation affordable for Miss X until her baby is born. The Council agreed to this recommendation and took this step before we issued our final report.

The Council has cited severe staff shortages as responsible for fault. It has agreed to consider service resources, and changes needed to enable its officers to work in line with the law. It will report to us within three months of the date of this report explaining its findings and plan.

The Council has agreed to send a written apology to Miss X and pay her £1,000. This is to recognise the time she spent living in unsuitable accommodation, the significant stress, uncertainty and anxiety caused to her and the extra time and trouble she went to. The injustice to Miss X is particularly significant, given the impact on her physical and mental health. It will pay this within three months of the date of this report. The Council should not prescribe how Miss X uses this, for example expecting her to use it in place of financial help it may otherwise give her in future.

The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

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## The complaint

1. Miss X complained about how the Council dealt with her after she told it she was threatened with homelessness in February 2019. In particular:
  - the Council's housing officers were rude, unhelpful and unsympathetic;
  - the Council unreasonably decided she did not have a priority need and refused to review its decision;
  - the Council referred her to an assessment centre which was not suitable for her needs. It then housed her in unsuitable temporary accommodation without giving her sufficient information beforehand; and
  - the Council did not do enough to help her find accommodation.
2. Miss X, who is pregnant, said this led to her having to sleep on a hard floor in unfurnished temporary accommodation. She was too far away from her support network and the hospital she needed to attend for appointments. The circumstances affected Miss X's health, and she said she had panic attacks and blackouts.

## Legal and administrative background

### The Ombudsman's role and powers

3. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. When considering complaints, if there is a conflict of evidence, we make findings based on the balance of probabilities. This means that we will weigh up the available relevant evidence and base our findings on what we think was more likely to have happened.

### Councils' duties towards homeless people

5. The Council has duties towards homeless people under the Housing Act 1996 and the Homelessness Reduction Act 2017. The Homelessness Code of Guidance for Local Authorities 2018 is the statutory guidance which councils must have regard to when carrying out their functions in relation to homeless people. We reference the specific sections of the relevant legislation and guidance throughout this report, along with relevant court cases which have set a precedent for councils to follow.

## How we considered this complaint

6. We produced this report after examining relevant documents and interviewing the complainant.
7. We gave the complainant and the Council a confidential draft of this report and invited their comments. We took the comments received into account before the report was finalised.

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## What we found

### **The Council did not take sufficient steps to prevent Miss X's homelessness**

8. If a council is satisfied an applicant is eligible and homeless or threatened with homelessness, it must assess their needs and draw up a 'personalised housing plan' (PHP). This lists steps to prevent or relieve the person's homelessness. (*Housing Act 1996, section 189A, as inserted by s.3(1), Homelessness Reduction Act 2017*)
9. Where a council is satisfied an applicant is threatened with homelessness and eligible, it must take reasonable steps to help ensure the person continues to have accommodation available to them. This is called the prevention duty. (*Housing Act 1996, section 195, as substituted by s.4(2) Homelessness Reduction Act 2017*)
10. Miss X visited the Council's offices at the beginning of February 2019 after her father gave her notice to leave the family home. The Council negotiated a later date with Miss X's father. The Council arranged to meet Miss X later in February to look at ways to prevent her homelessness.
11. At the appointment later in February, the Council recorded the steps it would take to prevent Miss X's homelessness in Miss X's PHP. The Council agreed:
  - it would meet with Miss X in March to decide on steps to *relieve* her homelessness (steps the Council and Miss X would take after she became homeless);
  - it would visit Miss X at home; and
  - it may refer Miss X to a homelessness support organisation.
12. The law says we cannot normally investigate a complaint when someone could take the matter to court. However, we may decide to investigate if we consider it would be unreasonable to expect the person to go to court. Miss X had the right to appeal the steps the Council agreed to take, and then to appeal to court. It would have been reasonable for her to do so if she felt the steps the Council agreed to take were not sufficient. We cannot therefore comment on the suitability of those steps, only whether the Council subsequently took them. (*Local Government Act 1974, section 26(6)(c), as amended*)
13. Miss X made a complaint in early March and said the officer had not made the further appointment for her or carried out a home visit. Two weeks later, the Council responded to Miss X's complaint and said it would not visit her at home, apologising if its officer had told her it would. It did not comment on the further appointment not being arranged.
14. The Council did not take the steps it said it would. It did not take sufficient action to *prevent* Miss X's homelessness. This is fault. It mediated with Miss X's father to *delay* her becoming homeless. However, this is the only action the Council took towards its duty to prevent Miss X's homelessness.
15. The Council says it referred Miss X to a hostel as part of its prevention duty. However, it did so on the day she became homeless, when a different duty was therefore owed (the *relief* duty). Because Miss X was not owed the prevention duty once she was homeless, we have discussed the hostel referral later in this report.

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16. Miss X became homeless in March 2019, sooner than the Council had negotiated and only three weeks after it had issued her PHP. There was not sufficient time to prevent Miss X becoming homeless, in part because the Council took 10 working days from Miss X presenting as at risk of homelessness to assess her and issue her PHP. This delay was also fault.
  17. Miss X suffered stress and anxiety due to the Council's failures. While the Council's failures did not on their own cause Miss X to become homeless, there were then further failures by the Council once she was homeless, which we will explain further in this report.

### **The Council delayed providing interim accommodation to Miss X**

18. If a council has reason to believe an applicant may be eligible, homeless and in 'priority need', it has a duty to provide interim accommodation. A pregnant woman has a priority need for accommodation. (*Housing Act 1996, section 188, Homelessness Code of Guidance, section 8.3(a)*)
19. In mid-May 2019, when Miss X was homeless and sofa-surfing, she told the Council she was pregnant. The Council had a duty to provide interim accommodation as soon as it had *reason to believe* Miss X *may be* homeless, eligible and in priority need. The Council is of the view it was reasonable to expect Miss X to cooperate with it and provide evidence before providing interim accommodation. However, the threshold is low; Miss X telling the Council she was pregnant was enough to trigger the duty to provide interim accommodation. Therefore, the Council should have provided interim accommodation and then asked for evidence. The Council did not provide interim accommodation and instead told Miss X to come back with proof of her pregnancy. This was fault.
20. A week later, Miss X provided her 12-week scan as evidence. The Council then provided interim accommodation, which was not furnished, in another London borough the following day.
21. The Council applied too high a threshold, and this led to an eight-day delay in it providing Miss X with interim accommodation, during which she continued sofa-surfing. This caused further anxiety and stress for Miss X, and she went to extra time and trouble in returning to the Council the next week to provide evidence when the Council did not need that evidence to accommodate her.

### **The Council did not consider suitability of interim accommodation**

22. Any accommodation that is provided, obtained or secured by a council must be suitable for the applicant. This applies whether this is under a duty or a discretionary power, and also applies to interim accommodation. (*Housing Act 1996, section 206, Homelessness Code of Guidance 2018, section 17.2*)
23. Councils have a legal duty to place applicants in their own area so far as reasonably practicable. (*Housing Act 1996, section 208, Homelessness Code of Guidance, sections 17.47-17.54*)
24. London Borough of Tower Hamlets' staff guidance stresses officers must show they have considered certain factors and must clearly record reasons for offering a particular property to a particular household. The courts have held that 'suitability' means consideration of an individual applicant's needs. (*R v Newham LBC ex parte Ojuri [No 3] (1999) 31 HLR 631, QBD*)
25. The Supreme Court has accepted that councils are entitled to take account of the resources available to them in their area, but the general shortage of available accommodation is not sufficient reason for failing to comply with their obligations



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when making an offer of accommodation. Councils should record how decisions to place an applicant out of area have been reached, with reference to the household's needs. For properties outside its area, the Council's guidance says officers must consider the extent of disruption to specialist medical care, whether this can be transferred to a local hospital and how disruptive such a transfer would be to the individual. (*Homelessness Code of Guidance 2018, section 17.62, Nzolameso v City of Westminster [2015] UKSC 22*)

26. On the day the Council offered Miss X interim accommodation in May 2019, it simply recorded "*Contents of the homeless application taken into account*", and "*This was the only suitable property available*". The form it completed prompted the Council to consider how Miss X's medical needs impacted suitability. The Council wrote "*anxiety*" but did not go into further detail.
27. The Council knew Miss X had significant anxiety and she told it that anxiety meant friends and family had to be present to support her. It knew she had physical health conditions which she had told the Council were worsening, and she was pregnant. The Council did not record how it took any information it held about Miss X into account. The Council disputes this, pointing to a file note as evidence of how it took Miss X's circumstances into account. The file note it refers to states Miss X was not working and was pregnant, and says her medications were checked and the contents of the homelessness application were taken into account. This does not provide evidence of *how* any of those factors influenced the reasons the Council offered Miss X a particular property, and does not meet the requirements of the Council's staff guidance.
28. The Council did not record any consideration of whether transferring hospitals for maternity care would be disruptive to Miss X. It did not record any consideration of whether unfurnished accommodation, over an hour away from its area, was suitable for her. Given that Miss X had not lived alone before becoming homeless, it should have been clear to the Council she would probably not have any furniture she could bring to the accommodation.
29. The Council says when making a decision about allocating accommodation, its officers use all information about the applicant's circumstances on their file. An explanation of what happened that is given after the events, either in a complaint response or during our investigations, may provide relevant evidence. However, it would not necessarily prove the Council acted without fault. This is because we need evidence that shows the Council exercised its discretion properly at the time it made its decision. Officers must keep contemporaneous case notes. In any event, while the Council has said officers *would* have considered the relevant information, it has not provided a satisfactory explanation, even retrospectively, for providing Miss X with this unfurnished accommodation and deciding it was suitable for her.
30. The Council says it considers offers of unfurnished accommodation out of its area to be suitable accommodation. We recognise there is a severe shortage of accommodation in London boroughs, and it is often the case that applicants will be housed out of area. While councils may have a general position, they must consider the individual circumstances of applicants and allow for exceptional circumstances. Any such general policy must allow the Council to use discretion, and the Council has a duty to make sure interim accommodation is suitable for the applicant. It is not sufficient for the Council to say it is standard policy to move applicants to a certain type of accommodation.

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31. On the advice of the Council, Miss X accepted the interim accommodation then wrote asking the Council to review its suitability. Miss X provided further detail about her needs within a week of moving into this accommodation, explaining she had panic attacks on public transport and needed family and friends with her when travelling in unfamiliar places or for long distances. She explained she needed to be near to her own GP and hospital.
  32. Miss X also told the Council she had suffered verbal harassment and racist comments in the area she was accommodated in. Councils must take into account any risk of violence for the applicant when deciding whether accommodation is appropriate. The accommodation they offer should not place the applicant, or any member of the household, at risk of further violence.  
*(Homelessness Code of Guidance 2018, paragraphs 17.6 and 21.37)*
  33. The Council told Miss X she had no right to a review. Miss X would not have a statutory right of review, but the law makes clear any accommodation provided must be suitable. The Council should have considered her concerns and documented its decision. The Council told Miss X medical facilities were available in the area she had been accommodated in but did not record any consideration of how moving hospitals would impact her to justify this statement.
  34. The Council says there is no evidence Miss X suffered verbal harassment and racist comments. Miss X told the Council this was the case, and there is no information that conflicts her assertion. Nothing in law requires an applicant to provide proof of violence, and councils' duties in such cases are to consider the likelihood of violence being carried out. The Council did not consider Miss X's concerns and whether she was at risk. Miss X continued to tell the Council the accommodation was not suitable. The Council missed several further opportunities to properly consider Miss X's accommodation needs. This is further fault.
  35. The Council points to information it received from its medical assessor and Miss X's GP, and retrospectively explained to us that information led it to believe Miss X's anxiety was not out of the ordinary for someone facing homelessness or to an extent that meant she could not travel or live outside its area. It did not record this at the time, which we would have expected it to, considering Miss X told it repeatedly the accommodation was not suitable. There is no contemporaneous evidence that contradicts Miss X's view.
  36. As a result of the Council's lack of records showing it considered Miss X's individual needs, we cannot say it properly considered the suitability of the unfurnished interim accommodation it provided to Miss X. This was fault. In the absence of a proper decision-making process, we can decide what would have happened if a decision was made properly.
  37. On the balance of probabilities, had the Council properly considered suitability, it is likely it would have decided the interim accommodation was not suitable. Miss X says she cannot travel in unfamiliar places without support and the Council has not provided any evidence that contradicts Miss X's assertion as it made no inquiries into this. It told us its officers have observed her as alone when visiting its offices, however the Council's offices are in a *familiar* place so this is not relevant. Miss X's friends and family, who provide support when she has panic attacks, live over an hour away from the accommodation, in the Council's area.

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38. We have seen evidence from Miss X's GP she has significant anxiety. It could be disruptive for her to move hospitals for maternity care due to her severe anxiety about unfamiliarity, but the Council did not consider whether she could change medical facilities. Miss X says she continued looking for a job in the Council's area, as her PHP said she should. However, she says when she received a job offer she could not accept it due to the distance. The accommodation was not furnished, which is of particular concern given Miss X is pregnant. Miss X slept on a hard floor, although this was not for the whole length of her stay as she received financial support from the Department for Work and Pensions to buy a bed a month after moving there. Miss X also told us about the lack of amenities nearby, so she also struggled to access shops. The Council's form prompted it to consider this on the day she moved to the temporary accommodation, but this was left blank.
39. We would expect the Council to have properly considered Miss X's needs and sought appropriate accommodation as soon as possible. It could have provided emergency accommodation in a bed and breakfast in its area as an alternative, potentially less unsuitable short-term option until suitable accommodation was found. It should have continued looking for suitable accommodation and moved Miss X when something else became available. The Council says the accommodation was suitable, but it did not explain why, and has not provided any substantive evidence that contradicted the information we received from Miss X.
40. Miss X moved into private rented accommodation at the end of August 2019. Miss X therefore spent three months in unsuitable temporary accommodation, and she continually contacted the Council about it. This had a significant impact on her health and wellbeing. She inevitably incurred additional costs, as she had to travel to the Council's area and back regularly with the help of others.

**The Council did not take sufficient steps to relieve Miss X's homelessness**

41. Councils must keep the assessment and PHP under review. If any new information comes to light, or circumstances change, this should trigger a review. (*Housing Act 1996, section 189A, as inserted by s.3(1), Homelessness Reduction Act 2017*)
42. Councils must give written notifications of decisions, explaining the reasoning if decisions are not in the person's favour and explaining their review rights. (*Housing Act 1996, section 184*)
43. The relief duty applied from the date Miss X became homeless in March 2019. The Council should have reviewed her assessment and PHP. It did not do so, and this is fault. The Council says its failure to review Miss X's PHP did not cause her a detriment. An updated PHP would have set out steps the Council and Miss X would take specifically to *relieve* her homelessness. These steps would have differed significantly from any steps they agreed to *prevent* her becoming homeless, as the circumstances had changed. We are satisfied the lack of review therefore caused Miss X a significant injustice.
44. The Council says there is no prescribed format for PHPs but it would be "good practice" for agreed actions to be recorded in writing. We are concerned the Council has misunderstood the requirements in the law and guidance. These make clear councils must record practical and reasonable steps for both parties to take, to help the applicant retain or secure suitable accommodation. These must be given to the applicant in writing, as their PHP. (*Homelessness Reduction Act 2017, section 189A, Homelessness Code of Guidance for Local Authorities, section 11.18*)

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45. Where a council is satisfied that an applicant is already homeless and eligible, it must take 'reasonable steps' to help ensure the applicant secures accommodation which is available for at least six months. This is called the relief duty. (*Housing Act 1996, section 189B, as substituted by s.4(2) Homelessness Reduction Act 2017*)
  46. As the Council did not give Miss X a new PHP, she was denied the new right to appeal the steps - or in this case, the absence of steps – which would have been agreed in an updated PHP. This means we can investigate all action the Council decided to take from the date Miss X became homeless.
  47. On the day Miss X had to leave the family home in March 2019, the Council arranged emergency accommodation at an assessment centre. This step could potentially have relieved Miss X's homelessness, as it was a short-term placement with a plan for transition into longer-term accommodation. However, Miss X did not accept the offer of a place. The Council indicates it believes that accommodation would have provided the support Miss X needed and was suitable. However, the Council did not end its relief duty. This option was open to it if it was satisfied the offer was suitable for Miss X and there was a reasonable prospect of her being accommodated for at least six months. As it did not write to Miss X to end its relief duty based on her refusing a suitable offer of accommodation, its duty to take reasonable steps to help Miss X secure accommodation continued.
  48. After Miss X moved into interim accommodation in May 2019, she asked the Council to put her on a higher band for its housing register, which she had joined before becoming homeless. This is a step councils can take towards the relief duty. The Council began this process in July 2019 after we asked whether it had made this change. It explained to Miss X it may take several years to offer her permanent accommodation through its housing register. Even though homeless people receive higher priority, on balance, we cannot say Miss X missed out on an offer of social housing as we recognise the severe social housing shortage in the area. The delay in the Council updating Miss X's housing register application was a fault but did not cause her a significant injustice for this reason.
  49. The guidance lists examples of 'reasonable steps' councils can take to prevent or relieve homelessness. The list includes providing support, "*whether financial or otherwise*" to assist an applicant in finding private rented accommodation. (*Homelessness Code of Guidance, section 11.23*)
  50. Miss X found several private rented properties after becoming homeless and provided the details of each to the Council. We have seen evidence from July 2019 of some work by the Council to help Miss X with obtaining private rented accommodation. It requested various documents from an agent but did not receive what it asked for. It discussed affordability with Miss X via email, advising several properties were not affordable for Miss X. However, overall, we have not seen significant evidence of the Council providing support to help Miss X obtain private rented accommodation, which we explain further below.
  51. The Council told us and Miss X it could not consider providing financial support for her to obtain private rented accommodation until it made a decision about whether Miss X was in priority need and owed the main housing duty. We are concerned the Council has confused its duties. The relief duty applies to applicants whether or not they are in priority need, so Miss X's priority need is not relevant to the relief duty. We clarified this to the Council.

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52. The Council has the power to provide help in the way of advance rent and deposits. This is a step councils can take towards the relief duty. The Council can take these steps where private rented accommodation is considered suitable (including affordable) and will be available for at least six months, enabling it to bring its relief duty to an end. The Council has explained this to Miss X. It could have been clearer in its explanations via email. However, it provided several explanations that, when read together, clarify overall what it required of private rented accommodation before it could help Miss X with rent in advance or a deposit. The explanations, taken together, do not amount to fault.
53. The Council told Miss X she could not afford some properties, but it did not help her to find alternative options which it considered suitable and affordable. This is a step councils can take towards the relief duty. The Council told Miss X she could only afford shared housing and could not get a one-bed flat until her baby is born. However, before we issued our draft report, it had not considered options such as a temporary discretionary housing payment to make a one-bed flat affordable in the interim. This is also a step councils can take towards the relief duty. Miss X should receive more housing benefit when she has had her baby, and councils might use their discretion in such circumstances to pay a shortfall in rent temporarily to bring the relief duty to an end.
54. The Council did not take sufficient action to help Miss X find accommodation to relieve her homelessness. This is fault. The above are examples of steps councils can take to relieve homelessness. However, various options are available and the above does not provide an exhaustive list, nor is it a list of steps councils must take in every case. After we became involved, the Council considered the financial support it could provide to Miss X to end its relief duty. This did not progress significantly during our involvement. Miss X negotiated with landlords to reduce the cost of rent, but the Council's delay in properly considering what financial support it could provide to her led to her missing at least two offers of private rented accommodation.
55. Miss X moved into private rented accommodation in the Council's area at the end of August 2019. She found the accommodation herself and borrowed money from a friend to pay the deposit and rent in advance. She told the Council she could not afford the accommodation, as it had not yet agreed to provide financial support to help her afford the rent. Miss X says she was under the impression before moving that she was eligible for benefits for a one-bed flat. Miss X moved into accommodation she could not afford. We are satisfied the Council made it clear to her that she should not move into unaffordable accommodation, and that until her baby was born she was only eligible for benefits for shared accommodation.
56. However, the Council has now considered what financial help it can provide Miss X and it has agreed to help with the shortfall in her rent, through a discretionary housing payment, until January 2020. It also refunded the deposit she had paid. It has ended its relief duty by issuing a written notification to Miss X.

**The Council delayed making inquiries into Miss X's priority need**

57. Councils make inquiries to decide what duty they owe homeless applicants. They make decisions on issues like whether the person has a priority need and is not homeless intentionally, to decide whether they owe the applicant the 'main housing duty'. This is the duty to secure suitable accommodation for the applicant. (*Housing Act 1996, section 193*)

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58. The burden of proof rests with councils. The London Borough of Tower Hamlets' staff guidance says where an applicant cannot provide documentary evidence, officers should follow up with inquiries. Normal confirmation of pregnancy, for example, a letter from a medical professional, such as a midwife, should be adequate evidence of pregnancy. (*Bellouti v Wandsworth LBC [2005] EWCA Civ 602; Hawa Abdullah Ali v Newham LBC, [2000] Bow CC, Legal Action November 2000; R v Woodspring DC ex parte Walters (1984) 16 HLR 73 QBD, Homelessness Code of Guidance, section 8.5*)
59. The Council had not made a decision on whether it owed Miss X the main housing duty by the time it ended its relief duty in October 2019, despite her telling it she was pregnant in May 2019. It no longer needs to make a decision about the main housing duty, as Miss X's homelessness has been relieved. However, we had concerns about the Council's processes and its delay in making inquiries. It told Miss X she needed to provide her antenatal book as evidence of her priority need. Miss X refused to provide this as it included confidential and irrelevant information. She had shown the Council a copy of her 12-and 20-week scans.
60. Being pregnant makes a person in priority need. The burden of proof rests with the Council. It asked Miss X to provide additional documentation as part of its inquiries, putting the burden of proof on Miss X. It made inquiries to Miss X's GP after we raised concerns. This was two months after Miss X told it she was pregnant, which was a significant delay.
61. The delay in the Council making inquiries to help it decide whether it owed Miss X the full housing duty was fault. Miss X was caused unnecessary uncertainty and anxiety about her future, and that of her child, due to the Council's delay in making appropriate inquiries. She went to unnecessary time and trouble chasing the Council and reminding it of its duty to make inquiries.

### **Other issues where we have not found fault or significant injustice**

#### **The Council withdrawing its decision Miss X was not in priority need**

62. The law says we cannot normally investigate a complaint when someone could take the matter to court. However, we may decide to investigate if we consider it would be unreasonable to expect the person to go to court. The Council withdrew its decision of March 2019 when Miss X challenged it, rather than allowing Miss X her right of appeal. Therefore, it was not reasonable to expect Miss X to go to court about this decision, and we have investigated it. (*Local Government Act 1974, section 26(6)(c), as amended*)
63. There was no legal basis for the Council withdrawing its decision. Usually councils cannot revisit a homelessness decision once it is made. (*Porteus .v. West Dorset DC*).
64. The Council withdrew its decision because it identified it had not properly considered Miss X's medical needs before its decision of March 2019. The Council then put the burden of proof on Miss X before later writing to her GP. The Council was at fault. However, these faults did not cause Miss X a significant injustice, as she was not in priority need after a proper assessment. In any event, her circumstances changed in May 2019 when she told the Council she was pregnant.

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### **The suitability of accommodation the Council provided in March 2019**

65. In March 2019, on the day Miss X became homeless, the Council arranged emergency accommodation at an assessment centre. Miss X did not stay, and the Council did not provide alternative accommodation.
66. The Council did not have to provide interim accommodation for Miss X in March 2019, because at the time she was not in priority need. It helped her to gain a place at the assessment centre, which was a step towards the relief duty, but she decided not to stay. There is insufficient evidence for us to consider the Council's view of suitability of that accommodation. Council officers discussed Miss X's reasons for not having accepted the offer, indicating they did not agree, but the Council did not carry out an assessment of suitability, fully considering the relevant factors. The Council did not challenge Miss X's view the offer was not suitable for her, and crucially it did not end its relief duty when she refused the offer. As the Council did not end its relief duty, the lack of a proper suitability assessment did not cause Miss X any significant injustice. Miss X spent some time sofa-surfing following her refusal of this offer. However, before she told the Council she was pregnant, this time Miss X spent sofa-surfing was not due to fault by the Council because it did not have a duty to provide her with interim accommodation.

### **Officers' attitudes and communication**

67. Miss X alleged the Council's officer was rude, unhelpful and unsympathetic towards her, in writing and in person. Miss X also complained the Council's manager communicated with her in a harsh tone. The written evidence is not sufficient for us to reach a finding of fault in this respect. We cannot know what was said in person or the tone used. The Council was entitled to ask Miss X some personal, and possibly uncomfortable, questions when determining her homelessness application and while Miss X felt some of these were inappropriate and irrelevant, this does not mean the Council was at fault.
68. We also found the Council did not issue a letter when its prevention duty ended and its relief duty began, which it should have. However, Miss X was not caused a significant injustice, as we are satisfied she would not have wanted to challenge the Council's decision to end the prevention duty.

### **Conclusions**

69. In summary, the Council was at fault when it:
- did not take sufficient action to prevent Miss X's homelessness;
  - delayed assessing her and issuing her PHP;
  - did not review the assessment and PHP when circumstances changed;
  - applied too high a threshold when deciding whether to provide her with interim accommodation when she became pregnant in May 2019;
  - did not properly consider the suitability of the interim accommodation it then provided;
  - did not review the suitability of that accommodation when Miss X asked it to;
  - did not take sufficient action to relieve Miss X's homelessness; and
  - delayed making inquiries to consider whether it owed Miss X the full housing duty.

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70. The Council's faults led to:
- significant stress, uncertainty and anxiety for Miss X;
  - an eight-day delay in it providing Miss X with interim accommodation, while she continued sofa-surfing;
  - extra unnecessary time and trouble for Miss X in providing evidence and reminding it of its duties;
  - three months living in unsuitable temporary accommodation, and the costs linked to this;
  - worsening of Miss X's health and wellbeing; and
  - Miss X missing at least two offers of private rented accommodation.
71. The Council says it will accept our decision and seek to learn from the errors we have highlighted. Since our draft report, it has also agreed to pay Miss X a discretionary housing payment to cover the shortfall in her rent until January 2020, and to refund the deposit of £1,300 she paid for her private rented accommodation. We welcome the positive action the Council has taken, and says it will take.
72. We are issuing this report for two reasons. There was significant fault by the Council causing significant injustice to Miss X. Homelessness is also a significant topical issue, following a change in the relevant law. For this reason, we want to bring attention to examples of particularly poor practice. However, alongside this we also wish to highlight the ways in which councils can remedy the injustice these faults can cause homeless people.

## **Recommendations**

73. We recommended the Council urgently considered options such as a temporary discretionary housing payment to make private rented accommodation affordable for Miss X until her baby is born. The Council agreed to this recommendation and took this step before we issued our final report.
74. The Council has cited severe staff shortages as responsible for fault. It has agreed to consider service resources, and changes needed to enable its officers to work in line with the law. It will report to us within three months of the date of this report explaining its findings and plan.
75. The Council has agreed to send a written apology to Miss X and pay her £1,000. This is to recognise the time she spent living in unsuitable accommodation, the significant stress, uncertainty and anxiety caused to her and the extra time and trouble she went to. The injustice to Miss X is particularly significant, given the impact on her physical and mental health. It will pay this within three months of the date of this report. The Council should not prescribe how Miss X uses this, for example expecting her to use it in place of financial help it may otherwise give her in future.
76. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)




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## Decision

77. There was fault by the Council which caused injustice to Miss X. The Council has agreed to take the action identified in the section titled "*Recommendations*" to remedy that injustice.

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<p><b>Cabinet</b></p> <p>29 January 2020</p>	
<p><b>Report of:</b> Debbie Jones, Corporate Director Children and Culture</p>	<p><b>Classification:</b> Unrestricted</p>
<p>Integrated Child and Adolescent Mental Health Service (CAMHS) section.75 agreement</p>	

<b>Lead Member</b>	<b>Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People</b>
<b>Originating Officer(s)</b>	Anthony Harris, Interim Head of Service, Children's Integrated Commissioning Team  Karlijn Tummers, Senior Commissioning Manager, Children's Integrated Commissioning Team
<b>Wards affected</b>	All
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	19/11/2019
<b>Reason for Key Decision</b>	Impact on Wards
<b>Strategic Plan Priority / Outcome</b>	<b>People are aspirational, independent and have equal access to opportunities</b>

### Executive Summary

The Children's Integrated Commissioning Team, the Clinical Commissioning Group (CCG) and Children's Social Care (CSC) are working towards establishing a fully integrated Children and Adolescent Mental Health Service (CAMHS). The strategic aim is to improve the experience of care, access to mental health support and outcomes for the most vulnerable children and young people (CYP), in line with the NHS transformation agenda for CYP's mental health, as well as supporting Tower Hamlets Together (THT) integration agenda.

The report provides an update on progress towards the creation of an integrated CAMHS model; and seeks approval to proceed with the implementation of the integrated CAMHS Section 75 (S.75), of the NHS Act 2006, with a view to implementation by April 2020. This type of agreement allows Local Authorities and Health to delegate their functions to one-another and pool budgets in the best interest of service provision.

The report highlights the:

- Overview of the progress to date;
- Proposed contract approach;

- Anticipated quality impact;
- Overview of proposed integrated budget and resources; and
- Implementation timeframes.

**Key Issues:**

- Implementing the integrated CAMHS S.75 arrangements for commencement from April 2020;
- Ensuring that there are effectively pooled financial and staffing resources using the commissioning framework.

**Risk Implications:** The current provider, East London Foundation Trust, has been part of high level discussions regarding the integration of CAMHS, formal negotiations begin December 2019. Should ELFT not agree to the proposals via the formal commissioning intentions, the integration of CAMHS would effectively halt. This would have minimal impact on current service delivery; however it would inhibit future service development.

If negotiations with the provider were unsuccessful Tower Hamlets council, in consultation with CCG colleagues would have until 31<sup>st</sup> March 2021 to consider and enact alternative commissioning arrangements. Alternative options are cited within body of the report.

**Budget:** The proposal aims to pool dispersed budgets/resources currently allocated to CAMHS by Children's Social Care (£1,229,800 per annum) into a single budget. This budget will then be added to the CCG budget for the delivery of CAMHS (£4.5m per annum); to commission a single integrated service:

- At this stage there are no expected savings to be made by pooling resources between the council and the CCG; however within 20/21 a service review will in part focus on ensuring the council is receiving best value for money from the service, and identify potential savings.
- There are no new cost pressures expected through integrating CAMHS.

**Legal:** As part of the creation of the integrated CAMHS section 75 the council will have a single contract agreement in place with the CCG covering all financial outlay for the delivery of CAMHS provision.

## **RECOMMENDATIONS:**

The Mayor in Cabinet is recommended to:

1. Approve the implementation of the integrated CAMHS Section 75 from 1<sup>st</sup> April 2020, on a three year basis (1+1+1).
2. Delegate to the Corporate Director Children and Culture authority to sign a written agreement for the S.75 Agreement on behalf of the council, and sign any amendments that may be required to the agreement over the life of the contract.
3. Authorise extending financial payment, via a S.75 from Tower Hamlets council to Tower Hamlets CCG from £424,000 per annum up to £1,229,800 per annum for 3 years (£3,689,400) between April 2020 to March 2023.
4. Note potential option to transfer LBTH staff members to the provider.
5. Note the contract approach and timelines outlined in the report.

## **1 REASONS FOR THE DECISIONS**

- 1.1 The key reasons for the decision to integrate CAMHS are:
- 1.2 To improve the experience of care, access to mental health support and outcomes for the most vulnerable children and young people in line with the NHS transformation agenda for children and young people's mental health; and in line with the Tower Hamlets Together (THT) Integration agenda.
- 1.3 To mitigate the current risk of a legal challenge to the council for resourcing external providers, in absence of a formal agreement / contract.
- 1.4 To have a clear oversight of all relevant CAMHS provision through one single robust contract management framework between the council, the CCG and East London Foundation Trust (ELFT).
- 1.5 To provide the contractual infrastructure to support a more comprehensive review in 2020/21 to ensure that the integrated CAMHS meets the needs of relevant children and young people.
- 1.6 To improve governance and quality assurance of the whole CAMHS integrated service.
- 1.7 To increase the accountability of the provider for all aspects of CAMHS delivery.

## **2 ALTERNATIVE OPTIONS**

### **Option 1 Do nothing:**

- 2.1 This would result in the continuation of a fragmented service, and would be in stark contrast to the council and Tower Hamlets Together (THT) programme of integration;
- 2.2 This would be a risk for the SEND Local Area Inspection where there is a clear expectation for such services to be fully integrated.

### **Option 2 Recommission separately from the CCG:**

- 2.3 There is a risk that there could be a lack of suitable providers;
- 2.4 This would be in stark contrast to the council and Tower Hamlets Together (THT) programme of integration;
- 2.5 This would require the same preparatory work as planned to integrate CAMHS; however this option holds further risk and resource implications.

## **3 DETAILS OF THE REPORT**

### **3.1 Introduction**

- 3.2 In 2018 the Local Authority entered into a S.75 agreement with the CCG who hold the contract for CAMHS with ELFT. The value of the S.75 is £424,000 per annum. The Local Authority's current S.75 agreement for CAMHS runs from 2018 to 2021.
- 3.3 Following a high level service and financial review in 2018 Children's Social Care confirmed the intention to pool all their financial contributions to CAMHS into a single commissioning arrangement. In December 2018 approval was sought from the Joint Commissioning Executive (JCE) to enact the +1 option on the existing S.75 from 1 April 2019 – 31 March 2020 in order to progress the development of a joint service specification and funding arrangements with the CCG.
- 3.4 In April 2019 Children's Social Care formally notified ELFT of the intention to continue the current S.75 funding arrangements for 2019/20 with a view to bringing all funding contributions for CAMHS into one expanded S.75 agreement with the CCG from April 2020.
- 3.5 A task and finish group including Children's Social Care, Children's Commissioning and the CCG have met throughout 2019 to agree an

approach to integrating CAMHS, whilst also attempting to untangle legacy agreements which have complicated progress thus far.

- 3.6 In September 2019 a second paper was presented to JCE highlighting progress in key areas, challenges unmet, along with timeframes for completion.
- 3.7 The Local Authority currently procures and delivers CAMHS in 4 ways:
- Authority is delegated to Tower Hamlets CCG via the existing S.75.
  - Direct payment is made by Children's Social Care to the provider, East London Foundation Trust (ELFT) for delivery of Disability Children's Outreach Service (DCOS).
  - Direct payment by Children's Social Care to ELFT for a proportion of the CAMHS in Children's Social Care (CiCSC).
  - London Borough of Tower Hamlets (LBTH) has employees embedded within ELFT as part of the teams delivering CiCSC and DCOS.
- 3.8 The cumulative funding per annum by the Local Authority towards CAMHS is £1,229,800, of which £424,000 is through a formal commissioning mechanism, namely the S.75 with the CCG. The remaining £805,800 Children's Social Care funds the following two services:
- 3.8.1 **CAMHS in Children's Social Care (CiCSC):** Is a multi-disciplinary team of CAMHS professionals dedicated to working with children who have a Social Care plan. The team is co-located and integrated within Children's Social Care. CiCSC offers a tier 1/2 consultation, liaison and support service including attendance at the Entry to Care Panel and enhanced support for looked after children including foster carers and those in residential settings, in or out of borough. CiCSC delivers assessments (including risk assessments), clinical interventions (1:1 basis with CYP, and family/ group work when appropriate), supports CSC professionals, and conducts joint reviews of cases with CSC informing care plans.
- 3.8.2 **Disability Community Outreach Service (DCOS):** Is a psychology team within Tower Hamlets Children's Social Care who support children with diagnosed neurodevelopmental, physical and/or complex health difficulties along with their families and the wider network involved. DCOS provides consultation and joint working with social workers and other professionals and often delivers sessions in home settings to best meet the needs of the children.

3.9 The CCG resource approximately £4.5m towards CAMHS provision, taking the cumulative CAMHS total available to Tower Hamlets to approximately £5.79m per annum.

3.10 **Benefits of having an Integrated CAMHS Agreement**

3.11 The proposal going forward is to progress towards commissioning a fully integrated Child and Adolescent Mental Health Services (CAMHS), by expanding the current S.75 agreement between Tower Hamlets Council and Tower Hamlets CCG. S.75 (of the NHS Act 2006) allows Local Authorities and Health to delegate their functions to one-another and pool budgets in the best interest of service provision. A fully integrated service will benefit from pooled resources, as well as streamlined and more robust contract, governance and monitoring arrangements.

3.12 In order to test out the efficacy of having an integrated CAMHS S.75 a CAMHS review group was set up to look at options for integration. Representatives from CSC, Children's Commissioning, the CCG and Public Health were on the review group. The CAMHS review group held in depth discussions with DCOS and CiCSC professionals to gain a better understanding of current service provision, gaps and opportunities to improve the services.

3.13 The current service gaps/ weaknesses identified by the review group are as set out below:

- a) **A lack of contract and formal service specification:** has resulted in a lack of clarity around roles and responsibilities in DCOS and CiCSC causing the services to have to develop on an ad hoc basis without clear outcomes.
- b) Professionals in DCOS and CiCSC agreed that both a contract and a fit for purpose service specification would:
  - enable services to be held accountable against set outcomes
  - improve the quality of services further
  - provide for a clear governance and quality assurance framework
- c) In addition to the above the following areas for improvement were identified by DCOS and CiCSC within the current set up of service delivery and it is anticipated that these will be addressed within the integrated CAMHS:



- To improve clarity in day to day practice among professionals across social care and health.
- To strengthen referral pathways between services and greater CAMHS.
- To improve clarity how services can develop in the future and within which outcomes framework.
- To improve referral pathways between DCOS and health.
- To improve service provisions for care leavers.
- To improve/ develop specialist trauma informed provisions for Unaccompanied Asylum Seeking Children (UASC).

**3.14 The benefits of having an Integrated CAMHS Section 75**

3.15 The short-term benefits of integrating CAMHS and having a single, holistic and coherent service specification are as follows:

- Roles and responsibilities of professionals across children’s social care and health will be more clearly defined;
- Services will be more easily accountable against a set of key performance indicator and outcomes. This will enable a better understanding of service demand through tight monitoring practices;
- There will be better information to inform future commissioning decisions. Enabling the identification of innovative value for money service developments to better meet the needs of children and young people;
- It will allow both services (DCOS and CiCSC) to reflect on current best practice and increase the standard of delivery
- It will enable outcomes focused services to evolve in line with the local area strategic priorities;
- It will allow professionals to work better together by having opportunities to implement joint therapeutic working strategies;
- It will offer opportunities to further streamline referrals between psychologists.

3.16 The long-term benefits of having an Integrated CAMHS S.75 include:

- An integrated CAMHS will improve the holistic service provided to vulnerable children and young people;

- It will launch and facilitate the start of a comprehensive service review in 2020/21, ensuring that CAMHS meets the needs of the local population and offers best value for money;
- It will end a legacy of funding and service delivery which are overly complex, which inhibit flexible and innovative practice;
- It will guide the transition of the service to one that supports care leavers up to the age of 25, in line with the NHS long term plan. This will be achieved through ongoing dialogue and negotiation with ELFT

### 3.17 **Quality Assurance and Governance Improvement**

- 3.18 The existing S.75 between the CCG and ELFT is subject to a set governance and quality assurance/ monitoring framework in line with national NHS standards. However, DCOS and CiCSC are currently not subject to any governance and monitoring due to the lack of a contract and service specification. A fully integrated CAMHS will be subject to the a commensurate level of governance and monitoring as the CAMHS service that is commissioned by the CCG, including but not limited to:
- 3.19 Clinical Quality Review Meetings (CQRM) chaired by the CCG mental health lead and attended by senior leaders from both the CCG and ELFT, including the Waltham Forest and East London (WEL) Performance and Quality Manager, Transformation Manger of the Integrated Children Commissioning team, and Tower Hamlets Children and Young People Mental Health Clinical lead. The quarterly CQRM is the essential forum where senior leaders are able to scrutinise the quality and performance of the service in a granulate detail (see appendix 1 for a copy of the combined CQRM CAMHS meeting papers of November 2019).
- 3.20 In preparation of the CQRM the provider is required to submit a report outlining its performance through data and feedback in line with set key performance indicators and outcome measures. A number of key performance indicators within the CQRM focus on capturing outcomes for children and young people) with Special Education Needs and Disabilities (SEND) and CYP known to CSC.
- 3.21 Moreover, the CAMHS service is subject to an ongoing development and improvement programme in line with NHS England mandate, system intentions and Tower Hamlets local needs. The contract with the provider is reviewed annually to enable the delivery of the Mental Health programme with a collaborative approach between the Inner North East London (INEL) CCGs and ELFT supported by the Commissioning Support Unit (CSU).

3.22 The contract also includes monitoring and assurance schemes (Service Development and Improvement Plan (SDIP) and Data Quality Improvement Plan (DQIP)) to ensure any variations to the contract are delivered as agreed in the negotiations.

3.23 **Cost Impact**

3.24 There is no expected cost pressure arising from the proposal to integrate CAMHS. The new arrangements are projected to be cost neutral, unless through the commissioning intentions the provider aims to negotiate a higher cost for delivery.

3.25 Given the current fragmentation of service delivery and resourcing of CAMHS it has not been possible to establish a clear rationale for making savings during the process of integrating the service. However, as part of the 2020/21 service review savings would be considered in full.

Area	Resources Per Annum	Proposal
Current S.75	£424,000	Pool resources (£806,823) into expanded S.75 for April 2020
Disability Children's Outreach Service	Total = £197,823	
One LBTH employed staff outreach worker	£37,178	
Two posts within ELFT	£160,645	
CiCSC (Direct payment to ELFT)	£185,000	Phase this resource into S.75 through contract variations in line with outcome of staff consultations*
CiCSC (LBTH embedded staffing cost – includes 7 posts employed by LBTH*)	£422,967	
<b>Total</b>	<b>£1,229,790</b>	

*\*Head of Regulated Activity and Resources intends to retain a staff member and redeploy the role to other areas of CSC. The cost of this role is £58,500.*

3.26 This proposal aims to pool and direct resources more effectively in delivery of CAMHS. The table below illustrates current funding streams, and in addition indicates when these resources can be pooled together into a single commissioning arrangement.

3.27 In total there are 8 Tower Hamlets council staff members employed across DCOS and CiCSC provision delivering specific aspects of the CAMHS. Consideration to transferring these staff over the provider will be fully scoped to streamline the process further, however this aspect will not act as an obstacle to the plans for April 20/21. There are two options for CLT to consider in regards to these roles transferring:

- **Option 1:** Following relevant HR policies staff members will TUPE from the Council to ELFT during 20/21
- **Option 2:** Staff will be phased over to ELFT through the cycle of staff turnover. As each role is vacated, ELFT would reemploy and a contract variation would reflect this change.

3.28 Both options require further work in 20/21 and therefore the proposed extend to which the S.75 in April 2020 would initially increase, is from £424,000 to £806,823. As council staff transfer to ELFT the value of the S.75 would finally reach £1,229,800, which is the entire spend from the council towards the CAMHS.

3.29 **Implementation**

3.30 The table below sets out proposed key actions to ensure that the integrated CAMHS will be implemented in time for April 2020 and comply with both organisations' (CCG and Local Authority) legal and financial frameworks.

3.31 The table below was presented and approved by the JCE in September 2019.

3.32 The column on the right provides a further update as of November 2019:

<b>N.</b>	<b>Action</b>	<b>Lead</b>	<b>Complete by</b>	<b>Update November 2019</b>
1	Issue notification of proposed arrangements to ELFT through systems intentions process	CCG	30 September	Being completed in line with CCG commissioning intentions
2	Issue notification to ELFT of proposed S.75 arrangement with an outline of included services	Children Social Care	30 September	Being completed in line with CCG commissioning intentions
3	CSC to draft the service specification with reporting requirements for the 805,800	Children Social Care	25 October	Draft developed by CCG, CSC and Commissioning.

	CAMHS provision and provide the S.75 legal framework.			Final draft to be signed off by early January
4	Draft specification and S.75 documents signed off by Legal services at the Local Authority and the CCG	CCG and CSC	December 2019	Consulting with TH Legal department
5	CSC to submit proposed new S.75 contract to MAB / Cabinet for approval	Children Social Care	January 2020	January 2020
6	CCG to submit proposed new S.75 contract to the Governing Body for approval	CCG	Dates tbc	January 2020
7	CSC to issue ELFT a draft service specification, reporting requirements and S.75 legal framework	Children Social Care	1 November	December 2019
8	Complete contract negotiation with ELFT	CCG and CSC	31 January 2020	31 January 2020
9	New S.75 contract goes live	CCG	1 April 2020	1 April 2020
10	Joint service review with recommendations for incorporation as part of next commissioning round.	CCG and CSC	31 October 2021	31 October 2021

#### **4 EQUALITIES IMPLICATIONS**

4.1 Please see appendix 4.

#### **5 OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,

- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 There are no other statutory implications.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report details the establishment of a fully integrated Children and Adolescent Mental Health Service (CAMHS) provided by LBTH Children's Social Care (CSC) and the Clinical Commissioning Group (CCG).
- 6.2 The CSC CAMHS (including the Disability Outreach Service) budget for 2019-20 is £1,299,790. The breakdown of this budget is detailed in paragraph 3.25. There is no financial pressure on this budget forecast for 2019-20.
- 6.3 A joint commissioning arrangement between CSC, the CCG and East London Foundation Trust (ELFT) is currently formalised by a S75 agreement for the Council's contribution of £424,000. In order to start working towards the full integration of the service it is proposed that the current S75 be extended from April 2020 for a period of 3 years and the Council contribution initially increase to £806,823. This will enable further work required for the transfer of staff to ELFT. As council staff transfer to ELFT the value of the S.75 would finally reach an annual total of £1,229,800, which is the entire spend from the council towards CAMHS (including the Disability Outreach Service). Over 3 years, between April 2020 and March 2023, the Council contribution to the pooled budget will be up to £3,689,400.
- 6.4 The CCG contribute approximately £4.5m to the CAMHS service and this will be pooled together with the Council's contribution to provide a total annual pooled budget of approximately £5.79m.
- 6.5 The maximum contribution of up to £3,689,400 from the Council, will be the CSC CAMHS (including the Disability Outreach Service) annual budget of up to £1,229,800 each year. This will be for a maximum of 3 years as detailed in paragraph 6.3. The CSC CAMHS and Disability Outreach service has a balanced budget forecast position for 2019-20.

## **7 COMMENTS OF LEGAL SERVICES**

- 7.1. The Council has a duty under the Health and Social Care Act 2012 (the "2012 Act") in regards to the provision of health services to promote population health and for addressing health inequalities in it area.
- 7.2. Section 75 of the National Health Services Act 2006 and the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (the "2000 Regulations") enables the Council to enter into agreements with NHS bodies where the arrangements are likely to lead to an improvement in the way in which the health-related functions are exercised.

- 7.3. Local Authorities and NHS organisations can delegate functions to one another to meet partnership objectives and create joint funding arrangements. Responsibility for undertaking certain functions, activities or decisions can be transferred from one partner to another to achieve the partnership objectives. Although the functions are delegated, partners remain responsible and accountable for ensuring they meet their own duties under the legislation and cannot pass on responsibility for services outside the agreed activity.
- 7.4. The 2000 Regulations set out the detail to be included in any Section 75 Agreement, e.g. the funding to be contributed by each partner and how those contributions may be varied, and the staff, goods, services or accommodation to be provided by the partners in connection with the arrangements.
- 7.5. Entering into the S75 agreement as proposed in this report is either in pursuit of that function or is to “facilitate, or is conducive or incidental to, the discharge of the Council’s functions in accordance with section 111 of the Local Government Act 1972.
- 7.6. The Section 75 is a technical document outlining the partnership arrangements between the Council and the East London (NHS) Foundation Trust. Both organisations have played a joint role in the development of the agreement and it is be subject to their own separate governance for sign off.
- 7.7. In taking a decision, the Council must have regard to Section 10 of the Children Act 2004 Act which requires the Council to makes arrangements to promote cooperation with its safeguarding partners, including Health, to improve the well-being of children in its area relating to physical and mental health and emotional well-being.
- 7.8. In the exercise of its functions, the Council must with the public sector equality duty to eliminate unlawful conduct under the Equality Act 2010, the need to have regards to equality of opportunity and the need to foster good relations between persons who share a protected characteristic, including ethnicity, and those who do not.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

- **Appendix 1:** CQRM ELFT CAMHS Meeting Combined Papers (5<sup>th</sup> November 2019)
- **Appendix 2:** Breakdown staffing across the fragmented services

- **Appendix 3:** Copy of Existing S.75 between LBTH and CCG
- **Appendix 4:** Equality Impact Assessment

**Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

- None

**Officer contact details for documents:**

N/A



**NHS Tower Hamlets Clinical Commissioning Group  
Clinical Quality Review Meeting (CQRM) for East London NHS Foundation Trust  
CAMHS Meeting**

**Tuesday 5<sup>th</sup> November 2019, 10:00-12:00  
NHS THCCG, 2<sup>nd</sup> Floor Meeting Room, Alderney Building, MEH**

**Chair: Dr Judith Littlejohns, TH CCG Clinical Lead for Mental Health  
Minute Taker: Honey Ajayi, Performance & Quality Business Manager**

<b>No.</b>	<b>Items</b>	<b>Lead</b>	<b>Enclosure</b>	<b>Timing</b>
1.	Chair's welcome and introductions	JL	Verbal	10:00
2.	Conflicts of Interest	JL	Verbal	10:02
3.	Review of minutes and action log	All	Page 2	10:05
4.	Service Line Presentation: Tri-borough Eating Disorder Service (Particular Focus will be on Tower Hamlets)	RS/BW/HD	Page 14	10:15
5.	Audit of Communications with GPs	RS/BW/HD	Page 27	10:55
6.	<p>TH CAMHS Quality Report – Quarter 1 &amp; 2 19/20</p> <ul style="list-style-type: none"> <li>• Quality Improvement Programmes</li> <li>• Brief overview of exceptions per service line</li> <li>• Waiting times</li> <li>• DNA Rates - Trust cancelled follow up appointments</li> <li>• CYP IAPT – Outcome measurements and safeguarding arrangements</li> <li>• Compliance with NICE Guidance</li> <li>• Safety Report – including Incidents reported, serious Incidents, medication, themes and trends and dissemination of lessons learnt across the service</li> <li>• Safeguarding – Training and supervision compliance, DBS compliance, number of allegations against staff and action taken, referrals to social care, FGM reported cases, DoLS completed, LeDeR reviews, update on SCR and participation in case conferences, children safeguarding dashboard.</li> <li>• Patient Experience – Participation worker report, ESQ report, complaints/PALS/FFT (themes and trends)</li> <li>• Looked After Children</li> <li>• Legal Claims</li> <li>• Workforce planning – appraisals, vacancy rate, sickness absence, staff turnover, temporary staffing by staff group, clinical supervision, etc.</li> <li>• Mandatory Training Compliance - breakdown by individual training, trajectories and recovery plan for safeguarding and other trainings.</li> <li>• Directorate Risk Register</li> </ul>	RS/BW/ HDS	Page 34	11:15
7.	AOB	All		12:00

**Date of next meeting:** Tuesday 05 November 2019, 10:00-12:00

**Venue:** NHS THCCG, 2<sup>nd</sup> Floor Meeting Room, Alderney Building, Mile End Hospital

**NHS Tower Hamlets Clinical Commissioning Group**  
**East London Foundation Trust CQRM**  
**CAMHS**  
**10 September 2019 10:00 -12:00**

<b>Date:</b>	10 September 2019	
<b>Time:</b>	10:00 -12:00	
<b>Venue:</b>	TH CCG, 2nd Floor Meeting Room, Alderney Building, Mile End Hospital, London E1 4DG	
<b>Chair:</b>	Dr. Judith Littlejohns (JL)	TH CCG Clinical Lead for Mental Health
<b>Attendees:</b>	Bill Williams (BW) Service Manager, TH CAMHS ELFT Carrie Kilpatrick (CK) Commissioning Lead for Mental Health, THCCG Hanspeter Dorner (HD) Psychiatrist & Associate Clinical Director, TH CAMHS ELFT Helen Jones (HJ) GP Clinical Lead Mental Health CYP-MH THCCG Julia Yu (JY) Head of Performance, ELFT Richard Simmonds (RS) Psychological Therapies Lead & Clinical Team Leader, TH CAMHS ELFT Carrie Kilpatrick (CK) TH commissioning Lead for Mental Health, THCCG Henry Iwunze (HI) Associate Director for CAMHS, ELFT Tim Huntley (TH) Senior Nurse & CAMHS Community Crisis Lead, ELFT Helen Bruce (HB) Consultant Psychiatrist / Neurodevelopmental Team Lead, ELFT Sulaimon Quadri (SQ) Performance & Quality Manager, NHS THCCG Diana Viscusi (DV) Transformation Manager, Maternity & Early Years, TH CCG	
<b>Apologies:</b>	Peter Keirle (PK) Senior Contract Manager, NEL CSU Shefa Begum (SB) HR Business Partner, ELFT Lynn Torpey (LT) Designated Nurse for Safeguarding & LAC, THCCG	

### ACTION LOG SUMMARY

Agenda item no.	Action	Lead	Due date	Outcome	Status
1.	<b>QA visit Report</b>  To investigate the chaperone policy & whether this is required within TH CAMHS.	BW/RA	Nov 2018	<b>01.05.2018</b> – RA explained not required in all community CAMHS except eating disorders, maybe CETS.  <b>11.09.2018</b>	<b>Amber</b>

				<p>RS explained that the chaperone policy is currently being looked at to be re-written by Directorate Management Team.</p> <p><b>06.11.2018</b> – This is still ongoing.</p> <p><b>05.02.2019</b> – RS noted this is going to DMT in February and once agreed will be circulated to this group.</p> <p><b>07.05.2019</b> – Chaperone Policy is being reviewed and re-written by the Trust wide Executive Team. HDS to liaise with the Executive Board and inform the group when the revised policy would be ready for circulation.</p> <p><b>10.09.2019</b></p> <p>RS to send the revised Chaperone policy to SQ within 2 weeks, for further circulation to the wider group</p> <p><b>Ongoing</b></p>	
2.	<p><b>Service Presentation – Bipolar &amp; Psychosis Team (and ultra-high risk)</b></p> <p>CAMHS to ensure going forward that carer's assessments are completed and recorded.</p>	CAHMS	Nov 2018	<p><b>11.09.2018</b> – HDS advised that this had been reviewed – different angles. CAMHS will follow the NICE standards. This area will be re-audited.</p> <p><b>06.11.2018</b> – Audit to take place in 2019. The group agreed to bring this</p>	<b>Action closed</b>

				<p>action to May 2019 CAMHS CQRM.</p> <p><b>07.05.2019</b> – Audit of NICE guidance in progress. To be added to the September Agenda.</p>	
3.	<p><b>Service Line Presentation: CYP IAPT / Parenting Training Groups</b></p> <p>Outcomes for CYP IAPT and measures in CAMHS in general to be presented in August.</p>	DM	<p>August 2019</p> <p>November 2019</p>	<p><b>07.05.2019</b></p> <p>For September 2019 CQRM</p> <p><b>10.09.2019</b></p> <p>IAPT data with detailed narratives to be included in the papers for the November meeting.</p> <p><b>Ongoing</b></p>	Amber
4.	<p><b>AOB</b></p> <p>CAMHS to provide local data on the Crisis Service and Eating Disorder going forward.</p>	<p>BW/HDS/R S</p> <p>SQ/BW</p> <p>JY</p>	May 2019	<p><b>07.05.2019</b></p> <p>Concerns within the crisis team was noted. BW/HDS to report back at the next meeting with activities within Community CAMHS during the day (tri-borough) and out of hours. Substantive agenda item for September meeting.</p> <p>SQ/BW to review standing agenda items.</p> <p><b>10.09.2019</b></p> <p>JY to agree sharing the Eating disorder data with Laura (Team Lead) and circulate to the group. Eating Disorder will be an agenda item for the November 2019 meeting. Data</p>	Amber

				across the three CCGs to be shared. <b>Ongoing</b>	
5.	<p><b>Service Line Presentation: Conduct Disorder Alliance with YOT/PRUs</b></p> <p>LT/HJ/RS and Diana Viscusi to meet to discuss how TH colleagues can support ELFT ahead of the YOT inspection.</p>	<p>LT/HJ/RS and Diana Viscusi</p> <p>CAMHS</p>	<p>September 2019</p> <p>November 2019</p>		<b>Action closed</b>
6.	<p><b>Service Line Presentation: Conduct Disorder Alliance with YOT/PRUs</b></p> <p>RS to inform LY of pre-inspection action plans</p>	RS			<b>Action closed</b>
7.	<p><b>Service Line Presentation: Conduct Disorder Alliance with YOT/PRUs</b></p> <p>LT/BW to have a further discussion regarding ELFT representation at the Safeguarding Board Exploitation Meeting (Adult Exploitation).</p>	LT/BW			<b>Action closed</b>
8.	<p><b>TH CAMHS Quality Report – Quarter 4 Workforce</b></p> <ul style="list-style-type: none"> <li>• SB agreed to add a separate line in the report to indicate tri-borough services and the impact on Tower Hamlets.</li> <li>• SB to provide report indicating pressure points and long</li> </ul>	SB	November 2019	<p><b>10.09.2019</b></p> <p>SB to provide an update at the November meeting.</p> <p><b>Ongoing</b></p>	<b>Amber</b>

	<p>term sick leave.</p> <ul style="list-style-type: none"> <li>• SB to liaise with the Finance Team for detailed information with regards to matching groups to relevant services.</li> </ul> <p>SB to provide detailed breakdown for individual training, with arrows indicating levels of performance.</p>				
9.	<p><b>TH CAMHS Quality Report – Quarter 4</b></p> <p><b><u>Workforce</u></b> SB to provide report indicating pressure points from long term sick leave.</p>	SQ/SB/BW	November 2019	10.09.2019  Ongoing	Amber
10.	<p><b>TH CAMHS Quality Report – Quarter 4</b></p> <p><b><u>Workforce</u></b> SB to work with CAMHS to provide a recovery plan and trajectory for Statutory and Mandatory Training.</p>	SB/BW			Action closed
11.	<p><b>TH CAMHS Quality Report – Quarter 4</b></p> <p><b><u>CYP IAPT</u></b> BW to provide more details regarding the rationale for significant drop in completing CYP IAPT measure at assessment.</p>	BW	November 2019	10.09.2019  JY to forward data for quarter 1 at the next meeting.  Ongoing	Amber
12.	<p><b>TH CAMHS Quality Report – Quarter 4</b></p> <p><b><u>CYP IAPT</u></b> JY to provide a more detailed report on the outcomes for CYP IAPT and measures in CAMHS in general at the next meeting in September.</p>	JY	November 2019	Ongoing	Amber

13.	<p><b>TH CAMHS Quality Report – Quarter 4</b></p> <p><b><u>Closure Summary</u></b></p> <p>JY to provide narrative to indicate themes arising from those clients discharged for other reasons.</p>	JY	November 2019	Ongoing	Amber
14.	<p><b>Review of minutes and actions from previous meeting</b></p> <p>HD/SQ to approve the agenda for the next 12 months, after the system intention work.</p>	HD/SQ	TBC		Amber
15.	<p><b>Review of minutes and actions from previous meeting</b></p> <p>RS to circulate the revised Chaperone policy to the group within the next 2 weeks.</p>	RS	End of September		Amber
16.	<p><b>Review of minutes and actions from previous meeting</b></p> <p>SQ, CK and DV to identify what is required in the Crisis KPIs and feedback to CAMHS.</p>	SQ/CK/DV	November 2019		Amber
17.	<p><b>Review of minutes and actions from previous meeting</b></p> <p>CAMHS Lead/CK to agree and share full sets of KPIs for all of the investments at future ELFT CAMHS meeting. Trailblazers to be included in the KPIs</p>	CAMHS Lead/CK	November 2019		Amber
18.	<p><b>Review of minutes and actions from previous meeting</b></p>	CK	November 2019		Amber

	CK to liaise with Ronke (Local Authority) regarding collaborative work in relation to holistic health needs for young offenders in preparation for the YOT inspection.				
19.	<p><b>Review of minutes and actions from previous meeting</b></p> <p>Relevant teams to engage in the workshop (mapping holistic health needs for youth offenders) in September and feedback at the next meeting.</p>	CAMHS/ CCG/ L. Authority	November 2019		Amber
20.	<p><b>Service Line Presentation: Crisis</b></p> <ul style="list-style-type: none"> <li>• <b>Activities in the Community CAMHS in the day</b></li> <li>• <b>Tri-borough activities at night</b></li> </ul> <p>HI to circulate the draft module based on the NELFT interactive module to the group.</p>	HI	November 2019		Amber
21.	<p><b>Service Line Presentation: Crisis</b></p> <ul style="list-style-type: none"> <li>• <b>Activities in the Community CAMHS in the day</b></li> <li>• <b>Tri-borough activities at night</b></li> </ul> <p>JY to attach the Tri-borough crisis data as an appendix to the CQRM quality report for future CQRM meetings.</p>	JY	November 2019		Amber
22.	<p><b>Service Line Presentation: Crisis</b></p> <ul style="list-style-type: none"> <li>• <b>Activities in the Community CAMHS in the day</b></li> <li>• <b>Tri-borough activities at night</b></li> </ul> <p>HI to arrange a meeting between Clinic Leads, CAMHS Leads and Commissioners within the</p>	HI	End of September		Amber



	next 2 weeks to capture Systems Intention, around access target (crisis), challenging behaviour and transitions.				
23.	<b>Deep Dive into the Neurodevelopment Pathway in preparation for SEND inspection</b>  HB to report back in May 2020 with an update regarding the Neurodevelopment pathway.	May 2020			Amber

Item no.	Item name	Lead
1.	<b>Welcome and Introductions</b>	JL
JL welcomed all to the meeting and apologies noted.		
2.	<b>Declarations of Interest</b>	JL
None raised.		
3.	<b>Review of minutes and actions from previous meeting.</b>	All
<p>Minutes agreed and approved as accurate; action log updated.</p> <p>Actions update:</p> <p>Action 1: It was noted that the Chaperone Policy had been updated and signed off at the Trust level; RS to circulate the revised policy to the group within two weeks, next step is to develop the CAMHS poster that explains the Chaperone policy to users.</p> <p><b>Action: RS to circulate the revised Chaperone policy to the group within the next 2 weeks.</b></p> <p>Action 10: CK reminded the group that it was agreed to have an oversight of the CAMHS Crisis service and Eating Disorder at the ELFT CQRM CAMHS meeting. JY to agree sharing the Eating disorder data with Laura (Team Lead) and circulate to the group. It was decided to include the Eating disorder report on the agenda as a standing item, for future meetings.</p> <p><b>Action: HD/SQ to approve the agenda for the next 12 months, after the system intention work.</b></p> <p>Action 11:</p> <p>It was noted that the Trailblazers should be included in the KPIs.</p> <p><b>Action: SQ, CK and DV to identify what is required in the Crisis KPIs and feedback to CAMHS.</b></p> <p><b>Action: CAMHS Lead/Commissioners to agree and share full sets of KPIs for all of the investments at future ELFT CAMHS meeting.</b></p>		

CK highlighted the need to link in with Ronke from the Local Authority to establish the right engagement ahead of the YOT inspection.

**Action: CK to liaise with Ronke (Local Authority) regarding collaborative work in relation to holistic health needs for young offenders in preparation for the YOT inspection.**

**Action: Relevant teams to engage in the workshop (mapping holistic health needs for youth offenders) in September, and feedback at the next meeting.**

<b>4.</b>	<b>Service Line Presentation: Crisis</b>	<b>RS/BW/ HD</b>
	<ul style="list-style-type: none"> <li>• <b>Activities in the Community CAMHS in the day</b></li> <li>• <b>Tri-borough activities at night</b></li> </ul>	

HD reported challenges around the crisis service particularly regarding recruitment. The Trust is reviewing both the crisis model and the new models of care agenda, proposing a tri-borough service that will connect the hospital based crisis service and the community based service. The new model of care being implemented is in the early stages and there have been many lessons learnt.

A business plan is being developed and the aim is to completely reshape the CAMHS community service to achieve better integration between the hospital crisis, duty and the community based services, to increase capacity and manage the transition process. TH said that complex interface issue needs to be resolved. He also highlighted that there are lots of request for in house support with cases of emotionally unstable young people that constantly drift into crisis and the consistency of care required for these vulnerable young people are difficult to predict.

CK expressed her concerns in relation to the complexity of these young people, suggested forward planning for the young people, and ELFT should decide what can and cannot be provided out of the standard CAMHS offer. She expressed concern that receiving treatment from different team can add to the complexity of care and suggested that provision of care should be more holistic, going forward.

HD stated that the key KPI for the crisis service is to keep people out of the hospital and the plan is to catch the crisis within the community. He said ELFT is looking into the NELFT interact and Bedfordshire crisis models, as good practice to learn from. Plan is to develop a be-spoke model that reaches out into the community, schools as well as hospitals.

HI mentioned seamless pathway as the ultimate and long-term plan.

CK referred to an email HI sent to Greg in City & Hackney regarding the proposed draft model based on the NELFT interact module, which was supposed to be shared around August.

**Action: HI to circulate the draft model based on the NELFT interact model to the group.**

HI added that there is an ongoing work on a project across NEL & NCL STP to save money for re-investment in the crisis service. The draft model is not a costing model and that the extended crisis is a separate model. HI noted that the draft model cost is £720k, and the crisis services is over £500k, NHSE to fund 3/4 and the CCG contributing £70,000 each. Expectation would be that the CCG would pick up costing once the current funding ends.

JL flagged up the absence of the KPIs in the report. In response to JL, JY suggested attaching the Tri-borough data as an appendix to the CQRM quality report would address this concern.

**Action: JY to attach the Tri-borough crisis data as an appendix to the CQRM quality report for future CQRM meetings.**

CK highlighted that ELFT is leading the CAMHS new model of care across NCL and NEL STP and expressed concerns regarding the five-year response to the NHS long-term plan. She stated that this is a massive piece of work that the system is working on and STP CAMHS position is vacant. It is not clear

what is happening with this work stream. She said there are many gaps given that there is no work stream set up to look at the new model of care at the commissioning level. In essence, this would make it difficult to develop the systems intention.

CK recommended a local meeting between clinical leads, CAMHS leads and commissioners to review the new model of care.

**Action:** HI to arrange a meeting between clinical leads, CAMHS leads and commissioners within the next two weeks to capture Systems Intention, around access target (crisis), challenging behaviour and transitions.

HD placed emphasis on a collaborative working relationship to achieve a more consistent service for the benefit of TH young people in crisis.

<b>5.</b>	<b>Paediatric ADHD Shared Care Guidelines (Prescribing guidelines)</b>	<b>All</b>
<p>HD informed the group that it has been agreed that new NICE guidelines that came out in November will be incorporated in the ADHD shared care guidelines.</p> <p><b>New NICE guidelines changes</b> - Much more restrictive with initiating medication, now focusing on parent intervention training and requesting schools to provide changes in the environment and support the children in a more systematic way.</p> <p>Shared care guidelines are currently being reviewed by Kathy (Clinical Director). Revised Shared care guideline will be circulated once completed.</p>		
<b>6.</b>	<b>Deep Dive into the Neurodevelopment Pathway in preparation for SEND inspection</b>	<b>BW/HD</b>
<p>HB presented the neurodevelopmental team's (NDT) report by highlighting the achievements and challenges. Neurodevelopmental team within CAMHS service only takes moderate to severe LD and autism (for children in special schools), due to the size of the team. A large number of SEND population are referred to the two other emotional behavioural teams.</p> <p><b>Achievements</b> - Effective and consistent offer and model has been established. 167 referrals were received in the group programme between July 2018 and July 2019. Groups include social skills, challenging behaviour, post diagnosis workshop and various workshops for children, including the 16+. The groups programme is going on well. Ran a successful PBS pilot over the last 6 months.</p> <p><b>Action:</b> HB to report back in May 2020 with an update regarding the Neurodevelopment pathway.</p> <p><b>Challenges:</b> A large number of cases, 17 referrals were recorded last year, which were moderate to severe cases. Currently experiencing major recruitment issues, team has only 1.4 WTE staff working on a caseload of 79. There is a recruitment crisis nationally and as such, ELFT trains their own NDT in-house.</p> <p>The team ran a QI project around assessment that ended in December last year. The project helped reduce waiting times to 13 weeks with full capacity but the tide has turned now that the team is depleted. The team currently runs at 50% capacity. Currently, the capacity is enough to conduct only two assessments a month, as opposed to 6-8 assessments when maximum capacity was available.</p> <p>CK sought clarification on whether the 79 young people in TH, with complex challenges associated with autism will end up on the risk register, due to the staffing issues.</p>		

HB responded that these young people could end up on the risk register, as they also have moderate to severe LD as well, there are 154 SEND cases within the service. She identified gaps in addressing downstream to prevent presentation at the top end.

DV highlighted that the number that go to E&B and NDT were not stated in the report. She said it is necessary that these figures are known in preparation for the SEND inspection. She further stated that pathway assessments may be gaps that we need to address for the SEND inspection given that transforming care will be a major focus for the inspection. DV informed the group that the ASD pathway has changed a great deal while the PBS pilot was launched last week with consultations with various stakeholders in progress.

HJ stressed that physical health checks need to be addressed as well.

CK stated that the Systems Intentions need to capture ASD and PBS from a transforming care perspective. She further highlighted four key areas to focus on which are: access, crisis, behaviours and transition; and tasked HI to note these as part of the meeting he is organising with the clinical leads and commissioners.

7.	<b>Bipolar &amp; Psychosis Team (and ultra-high risk) Carers Assessment Audit against NICE guidelines</b>	<b>RS/BW/HD</b>
<p>Good result for the percentage of young people assessed for first episode of psychosis within 2 weeks.</p> <p><b>Family Intervention:</b> Tested whether in line with the quality standards, all young people with bipolar and psychosis will have a family meeting. Sessions offered are audited according to the demand of the service. The Trust is considering providing Family Intervention Training across the three boroughs for the Adolescent Mental Health teams; this will offer teams the opportunity to engage in the training process, which will be documented. Working to achieve a better method of documentation.</p> <p><b>Psychological Intervention:</b> All young people get the offer of either CBT or one session therapy. Documentation is another major issue here.</p> <p><b>Support for carers:</b> Leaflets for carers in TH have just been revised, and now being distributed. Clinical Psychologist is currently setting up peer support groups for parents/carers and young people hearing voices.</p> <p><b>Healthy Lifestyle Advice:</b> HD reported that physical health monitoring is done but not adequately recorded.</p> <p>HD said that a lot of energy is now being put into addressing the concerns around documentation.</p>		
9.	<b>TH CAMHS Quality Report – Quarter1 19/20</b>	<b>RS/BW/HDS</b>
<p><b>Safeguarding and Mandatory Training</b> - Safeguarding figures was raised as an issue at the previous meeting by LT, who requested a recovery plan. This issue is now being discussed at senior management level on a monthly basis. Staff are encouraged to sign in to the offer of training, however training offer through LSCB is limited, which is quite challenging and often gets cancelled. Improvement should be expected with the next three months.</p> <p><b>Complaints:</b> SQ made enquiries regarding the two members of staff who raised a complaint in relation to unfair recruitment practices. RS replied that two internal members of staff raised a complaint regarding the recruitment process. The process was scrutinised, and a fair practice was</p>		

concluded. However, there was an issue regrading feedback to staff post interview and progression with roles. The Trust needs to manage this better.

**10.**

**AOB**

**ALL**

CAMHS is now on twitter.

Date of next meeting: Tuesday 5 November, (10-12)

## Quality Report

Service: ELFT Community Eating Disorder Service for Children and Young People (CEDS-CYP)

Directorate: CAMHS

Date: October 2019

Period: Q1-Q2 2019/20 (1 April 2019- 20 September 2019)

### 1 Table of contents

- This report focuses on some of the achievements of the Community Eating Disorder Service for Children and Young People (CEDS-CYP) and further improvements that are planned within the service. All quality reporting requirements agreed by the CCGs and ELFT are included and can be found on the pages as detailed in the table of contents below.
- The CEDS-CYP is commissioned by Newham, City and Hackney and Tower Hamlets CCGs and operates as a single service with a hub and spoke structure. The service model is consistent across the three boroughs. This report therefore covers service activity as a whole and provides borough breakdowns only where appropriate due to differences.

	CCG Consortium quality reporting requirement	Section	Page
1	Types of treatment provided.	3	4
2	Membership of an appropriate quality improvement network as is being developed nationally by the College Centre for Quality Improvement (CCQI) commissioned by the National Collaborating Centre for Mental Health (NCCMH) and maintain involvement	4	8
3	Description of awareness raising activities for CYP and their parents and its impact	5	8
4	Description of awareness raising, education, training and information sharing activities for GPs and other professionals	5	8
5	Engagement activities with GPs	5	8
6	Outline of processes whereby CYP, parents/carers, GPs and other professionals contributed to overall Eating Disorder service planning, development and delivery and feedback from those groups on their involvement	6	10
7	One clinical and quality rated PROM and CROM The CROM is CGAS and the PROM is GBO.	7	10

## 2 Summary of Q1-Q2 2019/20

- This period has seen the CEDS team move its hub to a new location at the Emanuel Miller Centre (on 11, Gill Street) in Tower Hamlets. Very importantly the new space offers us enough clinical space to see two families in parallel on assessment mornings, a larger medical room for sensitive aspects of treatment relating to weight and physical healthcare, and improved administrative space so that the whole team can sit together in a dedicated CEDS office. We welcome any visits to see our new set-up.
- The office move has not distracted from what has been a busy and productive time in terms of clinical delivery, contributions to teaching and clinical research, and a milestone in the service – our first peer review by the Quality Network for Community CAMHS (QNCC). This visit took place in April 2019, just under three years from the time the service was first established in July 2016 and we were delighted by the external validation on what the service has achieved in this short time (page 8). Our high scores in all the clinical and governance areas evaluated demonstrate a high quality of care, and reflect the hard work and commitment of the entire CEDS staff group, in collaboration with our commissioners, managers and a well-engaged young people’s participation group (page 10).
- Once again, we have not had to admit any young people to a tier 4 psychiatric unit during this 6-month reporting period. In several instances, this required intensification of treatment to 3 sessions per week. In line with our plans to make our outreach and admission-prevention pathway more robust, we have successfully recruited a band 7 Clinical Psychologist with specific responsibilities around the development and delivery of this outreach pathway, which will also include other out-of-clinic activities such as community engagement and eating disorder awareness-raising.
- We continue to build strong connections with the UCL MSc in Eating Disorders and Clinical Nutrition and the first cohort of MSc students have completed their projects with the team. These studies have given us insight into a range of areas from prescribing trends in the service, the early intervention pathway to eating disorder symptom profiles by ethnicity. This data gives the service valuable self-knowledge in key areas and will help ensure that we develop the service based on a detailed understanding of local data. We have also made a new collaboration with City University and are providing a year-long sandwich placement to a third-year undergraduate student, who will help with outcome and research data collection.
- The main pressure point in the service is currently in terms of psychiatry time and we are in the process of working with Barts’ Health NHS Trust to ensure that the service has the needed paediatric cover.

### Publications:

#### *Poster presentations:*

Cao, Z., Cini, E., Pellegrini, D., Fragkos, K.C. (2019) The association between sexual orientation and eating disorder symptoms in adolescents: A systematic review and meta-analysis. Accepted as a poster presentation at the 17th Annual Research in East London Conference.

Shui, Y., Cini, E., Fragkos, K.C. (2019) Efficacy of group interventions for children and adolescents with eating disorders in the community: Systematic review and meta-analysis. Accepted as a poster presentation at the 17th Annual Research in East London Conference.

Leontiou, S., Cini, E., Garcia Edo, M., Fragkos, K. (2019) Prescribing trends: A 2-year survey of medication used by the East London Community Eating Disorder Service for Children and Young People.

Thavanesan, R., Cini, E., Gibson, M. (2019) Initial physical health investigations in children and adolescents referred to the East London community eating disorder service: A clinical audit. **Won Poster Prize: Clinical Impact Award at the 17th Annual Research in East London Conference.**

*International oral presentations:*

Cini, E., Gibson M. (2019) Assessment of Eating Disorders in Children and Young People. 1-day masterclass hosted by ACAMH-Malta.

*Full text publications*

Barrett, E.P., Jacobs, B., Klasen, H., Herguner, S., Hebebrand, J., Agnafors, S. Banjac, V., Bezborodovs, N., Cini, E., Hamann, C., Mercedes, M., Kostadinova, M., Kramar, Y., Maravic, V.M., McGrath, J. Molteni, S., Goretti Moron, M. Mudra, S., Nikolova, G., Pantelidou Vorkas, K., Prata, A.T., Revet, A., Joseph, J.R., Serbak, R. Tomac, A., Van den Steene, H., Xylouris, G., Zielinska, A. (2019) The child and adolescent psychiatry study of training in Europe (CAP-STATE). European Child and Adolescent Psychiatry Journal. In press.

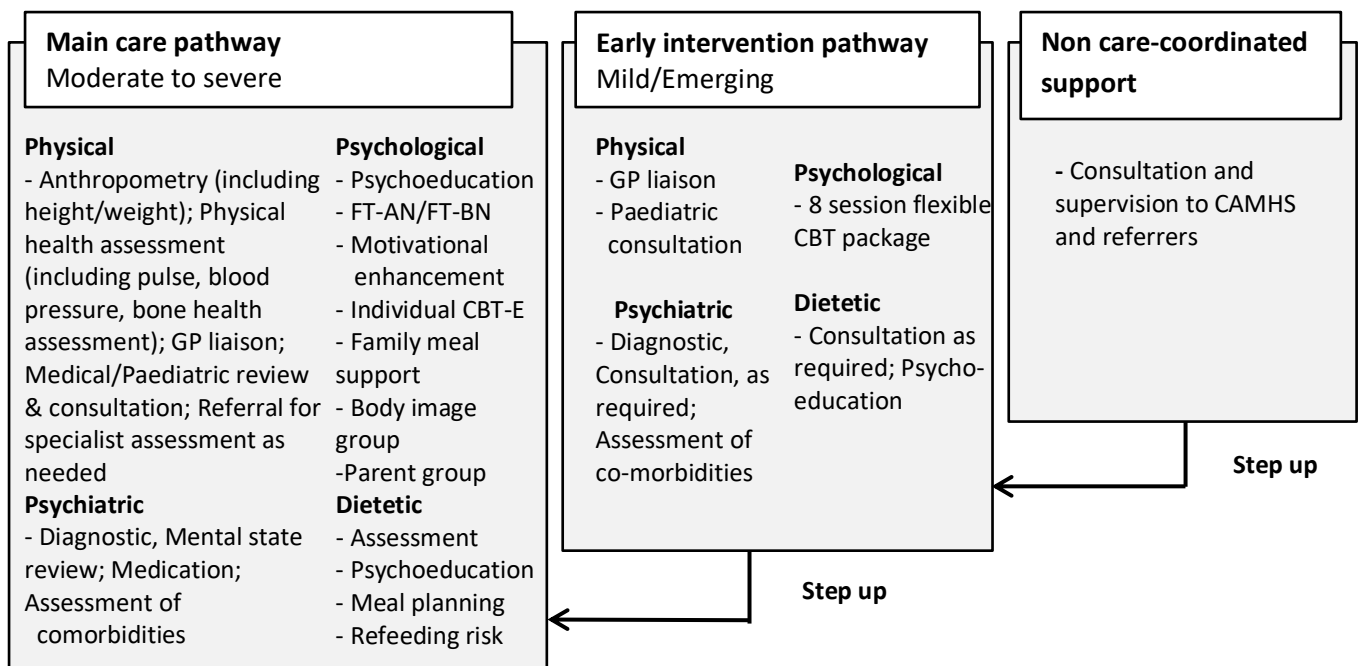
Cini, E., Peh, G., Gibson, M. (2019) Guideline for the physical health management of eating disorders in children and young people. East London NHS Foundation Trust. DOI: 10.13140/RG.2.2.27521.99367



### 3 Care pathway: Types of treatment

The CEDS tiered care pathway is shown diagrammatically below.

- Interventions offered as part of the early intervention (EI) care pathway are suitable for those with emerging or sub-threshold eating disorders and interventions offered as part of the main pathways are suitable for those with a diagnosed eating disorder.
- The early intervention pathway is a brief modular CBT-based treatment, that also allows the service to treat the sub-threshold eating disorder presentations. The EI pathway creates more capacity for treatment within the CEDS-CYP, as it is a lower intensity intervention that can be delivered by a trained band 5 assistant psychologist.
- The full care pathway is a menu of treatments covering medical, psychological, psychiatric and dietetic needs. Young people can expect to have an individualised care plan that is inclusive of all these areas.
- The frequency of treatment for those on the main care pathway can be intensified (up to x3 contacts per week) if young people are at high risk of admission. Time-limited intensive support is available includes frequent therapy appointments, medical consultation, direct meal support and dietetic input around safely reintroducing healthy eating.
- Indirect treatment to cases in CAMHS via consultation and supervision means that the CEDS-CYP can meet the needs of those where eating disorder is not the main presenting problem.
- Step-up is possible between care pathways and regular MDT case discussions provide a forum for these clinical decisions to be made.

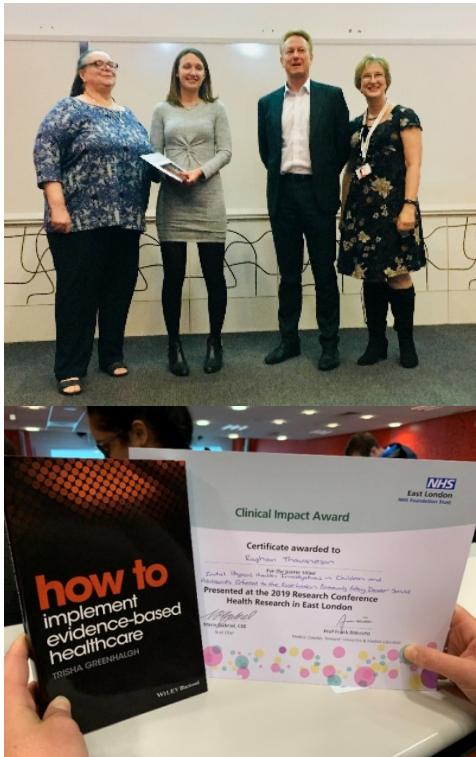


#### 3.1 Care pathway updates

##### 3.1.1 Improved pathways for physical health investigation

- The Junior MARSIPAN (Management of Really Sick Patients with Anorexia Nervosa) expert working group continues to meet on a 6-monthly basis to establish integrated high-quality physical care in eating disorders across GP practices, paediatric/adult medical settings and the CEDS team. In the

most recent meeting in April 2019 the agenda included pathways for CEDS to be able to directly order and review investigations in Hackney, reviewing of training needs in the 3 paediatric hospitals, and ensuring that post-discharge protocols between the wards and the CEDS team are established.



### 3.1.2 Audit of physical health management of children and young people referred to CEDS

- The guideline for the physical health management of eating disorders in children and young people was finalised following the Junior MARSIPAN meeting on 05/04/2019 and subsequently approved by the ELFT governance board.
- The guidelines around initial physical health investigations, including blood tests, ECGs, DEXA scans and pelvic ultrasounds, and local protocols around processes for ensuring these are completed were audited in August 2019 by Raghavi Thavanesan, medical student, supervised by CEDS dietitian and consultant psychiatrist. The audit has produced multiple recommendations for improvements to local protocols, which will be presented at the next Junior MARSIPAN meeting on 15/11/2019.
- The audit was presented as a poster at 17th annual Health Research in East London conference on 02/10/2019 and won the Clinical Impact Award.

### 3.1.3 Practical dietetic support

- Young people who are further on in their eating disorder recovery often struggle with returning to the full range of 'normal' eating – often citing social eating situations, eating treat foods, and choosing or preparing their own food as particular challenges.
- In response to this need, CEDS is now offering 1:1 practical dietetic sessions for young people meeting criteria for this input, meaning that they can practice skills outside the clinic, in their everyday environment, and work towards their personal goal.
- Early feedback has been very positive, for example: "I was able to do things I never thought I'd do" and "my favourite and most helpful session ever!" We therefore continue to work hard to engage young people in this work, which has the potential to have a lasting impact on their functioning and recovery.

### 3.1.4 Ongoing development of the therapy groups programme

The evidence base for groups in the community treatment of eating disorder is limited. However, there is more evidence for a parent-skills group and some evidence for a body image group and therefore as a service we have focused on these.

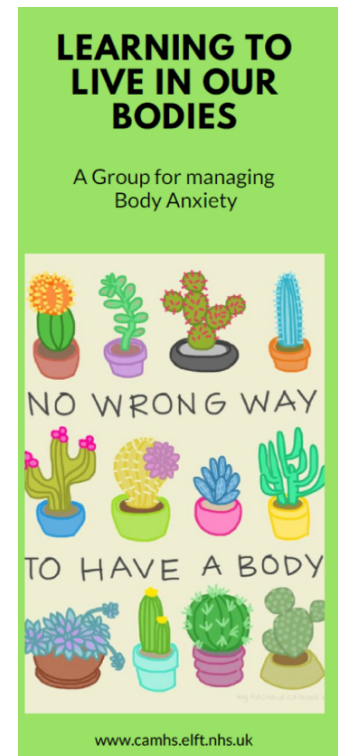
#### *Parent skills group:*

- Following a pilot in January 2019, CEDS ran the parent skills group for eating disorder for a second time between April and June 2019.

- Unfortunately, similar to the first delivery of the programme, we noted problems with attendance, and many parents who expressed interest did not manage to attend the sessions, so overall numbers were low.
- This has led to a decision to conduct additional service evaluation on the barriers to accessibility with regards to local need. We are aware that although the parent skills programme has been used in other CEDS-CYP services with good effect. We are also aware that our local client/family demographics are distinct and could therefore be impacting on this difference in uptake.
- We decided to tackle this issue by attempting to co-adapt the current programme with local families and with a cultural advocate, in the hope that we can find a model that better fits the local need and is culturally sensitive. So far, a number of parents have agreed to phone calls during which we will conduct semi-structured interviews around barriers to accessing the parent-group and the specific skills that our local families would find beneficial.

#### *Young people body image group*

- Over the summer holidays we opted to trial modifying our 6-week body image group into a 2-day workshop format in order for this to be appealing to young people.
- The CEDS dietitian and assistant psychologist developed combined key areas and activities from the 6-week body image group into this new short-format as well as adding a 'normal eating' component and an 'eating together' opportunity.
- This meant that as well as benefitting from all the components of the previous body image group, the young people shared a picnic lunch by the river Thames as part of the first day, and on their second day they ate together at a local café as a chance to practice social eating.
- A total of 8 young people attended with good retention from day one to day two of the workshop. Outcome questionnaires were taken before/after the group and at 7-week follow-up, and two young people also attended a 7 week focus group to share their reflections on the group. This data is due to be evaluated to understand impact, and help inform next steps in the group delivery.



#### **3.1.5 Maintaining standards of therapy delivery**

- The team has a strong focus on CPD in order to remain up to date with the literature and developments in our field.
- The team termly CPD mornings are now well-established, and are an excellent opportunity for the team to share knowledge. We were delighted to be joined by 5 colleagues from CAMHS and 6 students studying for an MSc in Eating Disorders and Clinical Nutrition at UCL for a very interesting discussion session on 4 current topics:

1	<i>Applying Emotion-Focussed Therapy to Work with the Anorexic Voice within Anorexia Nervosa - A brief intervention</i>	<i>Rebecca Hibbs</i>
2	<i>DBT: Feedback and Evidence-Base in Eating Disorders</i>	<i>Rena Jobanputra</i>
3	<i>Feedback from Early Intervention Conference (Maudsley)</i>	<i>Mariona Garcia Edo</i>

4	<i>A collation of articles on an Overview of ED in children &amp; adolescents, Family Treatment in ARFID, ED in children &amp; Nursing Strategies in Eating Disorders</i>	<i>Michelle Gibson, Dario Pellegrini &amp; Caroline Piers</i>
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## 4 QNCC-ED membership

- We retain our membership of the Royal College of Psychiatrists' Quality Network for Community CAMHS, Eating Disorder section (QNCC-ED), which aims to raise standards of care in CAMHS, and use their standards to guide our service-delivery.
- The service had its first QNCC peer review on 25<sup>th</sup> April 2019, when we were visited by a reviewer from the QNCC accompanied by 3 reviewers from CEDS-CYP services around the country. All the team were involved in speaking with the visitors, as well as some of young service users, parents and our Newham commissioner.
- It was a positive day of discussions and sharing of good practice across teams. The summary scores shown below indicate that the service is performing to a very good standard against the QNCC standards, and we look forward to taking forward ideas and action points in order to achieve accreditation from the QNCC in the next review cycle.
- The full report has been shared with commissioners and stakeholders and is available on request.

Section	2018
Referral and access	96%
Assessment and care planning	97%
Care and intervention	95%
Information, consent and confidentiality	90%
Rights and safeguarding	100%
Transfer of care	91%
Multi-agency working	83%
Staffing and training	94%
Location, Environment and Facilities	88%
Commissioning	100%

## 5 Awareness-raising, education, training and information sharing

### 5.1 Teaching to hospital-based staff

- CEDS have continued to train paediatric nurses in our local hospitals. We led three training sessions at Newham University Hospital and a further three sessions at Homerton University Hospital during July and August 2019.
- Feedback forms revealed nurses' overall impression of the workshop was: very good (25 nurses), good (12 nurses) or fair (1 nurse). The workshop increased their understanding and confidence in supporting eating disorders patients on the ward very much (20 nurses), much (14 nurses) or somewhat (2 nurses).
- Participants told us:  
Positive feedback:  
*"The training gave me a very good awareness of eating disorders and how to spot the signs"*  
*"I found the whole session very useful to my practice"*  
*"I now feel confident to look after patient's admitted for medical issues around eating disorders"*

As well as suggesting some improvements:

*"Make sessions more regular"*

*"More time to be allocated as discussions can be lengthy"*

- CEDS also provided a training to paediatric dietitians working across Tower Hamlets and Newham on 15/7/19, entitled “Eating Disorders Pathways in East London”. Again, this is part of our vision to work with and upskill all professionals who are likely to have contact with young people with eating disorders, to ensure continued earlier recognition and treatment, which will lead to a decrease in the overall health burden of these conditions in the area we serve.

## 5.2 Newham Show

- CEDS joined up with Newham CAMHS to run a stall in the Health and Wellbeing tent at the ‘Newham Show’. The annual event takes place in Central Park in East Ham over two days, 13-14 July, and attracts over 25,000 local people.
- This was a fun event as well as an excellent opportunity to promote the service to a wide audience, which is a key part of our vision for improving access. We gave out handy wallet-sized cards containing service information, as well as more detailed information about eating disorder care to members of the Newham community.



## 5.3 Teaching to CAMHS colleagues

- Various members of the CEDS team have been involved in offering training to help our colleagues in generic CAMHS to maintain knowledge of eating disorders as well as to promote positive working between the CEDS team and the generic CAMHS teams across the three boroughs. These sessions occur annually, to ensure we help our colleagues in generic CAMHS to maintain their knowledge of eating disorders to help promote detection and early recognition to ensure that the young person and their families are directed to CEDS for the appropriate management. The most recent session took place in Hackney CAMHS on 18/9/19.

## 5.4 Mental health awareness week

- This year, mental health awareness week 2019 had a theme of Body Image which is highly relevant to our work in CEDS
- We teamed up with Newham CCG to produce a media release under the slogan “Seek help if your body image is causing you stress, professionals urge!” – providing key information about what to look out for and where to go for help.



## 6 Update on participation activities

The participation group continues to meet on a half-termly basis and has a lively and engaged membership. The young people have been involved with the three main projects, described below:

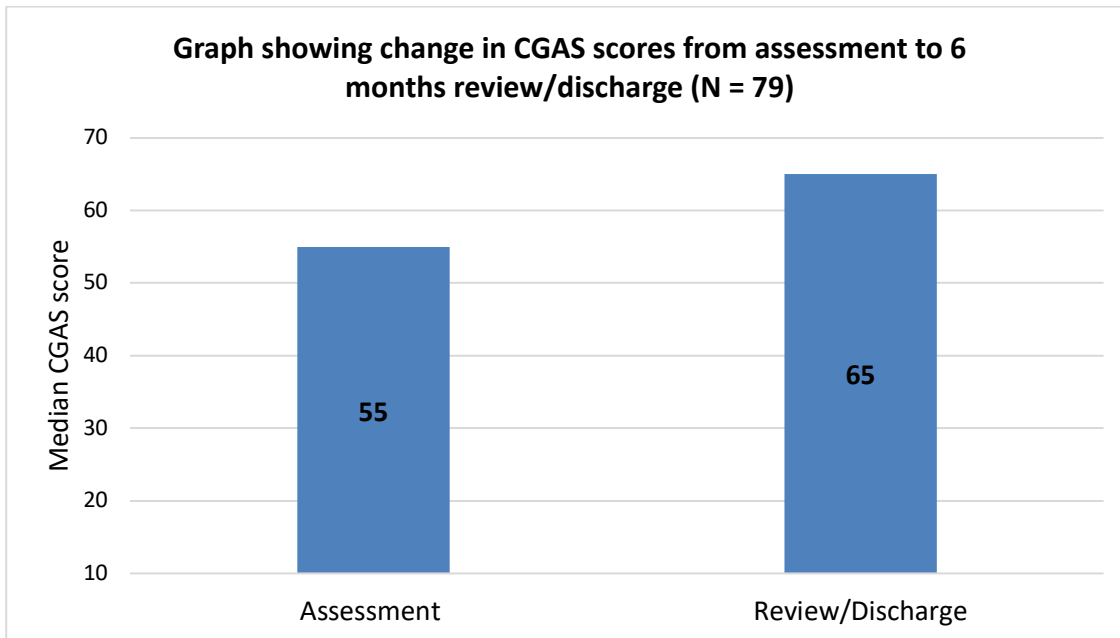
1. Development of a PSHE lesson: This is the young people's choice of what matters most to them, Following on from their video campaign with Fixers (reported previously) the young people want to work to create a PSHE lesson plan about eating disorders for secondary schools, in order to continue to spread a preventative message. To kick-start this project, we have made links with Beat, the leading UK eating disorder charity, to discuss options for the young people to have their message included in schools and to help with the dissemination of this piece of work in schools.
2. Involvement in training sessions for school nurses: We explored involving interested young people in delivering training for school nurses. The young people showed the Fixers video and were a helpful voice to answer any questions from a service user's perspective, which provided a valuable new dimension to the training, but needs to be balanced with the young people's educational commitments for planning future sessions.
3. Review of the CEDS website: We will be working with our participation group on an ongoing basis to make improvements to the CEDS website (<https://www.elft.nhs.uk/service/335/CAMHS-Community-Eating-Disorder-Service>). This time the young people made amendments to the description of the main eating disorders treated in the service, as well as sharing a link to the Fixers video that they helped to create.

## 7 Outcome data and experience of service

### 7.1 Patient and clinician reported outcome measures

#### 7.1.1 Children's Global Assessment Scale (CGAS)

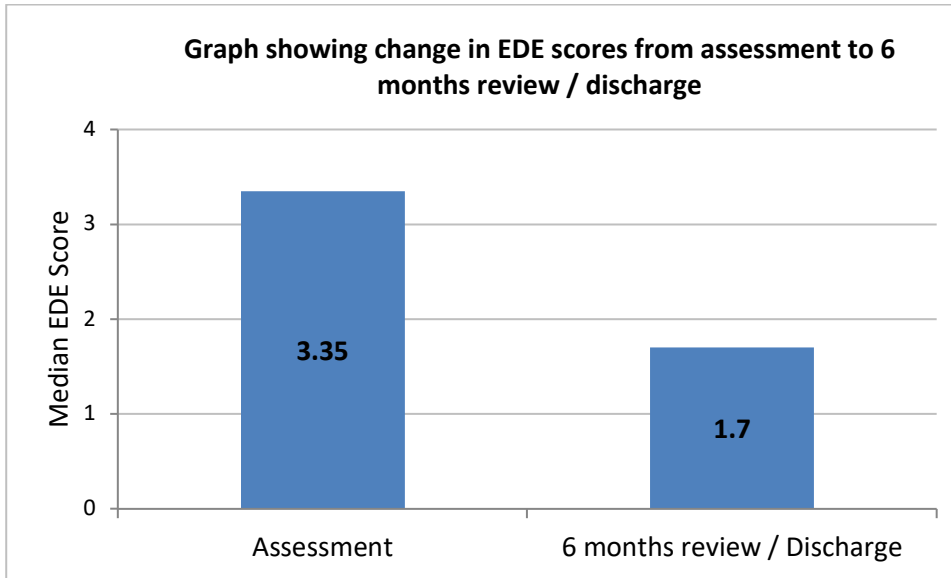
- We continuously aim to strengthen the internal processes to improve outcome measurement. As a result, we have increased our number of paired CGAS outcomes measures from N=22 to N=79 in comparison to the previous reporting period.
- The Children's Global Assessment Scale (CGAS), adapted from the Global Assessment Scale for Adults, is a clinical rating of functioning aimed at children and young people aged 6-17 years old. The child or young person is given a single score between 1 to 100, based on a clinician's assessment of a range of aspects related to a child's psychological and social functioning. The score will put them in one of ten categories that range from 'extremely impaired' (1-10) to 'doing very well' (91-100). For example, a score within the range of 40-31 would indicate major impairment in several areas and unable to function in one area, i.e. disturbed at home, at school, with peers or in the society at large.
- In the reporting period, there were 79 paired cases that had a clinician-rated CGAS at both assessment and at 6-month review or at discharge; more specifically, there were 34 paired cases with CGAS scores at assessment and review, and 45 paired outcomes with scores at assessment and discharge. The average CGAS at assessment was 53 (SD = 10.6), at review was 62.5 (SD = 10.7) and at discharge was 65.4 (SD = 13). This shows that on average, there was 9.5 points improvement in CGAS scores collected at a review, and 12.4 points improvement in CGAS scores collected at discharge.



### 7.1.2 Eating Disorder Examination Questionnaire (EDE-A/EDE-Q)

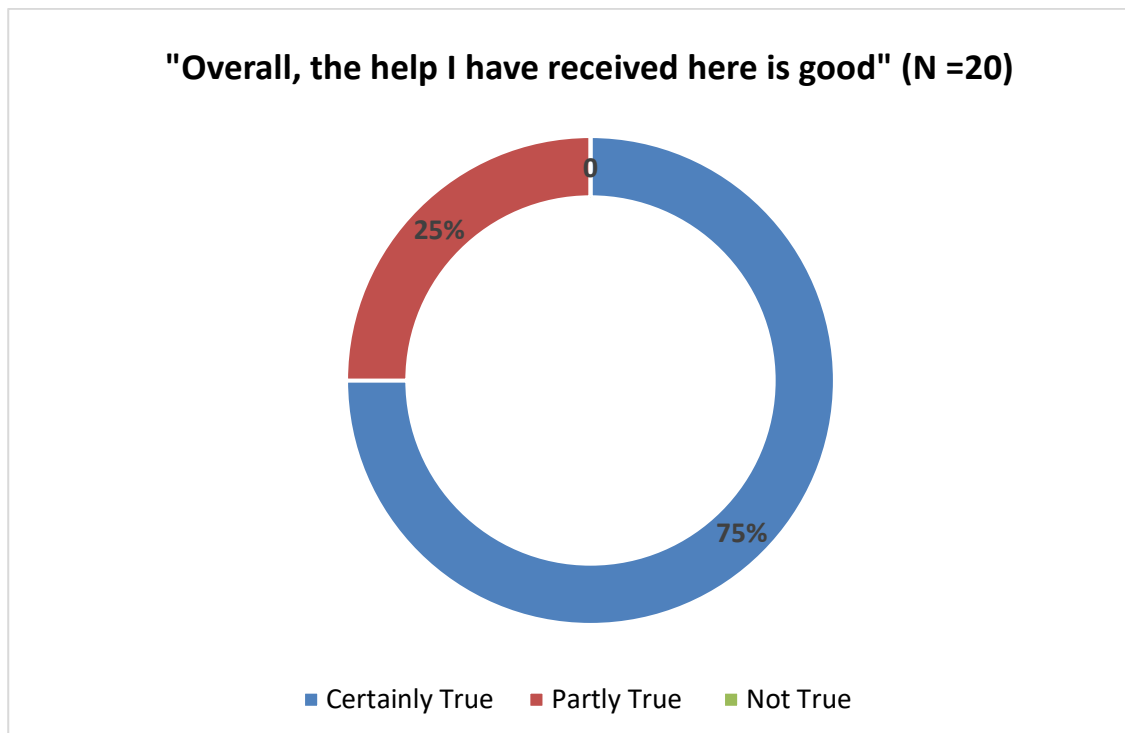
- The EDE-Q is a 28 item self-report questionnaire developed to assess the range and severity of eating disorder characteristics in those over 16 years of age. The EDE-A is a 36 item self-report questionnaire, adapted from the EDE-Q, which is used by young people aged 14-16 years old. Both the EDE-Q and EDE-A have four subscales: restraint, eating concern, weight concern and shape concern. The combined mean of these subscales creates a global score within a range of 0 to 6, with higher numbers indicating the presence of more severe difficulties.
- In the reporting period (Q1 and Q2 2019-2020), we obtained data from 45 paired EDE questionnaires. For this group of young people, we collected their baseline scores at assessment point and again at 6 months review/discharge. This is an increase from previous reporting quarters (from 33 paired questionnaires in Q3 and Q4 2018-2019) and reflects the efforts put in place to ensure we capture and collect outcome measures for our young people, both at assessment and at 6 months review or at discharge.
- When comparing EDE scores at assessment to 6 months review/discharge, 39 of the young people (86.7%) show an improvement in EDE scores (lower EDE scores at discharge compared to initial scores at assessment).
- More specifically, the median score at assessment was 3.35 (Mean = 3.18, SD = 1.68) and at 6 months review/discharge was (Mean = 2.11, SD = 1.76); this indicates an improvement in the measured eating disorder symptomology. This is detailed graphically below:





## 7.2 Service user Experience of Service Questionnaire (ESQ) feedback

- At review and discharge, young people and their families are invited to complete an 'Experience of Service Questionnaire (ESQ) to rate their satisfaction of the service and provide feedback of any positive experiences and any areas for improvement.
- In the reporting period, there were 20 young people and their parents/carers who completed the ESQ at the time of 6 months' review or at discharge. Of these respondents, **100%** showed satisfaction with the care received from our service ("Overall, the help I have received here is good").



### What was really good about your care?

Of 18 responses to this question, there were certain themes that emerged:

- The service users felt that they were **listened to** and **were taken seriously**:
  - *"She listened to the problems I had and gave multiple solutions"*

- *"I was taken seriously and people listened to what I had to say"*
  - *"They listened and treated me seriously and gave me good advice"*
  - *"I had someone to speak to who listened to me"*
  - *"My concerns were always listened to, and taken into consideration."*
- Young people also mentioned that they **felt safe** and **comfortable** when receiving support from our service:
    - *"I felt like I could trust the people that I saw and I felt safe talking about my feelings"*
    - *"I received a lot of help and felt very comfortable"*
- The young people commented on the **positive qualities and skills of the clinicians** that treated them:
    - *"The kindest staff. I didn't meet a single person who wasn't considerate or understanding and I felt like I could tell them anything."*
    - *"They helped me to understand what was going on in my mind and asked me what I needed"*
    - *"I had to overcome a lot of anxieties and open up and be vulnerable, and was pushed to do so (in a good way) which was useful. Pragmatic and careful help"*
    - *I had a lovely person to care for me who always used great methods on how to help me"*
    - *"My therapist acted like she really cared and tried to help me with everything she could"*
    - *"The staff were always friendly towards me and my family members"*

### **Was there anything you didn't like or anything that needs improving?**

Of the 9/20 responses for this question, the only consistent theme that emerged was around physical space. Young people commented on how the **space provided** is **too busy** and **not private enough**:

- *"Finding rooms, or waiting room too busy, not enough space"*
- *"I don't like how open and public the waiting room is"*

As we work across three different sites, one of which (Tower Hamlets) has recently moved we will need to wait for more feedback to breakdown whether there are any specific locations where we need to attend to young people and families' experience of the environment.

# **Audit - GP letters and Rag-rating Information**

## **2<sup>nd</sup> cycle**

**April 2019**

**Tower Hamlets CAMHS, East London Foundation Trust**

Amany Awadalla – TH CAMHS

### **Abstract / Summary**

This audit is the 2<sup>nd</sup> cycle to complete the audit circle. The purpose of the first cycle was to establish the frequency of contact between CAMHS and GP's and to establish if this is in line with the trust paperwork standards. A secondary aim was to establish the proportion of the randomly selected cases which were rag-rated green, amber and red and to establish if these cases had been discussed in accordance with trust policy.

The recommendation from the first cycle was to:

- Create a letter template that the Admin team can use to send GP's following the first appointment. This template would include the date of the first appointment attended, the name of the allocated care-co-ordinator of the child/ young person, any relevant risk information, a brief care-plan and the date of the next appointment.
- Create a document which will be circulated among line managers, which will encourage them to prompt clinician's to send assessment letters within 8 weeks, during their supervision sessions.

- To set up a training day for line managers where this process will be further explained and consolidated.

The aim of the 2<sup>nd</sup> cycle is to establish whether there is an improvement in the results compared to the first cycle.

### **Aims and Objectives**

The key objectives of this audit can be divided into two distinct categories (GP letters and Rag-rating Information);

#### **GP letters**

- To establish the proportion of open cases which have had a GP letter sent within 2 weeks of the first appointment.
  - To establish the proportion of open cases of which the GP letter sent to the GP following assessment contained information pertaining to medication.
- To establish the proportion of cases have had a GP letter sent within the last 6 months.
  - To establish the proportion of these letters which contain information pertaining to medication.

#### **Rag rating information**

- To establish the proportion of open cases for which there is a rag rating noted on RIO.
- To establish the frequency of cases which have been discussed in accordance with their rag rating in accordance with trust policy.

### **Method and Sample**

The sample was randomly selected from a sample of 562 cases opened between January and September 2018. This time period was used in order to allow for cases to be open for a long enough period of time to examine the frequency of GP letters sent within the last 6 months. 30 cases were randomly selected from the larger sample using simple random sampling. The sampling strategy was generated through the use of a sampling website (<https://www.random.org/lists/>) which generated 30 random numbers (see table 1). Data was anonymised to protect patient confidentiality.

Trust policy dictates that all open cases must have a rag-rating recorded on RIO. This rag rating in turn dictates how often the case should be discussed (see table 1).

Table 1. Trust policy – Discussion of cases according to rag-rating.

Rag-Rating	To be discussed
Green	Every 6 months at either MDT or Supervision
Amber	Every 3 months at MDT
Red	Weekly at MDT

Table 2. Sampling strategy. Numbers generated to create sample (n).

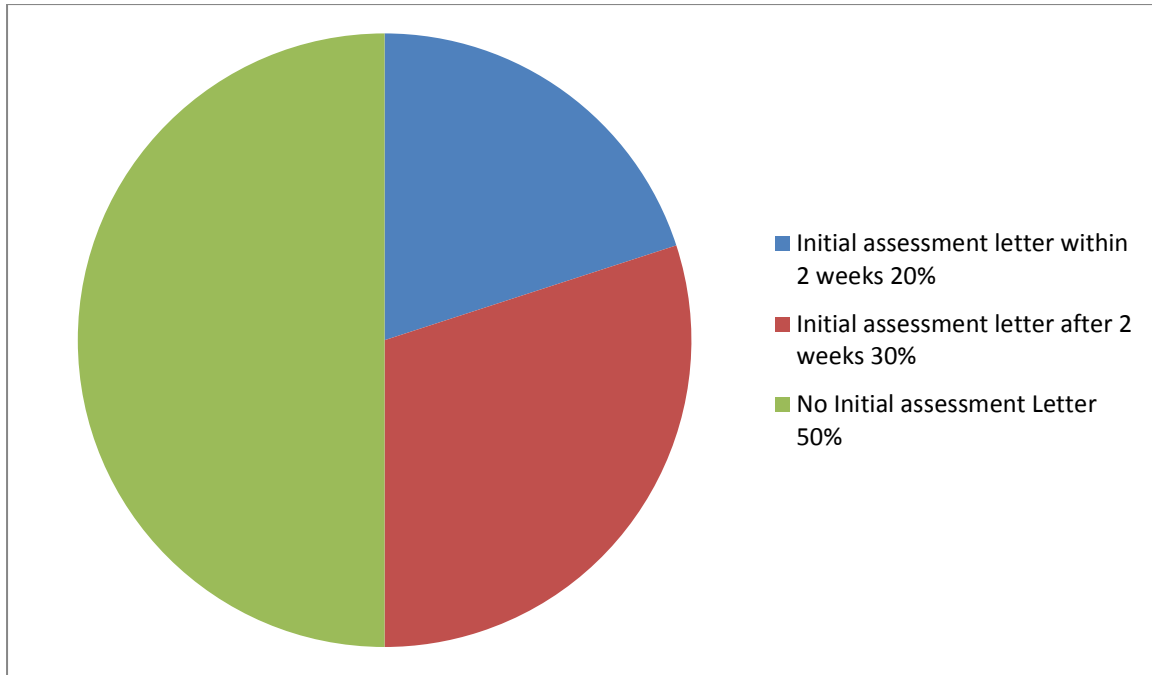
127	72	180	135	15	170
208	182	55	3	178	247
149	151	198	53	236	229
176	190	59	75	69	203
66	108	65	74	200	95

## Results

### Initial assessment letters

- 15 (50 %) of all cases in the sample had an initial assessment letter sent [ **compared to 19 cases (63.33%) in the first cycle**].
- 6 (20 %) of all cases had a letter sent within 2 weeks, [**compared to only 2 (6.66%) in the first cycle**].
- The range of time between first appointment and letter sent to the GP was between 0 days and 161 days.
- Of all initial GP letters, only 1 letter contained information relating to medication.

Figure 1: Initial Assessment Letter's sent to GP's.



#### Follow-up letters to GP

- 7 cases (23.3%) were found to have had a letter sent to the GP within the last 6 months, **[compared to 9 cases (30%) in the first cycle]**.
- Of these 7 cases, 2 (28.5%) of cases letters mentioned medication, **[compared to 6 (66.7%) in the first cycle]**.

Table 3: Summary of results – GP letters

Criteria	1 <sup>st</sup> cycle	2 <sup>nd</sup> cycle
% of all open cases which have had an assessment letter sent to the GP.	19 (63.3%)	15 (50%)
% of open cases which have had a GP letter sent within 2 weeks of the first appointment.	2 (6.7%)	6 (20%)
% of initial assessment letters which mentioned medication.	5 (16.7%)	1 (3.33%)
% of cases have had a GP letter sent within the last 6 months	9 (30%)	7 (23.3%)
% of letters in the last 6 months which contain information about medication.	6 (20%)	2 (28.5%)

#### Rag-rating information

- 10 cases (33.3%) of the sample rag-rating information recorded on RiO, [**compared to 30 cases (100%) in the first cycle**] .
- 8 (80%) of these cases had a green rag rating recorded, [**compared to 29 (96.7%) in the first cycle**].
- 2 of these cases (20 %) was rag-rated Amber.
- 20 cases (66.6%) didn't have rag-rating recorded on RiO.
- 10 (100%) of cases were discussed in accordance with their rag-rating, as laid out in trust policy.

Figure 3: Proportion of Rag-ratings according to category.

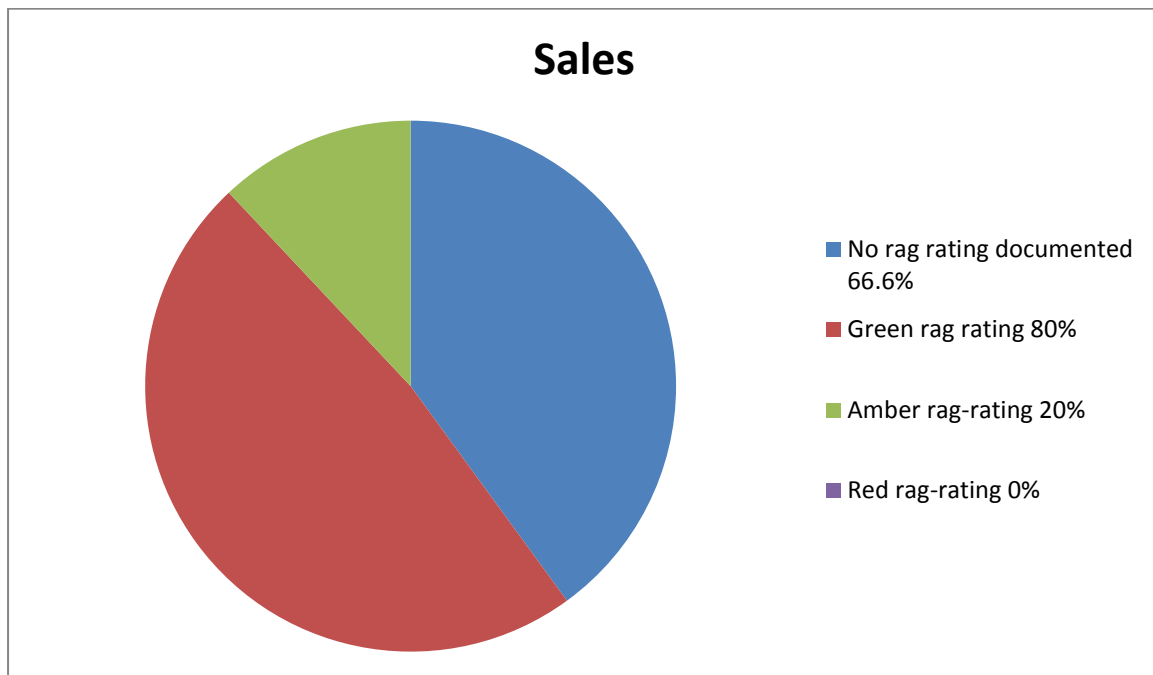


Table 4: Summary of Rag-rating information

Criteria	1 <sup>st</sup> cycle	2 <sup>nd</sup> cycle
% of cases with a rag rating noted on RIO	30 (100%)	10 (33.3%)
% of cases with Green rag-rating	29 (96.7%)	8 (80%)
% of cases with Amber rag-rating	0 (0.0%)	2 (20 %)
% of cases with red rag-rating	1 (3.3%)	0 (0%)
% of cases discussed at MDT in accordance with rag-rating.	16 (53.3%)	10 (100%)

### 1<sup>st</sup> cycle Action Plan

#### GP letters

- To create a letter template that the Admin team can use to send GP's following the first appointment. This template would include the date of the first appointment attended, the name of the allocated care-co-ordinator of the child/ young person, any relevant risk information, a brief care-plan and the date of the next appointment.
- To create a document which will be circulated among line managers, which will encourage them to prompt clinician's to send assessment letters within 8 weeks, during their supervision sessions.
- To set up a training day for line managers where this process will be further explained and consolidated.

### 2<sup>nd</sup> cycle action plan

#### GP letters

- More consistent use of letter templates with admin support
- To scrutinise paper work standards as a regular line management task, using RIO reporting services
- To provide refresher training to the whole staff group re paperwork standards
- To re-audit in 2020



RAG rating

- To use RAG rating more consistently
- RAG rating implemented at Triage stage
- Create a Triage check list
- Continue with RAG rating reviews (red and amber) in MDTs
- To re-audit in 2020

Tower Hamlets  
CAMHS  
CQRM Report  
Q2  
5<sup>th</sup> November 2019



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## TH CAMHS Quality Report for CQRM

### QI Projects

#### Project Title

**Tower Hamlets ADHD: Improving access to specialist assessment and reducing overall waiting time from initial referral to specialist assessment**

#### Aim

To reduce average waiting time from first appointment in CAMHS to ADHD feedback appointment to 20 weeks by October 2019.

#### Project Update and Background

Current staffing of ADHD pathway in Tower Hamlets

<i>Name</i>	<i>Job Title</i>	<i>Grade</i>	<i>Sessions/week</i>
Justin Wakefield	Consultant Child and Adolescent Psychiatrist	Consultant psychiatrist	2-3
Richard Simmonds	Clinical Nurse Specialist, Nurse Prescriber and Psychological Therapies Lead		1
Core and Specialty Psychiatry Trainees	Psychiatrists in Training	CT1-3 ST4-6	Not currently providing significant time

Due to difficulties with psychiatrists in training being less than full time trainees and a high workload for trainees on duty, the availability for ADHD work as been low. As can be seen below, the majority of ADHD new assessment and new medication initiation activity is carried out by Consultant Psychiatrists.

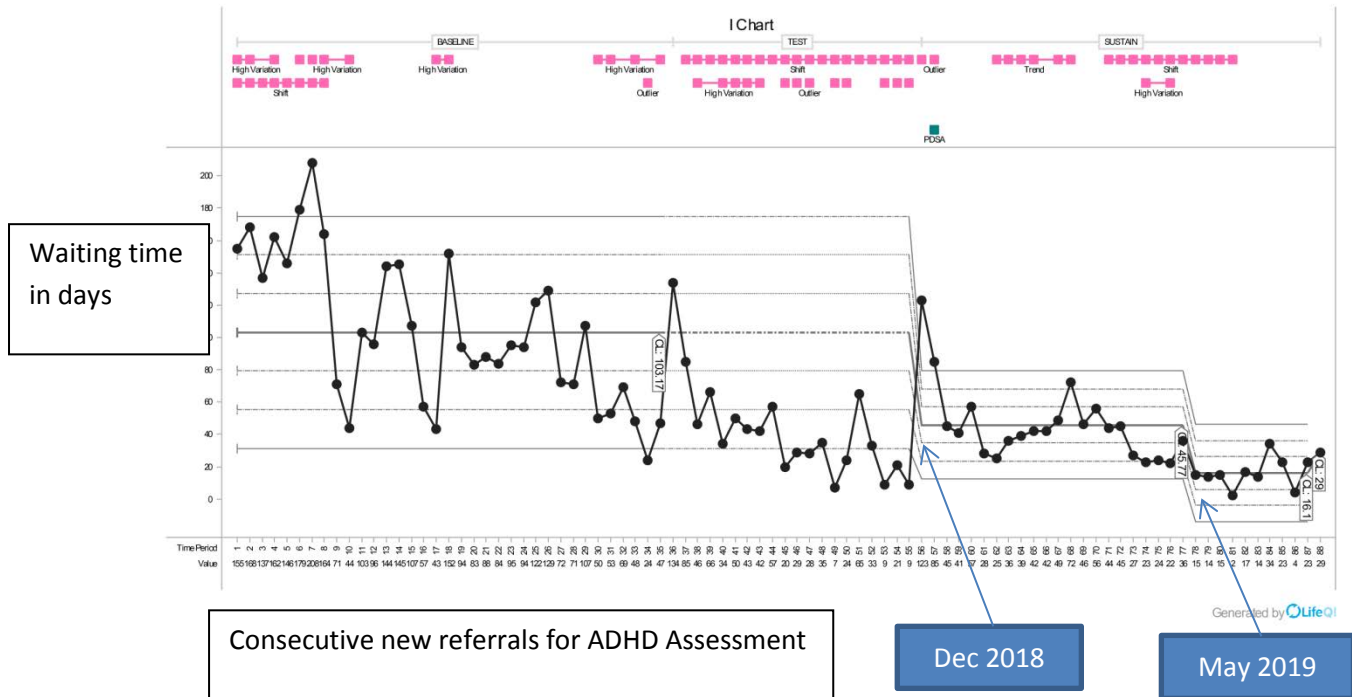
#### Referral rates and activity (2019)

	ADHD Referrals	Number	Justin Wakefield	Richard Simmons	Trainees
<b>2019</b>	<b>Referrals for assessment</b>	<b>12</b>	<b>10</b>	<b>1</b>	<b>1</b>
<b>Jan, Feb, March</b>	<b>Referrals for medication</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>2019</b>	<b>Referrals for assessment</b>	<b>14</b>	<b>14</b>	<b>0</b>	<b>0</b>
<b>April, May June</b>	<b>Referrals for medication</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>July, Aug,</b>	<b>Referrals for assessment</b>	<b>9</b>	<b>9</b>	<b>0</b>	<b>0</b>
	<b>Referrals for medication</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTALS</b>		<b>37</b>	<b>34</b>	<b>2</b>	<b>1</b>

## REVIEW OF IMPACT OF MAIN CHANGES

### **CHANGE 1: Dedicated Consultant time for ADHD assessments and treatment**

This continues to show sustained improvement in the waiting time from referral for specialist ADHD assessment to assessment appointment.



There has been continued and sustained reduction in the waiting time for an ADHD assessment once a specialist referral is made. Current median waiting time is 16 calendar days.

### Risks

A high proportion of work is limited to one person. Annual leave, sickness, having to respond to clinical emergencies in open cases, covering junior doctor duty vacancies can have a high impact on waiting times for ADHD. These account for the fluctuations seen currently.

The maximum capacity of consultant time for new assessments has been reached. If the rate of referrals for ADHD assessments increases (which is an aim), we will no longer be able to meet this demand.

### Mitigating risks – current plans

Current pathways for ADHD involve all young people retaining a care coordinator until they are stable enough to only require six monthly reviews.

#### Mitigating risks – possibilities for future

Increasing capacity for new assessments

- Trainee doctors are not a sufficient and reliable resource for managing this capacity
- Possibility of training further non-medical staff to an appropriate level to conduct ADHD assessments with consultant supervision

#### **CHANGE 2: Improvements to processes for gathering supplemental information**

1. Introduced briefer structured symptom assessment forms that can be emailed to schools and families
2. Triage team sending out requests for supplemental information to schools to support an ADHD assessment process

**Rationale for changes:** Deep dive assessment of waiting times found that significant delays were introduced by schools taking a long time to complete and return the information required to progress with an ADHD assessment.

#### **Results (See I chart on following page)**

Total time taken in days from first appointment to referral to ADHD assessment for consecutive referrals.

This figure represents how long it takes for young people to complete a generic assessment, and collate appropriate information to support a specialist assessment for ADHD.

All referrals are included in this data which also represents young people for whom ADHD was not a primary presenting features or for whom other therapeutic interventions have been tried first.

#### Summary

Time taken is highly variable, which reflects the heterogeneous population who ultimately are referred for an ADHD assessment.

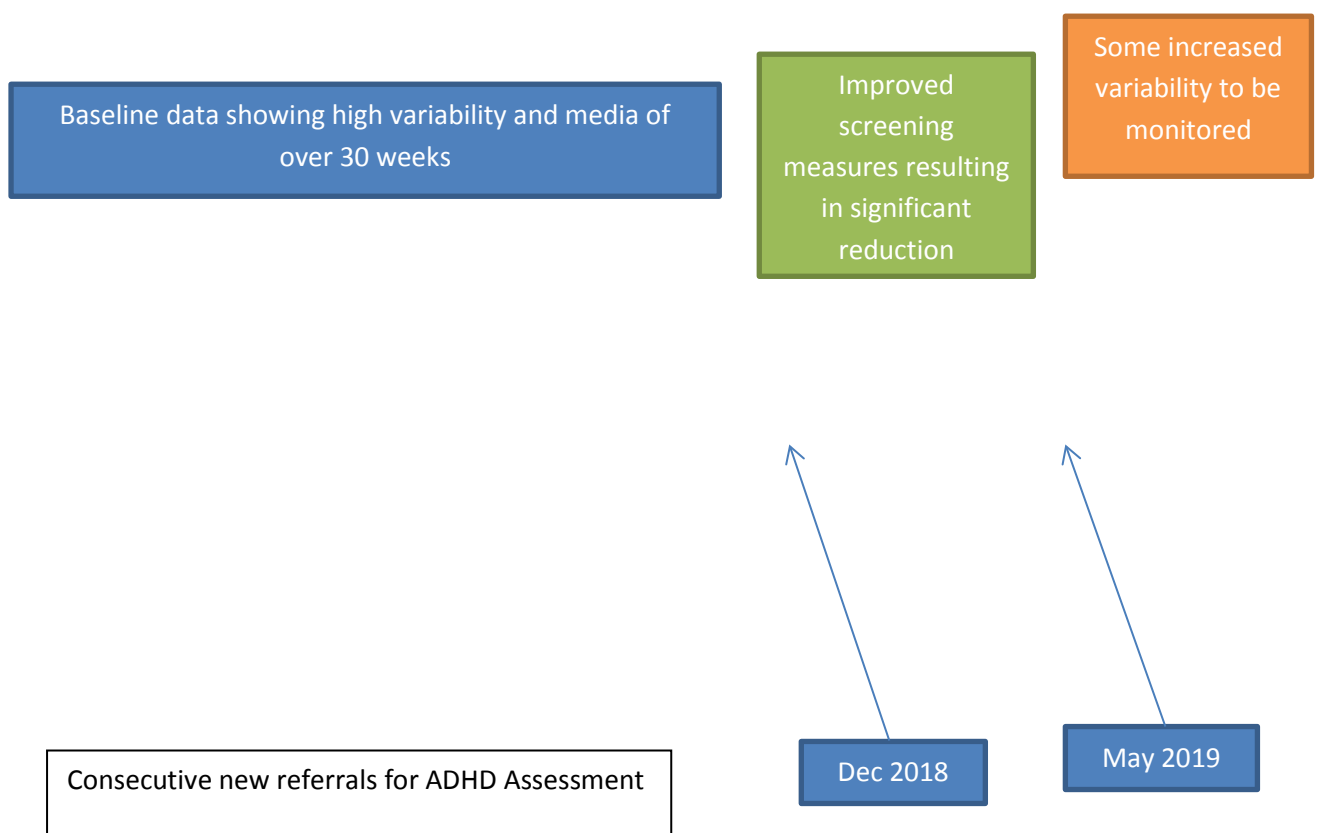
- Prior to implementing the above changes, overall time taken had a median of over 30 weeks
- Implementation resulted in a median time of approx. 21 weeks
- Since May this year, there has been increased variability in overall time taken. Analysis of these cases identifies them as very complex cases in which ADHD was not a primary presenting feature and there are significant co-morbidities.

### Plans for future

ADHD is commonly associated with significant co-morbidities and frequently co-exists with attachment related difficulties.

1. We plan further psychoeducation sessions to the team to support referral for ADHD assessment alongside other therapeutic interventions/assessments
2. Work with our front door team to flag referrals with possible ADHD and review progress towards ADHD referral at 8 weeks.

#### Time between first assessment appointment and referral for specialist ADHD assessment (days)



**QI project in planning: Improving new starters' experience in Tower Hamlets CAMHS**

## Brief Overview of Exceptions per Service Line

Statutory and Mandatory training compliance rate continues to show an upward trend to 83.6%

Primary care liaison lead identified. Dr Rebecca Adams was appointed PCL lead and will work closely with Dr Helen Jones.

4WW pilot started with Project Manager Raquel Williams in post, with Steering group and Task & Finish groups established.

CQC preparedness – monthly priority setting will be embedded as an ongoing feature of service preparedness.

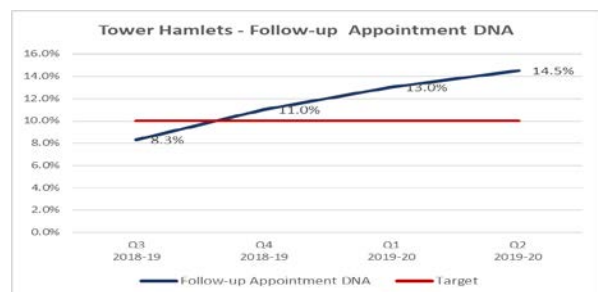
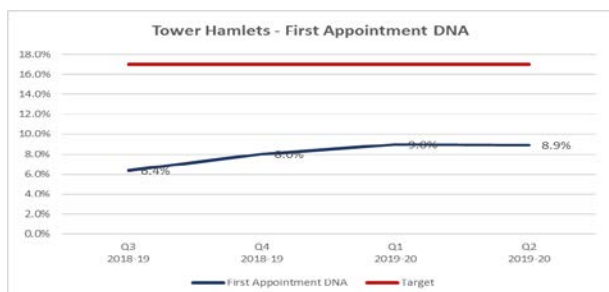
Dr Helen Bruce is leaving the service in December 2019 after many years leading on the NDT pathway in TH CAMHS.

Positive recent meeting with commissioners to outline increased investment to the service accompanied by innovation and changes to practice.

## Waiting Time & DNA Rates

### DNA rates

	Target	Q3 2018-19	Q4 2018-19	Q1 2019-20	Q2 2019-20
First Appointment DNA	17.0%	6.4%	8.0%	9.0%	8.9%
Follow-up Appointment DNA	10.0%	8.3%	11.0%	13.0%	14.5%



### Second appointment DNA Recovery Plan September 2019

#### 1. Introduction



Form February 2019, Tower Hamlets CAMHS has not met the CCG second appointment target.

Follow-up appointments	Target	Report Frequency	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19
Clients offered apts who DNA'd	10%	Monthly	11.7%	12.2%	13.4%	13.3%	13.4%	14.4%	13.4%

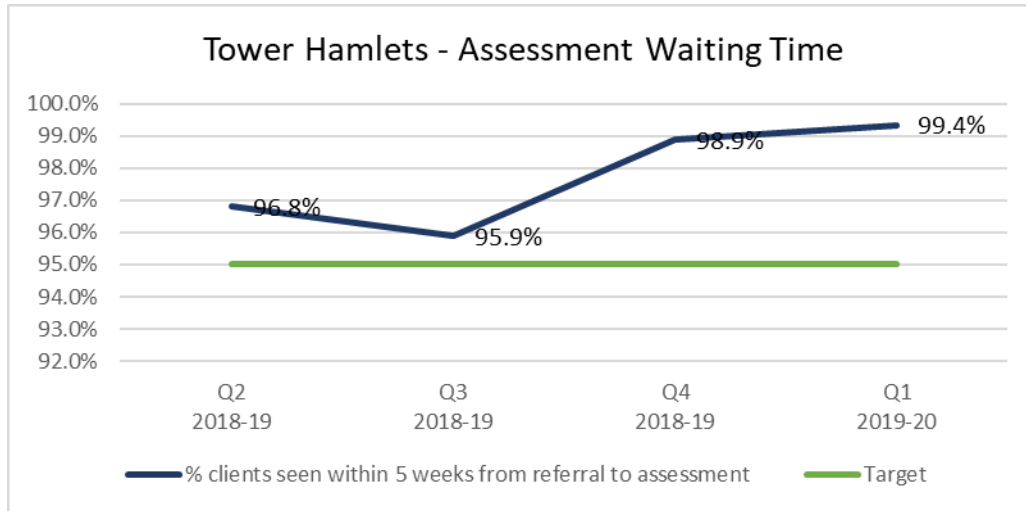
A steady increase in referral numbers with the consequent attention on the 'front door/triage' offer along with capacity pressures, may go some way to explain this.

This plan seeks to arrest the downward trajectory.

## 2. Recovery plan

Remedy	Lead	Review	RAG	Comments
Senior management team to better understand issues in order to generate SMART action plan – incorporated below	HP/RS	26/09/19		SMT oversight
Clarify activity recording options/process with performance team	HP/JY	26/09/19		SMT oversight
Increase recording of daily clinic activity	HP/RS	27/11/19		SMT oversight & Monthly Performance Meeting (local)
Seek advice from the participation group to better engage CYP&F's	BW/NM	06/11/19		
Performance team presentation to whole service meeting	RS/HP	10/10/19		
Learning from second appointment DNA audit (FY1)	HP/PMY	23/10/19		SMT oversight
Improve/increase the sending of text reminders...including increased admin support	RS/NJ	23/10/19		SMT oversight
Message about the cost of missed appointments	HP/NJ	23/10/19		SMT oversight

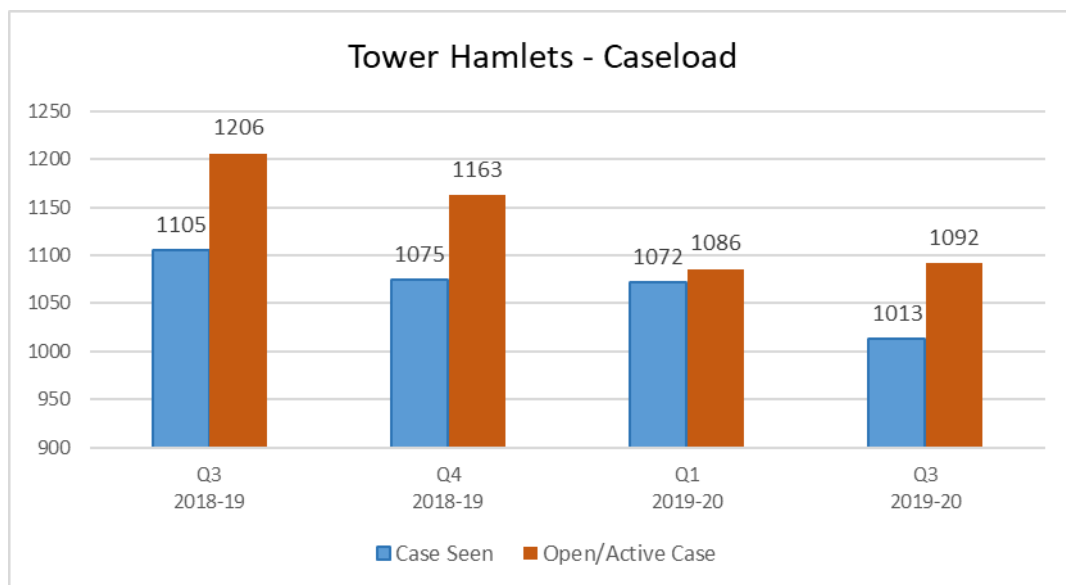
**Waiting time**



	Target	Q3 2018-19	Q4 2018-19	Q1 2019-20	Q2 2019-20
% clients seen within 5 weeks from referral to assessment	95.0%	96.8%	95.9%	98.9%	99.4%

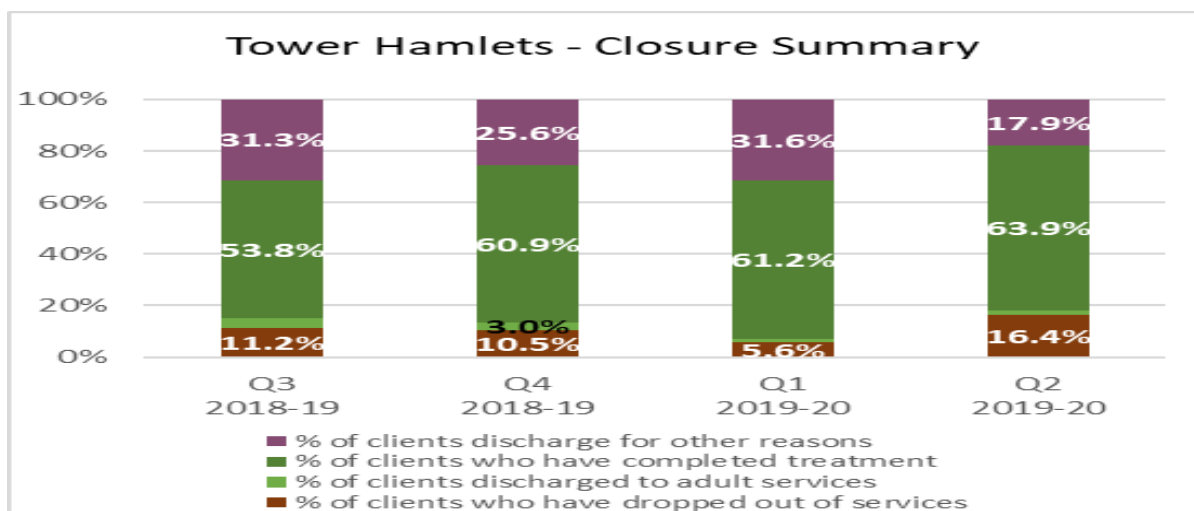
**Caseload Summary**

	Q3 2018-19	Q4 2018-19	Q1 2019-20	Q2 2019-20
Case Seen	1105	1075	1072	1013
Open/Active Case	1206	1163	1086	1090



## Closure Summary

	Q3 2018-19	Q4 2018-19	Q1 2019-20	Q2 2019-20
Total number of cases closed	323	371	317	396
% of clients discharged to adult services	3.7%	3.0%	1.6%	1.8%
% of clients who have dropped out of services	11.2%	10.5%	5.6%	16.4%
% of clients who have completed treatment	53.8%	60.9%	61.2%	63.9%
% of clients discharge for other reasons	31.3%	25.6%	31.6%	17.9%



Group	RiO Discharge Reason	Jul	Aug	Sep	Q2 Total
Completed treatment	Achieved Outcome	69	64	46	179
Completed treatment	Discharged - Step Down (Tier 2/Community CAMHS)	2	4	2	8
Discharged to adults	Transferred to Adult Services - External provider	2		1	3
Discharged to adults	Transferred to Adult Services - Internal provider	1		3	4
Dropped out	Discharged against professional advice	1	3		4
Dropped out	PATIENT non-attendance	18	20	23	61
Others	Discharge after screening/triage/consultation	35	19	12	66
Others	Discharged back to referrer	9	17	7	33
Others	Discharged to General Practice (GP)	12	11	2	25
Others	PATIENT moved out of the area	2	4	2	8
Others	Transferred Care to Another Provider	1	2	2	5
	<b>Grand Total</b>	<b>152</b>	<b>144</b>	<b>100</b>	<b>396</b>

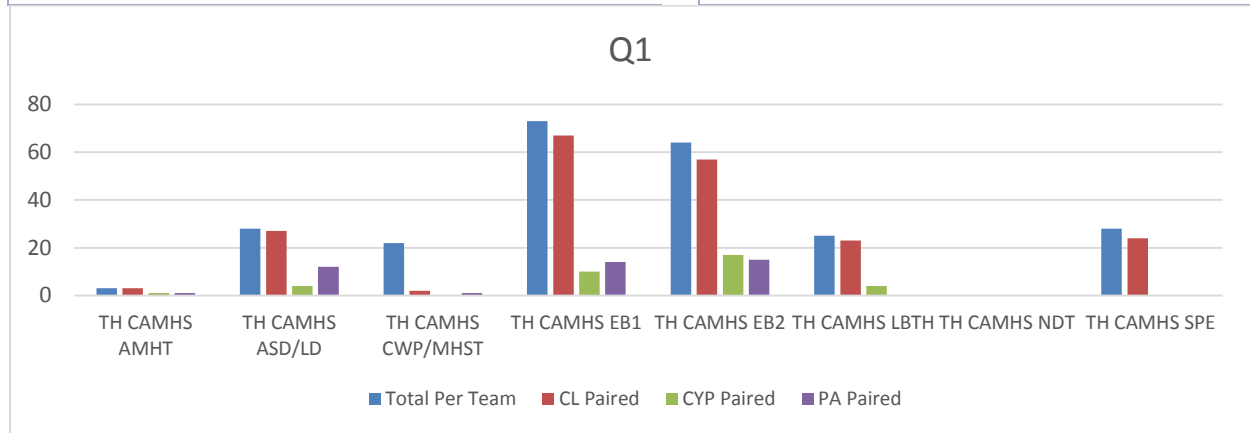
## National CAMHS Outcome Metrics

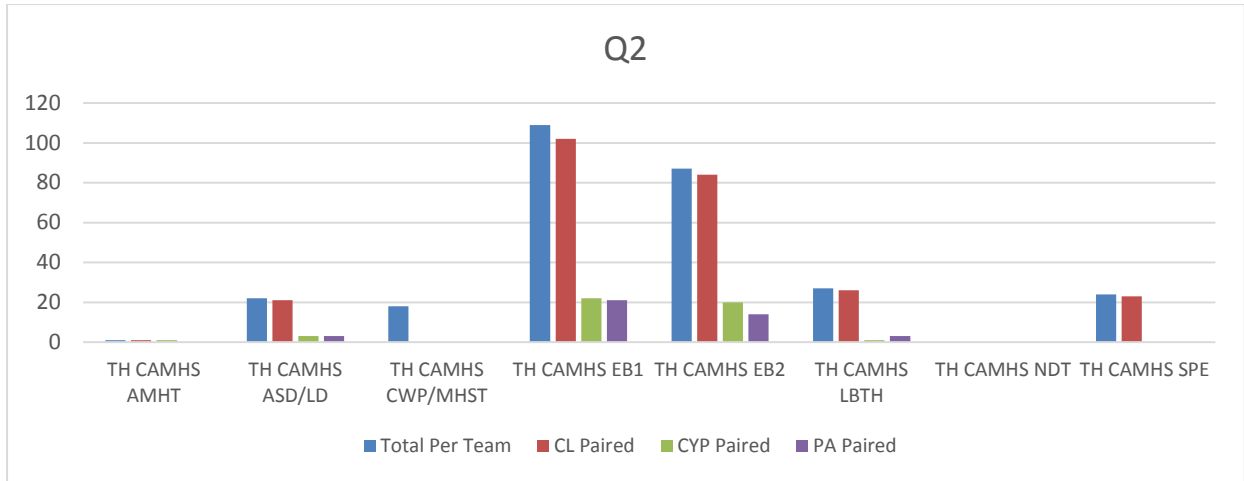
### Paired Outcome

Of all CYP discharged after treatment, with at least two contacts, how many paired Outcome following treatment.

Q1 Discharge with 2 or more face to face contact	Total Per Team	CL Paired	CYP Paired	PA Paired
TH CAMHS AMHT	3	3	1	1
TH CAMHS ASD/LD	28	27	4	12
TH CAMHS CWP/MHST	22	2	0	1
TH CAMHS EB1	73	67	10	14
TH CAMHS EB2	64	57	17	15
TH CAMHS LBTH	25	23	4	0
TH CAMHS NDT	0	0	0	0
TH CAMHS SPE	28	24	0	0
<b>Total</b>	<b>243</b>	<b>203</b>	<b>36</b>	<b>43</b>

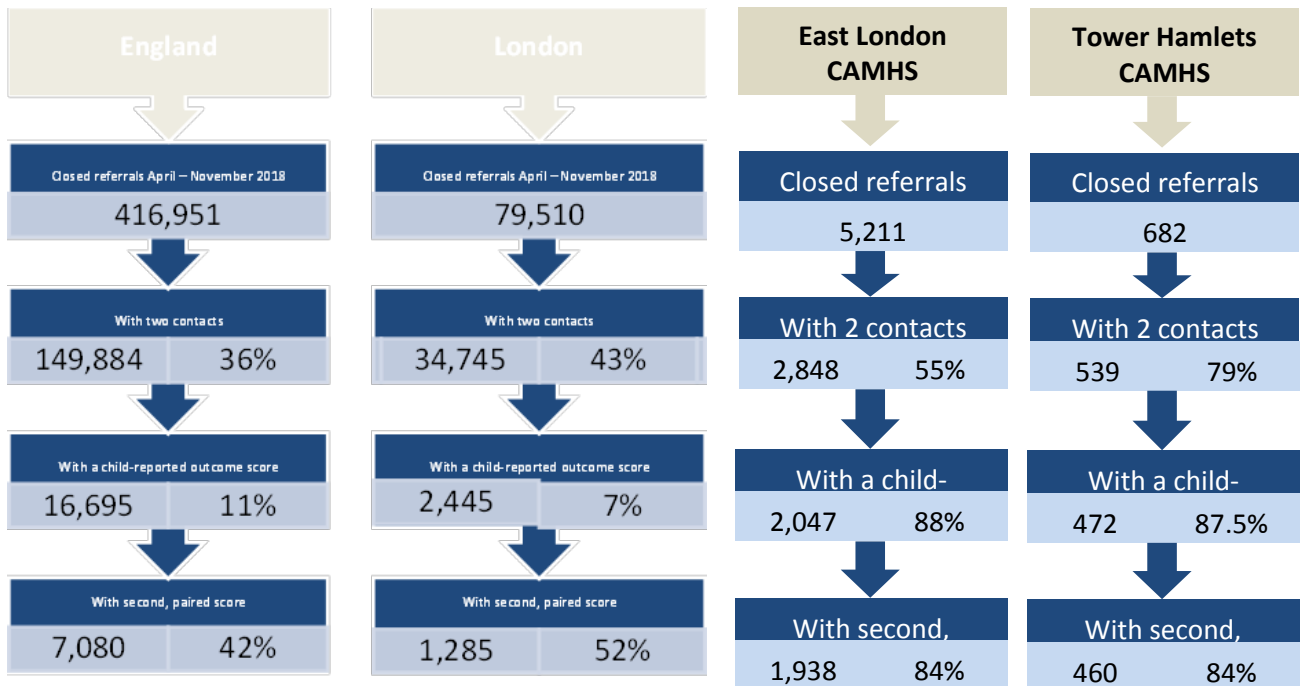
Q2 Discharge with 2 or more face to face contact	Total Per Team	CL Paired	CYP Paired	PA Paired
TH CAMHS AMHT	1	1	1	0
TH CAMHS ASD/LD	22	21	3	3
TH CAMHS CWP/MHST	18	0	0	0
TH CAMHS EB1	109	102	22	21
TH CAMHS EB2	87	84	20	14
TH CAMHS LBTH	27	26	1	3
TH CAMHS NDT	0	0	0	0
TH CAMHS SPE	24	23	0	0
<b>Total</b>	<b>288</b>	<b>257</b>	<b>47</b>	<b>41</b>





### Completeness of Paired Outcomes (Child report):

T1 (Outcome data collected at assessment) paired with T2 (latest data collected at review/closure) to measure.



## Access Rate Summary

### 1. General Quality Reporting - Treatment Waiting Times (CYP Access Rate)

The national access rate standard is the total number of individual children and young people aged under 18 receiving treatment by NHS funded community services in the reporting period

CCG Objective	2016-17	2017-18	2018-19	2019-20	2020-21
At least 35% of CYP with a diagnosable MH condition receive treatment from an NHS funded community MH service.	28%	30%	32%	34%	35%

#### A) Current Contribution

Organisation	Operating plan prevalence rate	2018 – 19 Actual		2019-20	
		CCG	ELFT	CCG Target	ELFT actual at end of Q2
Tower Hamlets CCG	4551	2310 (32%)	1543 (34%)	1547	1132

#### B) Access indicators break down by month

Prevalence Rate	CCG Target (2019-20) 34%		Apr	May	Jun	Q1 Total	Jul	Aug	Sep	Q2 Total	YTD
			4551	1547	ELFT Contribution	272	265	167	704	220	101
		Monthly %	6%	6%	4%	15%	5%	2%	2%	9%	24.9%

## Compliance with NICE Guidance

We are working consistently within NICE and evidence-based practice.

PTSD NICE guidelines (December 2018) audit due to be completed by beginning of December 2019.

Paperwork standards audit (GP letters, risk assessment, RAG) due in January 2020.

## Safety Report

### Incidents

Q1 Incident by sub-type	Number
Access/admission - delay or failure to access care	1
Child at risk is a Service User	1
Child victim is a Service User	4
Failure in referral process	1
Failure of assessment process	1
Non-clinical IT system or connectivity failure - causing harm, near miss or risk	1
Other	9
Patient records / information	2
Telecommunications failure	1
Unsafe / inappropriate clinical environment	3
<b>Total</b>	<b>24</b>

### Serious Incident - 48 Hour Report

Incident Type: Care & Treatment – Delay in MHA assessment and inpatient admission

Incident Date: 18 July 2019

#### *Chronology of contact with ELFT services during the last 3 months:*

First referral to TH CAMHS with similar presentation in Dec 2018. Case was closed on the 29th March 2019 after brief intervention for seemingly trauma related difficulties leading to clinical improvement.

Re-referral by school via A&E at RLH on 1st July due to bizarre behaviour, abnormal perceptions and episodically aggressive behaviour towards peers. Assessed under the MHA and informally admitted to Brookside (inpatient). At arrival on the 3rd July family declined admission and agreed on treatment in the community.

First follow-up in TH community CAMHS on 5th July with subsequent appointments by community crisis nurse/psychiatrist on 9th, 12 and 18th July.

#### *Events leading to incident report:*

Young person deteriorating in mental state, exhibiting possible psychotic symptoms such as hearing command, auditory hallucinations telling him to hurt other people and himself. Biting and isolating himself as well as superficially self-harming in order to resist voices. Parent of young person does not present to have insight into young person's current mental state.

When seen by consultant psychiatrist on the 18th July first recommendation for Section 2 made with referral for further planning of assessment under the MHA by AMHP Bow and Poplar CMHT.

Subsequently delay in MHA due to unavailability of AMHP as well as communication errors and delayed provision of warrant (25th July). On 24/07/2019 - AMHP 3 unable to obtain warrant with correct address due to courts being too busy.

Meanwhile Sect 2 recommendation expired on the 24th July.

The young person's mental health and risks have been monitored assertively since the 18th July by our community crisis nurse/psychiatrist (23th, 24th, 26th July).

Renewed first recommendation for Sect 2 on the 26th July with assessment under the MHA on the 30th July at the YP's home. Presenting with symptoms suggestive of first episode psychosis - bizarre and unpredictable behaviour, auditory and visual hallucinations, thought disorder, labile mood.

Admission to Coborn Centre on the 30th July under Sect 2 for further assessment.

*Gaps or problems in care and / or service delivery identified by review:*

Delayed response by TH AMHP including provision of police warrant - initiation of assessment under the MHA on 18th July but only carried out on the 30th July.

Impact on service delivery: delayed admission to the Coborn Centre with increasing duration of untreated illness.

*Actions required to manage the incident:*

Review of AMHP service in TH including communication between services.

## Safeguarding

Safeguarding reports are being provided quarterly by the Trust's Safeguarding department to the CCG. Data is collated on the Trust's Children Safeguarding Dashboard.

Safeguarding Supervision compliance:

L3 Safeguarding Training compliance: 71.9%

L1/L2 Safeguarding training: 100%/93.3%

DBS compliance:

Number of allegations against staff and action taken: N/A

Referrals to social care:

FGM reported cases:

DoLS completed: N/A

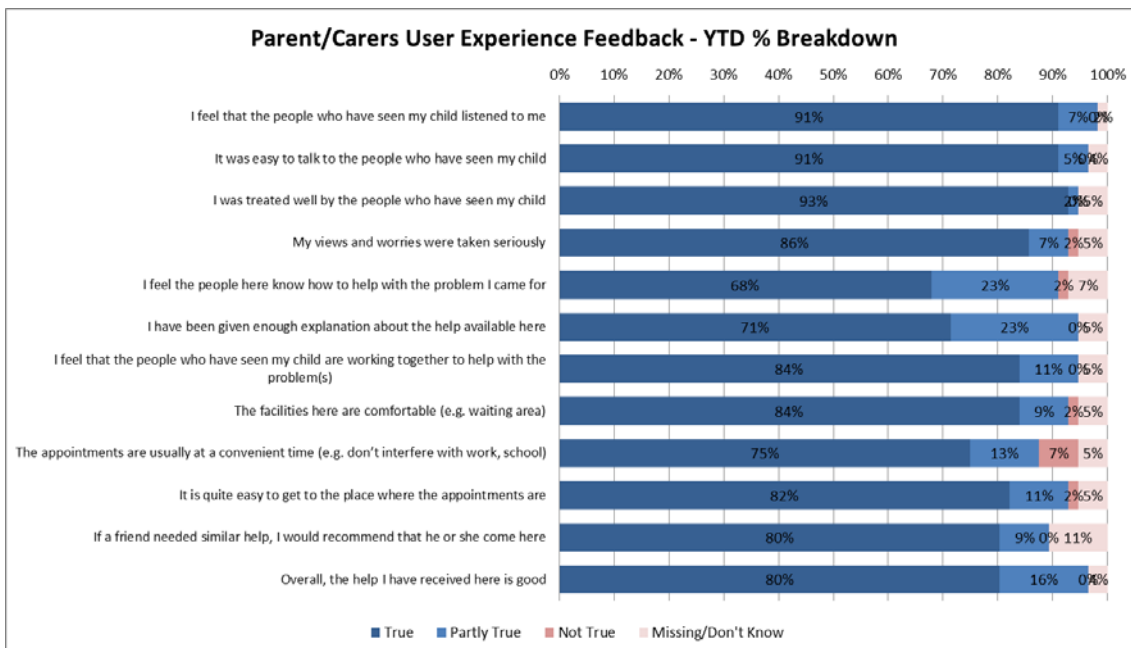
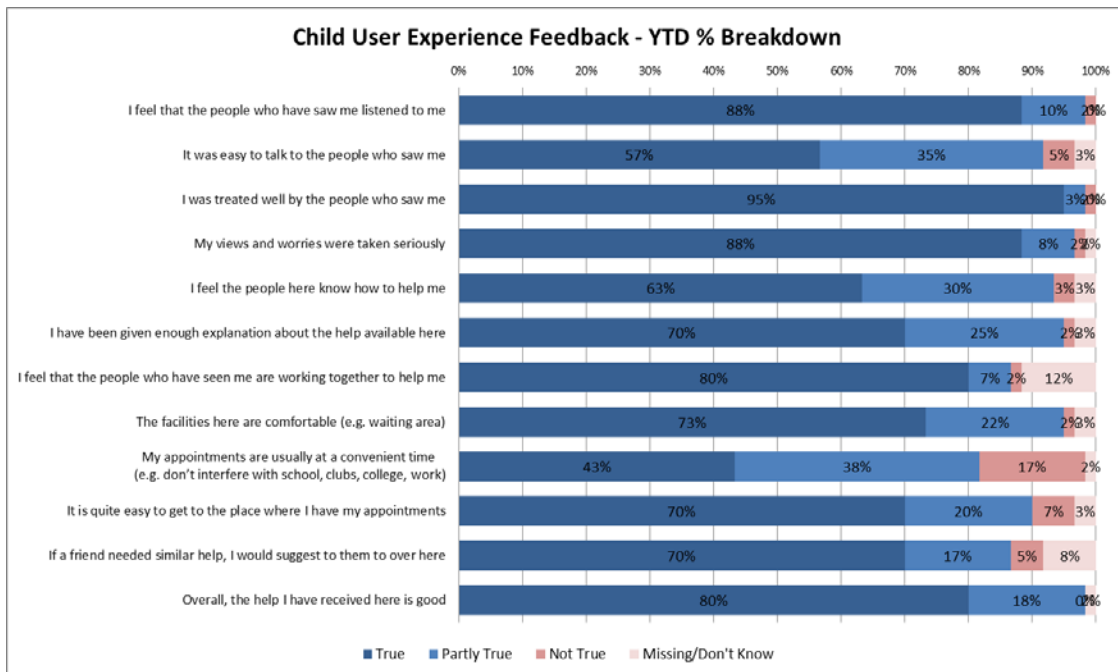
LeDeR reviews: N/A

Update on SCR:



## Patient Experience

Q2 ESQ feedback with FFT for young people and parents/carers.



## People participation report October 2019

TH CAMHS offer two People Participation groups a month, one for young people and one for parents and carers. Participation has a number of different functions, but a key aim is to ensure that we are being responsive to service user feedback.

### Parent Participation

- This month the parent group was joined by Chiara and Cheryl Rehal (Head of Children's Integrated Commissioning). Key areas of feedback from parents at the last meeting was;
  - "Who holds school's accountable?" Parents provided the example of CAMHS making recommendations to school re: supporting children with ADHD, and what happens when the school do not feel that they have the resources/capacity to implement these recommendations
  - Advertising the Local Offer. How do we as a service map all the local community groups, forums, SEND and MH support available to families in the borough and how can we support families in accessing these services? We discussed whether we could do a mapping exercise within our of our participation groups. I also plan to give this feedback during the 4 week wait planning meetings and how we might
- Parents who have had a recent experience of being referred to CAMHS agreed that the process has felt more timely and responsive. Despite this, the parents described some more negative experiences. This includes;
  - Parents told us that they felt clinicians do not always copy parents into clinical letters to GPs, including for those CYP below 16y
  - Parents reported that they have been experiencing issues in attempting to make a self-referral, as reception reportedly refused to put a call through to Duty
- We further discussed focusing on recruitment to the groups.
  - I have completed an updated leaflet for the young people's group, have put this up in reception and circulated to clinicians. We also hope for this to be up in our reception slides when we get them working!
  - I plan to do the same for the parent group this month
  - The parents would like the Parent Participation group added to the Local Offer website

### Young People's participation

- As well as updating the leaflet, we asked young people what they would like CAMHS workers to tell CYP's about the groups. This has been circulated to the team and added to the leaflet.
- We have been developing the next issue of the CAMHS newsletter which is a "Mental Health" special; to be circulated soon.

- Next month we will be joined by Alan Strachan to think about how we can include service users more in QI projects. We will also be joined by an artist who will be working with the young people to design the new CAMHS mural.

## Compliments

We have been coming to CAMHS for quite some time and we started to see improvement in my son's care and support when K joined. She is amazing with understanding my son.

---

They did not yell or pressure me. They were really soft spoken, Friendly and nice. I really appreciate the care and kindness of the people I see.

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Ms GC's approach was professional, understanding, she tried to explore. My child's difficulties with the view of finding the best strategies. There was some change for the better, but we need to work more at this. Ms G does her best, she even arranged ECG forms twice as the first form got lost at the post. I would like to thank her very much!

Very grateful to everyone involved in our families support. Ms G, receptionist, the admin and Eating disorder team.

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They understood me and helped me in many different ways for me to feel better.

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Range of advice and how to keep my child calm. Really felt the need of suggestions I was benefitted.

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To be able to talk on the phone. It has been really helpful someone talking to him in school and giving advice.

I feel she understand what my son is going through.

Parenting course was very useful. Appointments always kept and on time.

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## Complaints

### 1. Letter of complainant (mother of young person) to ELFT Management Team re management of the assessment process of her son

I am writing to you as per our telephone conversation today,

My Complaint is about a Clinician whom is based at the Emmanuel Miller Center, and I strongly wish to complain about him, and his collaboration with a Social worker based at LBTH.

In February 2019, a Social worker became involved with my son and was conducting home visits every two weeks at my home, During which it had been agreed that rather than my son, speaking with the in house schools counsellor named Hannah, from A Space counselling, the Social Worker would herself directly arrange to escort my son to attend with her, and start sessions with Dr A Clinician based at the Emmanuel Miller Center.

I was not ever given the opportunity to meet with Dr A Clinician, as the Social Worker – A.B. had insisted that is was better that way' nor did I ever attend the centre with my son, as the Social Worker had insisted that she would be happy to walk with my son to the centre, of which I had some ambivalence to, but again the Social Worker insisted it was in the best interests of my son that the arrangement was between herself and my son, ? I would like to make a formal Complaint against Dr A Clinician, I did not give permission for my son to be seen alone with the clinician.

On one particular session when my son was due to attend an appointment, the Social Worker, had not made it clear to my son whether the appointment with Dr A, would be held at the school Bishop Challoner at 02:00pm, or whether my son would attend the Emmanuel Miller Center, so I called Dr A.

On the day of the appointment this was the first time I had ever spoken with him, I informed him that my son was running late due to not wanting to attend as my son kept insisting he had lost the appointment card given to him previously and did not still know where this appointment would take place,

I did not expect in turn, however, that on my son arriving for his appointment, and speaking briefly to Dr A, that Dr A then alleges I had been laying on the floor twisting and turning and screaming, that my son was going to call me an ambulance' ? Why was information was not double checked ? I would not ever owning a Springer Spaniel dog, be able to do what had been described to Dr A,

The fact is Dr A Clinician, did not double check the information, nor did he offer to clarify the information directly or indirectly is of a great concern, Instead he fed back inaccurate

information about me, who he has never met before to A. B's in the Children Services at the local authority,

This inaccurate information, created to cause alarm was then used by the Children Services to gather momentum in starting pre proceedings against me. By way of the removal of my son from my care.

The matter is now subjective to the Family Court, and should I need to, I will be instructing my legal team to call upon Dr A, in order for him to be more transparent in the events that unfolded that day.

It is clear that he fed back inaccurate information to allow the Children Services the ammunition to act against me. This has caused a great deal of alarm clearly Dr A, did not do his job properly, and was only acting like a spy for A.B. passing information back to her, no actual support was offered to my son, and according to my son Dr A acted in a unprofessional manner when he was left alone with my son in the room ?

I am asking for a full investigation, into his actions, and why in hindsight, did he feel the need to contribute to such miscreant.

I look forward to hearing from you, please can I request that you formally investigate the motive behind Dr A, ? and why when my son was later questioned about what he may or may not have said, my son has No recollection of such a conversation taking place with Dr A Clinician ?

You will be familiar with our case, and with my son, as we were allocated previous clinicians, these were H.M. Social Worker, P.A. and N.M.

Thank you for your time,

Miss L.

Response: The complaint was discussed with the clinician involved. We offered 2 appointments and made several written and phone attempts to invite Miss L to a meeting in order to address her concerns. However, we have not received any response and therefore decided to close the complaint. PALS were informed of our decision.

## 2. Complaint about decline of ASD assessment

Dear Sir/Madam

I am writing to give you feedback from my experience of using CAMHS as a service.

My daughter was referred to CAMHS by her GP as we strongly suspected she is on the spectrum, and she was really struggling.

Initially I didn't think it was an appropriate referral as she doesn't have a comorbidity with a mental illness.

However, as NOBODY seems to know who assesses ASD in Tower Hamlets, off I went to the triage appointment. On my own, without my daughter.

During the triage appointment, I was asked not one single question! about my daughter's autistic traits or developmental milestones.

I was however asked about her behaviour, 'what a typical day for L is', what she likes and doesn't like and other things I'm sure, that I don't remember. But really not on the topic of difficulties to do with being autistic.

I was told that as working parents we don't have much time for our children as they need, and behaving badly or being defiant is a way of getting attention. I was asked if I had considered Attachment Issues or ODD.(what??!!) When I asked what made her think that would be the issue, the worker replied she had had training on it and she could offer some strategies and interventions. I was told to praise my daughter's achievements, even after I explained how I praised her and we use a rainbow chart as a guide to her behaviour (which my daughter loves as it's such a clear reference as to how she's doing socially).

The triage worker offered a parenting course, and an intervention where me and my daughter would be watched from a 2 way mirror and I'd be given prompts into an ear piece, and I would be surprised how many opportunities for praise are missed.

I declined this offer as it would be irrelevant to us but also I believe that would have caused harm to my daughter.

A 5 year old autistic girl does not deserve to be prodded and poked and be made to feel weird by professionals who do not understand the issues of children on the spectrum.

For your information, my daughter was diagnosed with ASD at the Lorna Wing Centre for Autism in July 2019. She has many social communication, sensory and executive function difficulties.

Please do not treat parents of autistic children in such condescending and judgmental manner. Do not misguide them and offer 'help' that would further delay their prompt assessment and diagnosis.

Our journey is extremely hard and lonely. Especially for parents of autistic little girls like L who can keep good eye contact and have a good conversation with you as a professional. Who can do well academically at school and has horrible meltdowns at home because she has been masking her autism and trying to fit in all day.

Please educate your staff. Once you know what you are looking for, it really is quite obvious.

Please use screening questionnaires (that require no knowledge whatsoever on autism) as a tool to triage and gather evidence.

Please do not jump to conclusions and judgements or suggest to parents that there might be attachment difficulties/ODD without evidence or even meeting the child. This is shocking to me.

I hope this feedback is used to improve the experience of the next autistic little girl's parents that come through your doors,

Yours Sincerely,

A, YP's mother

Response: email response to mother by general manager with offer for face2face meeting – declined by mother. Review of diagnostic procedure prior to referral for specialist ASD assessment as part of NDT pathway review.

## Legal Claims

None.

## Workforce Planning

### Staff Turnover

Organisation	Average Headcount	Starters FTE	Leavers FTE	LTR FTE %
363 SS CAMHS DCOS	1.42	1.00	1.00	67.42%
363 SS CWP Pilot	3.83	3.00	0.00	0.00%
363 SS Paediatric Liaison & Self Harm	9.75	1.00	2.20	26.07%
363 SS TH CAMHS CCG Initiatives	9.25	1.00	3.50	43.12%
363 SS TH CAMHS CYP IAPT 2017	0.42	0.50	2.00	685.71%
363 SS TH CAMHS PBS Pilot	0.50	1.00	0.00	0.00%
363 SS TH CAMHS Transformation	6.50	1.00	1.00	16.81%
363 SS TH Community CAMHS	43.17	13.80	7.70	20.98%

**Statutory and Mandatory training at end of Q2**

<b>Statutory &amp; Mandatory Training</b>	<b>Baseline</b>	<b>Outstanding</b>	<b>Compliance</b>
Adult Basic Life Support - 1 Year	1	0	100.0%
Conflict Resolution - 3 Years	10	0	100.0%
Data Security Awareness - Level 1	77	8	89.6%
Equality, Diversity and Human Rights - 3 Years	77	4	94.8%
Fire Safety - 1 Year	76	9	88.2%
Food Hygiene & Safety - 3 Years	7	2	71.4%
Health, Safety and Welfare - 3 Years	77	4	94.8%
Infection Control - Level 1 - 3 Years	58	4	93.1%
Infection Control - Level 2 - 1 Year	18	2	88.9%
Mental Capacity Act - 3 Years	8	2	75.0%
Mental Health Act - 3 Years	1	1	0.0%
Moving and Handling - Level 1 - 3 Years	76	4	94.7%
Paediatric Basic Life Support - 1 Year*	63	44	30.2%
PMVA - Breakaway Techniques - 3 Years*	65	18	72.3%
Prevent WRAP - 3 Years	64	9	85.9%
Safe Administration of Medicines - 1 Year	6	4	33.3%
Safeguarding Adults - Level 2 - 3 Years	75	5	93.3%
Safeguarding Children - Level 1 - 3 Years	10	0	100.0%
Safeguarding Children - Level 3 - 3 Years	64	18	71.9%
Safer Prescribing - 3 Years	9	0	100.0%
<b>Grand Total</b>	<b>842</b>	<b>138</b>	<b>83.6%</b>

**Sickness Absence**

	Jun-19	Jul-19	Aug-19	Rolling Year (September 2018 - August 2019)
	% Abs Rate (FTE)	% Abs Rate (FTE)	% Abs Rate (FTE)	
CAMHS Tower Hamlets	2.82%	3.37%	4.49%	2.74%

**Directorate Risk Register**

<b>Risk:</b>	<b>Action required:</b>	<b>By whom:</b>	<b>Review Date:</b>	<b>Progress on actions:</b>
<b>Environment</b>				
Medium term viability of EMC and GS staff areas	<ul style="list-style-type: none"> <li>Upgrade EMC – work begins 20/05</li> </ul>	BW	Completed  12/19	



	<ul style="list-style-type: none"> <li>Identify additional space for incoming new recruits at Greatorex Street</li> <li>Scope additional trust wide space options</li> </ul>	BW	Scoping exercise unable to identify additional suitable accommodation	
<b>Workforce</b>				
5 year workforce plan (LTP)	<ul style="list-style-type: none"> <li>Manage year on year clinical uplift</li> <li>Calibrate discipline mix and banding</li> <li>Ensure service capacity to deliver risk averse clinical practice</li> <li>Engage partners in planning process</li> <li>Boost primary care engagement</li> <li>Further roll-out and embed Schools Wellbeing Service (SWS)</li> <li>Deliver 4WWT Pilot</li> <li>Deliver PBS Pilot</li> </ul>	BW/RS/HP	03/24	
<b>Demand &amp; capacity</b>				
Insufficient staff resource to meet demands going forward – including access rate target	<ul style="list-style-type: none"> <li>Engage NHSE IST on whole service review</li> <li>Continue roll-out of THRIVE conceptual framework</li> <li>Report to commissioners variations backed by accurate data</li> <li>Continue to innovate around</li> </ul>	BW/RS/HP	12/19	

	front/back door initiatives			
<b>Patient care</b>				
Compliance with standards	<ul style="list-style-type: none"> <li>Analyse audit results</li> <li>Connect with QI</li> <li>Establish priorities</li> <li>Connect with service user feedback</li> <li>Further integrate service user participation into everyday business</li> <li>Align Parents Group with Senior Management Team</li> </ul>	PMy/HB/RS  BW/NM	Ongoing	
<b>External</b>				
Relationship with commissioners/partners	<ul style="list-style-type: none"> <li>Support the delivery of the CAMHS Review (CCG &amp; LBTH)</li> <li>Timely production of reports</li> <li>Continuation of CAMHS development group</li> <li>Develop CQRM &amp; MHEHWB preparedness strategy</li> <li>Full engagement with Born Well Growing Well service integration</li> <li>Develop trust and integrity</li> </ul>	CCG/LBTH  BW/HP/RS	12/19	

Appendices:

1. CEDS Quality report Oct 2019
2. GP letter and RAG rating audit 2019
3. Young people participation leaflet

## 12-18? Attending CAMHS? GET INVOLVED with the **CAMHS PARTICIPATION GROUP**

We asked our group members  
**WHY THEY ATTEND...**

**"Meet and CONNECT with other young people who come to CAMHS"**

**"Give your feedback and MAKE CHANGES to how CAMHS is run"**

**"HELP other young people who have been through what you have"**

**"It's a productive way to spend your time. You get lots of OPPORTUNITIES like making films and speaking at City Hall."**

**"You get £10 and pizza for attending!"**

**JOIN US on the FIRST WEDNESDAY of each month, from 5:00pm – 6:30pm @ the Greatorex Street CAMHS Clinic**

**OR for more details, ask your CAMHS Worker**

Note	HR Post Number	Post Number historic/payroll?	Budget	Position Title	Team	Costcenter	Establishment service Redesign	Actual Perm Staff
	D030500201	D03050020	70,000	Partnership Cahms		85393	1	1
	D030500212	D03050021	58,500	Social Work Cahms		85393	1	1
	D030500207	D03050020	58,500	Social Work Cahms		85393	1	0
	D030500216	D03050021	58,500	Social Work Cahms		85393	0.6	0.6
	D030500220	D03050022	58,654	Social Work Cahms		85393	1	1
	D030500210	D03050021	58,500	Social Work Cahms		85393	1	1
	D030500211	D03050021	58,500	Social Work Cahms		85393	1	1
			<b>421,154</b>			<b>TOTALS</b>	<b>6.6</b>	<b>5.6</b>

Note	HR Post Number	Post Number historic/payroll?	Budget	Position Title	Team	Costcenter	Establishment service Redesign	Actual Perm Staff
	H040040205	H04004020	22,641	Outreach V CWD OU		85391	0.5	0.5
	H040040204	H04004020	22,641	Outreach V CWD OU		85391	0.5	0.5
			<b>45,282</b>			<b>TOTALS</b>	<b>1</b>	<b>1</b>

**12 month  
actuals  
plus  
forecast**

53423.36

61956.05

0

32152.62

60008.84

61956.05

61956.05

**331,453**

**12 month  
actuals  
plus  
forecast**

20610.24

19310.76

**39,921**

## OFFICER AUTHORITY

To: Daniela Licciardo  
Legal Services

Date: 04/12/2018

### SUBJECT MATTER:

Section 75 Agreement between The London Borough of Tower Hamlets and Tower Hamlets Clinical Commissioning Group (CCG) in line with the Cabinet Decision dated 31 of October 2017, agenda Item 5.9.

### AUTHORITY:

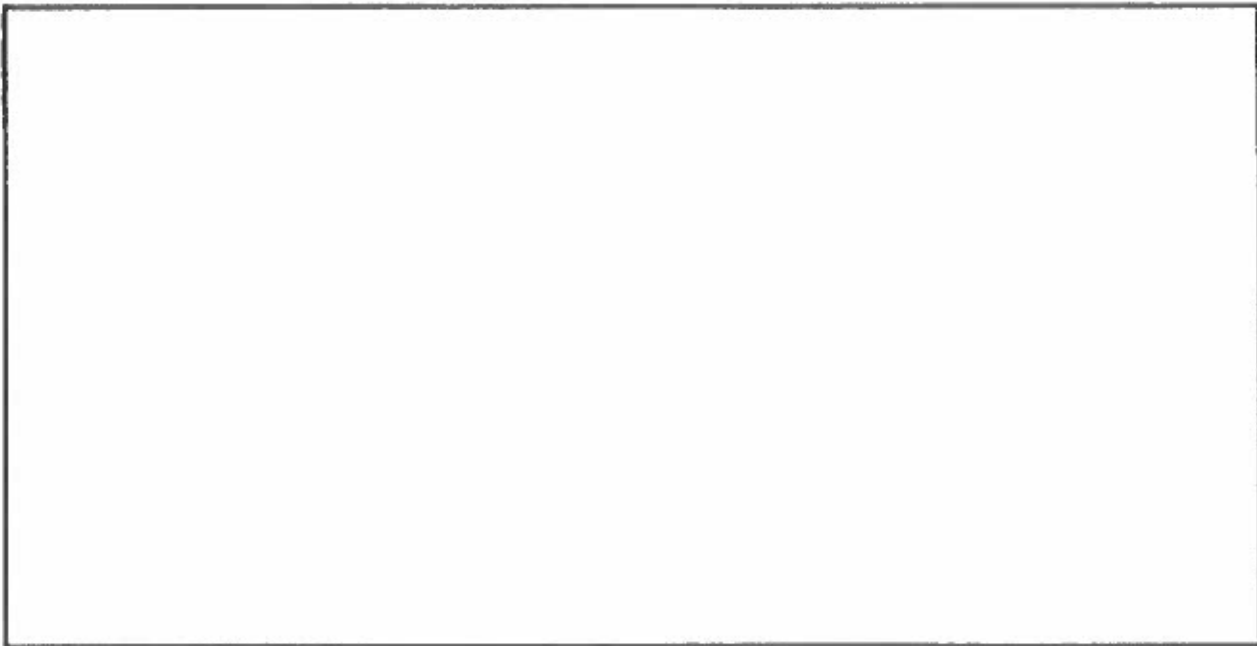
- (i) Cabinet Decision dated 31 October 2017

Are there any documents attached?: Yes (if yes please state how many) : Cabinet Decision dated 31 October 2017, agenda Item 5.9


Signed:  .....

Print Name: RICHARD BROWN .....

Designation: DIVISIONAL DIRECTOR .....





<b>Cabinet</b> 31 October 2017	 <b>TOWER HAMLETS</b>
<b>Report of: Zena Cooke – Corporate Director, Resources</b>	<b>Classification:</b> Unrestricted
<b>Contracts Forward Plan – Quarter Three (FY2017-2018)</b>	

<b>Lead Member</b>	Councillor David Edgar, Cabinet Member for Resources
<b>Originating Officer(s)</b>	Zamil Ahmed – Head of Procurement
<b>Wards affected</b>	All wards
<b>Community Plan Theme</b>	One Tower Hamlets
<b>Key Decision</b>	Yes

## 1. EXECUTIVE SUMMARY

- 1.1. The Council's Procurement Procedures require a quarterly report to be submitted to Cabinet, setting out a forward plan of supply and service contracts over £250K in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides the information in quarter three of the current Financial Year.
- 1.2. Only contracts which have not previously been reported are included in this report.

## 2. DECISION REQUIRED:

The Mayor in Cabinet is recommended to:

- 2.1. Consider the contract summary at Appendix 1, and identify those contracts about which specific reports – relating to contract award – should be brought before Cabinet prior to contract award by the appropriate Corporate Director for the service area
- 2.2. Confirm which of the remaining contracts set out in Appendix 1 can proceed to contract award after tender
- 2.3. Authorise the Divisional Director - Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2.2 above
- 2.4. Review the procurement forward plan 2017-2022 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle

**3. REASONS FOR THE DECISIONS**

3.1. The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250k, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after quarter three of the current financial Year.

**4. ALTERNATIVE OPTIONS**

4.1. Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

**5. BACKGROUND**

5.1. Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documents and guidance to suppliers have been transformed to ensure they reflect best practice in Public Sector procurement. Our efforts in maintaining effective dialogue with our bidders during the procurement process has helped to minimise procurement challenges.

5.2. To ensure the Council continues to be recognised for its sound procurement practices and effective engagement with the supply community, it is imperative that delays in contract award are minimised and adherence to the timetable outlined within our Invitation to Tender documentations.

5.3. The importance of procurement as an essential tool to deliver Councils wider social, economic and environmental aims has resulted in the need to ensure effective elected Member engagement in the pre-procurement and decision making process as identified in the recent Best Value audit.

5.4. This report provides the forward plan for quarter two of the current financial Year in Appendix 1, and gives Cabinet Members the opportunity to select contracts about which they would wish to receive further information, through subsequent specific reports.

5.5. Additionally, the report also includes a Procurement Forward Plan 2017-2022 to provide Mayor and Cabinet members with high level visibility of our planned procurement activity and the opportunity to be engaged in advance of the procurement cycle. The structure and value of the contracts listed within may change as part of the re-commissioning strategy.

**6. FORWARD PLAN OF CONTRACTS**

6.1. Appendix 1 details the new contracts which are planned during the period Q3 of the Financial Year. This plan lists all of the new contracts which have been

registered with the Procurement Service, and which are scheduled for action during the reporting period.

- 6.2. Contracts which have previously been reported are not included in this report. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to Cabinet as individual contract reports.
- 6.3. Cabinet is asked to review the forward plan of contracts, confirm its agreement to the proposed programme and identify any individual contracts about which separate reports – relating either to contracting strategy or to contract award – will be required before proceeding.
- 6.4. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the Council's Tollgate process which provides an independent assessment of all high value contracts, and ensures that contracting proposals adequately and proportionately address both social considerations and financial ones (such as savings targets). The work of the Competition Board and Corporate Procurement Service ensures a joined-up approach to procurement.
- 6.5. The Tollgate process is a procurement project assurance methodology, which is designed to assist in achieving successful outcomes from the Council's high value contracting activities (over £250K, for revenue contracts, and £5m, for capital works contracts which have not gone through the Asset Management Board approval system). All Tollgate reviews are presented to Competition Board; contracts require approval of the Board before proceeding.

## **7. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 7.1. This report describes the quarterly procurement report of the forward plan for quarter two of the Financial Year and beyond, to be presented to Cabinet for revenue contracts over £250K, in value and capital contracts over £5m.
- 7.2. Approximately £578.89m of goods, services and works will be procured from external suppliers. Procured services comprise around 40% of the Council's annual expenditure and control of procurement processes is thus crucial to delivering value for money for tax payers as well as managing the risks that may arise if procurement procedures go wrong. Consideration of the plan by Cabinet operates as an internal control and also provides the opportunity for the Mayor to comment on specific procurements at an early stage.
- 7.3. Appendix 1 details three contracts that will be out to tender in quarter three of 2017/18. The annual value of these contracts is approximately £76.59m and the cost of these will be met from existing budgets.

## **8. LEGAL COMMENTS**

- 8.1. The Council has adopted financial procedures for the proper administration of its financial affairs pursuant to section 151 of the Local Government Act 1972. These generally require Cabinet approval for expenditure over £250,000 for revenue contracts and £5m for capital works contracts.

8.2. Cabinet has approved procurement procedures, which are designed to help the Council discharge its duty as a best value authority under the Local Government Act 1999 and comply with the requirements of the Public Contract Regulations 2015. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed specified thresholds. The arrangements are consistent with the proper administration of the Council's financial affairs.

8.3. Pursuant to the Council's duty under the Public Services (Social Values) Act 2012, as part of the tender process and where appropriate, bidders will be evaluated on the community benefits they offer to enhance the economic social or environmental well-being of the borough. This is in accordance with the Council's Procurement Policy Imperatives adopted at Cabinet on 9<sup>th</sup> January 2013. The exact nature of those benefits will vary with each contract and will be reported at the contract award stage. All contracts delivered in London and which use staff who are ordinarily resident in London will require contractors to pay those staff the London Living Wage. Where workers are based outside London an assessment will be carried out to determine if the same requirement is appropriate.

8.4. When considering its approach to contracting, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Officers are expected to continuously consider, at every stage, the way in which procurements conducted and contracts awarded satisfy the requirements of the public sector equality duty. This includes, where appropriate, completing an equality impact assessment as part of the procurement strategy, which is then considered as part of the tollgate process.

**BEST VALUE (BV) IMPLICATIONS**

9.1. The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The Council procures annually some £350m of supplies and services with a current supplier base of approximately 3,500 suppliers. The governance arrangements undertaken such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.

9.2. Contracts listed in Appendix One are all subject to the Council's Tollgate process which involves a detailed assessment by Competition Planning Forum and Competition Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice.

**ONE TOWER HAMLETS CONSIDERATIONS**

10. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the tollgate process, and all contracting proposals are required to demonstrate that both financial and social considerations are adequately and proportionately addressed. The work of the Competition Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

**11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 11.1. Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process, and supported through the Corporate Social Responsibility work stream.

**12. RISK MANAGEMENT IMPLICATIONS**

- 12.1. Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

**13. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 13.1. There are no specific crime and disorder reduction implications.

**14. EFFICIENCY STATEMENT**

- 14.1. Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

**15. APPENDICES**

Appendix 1 – new contracts planned: Q3 of the Financial Year and beyond.

Appendix 2 - Procurement Forward Plan 2017 -2022

HAC5252 - Teresa House and Hamlets Way high support mental health accommodation		Contract Ref & Title
Health and Social Care	Funding: Joint Commissioning	Procurement Category:
01/11/2017	Contract Duration: 36 months with 2 x 12 month options to extend	Invitation Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>
£572,985	Value Total: £1,719,900 (Excluding extensions)	Value P/A:
18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	Reviewed by Competition Board <input checked="" type="checkbox"/>

**Scope of Contract**

Teresa House / Hamlets Way services are high support mental health accommodations, contracted by the Commissioning and Health. This contract is commissioned to deliver the aims and targets of the Mental Health Accommodation Strategy, agreed by Cabinet in March 2011. Specifically the supported accommodation is of key strategic relevance and vital in securing the delivery of the Strategy in terms of:

- Reducing the use of out of Borough expensive residential units;
- Improving service user experience and outcomes by increasing in-borough supported tenancies as a stepping stone to independent living and broader recovery.

The service is for 32 service users, in two separate locations, all of whom are subject to enhanced CPA processes, care managed by community mental health teams in the borough. The service provides a stepping stone from residential care, from or to other supported accommodation, to enable discharge from hospital, or to prevent hospital admission - supporting the individual's recovery along the accommodation pathway. Therefore service users will typically reside at the scheme for between 2 and 4 years prior to moving to independent accommodation. The accommodation is owned by Genesis Housing Association, and managed by Look Ahead Housing Care and Support. The current contract expires on 31<sup>st</sup> March 2018.

**Contracting Approach**

The preferred procurement approach is to undertake a light touch OJEU tender. Representatives from Adult Services, the CMHT and CCG will be invited to be members of the tender panel, reviewing the specification and evaluating submissions to ensure that the most economically advantageous tender is selected for future delivery of the service. The tender will offer a 36 month contract with two 12 month options to extend in order to give both stability to service and facilitate changes and focusing to meet future as well as current need. The tender will be aligned to all the mental health accommodation pathway service that are required to be contracted within the financial year 2016 – 2017.

**Community Benefits**

Along with all existing Supporting People tenders, community benefits commensurate with the contract size will be sought from providers through the tender process. Benefits would be expected to include local employment opportunities, work placements, volunteer opportunities. For Supporting People Contracts, suppliers are asked to meet targets such as:

- Funding, contribution and attendance at a minimum of 1 local job fair per annum.
- Commitment to local apprenticeships, trainees, volunteers and graduates that will be employed annually throughout the lifetime of the contract. This should include opportunities for career progression for local people employed within the contract.
- Percentage of agency staff that will be recruited via local recruitment agencies in Tower Hamlets
- Percentage of vacancies within the service that will be recruited from the local community.
- Number of support programme placements or Mental Health problems get into paid employment.
- Learning Disabilities; Physical Disabilities or Mental Health problems get into paid employment.
- Details of any programmes, placements or opportunities organisations will be able to offer to assist unemployed people back into work

<b>Contract Ref &amp; Title</b>	<b>P5246 LFWE Training provider</b>		
<b>Procurement Category:</b>	Corporate	<b>Funding:</b>	No Funding
<b>Invitation to Tender</b> <input type="checkbox"/> <b>Contract Signature</b> <input type="checkbox"/>	09/10/2017	<b>Contract Duration and Extensions:</b>	10 years
<b>Value P/A:</b>	In kind benefit of £150,000	<b>Value Total:</b>	In kind benefit of £1.5m
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	28/09/2017	<input type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

#### **Scope of Contract**

The council requested and secured a 500sqm commercial space as part of the development of the former London Fruit and Wool Exchange through S106 agreement. This was identified by the Growth and Economic Development Service as an opportunity to develop and expand training and employment provision in central key areas of Tower Hamlets.

The proposed use for the premises is for a training centre (office) under class B1 use. The duration of the lease is 10 years and will be rent and service charge free; with business rates, insurance of the premises and all associated costs for the space being the responsibility of the sub-tenant. The total rent costing for the location of the premises is of an estimated value of £1,000,000 for the 10 years. The site will be available for the chosen provider to move in from July 2018. The space will provide an opportunity to establish a local skills and jobs service that will enhance local engagement of workless residents, and assist them on their journey towards economic activity and employment. It is anticipated the new training and employment facility will lead to an increased volume of local residents taking up job vacancies.

The council will procure a provider to lease the facility for the 10 year period, as agreed within the planning heads of terms. The provider will be selected through the council's procurement process. The provider will be expected to access funding for training from external funding sources such as SFA or ESF as appropriate. The council will not provide delivery funding to the chosen provider and all bidding organisations will be expected to outline and discuss their business model and sustainability within their tender.

For this reason, the tender submissions will be evaluated on a quality-only basis as there is no charge to the Council. The facility will tap into the local employment market which includes the retail, hospitality and hotels sectors. The facility and its advisers would work alongside other services including WorkPath and local partners to co-ordinate the service offer and form part of the Council's overall response to low employment rates and high unemployment rates.

The project is intended to help the council and partners respond to the changes in the economy and labour market, by providing a strategic and coordinated local resource-offer for a wide range of workless residents. The chosen provider will work in partnership with WorkPath and other relevant partners to ensure the necessary outputs are delivered. The training to be delivered from this new service will be classroom based but the service to be provided will not be known until the training provider has been selected.

The successful delivery of this project contributes towards the Borough's Community Plan corporate themes. They are also in line with national priorities with respect to educational attainment and to tackling worklessness, with a particular focus on vulnerable and excluded communities:

Creating and sharing prosperity – by increased educational and vocational training routes into employment.  
 Excellent public services – by a greater targeting of services to the most vulnerable and excluded communities as well as greater engagement opportunities.

The two themes are considered as key drivers for 'One Tower Hamlets' agenda and are translated into the Employment Strategy via the following five strategic objectives:

Contract Ref & Title		P5258 Apprentice Training and Education (Dynamic Purchasing System)	
Procurement Category:	Corporate	Funding:	Apprenticeship Levy Account
Invitation to Tender <input type="checkbox"/>	16/10/2017	Contract Duration and Extensions:	10 Years (5 years + 5 years)
Contract Signature <input type="checkbox"/>		Value Total:	£400m (£13m for LBTH)
Value P/A:	£40m (£1.3m for LBTH)	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	
Reviewed by	29/08/2017	Competition Board <input checked="" type="checkbox"/>	

**Community Benefits**

This project is specifically designed to create and enhance training and employment services and opportunities for local residents looking for work, and as such meets the council's criteria in relation to the securing of economic benefits within its project delivery. The training facility will be designed in partnership with the appointed training provider to ensure that services are delivered in a flexible way, via premises that are accessible and fit for purpose.

The facility will enable the Council to extend its reach into an area of the borough where it does not have a dedicated facility. By working closely with the training provider we are able to generate more work experience placements, apprenticeships, and employment opportunities for local residents with which they may not have originally been able to access. The training assists in bridging the gap between local employers and the community by developing working partnerships that meet the requirements of businesses and the unemployed residents.

**Contracting Approach**

The procurement of the training provider will be subject to OJEU procurement rules, and we will ensure the Council's procurement policies and guidelines are followed, including ensuring a transparent process and equal opportunities are provided. In order to allow a fair procurement process, it will be open to all providers, not just locally registered organisations.

- Making mainstream services work better for residents
- Engaging workless residents detached from the labour market and complement the work of the mainstream.
- Encouraging increased aspiration towards engaging with the labour market, particularly for economically inactive groups.
- Ensure economic investment is co-ordinated and focused.
- Capture employment opportunities for Tower Hamlets residents within the borough and wider London labour market.



### **Scope of Contract**

From spring 2017 large employers with a pay bill of over £3 million will be mandated to pay into a Levy at a rate of 0.5% of their pay bill. The Apprenticeship Levy is to fund training and assessment costs, not salaries. The levy for LBTH, including schools and Tower Hamlets Homes will be in the region of £1.3m annually. The government will be accrediting trainers for the delivery of the training programmes under the Apprenticeship Levy; however, on procuring specific training programmes, the Council will still need to be compliance with the Public Contract Regulations 2015.

The levy is intended to last an initial 3 years; however, the programmes procured under this scheme may go over that duration. In addition, the evolution of the schemes introduced by the government have evidenced that apprenticeships training obligations on local authorities is likely to remain in place for longer than 3 years. It is for this reason that the duration of the contract is proposed to be for an initial term time of 5 years with the possibility to extend of another 5 years. Under the DPS the Council does not have an obligation to place any specific contracts and reserves the right to terminate it at any time, should the services not be needed any longer. Additionally, the Council may utilise this agreement to access training providers for other ad-hoc requirements which may arise from time to time.

### **Contracting Approach**

It is the intention of the Council to procure the services through a Dynamic Purchasing System (DPS) that will allow the Council to access Skills Funding Agency approved providers in a manner compliant with the requirements of the Public Contract Regulations, Schedule 3 (Light Touch Regime). The procurement will be a collaborative exercise open to the London councils. The DPS will result in the creation of a list of approved providers. Specific requirements will be procured within the appropriate level as and when required.

The DPS is intended to be used to address some of the short term training needs. A broader training needs analysis is to be completed as part of the workforce planning activities and will be subject to CLT approval prior to commissioning through the DPS.

### **Community Benefits**

The standard 'community benefit' schedule will not be appropriate for this contract. However, the delivery of this contract is directly linked to the production of employment and upskills of the local community.

<b>Contract Ref &amp; Title</b>	<b>CS5276 Child and Adolescent Mental Health Service (CAMHS)</b>		
<b>Procurement Category:</b>	<b>Health and Social Care</b>	<b>Funding:</b>	<b>Children Social Care</b>
<b>Invitation to Tender</b> <input checked="" type="checkbox"/> <b>Contract Signature</b> <input type="checkbox"/>	19/09/2017	<b>Contract Duration and Extensions:</b>	36 months
<b>Value P/A:</b>	Up to £425,000	<b>Value Total:</b>	Up to £1,275m
<b>Reviewed by Competition Board</b> <input type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**  
 This contract is to enhance the borough's Child and Adolescent Mental Health Services (CAMHS) for children and young people. The core service is commissioned by Tower Hamlets CCG from whom the provision of CAMHS is a statutory responsibility. However, the local authority also has a role in improving health outcomes for children and young people and we have historically contributed towards an integrated offer to ensure provision is available across the continuum of need, in particular to ensure provision is available for those who do not meet the thresholds for specialist services. The Council also funds a CAMHS social work team who are integrated with the ELFT CAMHS team and across Children's Social Care.

**Contracting Approach**  
 We are seeking approval to enter into a S75 Agreement with Tower Hamlets CCG who hold the contract for CAMHS with the East London Foundation Trust (ELFT). This is an arrangement we have had historically with health partners and in order to ensure we continue to have a co-ordinated offer for children and young people we aim to adopt the same approach for the next 3 years. The current S75 agreement with Tower Hamlets CCG will come to an end on 31<sup>st</sup> March 2018 and we are seeking to enter into a new agreement from 1<sup>st</sup> April 2018. Whilst the CCG holds the contract the Council is responsible for drafting the specification for this element of the service which will be incorporated into the overall contract.

**Community Benefits**  
 Whilst the contract will be held by Tower Hamlets CCG through the S75 agreement we will ensure that community benefits are included as a requirement.

Contract Ref & Title		CS5268: Overnight Short Breaks for Young People with Complex needs	
Procurement Category:	Health and Social Care	Funding:	Children's Social Care; Short Breaks and Family Support
Invitation to Tender <input checked="" type="checkbox"/>	Contract Signature <input type="checkbox"/>	Contract Duration and Extensions:	36 Months plus 24 Months
Value P/A:	Up to £550,000	Value Total:	£2,750,000.00
Reviewed by	11/12/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement	<input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract
<b>Scope of Contract</b>			
Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.			
The procurement of provision of overnight and related short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.			
Approximately 800+ children and young people receive a specialist short break per annum. Overnight respite short breaks are part of the wider short breaks offer. Not all children and young people eligible currently benefit from a break and we aim to increase numbers within available budgets in this commissioning exercise. The breaks will form part of the Council's Local Offer in line with the Children and Families Act (2014) – SEND Reforms.			
We are seeking approval to tender the service and increase the contract period to 36 months plus a 24 months optional extension, in order to secure continuity of care for children and families and consistency for providers to encourage greater investment in services. Current overnight respite provision includes:			

**Overnight Short Breaks for Young People with Complex needs children.**

Residential holiday provision, after school clubs and Saturday clubs are also provided within this block contract. Spot purchase provisions are included within both overnight contracts allowing Adults Services (Community Learning Disabilities Service) to spot purchase overnight respite for 18-21 year olds who accessed the provision as children. The contracts also include provision to spot purchase emergency beds for Looked After Children with Disabilities.

The current contract comes to an end on 31<sup>st</sup> May 2018. We are aiming to go out to tender in mid- December 2017, with the new contract being mobilised in March 2018, for a 1<sup>st</sup> June 2018 new contract start date.

**Contracting Approach**

This contract will be advertised via an open tender process. Children's commissioning is in the process of undertaking consultation with service users, families and carers to inform the ITT of the new contracts. We intend to involve parents and young people in the evaluation panels and processes for this tender.

**Community Benefits**

Community benefits will be inherent in the service specification and method statement for this contract, which requires parent forums as part of this service. Other non-cashable benefits to be delivered from the successful supplier include recruiting locally; offering training opportunities to parents; where possible offering training and employment opportunities to previous service users as well as to parents; and 3 work experience placements for young people aged 16 plus per year.

<b>Contract Ref &amp; Title</b>	<b>CS5269: Overnight Short Breaks for Young People with Autism &amp; challenging behaviour</b>		
<b>Procurement Category:</b>	Health and Social Care	<b>Funding:</b>	Children's Social Care; Short Breaks and Family Support
<b>Invitation to Tender <input checked="" type="checkbox"/></b> <b>Contract Signature <input type="checkbox"/></b>	18/12/2017	<b>Contract Duration and Extensions:</b>	36 Months plus 24 Months optional extension
<b>Value P/A:</b>	Up to £550,000	<b>Value Total:</b>	36 months plus 24 months optionally extension: £2,750,000.00
<b>Reviewed by Competition Board <input type="checkbox"/></b>	11/12/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014. The procurement of provision of overnight and related short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.

Approximately 800+ children and young people receive a specialist short break per annum. Overnight respite short breaks are part of the wider short breaks offer. Not all children and young people eligible currently benefit from a break and we aim to increase numbers within available budgets in this commissioning exercise. The breaks will form part of the Council's Local Offer in line with the Children and Families Act (2014) – SEND Reforms.

We are seeking approval to award the contract for 36 months plus a 24 month optional extension in order to secure continuity of care for children and families and consistency for providers to encourage greater investment in services. Current overnight respite provision includes:

**Overnight Short Breaks for Young People with Autism & challenging behaviour**  
 Residential holiday provision, after school clubs and Saturday clubs are also provided within this block contract. Spot purchase provisions are included within both overnight contracts allowing Adults Services (Community Learning Disabilities Service) to spot purchase overnight respite for 18-21 year olds who accessed the provision as children. The contracts also include provision to spot purchase emergency beds for Looked After Children with Disabilities.

The current contract for comes to an end on 31<sup>st</sup> May 2018. We are aiming to go out to tender in mid-December 2017, with the new contract being mobilised in March 2018, for a 1<sup>st</sup> June 2018 new contract start date.

**Contracting Approach**  
 This contract will be advertised via an open tender process. Children's commissioning is in the process of undertaking consultation with service users, families and carers to inform the IT of the new contracts. We intend to involve parents and young people in the evaluation panels and processes for this tender.

**Community Benefits**  
 Community benefits will be inherent in the service specification and method statement for this contract, which requires parent forums as part of this service. Other non-cashable benefits to be delivered from the successful supplier include recruiting locally; offering training opportunities to parents; where possible offering training and employment opportunities to previous service users as well as to parents; and 3 work experience placements for young people aged 16 plus per year.

<b>Contract Ref &amp; Title</b>		CS5274 - Supervised Birth Family Contact	
<b>Procurement Category:</b>	Health and Social Care	<b>Funding:</b>	Children's social care
<b>Invitation to Tender</b> <input checked="" type="checkbox"/>	09/11/2017	<b>Contract Duration and Extensions:</b>	5 years
<b>Contract Signature</b> <input type="checkbox"/>		<b>Value P/A:</b>	Up to £150,000
<b>Reviewed by</b>	08/11/2017	<b>Value Total:</b>	Up to £750,000
<b>Competition Board</b> <input type="checkbox"/>		<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement	
		<input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**  
 The Council has a statutory duty to provide supervised contact for children and young people known to Children's Social Care.

We aim for the majority of our supervised birth family contact for children in need, children in need of protection and children looked after to be undertaken through our in house service at Eva Armsby Family Centre. There are times when this cannot be done at Eva Armsby Family Centre for example at weekends (when the centre is not open), in the evening and on occasions when the family court stipulates that Eva Armsby Family Centre should not provide contact for a particular case. Eva Armsby Family Centre also does not normally undertake contact in the community or in the family home. There are also times when the family court orders birth family contact and there is no immediate contact availability at the Eva Armsby Family Centre. In all these cases we need to have an alternative provider in the borough or near to the borough that is able to provide contact in the short and sometimes medium term.

**Contracting Approach**  
 Historically we have partnered with other Local Authorities (through the East London Solutions Group) to tender for external organisations to provide this service. The aim was to secure the services of a number of providers who were able to match the demand that we could not meet. We also aimed to raise quality and establish a best value price for the service. The last initiative came to end in 2016. There is currently only one

external provider in the borough which provides this service. We currently spot purchase from this provider.

We are now seeking approval to tender for this service in this financial year through an open tender process to ensure we have sufficient supplementary provision to complement our in house offer.

**Community Benefits**

Having an in house and partner external providers in the borough for supervised birth family contact will benefit the local community as this will enable the majority (if not all) contact to be provided both in the borough and, where appropriate, local to where children and their families live.

<b>Contract Ref &amp; Title</b>	<b>CS5275 - Speech and Language Therapy (SLT) Service</b>		
<b>Procurement Category:</b>	Care & Commissioning	<b>Funding:</b>	Children's Social Care; Short Breaks and Family Support
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	01/11/2017	<b>Contract Duration and Extensions:</b>	36 months
<b>Value P/A:</b>	Up to £250k	<b>Value Total:</b>	Up to £750k
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**

The Council has a statutory duty to provide support for children and young people with special educational needs. One such service is speech and language therapy support which is delivered in the borough's schools. This service has historically been commissioned by the local authority with additional speech and language therapy commissioned by Tower Hamlets Clinical Commissioning Group.

This contract is to develop an integrated Speech and Language Service with Tower Hamlets CCG as services are currently delivered by the same provider.

**Contracting Approach**

We are seeking approval to enter into a Section 75 Agreement with Tower Hamlets CCG who will be the lead commissioner and hold the contract for services on behalf of the Local Authority and the CCG.

**Community Benefits**

Whilst the contract will be held by Tower Hamlets CCG through the Section 75 agreement we will ensure that community benefits are included as a requirement.

<b>Contract Ref &amp; Title</b>	<b>CS5277 Externally commissioned placements for children looked after</b>		
<b>Procurement Category:</b>	Health and Social Care	<b>Funding:</b>	Children's Social Care
Invitation to Tender <input type="checkbox"/> Contract Signature <input checked="" type="checkbox"/>	01/11/2017	<b>Contract Duration and Extensions:</b>	60 Months
<b>Value P/A:</b>	Up to £5 million	<b>Value Total:</b>	Up to £25 million
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title		THH5073 – Consultancy Support for Capital Works	
Procurement Category:	Construction & FM	Funding:	Delegated Revenue
Invitation to Tender <input type="checkbox"/>	Request for Additional Framework Value	Contract Duration and Extensions:	60 Months
Contract Signature <input type="checkbox"/>		Value Total:	£7m
Value P/A:	£1.4M		
Reviewed by	Competition Board <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract

**Scope of Contract**

We currently have around 330 children looked after by the council. This figure changes, sometimes on a daily basis, due to children coming into and leaving the care of the council. The majority of children are placed in foster care and the majority of these are placed within our in house foster care service. We also have up to 6 children placed within our in house residential home. As we are not able to place all children within our in house provision we commission external placements with Independent Fostering Agencies, Residential children home providers and Residential schools (for those children with complex needs). We are currently undertaking a review of our Sufficiency Duty in order to best determine the provision for providing externally commissioned placement when required. The contract will set on a firm basis the process for externally commissioning placements with quality assured and best value providers.

**Contracting Approach**

We currently commission externally provided placements by approaching providers who have registered with the Pan London Contract through London Councils, London Councils, as well as registering a provider, undertake the annual fee review and issues the Pan London Contract (the current version of which is now in place). We have also operated a 'preferred list' through the East London Solution and the North East London Children Efficiency Board group of authorities. This has not been entirely successful.

For children who need placements but who cannot be placed in house, via the Pan London Contract or the 'preferred list' we spot purchase. The contracting approach will continue this mixed provision of Pan London Contract providers, a 'preferred list' and spot purchase as a final option when all other options have been considered. We are therefore seeking approval to continue to spot purchase from the Pan London Contract and to spot purchase with other providers when needs cannot be met through this route.

**Community Benefits**

The overall aim will be for children looked after to be placed, as long as this is safe to do so, as near as possible to where they live. A mixed contracting approach underpinned by our reviewed Sufficiency strategy will allow the community to be assured that children who have to be placed in our care are placed at first within our in house provision, and where this is not possible they are placed in quality assured and best value placements.

**Scope of Contract**

Cabinet agreed an initial approval the sum of £3.2M for this procurement at the Cabinet meeting of 26 July 2016 – Quarter 2 (2016 / 2017).

Following recent high profile fires the investment need in relation to fire safety and related works has significantly increased. In addition recent events have highlighted the need to ensure that new contracts have sufficient capacity to effectively deal with significant changes that may occur in investment need as a result of market and other factors. It is proposed that financial capacity for this framework is increased to £7M over its full term. This report is in relation to the framework financial capacity only. The actual expenditure via the framework will be approved via the budget setting process.

**Contracting Approach**

The procurement of Multi-Disciplinary Consultancy support for the 5 Year Capital works programme. To include surveying and definition of the scope of works, cost management, quality management and health and safety services. The market for delivering this service is well developed and competitive. There are suitable firms operating at local, regional and national level that are likely to bid for the contract.

The procurement will be carried out in accordance with the EU Restricted Procedure. The advert will be published in OJEU, Council website and Contract Finder via the Council's tendering portal. In response to the notices suppliers interested in tendering will be required to formally express an interest in order to gain access to the Standard Questionnaire (SQ).

The scale of the programme should achieve pricing efficiencies. Year on year savings are expected to be achieved through management efficiencies. Performance Indicators will be included and will inform a performance framework. Allocation of annual works orders (Call offs) will be dependent on achieving the required performance targets (lead in period to be allowed for) within the preceding year.

Regular client/contractor progress meetings to take place and standard reporting formats for cost, programme progress and asset management reporting will be defined at tender stage.

**Community Benefits**

Community benefits and apprenticeships will be included as per the standard LBTH requirement (value driven). Consultants' achievement of the requirements will be monitored by the THH management resource allocated to the contract.

<b>Contract Ref &amp; Title</b>	<b>THH5071 - Major Internal &amp; Externals Works</b>		
<b>Procurement Category:</b>	Construction & FM	<b>Funding:</b>	Delegated Capital
Invitation to Tender <input type="checkbox"/> Contract Signature <input type="checkbox"/>	Request for Additional Framework Value	<b>Contract Duration and Extensions:</b>	60 Months
<b>Value P/A:</b>	£27m	<b>Value Total:</b>	£135m
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title		CS5273 Tower Hamlets Young People's Assessment and Support Service	
Procurement Category:	Health and Social Care	Funding:	Children's Social Care
Invitation to Tender <input checked="" type="checkbox"/>	19/09/2017	Contract Duration and Extensions:	36 months
Contract Signature <input type="checkbox"/>		Value P/A:	£245,000
Reviewed by	18/09/2017	Value Total:	£735,000
Competition Board <input type="checkbox"/>		<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement	
		<input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**

Cabinet agreed an initial approval sum of £92m for this procurement at the Cabinet meeting of 26 July 2016 – Quarter 2 (2016 / 2017).

Following recent high profile fires the investment need in relation to fire safety and related works has significantly increased. In addition recent events have highlighted the need to ensure that new contracts have sufficient capacity to effectively deal with significant changes that may occur in investment need as a result of market and other factors.

It is proposed that financial capacity for this framework is increased to £135M over its full term.

This report is in relation to the framework financial capacity only. The actual expenditure via the framework will be approved via the budget setting process.

**Contracting Approach**

The market for delivering this service is well developed and competitive. There are suitable firms operating at local, regional and national level that are likely to bid for the contract.

The procurement is being carried out in accordance with the EU Restricted Procedure. The advert will be published in OJEU, Council website and Contract Finder via the Council's tendering portal. In response to the notices suppliers interested in tendering will be required to formally express an interest in order to gain access to the Standard Questionnaire (SQ).

The scale of the programme should achieve pricing efficiencies. Year on year savings are expected to be achieved through management efficiencies.

Performance indicators will be included and will inform a performance framework. Allocation of annual works orders (Call offs) will be dependent on achieving the required performance targets (lead in period to be allowed for) within the preceding year.

Regular client/contractor progress meetings to take place and standard reporting formats for cost, programme progress and asset management reporting will be defined at tender stage.

**Community Benefits**

Community benefits and apprenticeships will be included as per the standard LBTH requirement (value driven). Contractor achievement of the requirements will be monitored by the THH management resource allocated to the contract.



### Scope of Contract

The Young People's Assessment and Support Service will provide a 'direct access' responsive service working with young people with a range of complex needs. The Primary focus of the service is to assess young people not in care while working in close partnership with the London Borough of Tower Hamlets (LBTH) to alleviate the need to place vulnerable homeless young people in to bed and breakfast accommodation and to promote their safe return home or developing a clear pathway into independent permanent accommodation through the mediation and reconnection process delivered by the authority.

The Young People's Assessment and Support Service will support a minimum of 12 young people living in furnished shared accommodation at any one time. Two of the bed spaces will provide emergency bed/ crash pad facility. All referrals to the service will be through established referral route managed by and including the Housing Options and Support Team (HOST).

Physical requirements for the service include the provision of a building within LBTH that is appropriate to the nature of the client group. It will not be sited in the vicinity of any community facility which might present risk or perceived risk to the service users living in the scheme.

The service will provide a minimum of 12 shared units with all facilities and communal areas. There will be controlled access through a single entrance and exit point which is monitored via CCTV and sufficient office facilities that allow for private interview space, communal activities and staff sleep in space.

### Contracting Approach

The preferred procurement approach is to undertake an open tender. The tender will offer a 3 year contract to give both stability to the service and facilitate changes and focusing to meet future as well as current need.

### Community Benefits

Community benefit is integral to the procurement process for the Young People's Assessment and Support Service. All bidders will be required to submit a response outlining how they will demonstrate their ability to deliver;

- Funding, contribution and attendance at a minimum of 1 local job fair per annum.
- Local apprenticeships, trainees, volunteers and graduates that will be employed annually throughout the lifetime of the contract. This will include opportunities for career progression for local people employed within the contract.
- An agreed percentage of agency staff recruited via local recruitment agencies in LBTH.
- An agreed number of vacancies recruited from the local community, making use of employment agencies that operate in LBTH.
- An agreed number of the support programme placements will offer to assist people with Learning Disabilities, Physical Disabilities or Mental Health problems to get into paid employment.
- Details of any programmes, placements or opportunities the organisation will be able to offer to assist unemployed people back into work and the target numbers you intend to offer.

<b>Contract Ref &amp; Title</b>	<b>R5120 Library Services Platform</b>		
<b>Procurement Category:</b>	Corporate Services	<b>Funding:</b>	Budget novated to and managed by Agilisys
<b>Invitation to Tender</b> <input checked="" type="checkbox"/> <b>Contract Signature</b> <input type="checkbox"/>	18/09/2017	<b>Contract Duration and Extensions:</b>	48 months + 24 months extension
<b>Value P/A:</b>	£140,000	<b>Value Total:</b>	£840,000
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title	CLG5255 Parking Income Collection Services
Procurement Category:	Corporate Services
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	11/09/2017
Value P/A:	£150,000
Contract Duration and Extensions:	5 years plus 2
Funding:	Parking Revenue Account
Value Total:	£1,050,000

Changes in technology mean that an increasingly large proportion of services are delivered electronically: eBooks, audiobooks, magazines, music downloads are just a selection of the services that are no longer restricted to hard copy; further services (e.g. some business information services) are only available in e format. It is the expectation now that a library services platform facilitates access to all these services. There is also an expectation from customers that they can access library services and manage their library accounts in a variety of ways that were not available 10 years ago via, tablets and smartphones. An effective Library Services Platform will result in: improved digital skills; reduced digital exclusion; increased usage of public services online; and access to the internet.

Residents have access to over 6 million books across approximately 70 libraries in (currently) 18 different local authorities, through one library membership card; significant investment in information and communications technology (ICT) and achieving economies of scale, which has delivered efficiency savings in all LLC member authorities will serve to continue with improvements to this service for residents.

#### Community Benefits

The LLC is one of the largest consortia of its kind, with significant opportunities to grow whilst delivering further efficiency savings.

To exercise the procurement, LLC have appointed consultants, "PM Sport, Libraries and Leisure Ltd", to manage the procurement process, with their costs being funded by a shared development pot that the LLC has set up with Axzell to develop new products and functionality through the existing LMS. The LLCs consultants will undertake all arrangements for supplier briefings and market engagement. The LLC have decided that it is more important to procure a new LSP than invest in the existing LMS, for the reasons set out above. There will be no additional revenue costs to the London Borough of Tower Hamlets of as a result of this approach.

#### Contracting Approach

The London Borough of Tower Hamlets has been a member of the London Library Consortium (LLC) since it joined in 2007. Membership of the LLC has brought significant benefits to the authority. The aim of the procurement exercise is to implement a new LMS that is affordable, does not increase consortium member costs and delivers savings on current spend if possible.

The LMS is the primary system that records, controls and enables customer access to Tower Hamlets library resources. It manages around 350,000 items of physical stock and over 70,000 users within Tower Hamlets and a further 6 million items of stock across London libraries. Because of Tower Hamlets' membership of the London Libraries Consortium residents have free access to these items and the LMS manages all inter-authority activity. It also supports access to a growing number of e-resources such as music, eBooks, audiobooks, magazines and reference materials. In addition to managing customer access the LMS streamlines back office functions such as the acquisition of stock and processing of payments and also provides performance information.

The London Borough of Tower Hamlets is seeking to procure a new Library Management System (LMS). The current annual cost of our LMS contract is £80,000 and includes funding for a managed service.

Reviewed by Competition Board <input type="checkbox"/>	18/09/2017	<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract
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### **Scope of Contract**

The project is to tender two contracts for Parking & Mobility Services; Lot1 Cash Collection & Lot2 Cashless Parking. Both contracts expire on 31/11/2017. Both contracts are in their final year and allows 'cashless' payments and the collection of cash from Pay & Display machines both for short stay parking.

The cash collection contract estimated value is £30k pa (£150k over 5 years) and the current provider is Jade Security. The cashless parking contract estimated value is £120k pa (£600k over 5 years) and the current Provider is Pay By Phone.

The cash collection contract allows the collection of cash deposited in the Council's 150 cash pay and display machines. The cashless parking contract provides the means by which residents and drivers can pay for the borough-wide short-stay parking in designated bays over their mobile phone.

Borough wide short stay parking within designated parking bays and Controlled Parking Zones which ensure there is a turnover of on-street parking spaces, serving residents and businesses. Short stay parking also allows Blue Badge holders to park close to their destinations and reduces long stay parking by commuters e.g. max stay of 4 hours. Short stay parking allows the council to fulfil its obligations of allowing vehicles to park without being in contravention of parking regulations.

11.5% of parking transactions in May 2017 were made via the cash pay and display machines. The remaining 88.5% of transactions were made by the cashless method.

This new contract will be limited to cash collection and cashless parking and will not impact on other types of enforcement including the issuing of PCNs. This project if successfully implemented and awarded will continue business as usual. The tendering of this contract is contained within the Parking Service Plan and the process forms part of the process of Parking & Mobility achieving the Council's Transport Strategic Environmental Policy.

### **Contracting Approach**

It is proposed to seek contracts of 5 years with the option to extend for 2 further years. It is understood that the expectation of the market is that contracts of this length will be offered by local government as this term allows sufficient time for companies to recoup their investment in new technology.

The contracts will be let to the most economically advantageous tender based upon a balance of price (40%) and Quality (60%). The tender strategy would entail use of the Restricted Procedure and would be advertised in the Official Journal of the European Union (OJEU). Bidders will have to first complete a pre-qualification stage (to establish financial viability and technical capacity) prior to being shortlisted for an invitation to tender. The potential value of this procurement means that the Council is obliged to advertise this contract in OJEU and the time limits for each stage of the tender process are stipulated by the Public Procurement Regulation 2015.

Although these contracts are for dissimilar services which appeal to different markets, it is proposed to undertake a single tender with the contracts offered under two separate lots. The new contracts will be required to commence at the same time and the procurement processes will need to be run at the same time. Running a single procurement rather than two separate, parallel tenders will enable the project to be run more efficiently.

For Cashless parking there are a number of specialist providers offering these services companies such as Pay by Phone, Parkmobile, Ringo, ParkRight.

Cash collection operates in a different market - namely security services. The market for these services is very large. There are around 800 companies listed as approved in the Security Industry Authority Approved contractor scheme.

As set out above in the summary, it is proposed to use the Restricted Tender Process for this procurement as this will allow, particularly in the case of cash collection, for the field to be narrowed (to a minimum of 5 bidders on each lot) prior to the invitation to tender.

Both of these services have been provided under contract for 5 years. For the cashless parking the skills and infrastructure do not exist within the Council to provide this highly specialised service. Cash collection and general security services is a highly competitive market, it's unlikely that the Council could provide an in-house service for the same or lower cost as the contracted supplier.

There are no conflicts with current or planned projects across the council and no other departments in the council, and no other department has the legal obligation to perform this or similar service.

#### Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, work placements, volunteer opportunities etc.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON TUESDAY, 31 OCTOBER 2017

C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG

**Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Amina Ali	(Cabinet Member for Environment)
Councillor Rachel Blake	(Cabinet Member for Strategic Development & Waste)
Councillor Asma Begum	(Cabinet Member for Community Safety)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Denise Jones	(Cabinet Member for Health & Adult Services)
Councillor Abdul Mukit MBE	(Cabinet Member for Culture and Youth)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)

**Other Councillors Present:**

Councillor Dave Chesterton	(Chair of the Overview and Scrutiny Committee)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Andrew Wood	

**Apologies:**

Councillor Amy Whitelock	(Cabinet Member for Education and Children's Services)
Gibbs	

**Officers Present:**

Stephen Bramah	(Deputy Head of the Mayor's office)
Zena Cooke	(Corporate Director, Resources)
David Courcoux	(Head of the Mayor's Office)
Sharon Godman	(Divisional Director, Strategy, Policy and Partnerships)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Debbie Jones	(Corporate Director, Children's)
Tom McCourt	(Strategic Director)
Christine McInnes	(Divisional Director, Education and Partnership, Children's)
Matthew Pullen	(Infrastructure Planning Manager)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Acting Corporate Director, Place)
Will Tuckley	(Chief Executive)
Elizabeth Bailey	Senior Strategy, Policy and Performance Officer

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 19 September be approved and signed by the Chair as a correct record of proceedings.

**RESOLVED**

**3. UNRESTRICTED MINUTES**

There were no Declarations of Disclosable Pecuniary Interests.

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

Apologies for absence were received on behalf of Councillor Amy Whitelock Gibbs, Cabinet Member for Education and Children's Services.

**1. APOLOGIES FOR ABSENCE**

During the meeting the Mayor agreed to change the order of business to take Agenda Item 5.1 at the top of the meeting. All other agenda items were taken in order. For clarity, the minutes are presented in the order the items were set out on the agenda.

**AGENDA ORDER**

Janice Beck	(Head of Building Development, Children & Adults Resources)
Bola Akinfolarin	(Interim Head of Development Compliance and Commissioning)
Richard Chilcott	(Acting Divisional Director, Property and Major Programmes)
Ann Corbett	(Divisional Director, Community Safety)
Abdul J. Khan	(Sustainable Development Manager, Strategy Innovation & Sustainability, Development and Renewal)
Veronica Parker	(Communications Adviser Communications)
David Tolley	(Head of Environmental Health and Trading Standards)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
David Knight	(Senior Democratic Services Officer)
Rushena Miah	(Committee Services Officer)

CABINET, 31/10/2017

SECTION ONE (UNRESTRICTED)

#### **4. OVERVIEW & SCRUTINY COMMITTEE**

##### **4.1 Chair's Advice of Key Issues or Questions**

Pre-Decision Scrutiny Questions were received on the following agenda items:

- Item 5.5 (Approval and allocation of S106 and CIL funding)
- Item 5.7 (Statement of Licensing Policy Review)
- Item 5.9 (Contract Forward Plan)
- Item 5.12 (School Place Investment Planning)

The questions and responses were considered during discussion of each relevant agenda item.

In addition, Councillor Dave Chesterton, Chair of the Overview and Scrutiny Committee, provided Cabinet with an update on their meeting the previous week. He highlighted a number of issues that had been examined, including:

- A Spotlight session on the Medium Term Financial Strategy, with the Committee particularly examining the Strategic Investment plans, Children's and Adult Care spending, the Better Care Fund and the Council Tax reduction scheme.
- There was an update on the Scrutiny review of disabled and ethnic minority staff representation at senior management levels of the Council.
- Christabel Shawcross the Independent Chair of the Safeguarding Adults Board had presented their annual report which highlighted the focus on personalising safeguarding and empowering the vulnerable.
- The Community Safety Partnership Plan had been considered and endorsed by the Committee, although a number of suggested improvements were raised.

Councillor Dave Chesterton also thanked all those, including Cabinet Members who had presented at the meeting.

The Mayor thanked Councillor Chesterton for his update and welcomed the engagement of Cabinet Members in the work of Scrutiny.

##### **4.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.

**5. UNRESTRICTED REPORTS FOR CONSIDERATION****5.1 Climate Change Mitigation & Adoption Strategy**

Councillor Rachel Blake, Cabinet Member for Strategic Development introduced the report. She welcomed the report as a vital step in tackling the poor air quality suffered across the Borough. She explained that the Council had consulted widely on the planned Strategy which had been particularly beneficial in highlighting areas where awareness raising would be effective. She highlighted that a number of the specific actions set out, such as developing charging points for electric vehicles, were already being progressed.

Kate Hand, Hackney and Tower Hamlets Friends of the Earth, addressed the Cabinet meeting. She welcomed the report as a big step forward for the Borough. She urged the Council to pursue the most ambitious targets possible and, in particular, requested the Council review some of the existing targets to make sure they were specifically measurable.

Following discussion of the report, the Mayor thanked everyone for their contributions and welcomed the report. He also welcomed action being taken by the Mayor of London to tackle this issue. He stated that he would be monitoring progress and then agreed the recommendations as set out in the report.

**RESOLVED**

1. To note that a mayoral priority growth bid was passed and an air quality fund has been approved in the last budget. The fund is for £200,000 over a two year period of 17/18 and 18/19. The fund is intended for prospective bidders to support activities aligned to the Council priorities in improving air quality. Criteria for the proposed projects include:
  - be related to either reducing emissions of, reducing exposure to or increasing awareness of air pollution;
  - be directly relevant to actions in our AQAP;
  - have a measurable impact; and
  - have wider community benefits
2. To approve the Air Quality and Climate Change Strategy.
3. To approve the Air Quality Action Plan.

**5.2 Community Safety Partnership [CSP] Plan 2017 - 21**

Councillor Asma Begum, Cabinet Member for Community Safety, introduced the report. She briefly took Cabinet through the key points of the Plan and highlighted that there had been 1,400 responses during the consultation from residents and workers in the Borough.



During discussion, the Mayor noted the Pre-Decision Scrutiny Questions and the discussions that had taken place at the recent Overview and Scrutiny Committee meeting. He agreed to allow delegated authority to the Corporate Director, Health, Adults and Community to make minor changes to the Plan where required. With that change he agreed the recommendations as set out in the report.

#### **RESOLVED**

1. To recommend that Full Council approve the Community Safety Partnership Plan 2017-21 (Appendix 1 to the report), as per the Council Constitution.
2. To delegate to the Corporate Director, Health, Adults and Community authority to make minor changes to the Plan before submission to Council.

### **5.3 Funding for Additional Youth Activity**

Councillor Abdul Mukit, Cabinet Member for Culture and Youth, introduced the report. He explained that the report set out the Youth Service Outcomes Framework as well as specific proposals for funding a number of additional services for young people. He was particularly pleased with the innovation shown in some of the proposals, for example in the setting up of a youth innovation fund to allow young people to bid for funds for particular projects/ideas.

The other proposals were to extend youth service provision down to eleven year-olds and a specific proposal to support A Team Arts and these were also welcomed.

A number of members of the Youth Council (Shaiam Islam, Milly Parvin, Said Uddin, Mazha Alam and Imad Ali) were present and they took Cabinet through their key target outcomes of Accountability, Accessibility, Trust, Safety and Agency as set out in the Outcomes Framework. They also commented on how well they felt they had been engaged by officers to help develop the Framework.

The Mayor thanked them for coming along and giving their views. He welcomed the report and agreed the recommendation as set out.

#### **RESOLVED**

1. To approve the allocation to the Youth Service of £300,000 additional funding from Council reserves on the items set out in the main body of the report.

## 5.4 Scrutiny Review Youth Services - Action Plan

Councillor Abdul Mukit, Cabinet Member for Culture and Youth, introduced the report. He explained that the proposed action plan was in response to an Overview and Scrutiny Committee challenge session.

The Mayor reviewed the report and agreed the recommendations as set out.

## RESOLVED

1. To note the report and recommendations of the Scrutiny Challenge Session on Youth Services as set out in Appendix 1 to the report.

2. To approve the action plan in Appendix 2 to the report, which sets out the Council's response to the recommendations of the Scrutiny Challenge Session.

## 5.5 IDf: Approval of the allocation of S106 and CIL funding and Approval for

the Adoption of a Capital Budget in Respect of the following projects: King Edward Memorial Park Masterplan Delivery; Aberfeldy Village Health Centre; Suttons Wharf Health Centre; Wellington Way Health Centre; Raines Foundation School.

The Mayor introduced the report and briefly reminded everyone present how decisions of this nature were progressed.

Councillor Andrew Wood, Ward Councillor for Canary Wharf Ward, addressed Cabinet. He highlighted concerns that additional infrastructure spending was required on the Isle of Dogs considering the large scale developments that were expected. The Mayor reported that he was monitoring infrastructure investment across the Borough and that indeed some of the investments being proposed would bring benefits across the area and not just to the locality in which they were based.

The Mayor reviewed each of the proposals in turn, considered the Pre-Decision Scrutiny Questions and responses and then agreed the recommendations as set out.

## RESOLVED

1. To approve the allocation of £3,267,241 in Section 106 (S106) funding to the proposals set out in the "King Edward Memorial Park Masterplan Delivery" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix A and Table 1.

2. To approve the allocation of £3,119,421 in Section 106 (S106) funding to the proposals set out in the "Aberfeldy Village Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix B and Table 1.

3. To approve the allocation of £2,937,287 in Section 106 (S106) and £182,091 in Community Infrastructure Levy (CIL) funding to the proposals set out in the "Suttons Wharf Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix C and Table 1.
4. To approve the allocation of £1,493,700 in Section 106 (S106) funding to the proposals set out in the "Wellington Way Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix D and Table 1.
5. To approve the allocation of £4,000,000 in Section 106 (S106) funding to the proposals set out in the "Raines Foundation School" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix E and Table 1.
6. To approve the adoption of a capital estimate for the five projects described in this document and the attached PIDs and incorporate them into the Council's capital programme.

#### **5.6 Disposal of 2 Trinity Green, Mile End Road, E.1. 4TS**

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He explained that there had been further discussions with the Friends of Trinity Green and that he proposed that consideration of the report be deferred to allow these discussions to conclude.

He explained that he expected the report would return at an upcoming Cabinet meeting and that the recommendations may not change but that it was important to ensure the discussions were concluded before a decision was taken.

The Mayor noted the proposal. He agreed to defer consideration of the report to a later Cabinet meeting.

#### **RESOLVED**

1. To defer consideration of the report to a future Cabinet meeting to allow for further discussion on potential disposal processes.

#### **5.7 Statement of Licensing Policy Review 2018**

Councillor Asma Begum, Cabinet Member for Community Safety, introduced the report. She highlighted that since the introduction of the policy there had been a reduction in anti-social behaviour and in licensing applications. The report considered a proposal to extend the Cumulative Impact Zone (CIZ) in the Brick Lane area but concluded there was insufficient evidence for that expansion. However, the report did provide evidence that it could be worth considering a new CIZ in the Bethnal Green area and so it was proposed to consult on that option.

The Mayor highlighted the importance of making progress on the new contract arrangements and agreed the recommendations as set out.  
She highlighted that the Council had a responsibility to provide transport services to certain groups and that it was important to ensure the provision could continue uninterrupted.

Councillor Amina Ali, Cabinet Member for Environment, introduced the report.

**5.8 Passenger Transport Contact Extension**

1. To agree the forward programme for consulting on the proposed Statement of Licensing Policy.
2. To agree, that the consultation should be based on the proposed changes detailed in Appendix Two to the report.
3. To delegate to the Corporate Director, Place authority to make any pre consultation amendments to the policy deemed necessary following consultation with the Corporate Director Governance.
4. To consult whether to retain the current Cumulative Impact Zone in the Brick Lane area at Appendices 1 and 3 to the report.
5. To consult on a further Cumulative Impact Zone for Bethnal Green Road/ Cambridge Heath Road to Old Bethnal Green Road that forms part of the Licensing Policy.

**RESOLVED**

The Mayor welcomed the comments received and noted the Pre-Decision Scrutiny Question and Response. He suggested that the Overview and Scrutiny Committee may wish to take on a role of monitoring the effectiveness of the Council's licensing policies should they wish. He noted the public expectation that new applications would normally be refused in CIZ areas. He agreed the recommendations including to consult on a potential new CIZ in Bethnal Green.

Councillor Peter Golds, Leader of the Conservative Group, addressed the meeting. He confirmed his view that the Council had a robust licensing policy and the Licensing Committee received good advice from officers which ensured very few decisions had been successfully challenged. He stated it was important to review the CIZ areas as a duty to residents who were impacted by the problems highlighted in the report.

**RESOLVED**

1. To agree to continue to operate within the existing Passenger Transport Contact Framework for a period of 1 year and 6 months to ensure continuity of service.
2. To authorise the Corporate Director of Place (or in the Corporate Director's absence the Divisional Director) after consultation with the Corporate Director, Governance, to agree the final terms and conditions of any agreement to implement this decision; and
3. To authorise the Corporate Director, Governance, to execute all necessary contract documents to implement this decision.
4. To amend the estimated value of contract spend for the re-procurement of the Passenger Transport Framework shown on the contracts forward plan and presented to the Mayor in Cabinet on the 26<sup>th</sup> July 2016 to read £10.8 million.

**5.9 Contracts Forward Plan 2017/18 Q3**

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He explained that the report was provided to give an opportunity for Members to request that a more detailed report be presented to Cabinet on any of the contracts listed. However, all Cabinet Members were involved in discussions with relevant Corporate Directors anyway and he was not aware of any requests to bring forward specific reports to Cabinet.

The Mayor agreed that he would expect all his Cabinet Members to be on top of the arrangements for contract awards in their areas. He noted the Pre-Decision Scrutiny Question and response and he agreed that all contracts listed could proceed to award following tender.

**RESOLVED**

1. To note the Contracts Forward Plan at Appendix 1 to the report.
2. To confirm that all contracts can proceed to contract award after tender.
3. To authorise the Divisional Director, Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to in recommendation 2 above.
4. To note the procurement forward plan 2017-22 schedule detailed in Appendix 2 to the report.

## 5.10 Appointments to External Bodies October 2017

The Mayor introduced the report and agreed its recommendations.

**RESOLVED**

1. To agree to the removal of Councillor John Pierce from the Board of the Norton Folgate Almshouses Charity.

2. To agree to the removal of Councillor Andrew Cregan from the Board of East End Homes.

3. To agree to the appointment of Councillor John Pierce to serve on the Board of East End Homes, to serve until further notice.

4. To agree to the removal of Councillor Rachael Saunders from and the appointment of Councillor Denise Jones, to serve until further notice on:

- a. East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust),
- b. East London Nursing Trust and
- c. the role of Older People's Member Champion.

5. To agree to the appointment of Councillor Amy Whitelock-Gibbs to serve on the Tower Hamlets Education Partnership Advisory Council, to serve until further notice.

## 5.11 Mayor's Individual Executive Decisions - List of Recently Published Decisions

The Mayor introduced the report and agreed its recommendation.

**RESOLVED**

1. To note the Individual Mayoral Decisions set out in the Appendices.

## 5.12 School Place Investment Planning, Children's Services Capital Programme

The Mayor introduced the report and agreed the reasons for urgency as set out, namely that:

"The report is being brought to Cabinet outside of the usual process as a consequence of recent redrafting to ensure decisions are informed by the most recent data so the Council meets its Best Value Duty with regard to significant capital investment."

The report was then discussed and a number of issues were noted including:

- The challenges in predicting the total number of school places required.

- Whether existing buildings were suitable for the proposed uses and whether repairs were required.
- Whether the Bow Boy's School site was suitable for high needs provision.
- How the Council were undertaking longer term planning on the future best use of school buildings.

Councillor Andrew Wood, Ward Councillor for Canary Wharf Ward, addressed Cabinet, commenting on a number of the points raised and in particular expressed concern that if parents did not see a suitable school near to them then they may simply leave the Borough.

The Mayor welcomed all the contributions to the discussion and, taking the recommendations in turn, agreed the recommendations as set out.

### RESOLVED

1. To note the contents of this report and the anticipated out-turn for the 2016/17 Children's Services Capital Programme and proposed allocation of the funding available in 2017/2020 as set out in Appendix A.1 and 2 (paragraph 3.2) to the report;
2. To note the deferral of the scheme to create a new primary school on the Bromley Hall School site (paragraph 3.5 of the report);
3. To note that discussions are ongoing regarding the future use of the former Bow Boys' School site to meet primary place needs in the area and wider high needs special provision requirements (paragraph 3.10 of the report)
4. To approve the adoption of a capital estimate of £5m for the opening of a primary school at Wood Wharf (paragraph 4.3 to the report);
5. To agree that the Council should enter into an Agreement for Lease with Canary Wharf Group for the proposed school (paragraph 3.27 of the report) and authorise the Corporate Director, Governance to finalise the terms of the lease and agreement for lease;

[Note – at the Cabinet Meeting held on 28 November 2017 – it was agreed that the above recommendation should be altered to state that the delegation was to the Corporate Director, Place, following consultation with the Corporate Director, Governance.]

6. To approve the adoption of a capital estimate of £9m for works at Langdon Park and George Green's Schools to provide additional 6<sup>th</sup> Form accommodation and also the replacement of the temporary classroom block at George Green's School (paragraph 4.4 of the report);

7. To approve the adoption of a capital estimate of £3m for works at Bow School to provide additional accommodation (paragraph 4.5 of the report);

8. To agree that authority is delegated to the Corporate Director, Children's Services, in consultation with the Corporate Director of Resources, to agree tenders for projects in respect of all proposed tenders referred to in this report, within the approved programmes and capital estimate;

9. To agree that authority is delegated to the Corporate Director, Children's Services, in consultation with the Corporate Director of Resources, to prepare and carry out a Bill of Reductions for any scheme that exceeds the budget to ensure expenditure is contained within the agreed costs.

6. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

7. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

8. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

9. OVERVIEW & SCRUTINY COMMITTEE

9.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Nil items.

9.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

Nil items.

10. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items.

The meeting ended at 7.33 p.m.

MAYOR JOHN BIGGS



# Equality Impact Assessment (EIA)

## Section 1: Introduction

**Name of Proposal** Integrated Child and Adolescent Mental Health Service (CAMHS) section.75 agreement

*For the purpose of this document, 'proposal' refers to a policy, function, strategy or project)*

**Service area & Directorate responsible** Children and Culture

**Name of completing officer** Karlijn Tummers, Interim Senior Commissioning Manager, Children's Integrated Commissioning Team

**Approved by Director/Head of Service** Debbie Jones, Corporate Director Children and Culture

**Date of approval** TBA 19/11/2019

**Conclusion - To be completed at the end of the Equality Impact Assessment process**

This summary will provide an update on the findings of the EIA and what the outcome is. *For example, based on the findings of the EIA, the proposal was rejected as the impact on a particular group was disproportionate and the appropriate mitigations in place. Or, based on the EIA, the proposal was amended and alternative steps taken)*

As a result of performing the EIA, the proposal does not appear to have any disproportionate impact on people who share a protected characteristic and no further actions are recommended at this stage.

Current Decision Rating = Green (Proceed with Implementation)

See  
Appendix A

Current  
decision rating



**The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:**

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them

**Where a proposal is being taken to a Committee, please append the completed equality analysis to the cover report.**

This Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above, for more information about the Council's commitment to equality; please visit the Council's website.

## **Section 2 – General information about the proposal**

*Provide a description of the proposal including the relevance of proposal to the general equality duties and protected characteristic pursuant to Equality Act 2010.*

The Children's Integrated Commissioning Team, the Clinical Commissioning Group (CCG) and Children's Social Care (CSC) are working towards establishing a fully integrated Children and Adolescent Mental Health Service (CAMHS). The strategic aim is to improve the experience of care, access to mental health support and outcomes for the most vulnerable children and young people (CYP), in line with the NHS transformation agenda for CYP's mental health, as well as supporting Tower Hamlets Together (THT) integration agenda.

The anticipated impact is aligned to the Equality Act 2010:

- An integrated CAMHS will improve the holistic service provided to vulnerable children and young people;
- It will launch and facilitate the start of a comprehensive service review in 2020/21, ensuring that CAMHS meets the needs of the local population and offers best value for money;
- It will guide the transition of the service to one that supports care leavers up to the age of 25, in line with the NHS long term plan. This will be achieved through ongoing dialogue and negotiation with ELFT
- To improve/ develop specialist trauma informed provisions for Unaccompanied Asylum Seeking Children (UASC).

This proposal also aligns with Tower Hamlets' strategic priority ensuring that people are aspirational, independent and have equal access to opportunities.

## **Section 3 – Evidence (Consideration of Data and Information)**

*What evidence do we have which may help us think about the impacts or likely impacts on service users or staff?*

In order to test out the efficacy of having an integrated CAMHS S.75 a CAMHS review group was set up to look at options for integration. Representatives from CSC, Children's Commissioning, the CCG and Public Health were on the review group. Throughout 2019, the CAMHS review group held in depth discussions with DCOS and CiCSC professionals to gain a better understanding of current service provision, gaps and opportunities to improve the services.

Details on who has been consulted with on this proposal to date and details of further plans for consultation:

- **Lissa-Marie Minnis** – Service Manager Regulated Services and Resources
- **Diana Viscusi** – Transformation Manager CCG
- **Ollie Temel** – Finance Business Partner
- **Human Resources** – Both for LBTH and East London Foundation Trust (ELFT) depending on the steer from CLT
- **Legal** – To increase the current S.75 agreement between the council and the CCG
- **ELFT** – Through formal commissioning intentions and ongoing negotiations
- **Mental Health Practitioners (DCOS and CiCSC services)**

**Name of officer completing the EIA: Karlijn Tummers, Interim Senior Commissioning Officer**

**Service area: Children's Integrated Commissioning**

**EIA signed off by:**

**Date signed off:**

## Section 4 – Assessing the impacts on residents and service delivery

	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Age	X			It will guide the transition of the service to one that supports care leavers up to the age of 25, in line with the NHS long term plan.
Disability	X			The integrated CAMHS will include the Disability Community Outreach Service (DCOS), a psychology team within Tower Hamlets Children's Social Care who support children with diagnosed neurodevelopmental, physical and/or complex health difficulties along with their families and the wider network involved.
Sex			X	
Gender reassignment			X	
Marriage and civil partnership			X	
Religion or belief			X	
Race			X	
Sexual orientation			X	
Pregnancy and maternity			X	

Other				
Socio-economic			X	
Parents/Carers			X	
AOB			X	

## Section 5 – Impact Analysis and Action Plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
<p>To continuously ensure service users and staff from all stakeholders are consulted throughout the implementation of the integrated CAMHS and to enable a joint review of the service during 2020/21 to ensure the service is meeting the needs of our vulnerable CYP</p>	<p>Draft specification and S.75 documents signed off by Legal services at the Local Authority and the CCG</p> <p>Children’s Integrated Commissioning to submit proposed new S.75 contract to MAB / Cabinet for approval</p> <p>CCG to submit proposed new S.75 contract to the Governing Body for approval</p> <p>CSC to issue ELFT a draft service specification, reporting requirements and S.75 legal framework</p> <p>Complete contract negotiation with ELFT</p> <p>New S.75 contract goes live</p> <p>Joint service review with recommendations for incorporation as part of next commissioning round.</p>	<p><b>December 2019</b></p> <p><b>January 2020</b></p> <p><b>January 2020</b></p> <p><b>December 2019</b></p> <p><b>31<sup>st</sup> January 2020</b></p> <p><b>1<sup>st</sup> April 2020</b></p> <p><b>31<sup>st</sup> October 2020</b></p>	<p><b>Anthony Harris, Interim Head of Service</b></p>	<p>See set dates</p>

## **Section 6 – Monitoring**

Have monitoring processes been put in place to check the delivery of the above action plan and impact on equality groups?





Yes?

No?  This will be put in place once the Integrated CAMHS goes live in April 2020


Describe how this will be undertaken.

**Appendix A**

**Equality Impact Assessment Decision Rating**

Decision	Action	Risk
<p>As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act. It is recommended that this proposal be suspended until further work is undertaken.</p>	<p><b>Suspend – Further Work Required</b></p>	<p><b>Red</b></p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.</p>	<p><b>Further (specialist) advice should be taken</b></p>	<p><b>Red Amber</b></p> 
<p>As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p><b>Proceed pending agreement of mitigating action</b></p>	<p><b>Amber</b></p> 
<p>As a result of performing the EIA, the proposal does not appear to have any disproportionate impact on people who share a protected characteristic and no further actions are recommended at this stage.</p>	<p><b>Proceed with implementation</b></p>	<p><b>Green:</b></p> 



<p><b>Cabinet</b></p> <p><b>29 January 2020</b></p>	
<p><b>Report of:</b> Ann Sutcliffe, Corporate Director, Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Tower Hamlets Approach to Regeneration</b></p>	

<b>Lead Member</b>	<b>Mayor John Biggs, Lead Member for Regeneration</b>
<b>Originating Officer(s)</b>	Sripriya Sudhakar, Head of Regeneration
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	19 November 2019
<b>Reason for Key Decision</b>	Impact on Wards
<b>Strategic Plan Priority / Outcome</b>	Priority 2, Outcome 6: People live in good quality affordable homes and well-designed neighbourhoods

### **Executive Summary**

This report provides an overview of the strategic approach being taken to coordinate and deliver regeneration across the borough. It highlights the context driving regeneration as well as the area based approach currently being adopted by the council through the development of governance structures and delivery plans.

### **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Agree the report regarding the proposed approach to regeneration.
2. Agree to publish the 'Approach to Regeneration in Tower Hamlets' document (appendix 1) on the Council website.
3. Note the specific equalities considerations as set out in Paragraph 4.1-4.3.

## **1 REASONS FOR THE DECISIONS**

- 1.1 The co-ordination of regeneration within the borough is a key priority for Tower Hamlets to harness the scale and pace of development and ensure that those living, working and visiting the borough benefit from the high levels of growth.

## **2 ALTERNATIVE OPTIONS**

- 2.1 The alternative option is to do nothing. This alternative option is not recommended as it would miss opportunities to further improve the services and outcomes for residents.

## **3 DETAILS OF THE REPORT**

### The context for regeneration

- 3.1 The borough's new Local Plan has been developed over the last four years and outlines the anticipated change and growth in the borough over the next 15 years. With over 50% of the borough's footprint in designated Opportunity Areas (the focus for development within London), this change and growth is expected to be significant.
- 3.2 We have seen the population in the borough double in the past thirty years and it is predicted to rise by almost 100,000 by 2031. Around 55,000 homes are expected to be delivered in the same period. Job growth is also continuing at pace. There are already twice as many jobs in the borough as in 2000 and a further 44% increase (125,000 jobs) is forecast by 2031.
- 3.3 This change is taking place within a borough in which deprivation and inequality remain a serious concern. While relative poverty in Tower hamlets has declined, deprivation remains widespread, particularly in the central and eastern parts. According to the Indices of Deprivation (2019) the borough also has the highest level pensioner poverty in England. While rates of child poverty have decreased relative to the rest of England since 2015, we remain the 14<sup>th</sup> most deprived borough in that domain<sup>1</sup>. However, there are growing areas of affluence within close proximity to the River Thames and former dockland areas. This disparity is reflected in the borough's ratio of low-to-high pay, which is the largest in London<sup>2</sup>.
- 3.4 The health of people in Tower Hamlets is significantly worse than the London and England averages, with healthy life expectancy at birth being nearly 10 years less than the national average<sup>3</sup>. Health inequalities also persist in the borough, with significant differences in life expectancy between the most and least deprived wards.
- 3.5 Growth at this scale and pace brings with it opportunities to address these issues, but without careful management and co-ordination there are significant risks around the liveability of neighbourhoods, cohesion and

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<sup>1</sup> The Indices of Multiple Deprivation, Ministry of Housing, Communities and Local Government (2019).

<sup>2</sup> London Poverty Profile (New Policy Institute, 2015)

<sup>3</sup>

[https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandlifeexpectancies/bulletins/healthstatelifeexpectancies\\_uk/2015to2017](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandlifeexpectancies/bulletins/healthstatelifeexpectancies_uk/2015to2017)

inequality. It was with this balance in mind that the Local Plan seeks to 'manage growth and share the benefits'.

### The need for a co-ordinated regeneration approach

- 3.6 The Council's various plans and strategies and its work with partners do already address these issues and deliver tangible benefits for local people. However, in the context of such significant change, it is now considered necessary for the Council to deliver a step-change in its approach in order to ensure that this growth makes Tower Hamlets a better place to live, that local people see the benefits, and that any potential negative impacts are mitigated.
- 3.7 In June 2018, the Council invited the Local Government Association (LGA) to conduct a Corporate Peer Challenge designed to reflect on, and inform, the Council's improvement journey. Two of the Peer Challenge Recommendations were:
- Recommendation 2: Be forward looking and learn the lessons of the past but not be fettered by them; and
  - Recommendation 7: Reform the services that are still traditional and paternalistic.
- 3.8 In order to respond to these actions recommendations, the Transformation and Improvement Action Plan, overseen by the Mayor's Transformation & Improvement Board (TIB), included an action to establish a Regeneration Board to deliver the council's activity around regeneration and develop a coherent approach for regeneration across the borough.
- 3.9 The development of this co-ordinated approach was further shaped by the recommendations from the Planning Peer Review undertaken in July 2018 which included;
- Turning the Mayors' priorities and the council's regeneration and growth objectives into a clear vision;
  - Taking a place-based approach to development and setting clear objectives and timetabled priorities; and
  - Ensuring strategic oversight of the borough's growth and regeneration programme.
- 3.10 The first Regeneration Board meeting was held in July 2018 and its focus was on establishing a vision for regeneration, a preferred approach to delivering regeneration activity, and setting terms of reference for the board. Over subsequent Board meetings, the need was identified for a dedicated team to establish regeneration priorities for the borough and the resources needed to deliver them.
- 3.11 The development of a Regeneration Team, accountable for developing and coordinating a strategic approach for regeneration across the borough, formed a key action of the Strategic Plan 2019-2022:

- Priority 2 - A borough that our residents are proud of and love to live in:  
Outcome 6 - People live in good quality affordable homes and well-designed Neighbourhoods: Action 4 - Develop and deliver a borough programme for regeneration.

3.12 In April 2019, a new Regeneration Team was set up on an interim basis to establish a co-ordinated approach to regeneration. The team consists of five team members seconded from within the Council. Over the past six months the team has helped define and shape a Regeneration Delivery Plan in close collaboration with the Regeneration Board and various Council departments and wider stakeholders.

#### The Tower Hamlets approach to regeneration

3.13 The Regeneration approach is driven by the Board's regeneration vision: "A strategic approach to regeneration will ensure Tower Hamlets embraces its role as a key focus for London's growth, making the best use of the economic benefits provided by a thriving enterprise sector and improving connections between the borough and surrounding areas.

The benefits of transformation will be shared throughout our borough, amongst all residents, ensuring no one is left behind and everyone has access to the economic opportunities derived through growth. We will support our existing communities as well as welcome new residents to make their home within liveable, mixed, stable and cohesive neighbourhoods.

We will work hard to ensure our neighbourhoods are transformed with high quality buildings and well-designed spaces, while ensuring their distinct characters are protected and enhanced. They will contain a mix of housing types, served by a range of excellent facilities and infrastructure. They will be green, safe and accessible to all, promoting sustainable transport and making the best use of both our borough's heritage and natural resources such as parks and waterways."

3.14 The approach to delivering this vision acknowledges that the borough is made up of a number of distinct neighbourhoods and places, which have their own identities, opportunities and challenges. In order to maintain an area-sensitive approach, the regeneration approach has been organised around the borough's four sub-areas as identified in the new Local Plan. The focus of the regeneration of the borough is on three of these sub-areas, where it's projected the majority of projected growth will take place over the next 15 years; these are:

- City Fringe (including Whitechapel);
- Lower Lea Valley; and
- Isle of Dogs and South Poplar

There are also regeneration projects in the Central sub-area of the borough.

3.15 The approach also reflects the multifaceted nature of regeneration in Tower Hamlets, which must encompass social regeneration as well as physical changes. Eight regeneration outcomes have been devised and are interlinked to the Tower Hamlets Strategic Plan, Local Plan and the Mayor's Pledges,

ensuring the alignment of regeneration activity to the existing strategic framework:

1. Infrastructure & place-making: New development that is designed to promote inclusivity and enhance quality of place, and is matched by timely delivery of social, transport and services infrastructure in order to support sustainable growth.
  2. Reducing inequalities and enhancing wellbeing: Reducing health and other inequalities between people from different communities and different areas, and better air quality.
  3. Making communities safer and more cohesive: Making communities safer and more cohesive through ensuring the accessibility of spaces, places and facilities; enabling community participation & strong relationships, and promoting culture and leisure opportunities.
  4. Public realm & environment: The local environment is improved – Cleaner and more attractive streets, open and green spaces.
  5. Affordable housing: More high quality, affordable housing which meets the needs of residents is provided.
  6. Employment: More local people are in work and progressing to better paid employment.
  7. Enterprise: Locally owned businesses and those that employ local people are starting, growing and staying in the borough.
  8. Town centres & markets: Well-functioning town centres and markets provide existing and new residents with access to a range of local shops, services, leisure, cultural and community facilities that meet their needs.
- 3.16 Finally, the approach acknowledges that regeneration is a council-wide activity, with many of the Council's services delivering activities which contribute to the eight regeneration outcomes. Regeneration activity involves the whole Council going beyond 'business as usual' to work innovatively and across the Council and with partners to identify and deliver programmes of interventions for each area that respond to a robust analysis of the changes occurring in the area and how best to respond to them for the benefit of local people. Regeneration is delivered by the whole Council, and not by one single team.

### Delivery

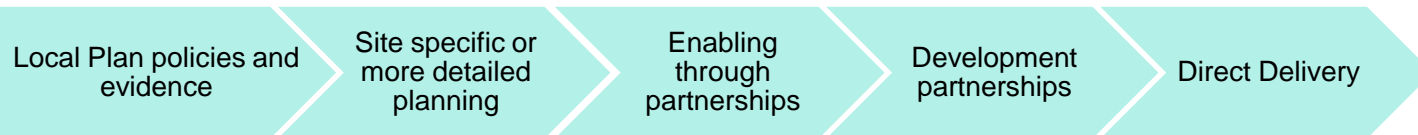
- 3.17 In order to achieve these regeneration outcomes a series of interventions have been identified. This toolbox of interventions provides an indication of the types of intervention which are either currently being delivered or could be deployed by the Council in order to achieve the outcome.

- 3.18 These interventions have been placed on an incremental scale, ranging from low intervention to high intervention, representing a range from a do-minimum position, or those which are less 'interventionist' in terms of time and resourcing, through to those which involve a high level of intervention, which would generally involve more time or financial resource.
- 3.19 The Interventions Toolbox is outlined below:

**LOW INTERVENTION**

**HIGH INTERVENTION**

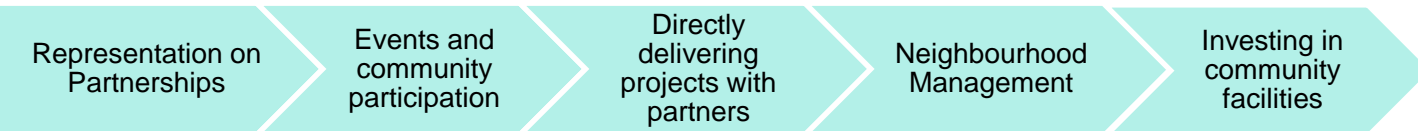
**1. INFRASTRUCTURE & PLACEMAKING**



**2. REDUCING INEQUALITIES & ENHANCING WELLBEING**



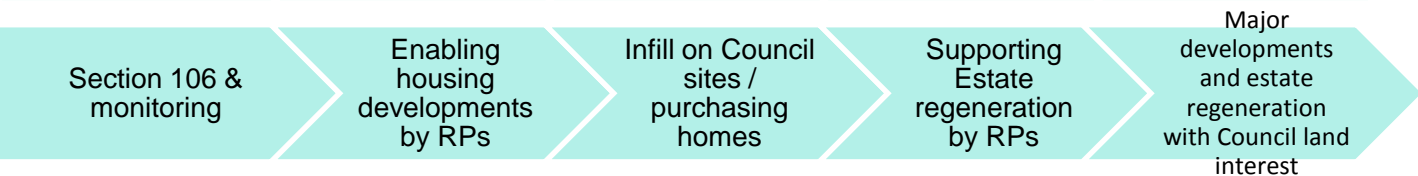
**3. MAKING COMMUNITIES SAFER & MORE COHESIVE**



**4. PUBLIC REALM & ENVIRONMENT**



**5. AFFORDABLE HOUSING**



**6. EMPLOYMENT**



**7. ENTERPRISE**



**8. TOWN CENTRES & MARKETS**



- 3.20 Each of the four sub-areas has unique characteristics and challenges. Mapping and understanding existing issues and using the new Local Plan visions for each area helped to define vision statements for each sub-area. This helped to consider how best the Council could intervene, over and above what is already planned in the area, to realise that vision against each of the eight outcomes. For each of the four sub-areas, analysis was undertaken against each of the proposed interventions to identify where no intervention is required beyond the Council's 'business as usual' activities in order to achieve the outcome; where there is already sufficient regeneration activity being delivered by the Council to achieve the outcomes and where additional activity is required in order to achieve the regeneration outcome. This additional activity will be captured as new regeneration delivery and form part of that sub-area Regeneration Delivery Plan, that could be delivered by the Regeneration Team or another team in the Council.
- 3.21 This analysis and the delivery plans have been informed by:
- the Local Plan and its supporting evidence base and engagement;
  - other planning framework documents including the Opportunity Area Planning Frameworks prepared by the GLA (City Fringe, Isle of Dogs and South Poplar and Lower Lea Valley/Poplar Riverside);
  - the capital programme, including section 106 and Community; Infrastructure Fund funded projects and associated consultation;
  - projects and priorities identified by residents through the Local; Infrastructure Fund consultation;
  - the Mayor's manifesto; and
  - internal consultation with teams across the council.
- 3.22 Taking the example of one Regeneration Outcome – Infrastructure and Placemaking – and undertaking this analysis for each area, the following additional regeneration activity has been identified:
- In the Lower Lea Valley sub-area this identified the need for an Area Action Plan and the delivery of bridges over the river Lea.
  - In the Isle of Dogs and South Poplar sub-area this identified the need for infrastructure and utilities coordination.
  - In the Central sub-area the need for a masterplan for the developing Queen Mary Campus was identified; and
  - In the City Fringe sub-area the need for improved partnership working and co-ordination was identified.
- 3.23 This additional delivery activity is supported by the Regeneration Team. The role of the team will be to spearhead delivery of the programme, improve coordination of existing regeneration programmes and projects on an area basis and increase external funding coming into the borough.
- 3.24 The Regeneration team will be a small, tactical resource that will play an enabling role in achieving the objectives and will develop projects and programmes from inception through consultation and planning stage, working



with other teams within the Council, partner agencies or new delivery functions. The team will also develop strategic partnerships with external agencies to identify opportunities and maximise the impact of the Council's resources.

- 3.25 Area Delivery Plans will be will be live documents that will be updated annually, ensuring that new opportunities, priorities and requirements are quickly identified and responded to. The Area Delivery Plans will inform the team plans, service plans and directorate plans as the projects span across the service areas.
- 3.26 Individual programmes and projects in the Area Delivery Plans will seek funding and approval through the usual Council governance procedures.

### Governance

- 3.27 The regeneration programme is overseen by a Tower Hamlets Regeneration Board chaired by the Mayor and four Area Regeneration Boards. The main Regeneration Board is responsible for the development of the strategic approach to regeneration across the Borough, including oversight over delivery or programmes; steering a strategic approach to the securing of funds for regeneration and discussing strategic schemes coming forward (which have a significant area-wide impacts) to ensure a cohesive approach can be taken in relation to their impact on regeneration. The Area Boards serve as a platform for agreeing and overseeing work priorities and delivery programmes for each regeneration area.
- 3.28 The Regeneration Board is chaired by the Mayor and the membership is comprised of Council Officers and Members. The Area Boards are chaired either by the Mayor (The Isle of Dogs and South Poplar Area) or a Cabinet Member (City Fringe and Lower Lea Valley Areas) or an officer (Central Area), and involve the Greater London Authority and Transport for London as key stakeholders.
- 3.29 The Regeneration Boards are co-ordinating and advisory programme boards. Decision making remains through the Council's existing governance procedures.

### Monitoring

- 3.30 Progress against the Area Delivery Plans will be monitored by the Area Boards and Regeneration Board. In addition to these boards, the Mayor's Transformation Board will monitor progress against agreed milestones (agreed at Regeneration Board at the start of financial year). Furthermore, strategic projects/actions in the regeneration delivery plan will be monitored as part of Strategic Plan monitoring process.
- 3.31 In addition to monitoring the delivery of regeneration activity, the Regeneration Team will work with the Council's Strategy, Policy and Performance directorate to monitor whether the delivery of the regeneration

programme is achieving an improvement against the eight Regeneration Outcomes. A range of existing and, where required, new indices will be brought together to measure the cumulative impact of additional regeneration activity.

### Engagement

- 3.32 In line with the Council's Community Engagement Strategy 2018 – 2021 (CES), approved by Cabinet in January 2018 and reflecting the inclusive and co-ordinating approach to regeneration, the Regeneration Team will incorporate residents' views expressed in existing and ongoing consultation exercises, as well as undertaking engagement on individual programmes and projects as they are developed.
- 3.33 The emerging area regeneration delivery plans have been informed by the engagement undertaken on the Local Plan, the Local Infrastructure Fund and Liveable Streets programme. In addition, an area-based workshop with ward members will be held in January 2020 to present the proposed regeneration approach and discuss their ideas on how to apply it to their areas.
- 3.34 In order to raise awareness of the regeneration approach, the Regeneration Team have developed the 'Approach to Regeneration in Tower Hamlets' document (appendix 1) which provides an introduction to the new approach to regeneration for residents and stakeholders. This will be made available on the Council's website after formal adoption in Feb 2020. Following this, the Regeneration Team will organise stakeholder engagement for all four areas to explore how we can maximise our collective effort to deliver the outcomes in the regeneration plan.

## **4 EQUALITIES IMPLICATIONS**

- 4.1 An Integrated Impact Assessment (IIA) was undertaken for the Local Plan in 2017, and subsequently updated in 2019, which includes an Equalities Impact Assessment (EqIA); given the core focus of regeneration activity within Tower Hamlets is focused on delivering the Local Plan vision to 'manage growth and share the benefits', this EqIA will also be used for the regeneration delivery approach for the borough.
- 4.2 As per the EqIA checklist, found at Appendix H of the IIA:
- “...the content of the Draft Local Plan...does not appear to have any adverse effects on people who share Protected Characteristics and those who do not; aims to foster good relations and establish communities that are free from discrimination. No further actions are recommended at this stage”
- 4.3 The attached Regeneration Delivery Plan represents the implementation of the Local Plan. As per the above, it is therefore determined that the delivery of the Plan through the regeneration vision will similarly not have any adverse

effects on people who shared Protected Characteristics. However, in order to ensure this remains the case, individual projects brought forward by the regeneration team will be subject to their own EqIA checklist prior to commencement.

## **5 OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.
- 5.2 Best Value Implications: Under section 3 of the Local Government Act 1999 the Council must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. Through establishing a new regeneration function and approach the Council will improve the efficiency and co-ordination of how it achieves effective regeneration outcomes for residents.
- 5.3 Environmental (including air quality) and Crime Reduction: Three of the regeneration objectives (reducing inequalities and enhancing wellbeing, public realm & environment and making communities safer and more cohesive) will deliver projects which focus on improving the local environment and air quality and helping to reduce crime and increase community safety.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 There are no direct financial implications emanating from this report which provides an overview of the strategic approach being taken to coordinate and deliver regeneration across the borough.
- 6.2 The existing team of five officers that has developed the strategy has to date been funded by Mayoral Priority Growth money. This is time limited funding and the delivery of specific projects will require further funding that will need approval prior to project commencement. This includes opportunities to utilise CIL money and external funding sources and will be subject of separate approval processes.

## **7 COMMENTS OF LEGAL SERVICES**

- 7.1 This report provides an overview of the strategic approach being taken to coordinate and deliver regeneration across the borough. Each regeneration project will need to be assessed on a case by case basis ensuring that it adheres to relevant legislation, of which some is detailed below.
- 7.2 The Council has a range of powers to enter into the contractual arrangements to facilitate regeneration programmes, including the general power of competence under Section 1 of the Localism Act 2011 to do anything that individuals can do subject to any specific restrictions contained in legislation.
- 7.3 The Council has the power to s120 of the Local Government Act 1972 to acquire land by agreement for the purposes of (a) any of the council's functions under the Local Government Act or (b) the benefit, improvement or development of the area.
- 7.4 The Council also has the power to dispose of land by agreement in accordance with Sections 123 of the Local Government Act 1972 subject to obtaining all appropriate consents and approvals and ensuring that any grants of leases for more than seven years are for a consideration that is the best that can reasonably be obtained (unless secretary of state consent is obtained).
- 

### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- *Transformation and Improvement Board Work Programme, Terms of Reference & LGA Action Plan Tower Hamlets.*  
Transformation and Improvement Board, 18<sup>th</sup> December 2018
- *Adoption of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits.*  
Cabinet, 27<sup>th</sup> November 2019

#### **Appendices**

- Appendix 1: Approach to Regeneration in Tower Hamlets (draft)

#### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- NONE

#### **Officer contact details for documents:**

N/A

## **LBTH Approach to Regeneration – Public Facing Document**

### Mayor's Foreword

X

### The Need for Regeneration

Tower Hamlets continues to experience massive change and growth. The population in the borough has doubled in the past thirty years, and it is predicted to rise by almost 100,000 by 2031. The borough is becoming increasingly diverse, with over 127 languages spoken in its schools. Job growth is also continuing at pace, with almost twice as many jobs in the borough as in 2000, and a further 44% increase (125,000 jobs) is forecast by 2031.

Despite the opportunities that the growth can bring, key challenges remain. While relative poverty has declined, deprivation remains widespread, particularly in central and eastern parts. High income and health disparities are evidenced within the borough. Levels of social isolation and loneliness are also relatively high compared to the England average.

In this context, the Council is committed to ensuring that the growth in the borough makes Tower Hamlets a good place to live, that it is managed to contribute positively to existing identified social, economic, and environmental needs, and that any net gains are shared jointly and simultaneously across the borough, benefitting the lives of existing residents.

### Regeneration in Tower Hamlets

The Council has identified the key role that regeneration will play in managing the borough's growth and ensuring its benefits are shared equally. Regeneration activities in Tower Hamlets involve the Council going beyond 'business as usual' to work innovatively and across Council teams and with external partners to identify and deliver programmes of interventions. They are based on robust analysis of the changes occurring in the borough, and collaboratively developed ideas on how best to respond to them for the benefit of local people.

Regeneration activities will focus on the three borough sub-areas where the majority of projected growth and substantial physical and social transformation will take place over the next 15 years: City Fringe; Lower Lea Valley; and Isle of Dogs & South Poplar. This area based approach will ensure that regeneration is sensitive to the local communities that are experiencing change, and that the Council's response reflects the actual needs of residents and businesses.

### Mayor's Vision for Regeneration

The Mayor's vision for regeneration in the borough is:

“A strategic approach to regeneration will ensure Tower Hamlets embraces its role as a key focus for London’s growth, making the best use of the economic benefits provided by a thriving enterprise sector and improving connections between the borough and surrounding areas.

The benefits of transformation will be shared throughout our borough, amongst all residents, ensuring no one is left behind and everyone has access to the economic opportunities derived through growth. We will support our existing communities as well as welcome new residents to make their home within liveable, mixed, stable and cohesive communities.

We will work hard to ensure our neighbourhoods are transformed with high quality buildings and well-designed spaces, while ensuring their distinct characters are protected and enhanced. They will contain a mix of housing types, served by a range of excellent facilities and infrastructure. They will be green, safe and accessible to all, promoting sustainable transport and making the best use of both our borough’s heritage and natural resources such as parks and waterways.”

### Delivering the Vision

To deliver on the Mayor’s vision for regeneration, the Council has assembled a dedicated Regeneration Team. The Regeneration Team will work with services within the Council and external organisations to ensure better coordination and maximisation of opportunities for managing growth within the borough. This will involve working with a range of partners, including the Greater London Authority, Transport for London, registered housing providers, and community and voluntary groups across a range of issues. In addition, we are committed to involving all of the borough’s residents as much as possible in contributing to and shaping the changes that matter to them, and offering a palette of opportunities to allow residents to be involved.

A series of eight Regeneration Outcomes have been developed to align regeneration work in with the Council’s existing priorities, plans and strategies driving and managing change within the borough – the Strategic Plan, Local Plan, and the Mayor’s Pledges.

### **Outcome 1: Infrastructure & placemaking**

New development is designed to promote inclusivity and enhance quality of place, and is matched by timely delivery of social, transport and services infrastructure in order to support sustainable growth.

#### *Case Study: Infrastructure Delivery Mechanism – Isle of Dogs & South Poplar*

Put in place an integrated delivery mechanism including dedicated resources led by the Regeneration Team in partnership with the GLA and other stakeholders to

ensure timely delivery of the required infrastructure on the Isle of Dogs to support growth.

### **Outcome 2: Reducing inequalities & enhancing wellbeing**

Health and other inequalities between people from different communities and different areas are reduced, and air quality improved.

*Case Study: Air Quality Mitigation Programme*

Targeting known high-impact locations where poor air quality exists through a range of site-specific measures, working in partnership with the Borough's Sustainable Development Team.

### **Outcome 3: Making communities safer and more cohesive**

Communities are safer and more cohesive through ensuring the accessibility of spaces, places and facilities; enabling community participation & strong relationships, and promoting culture and leisure opportunities.

*Case Study: Meanwhile Uses For All*

Development and facilitation of activities on temporarily vacant or underused sites that brings together existing and new residents.

### **Outcome 4: Public realm & environment**

The local environment is improved – cleaner and more attractive streets, open and green spaces.

*Case Study: Isle of Dogs Open Space Programme - Thames Path*

Improvements to the Thames Path / Riverside Walkway to ensure continuous accessibility along the pathway, with direct access to the riverside attained wherever possible.

### **Outcome 5: Affordable housing**

More high quality, affordable housing which meets the needs of residents is provided.

*Case Study: Framework for the Council's engagement in estate regeneration*

Establishment of a framework for Council services' involvement in estate regeneration programmes.

### **Outcome 6: Employment**

More local people are in work and progressing to better paid employment.

*Case Study: Targeting employment deprivation in the Lower Lea Valley*

Support access to training and employment in the most deprived areas of the borough through targeted outreach to ensure residents are benefiting from the employment programmes of the Council and its partners.

**Outcome 7: Enterprise**

Locally owned businesses and those that employ local people are starting, growing and staying in the borough.

*Case Study: City Fringe Workspace Study*

Identification of the existing supply of small workspace in the City Fringe area, and consideration of the means by which these spaces can be protected and expanded upon to ensure there is a health supply of affordable workspace to allow existing businesses to remain in the area and grow.

**Outcome 8: Town Centres & markets**

Well-functioning town centres and markets provide existing and new residents with access to a range of local shops, services, leisure and community facilities that meet their needs.


*Case Study: Reviving Whitechapel Road*

Working in co-ordination with Transport for London, the Regeneration Team will lead on bringing services within the Council together to deliver improvements to the public realm along Whitechapel Road in preparation for the arrival of the new Tower Hamlets Town Hall.

Monitoring Delivery

The Regeneration Team will work with the Council's Strategy, Policy and Performance directorate to closely monitor the delivery of the regeneration programme to ensure that the planned benefits are created and shared. With the Regeneration Outcomes derived from existing strategic documents, measures to track delivery will be also aligned with these documents in order to demonstrate synergies between the complimentary programmes being pursued by the Council.



<p><b>Cabinet</b></p> <p>29 January 2020</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Ann Sutcliffe, Corporate Director - Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Confirmation of Article 4 directions for the removal of permitted development rights for the change of use from retail (class A1), financial and professional services (class A2) and specified town centre uses (Betting Offices, and Payday Loan shops) to residential (class C3); and the change of use from dwellinghouses (class C3) to small houses in multiple occupation (class C4)</b></p>	

<b>Lead Member</b>	<b>Councillor Rachel Blake, Deputy Mayor for Regeneration and Air Quality</b>
<b>Originating Officer(s)</b>	Paul Buckenham, Development Manager Marissa Ryan-Hernandez, Strategic Planning Manager Aleksandra Milentijevic, Planning Officer Patrick Harmsworth, Planning Officer
<b>Wards affected</b>	All
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	19 November 2019
<b>Reason for Key Decision</b>	Significant Impact on more than two Ward
<b>Strategic Plan Priority / Outcome</b>	A borough that our residents are proud of and love to live in

## Executive Summary

Under planning law, the use of land or buildings is grouped into different Use Classes. These are defined in the Planning Use Class Order (2010) (UCO). Planning permission is normally needed for the change of use from one use class to the other. However, permitted developments rights set out in the General Permitted Development Order 2015 (as amended) allow certain changes of use to be carried out without a formal approval from the local planning authority. These are known as “permitted development rights”.

Article 4 directions remove permitted development rights (the ability to undertake certain forms of development without a full planning application) where there is a local need or justification for doing so. The process of introducing Article 4 directions and the difference between the non-immediate and immediate Article 4 directions is provided in section 3 of this report.

On 3<sup>rd</sup> April 2019, the Council made a non-immediate Article 4 direction to remove permitted development rights which allow the conversion of retail (class A1), financial and professional services (class A2) and specified town centre uses

(Betting Offices and Payday Loan shops) to residential (class C3) without a full planning application. The direction applies within the borough's town centre hierarchy which includes the Central Activities Zone, the Tower Hamlets Activity Areas, Canary Wharf Major Centre, District Centres, Neighbourhood Centres and Neighbourhood Parades. These boundaries are mapped in the 'made' Article 4 Direction for town centres which is attached as Appendix 1 of this report.

On 24<sup>th</sup> July the Council made a non-immediate Article 4 direction to remove permitted development rights which allow the conversion of dwellinghouses (class C3) to small houses in multiple occupation (class C4) without the need for a full planning application. This direction is borough-wide and applies to all wards.

In order for the Article 4 directions to take effect, they must be confirmed. This report is with regards to the confirmation of the aforementioned Article 4 directions.

Article 4 directions will not be applied retrospectively. As such, only future changes of use as specified in the Article 4 directions would require a submission of a planning application to the Council.

All statutory requirements have been met such that a public consultation on the Article 4 directions and the boundaries to which these apply was undertaken between 15 August and 26 September 2019. This report considers the consultation responses. The Secretary of State has been informed of the directions.

The report seeks approval to confirm the Article 4 directions and for them to take effect one year from the date of their confirmation.

This report is supported by justification reports for both Article 4 directions attached as Appendices 3 for Town Centres Article 4 direction and Appendix 4 for HMO Article 4 direction. Justification reports examine the local context, relevant evidence base and identify the need for Article 4 directions.

An Equalities Impact Assessment Quality Assurance was carried out for both Article 4 directions prior to the consultation. For the Article 4 Direction for town centres, no adverse impact was identified. Both positive and negative impacts were found for Article 4 direction relating to HMOs.

### **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Confirm the Article 4 direction which removes permitted development rights allowing the conversion of retail (class A1), financial and professional services (class A2) and specified town centre uses (Betting Offices and Payday Loan shops) to residential (class C3).
2. Confirm the Article 4 direction removing permitted development rights allowing the conversion of dwellinghouses (class C3) to small houses in multiple occupation (class C4).

3. Note that if confirmed, the Article 4 directions will come into effect a year after its confirmation by the Cabinet.
4. Confirm that the discretionary fee for planning applications for changes of use that are subject to the proposed Article 4 directions be set at the same level as the equivalent statutory fee.

## **1. REASONS FOR THE DECISIONS**

### 'Town centres' Article 4 direction

- 1.1 The Government introduced in April 2014 a change to the General Permitted Development Order ('GPDO') which allows for a change of use of a building use for retail (class A1), financial and professional services (class A2) or a betting office or pay day loan shop, to a use falling within C3 residential.
- 1.2 The town centre Article 4 direction is supported by a justification report, attached as Appendix 3. The attached report is itself underpinned by national and regional guidance and the Council's adopted and emerging Local Plan evidence base on town centres, which includes the Tower Hamlets Town Centre Retail Capacity Study (2016) and the Tower Hamlets High Street & Town Centre Strategy 2017-2022.
- 1.3 This decision to remove this permitted development right, would enable the Council to use its planning powers through the consideration of planning applications to:
  - better manage proposed changes to retail and financial services in the town centre hierarchy in accordance with adopted and emerging Local Plan policies;
  - to ensure that the borough's town centres are not undermined and subject to fragmentation;
  - to ensure that our identified retail need is met over the local plan period, including a total borough-wide convenience need of 7,941 square metres to 2031;
  - to protect viable local convenience shops and services for the borough's residents and visitors; and
  - to ensure the effective implementation of the adopted and emerging Local Plan town centre policies, as well as the vision and objectives set out in the Tower Hamlets High Street & Town Centre Strategy 2017-2022.
- 1.4 On 3rd April 2019, the Council made a non-immediate Article 4 direction to remove this permitted development right.

### HMO Article 4 direction

- 1.5 On 6 April 2010, an amendment to the Town and Country Planning (Use Classes) Order 1987 (as amended) introduced a definition of small-scale houses in multiple occupation (HMOs) into the planning system.

- 1.6 According to the Planning Use Class Order (2010), there are generally two different types of HMO. The first type is small HMOs under C4 Use Class – Houses in multiple occupation. Small HMOs are dwelling units occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. The second type is large HMOs which are under Sui Generis Use Class. These are properties with seven or more unrelated individuals who (also) share basic amenities such as a kitchen or bathroom.
- 1.7 Amendments were made in April 2010 to the General Permitted Development Order (as amended) to allow a change of use from a small-scale HMO to a dwellinghouse and vice versa without the need to apply for planning permission.
- 1.8 This prospective Article 4 direction is supported by a justification report, attached as Appendix 4. The attached report is itself underpinned by national and regional guidance and the Council's adopted and emerging Local Plan evidence base. In addition, the report considers the impact of HMOs and their spatial distribution.
- 1.9 This decision to remove this permitted development right, would enable the Council to use its planning powers through the consideration of planning applications to:
- manage the existing family housing supply in accordance with adopted and emerging Local Plan policies;
  - manage the creation of HMOs and maintain mixed and balanced communities;
  - ensure that the living conditions of the HMO occupiers are in accordance with the relevant standards;
  - consider potential impacts on the residential amenity of surrounding areas;
  - consider potential impacts physical and social infrastructure in the borough; and
  - promote sustainable travel by minimising the highways impacts arising from HMOs.
- 1.10 The Article 4 direction is a separate regime to the existing licensing schemes for HMOs, including mandatory and additional licensing, however, the owners should seek planning permission first before applying for a license. Need for planning permission will provide another opportunity of controlling layouts and ensuring that health and safety measures are in place which will be achieved through a joint working and information sharing between Environmental Health Licensing and Planning department.

## **2. ALTERNATIVE OPTIONS**

- 2.1 Alternative options for the two Article 4 directions had been considered prior to the making of the Article 4 directions on 3<sup>rd</sup> April (Town centres A4D) and 24<sup>th</sup> July (HMO A4D). It was considered that the chosen option were the most

appropriate according to the evidence base set out in the justification reports (Appendix 3 and 4).

### **3. DETAILS OF THE REPORT**

- 3.1 This report sets out the confirmation of two Article 4 directions. The first sections set out the process of introducing Article 4 directions. The following sections refer to the two Article 4 directions.

#### **Process for introducing an Article 4 Direction**

- 3.2 The process for making and confirming an Article 4 is set out in Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). There are two types of Article 4 directions: non-immediate directions and directions with immediate effect.
- 3.3 An immediate Direction withdraws permitted development rights with immediate effect; but must be confirmed by the local planning authority following local consultation within six months or else the direction will lapse. In addition, a local planning authority may be liable to pay compensation to a landowner when permitted development rights are removed by an immediate Article 4 direction if planning permission is subsequently refused for the development to which the Direction applies.
- 3.4 Non-immediate Article 4 directions come into force/withdraw permitted development rights upon confirmation of the direction of the local planning authority following local consultation. This can be at least 28 days later, but no longer than two years after, the date upon which the consultation period begins.
- 3.5 In relation to the publicising the proposed Article 4 direction, a minimum of not less than 6 weeks is required by the legislation. In addition, there should be site display at no fewer than 2 locations across the borough.
- 3.6 If the period between the first notification of the confirming the Order and the taking effect of the order is less than 12 months, compensation may be payable for any capital losses arising from a refusal of planning permission for development that would otherwise have been “permitted development” (Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Compensation) (England) Regulations 2015).
- 3.7 In light of the above, it is common for planning authorities to allow a period of 12 months to expire between publicising the confirmation of the Order and confirming that the Order has taken effect.
- 3.8 Article 4 directions are not retrospective and do not apply to properties with an already established change of use under permitted development. As such,

planning applications are only relevant to future developments specified in the A4Ds.

3.9 A procedural guidance on Article 4 directions is provided in Table 1.

**Table 1: Procedural guidance on Article 4 directions**

Article 4 direction process	
Stage 1	Check whether an Article 4 direction is appropriate and whether the direction should come into force following consultation or immediately
Stage 2	Draft and make an Article 4 direction
Stage 3	<p>Serve notice on the making of an Article 4 direction by carrying out the following exercises:</p> <ul style="list-style-type: none"> <li>• by local advertisement</li> <li>• by site display at no fewer than two locations within the area to which the direction relates for a period of not less than six weeks</li> <li>• individually on every owner and occupier of every part of the land within the area or site to which the direction relates</li> <li>• by notifying planning authorities within whose area the direction relates to where a two-tier system of planning authorities exists (county and district/local)</li> </ul> <p>Notify the Secretary of State on the same day of the above local public notification.</p>
Stage 4	Determine whether to confirm the direction
Stage 5	<p>If confirmed, direction comes into force on the date specified in the notice that the local planning authority served in stage 3</p> <p>Immediate Article 4 directions – date on the notice in Stage 3</p> <p>Non-immediate Article 4 directions – 28 days up to 2 years</p>
Stage 6	Serve notice and notify the Secretary of State on the confirmation of an Article 4 direction

- 3.10 Table 2 below shows how the Council has satisfied the stages set out in Table 1 in respect of the Article 4 direction regarding town centre uses. Table 3 refers to the Article 4 direction for houses in multiple occupation.

**Table 2: Town Centres Article 4 direction**

<b>Town Centres Article 4 direction</b>	
<b>Stage 1</b>	<u>Completed</u> The relevant evidence base was collated between October 2018 and January 2019, building upon the existing town centre evidence base used to support the emerging Local Plan. It was found that a borough-wide non-immediate Article 4 direction would be appropriate.
<b>Stage 2</b>	<u>Completed</u> The reporting process for the making of a borough-wide non-immediate Article 4 direction for town centres took place between 18 <sup>th</sup> February and 3rd April 2019.  The direction was made on 3rd April 2019.
<b>Stage 3</b>	<u>Completed</u> Consultation took place between 15 <sup>th</sup> August 2019 and 26 <sup>th</sup> September 2019. Further details are set out in the section below.
<b>Stage 4</b>	<u>Not completed</u> The confirmation of the direction is considered in this report.
<b>Stage 5</b>	<u>Not completed</u> Subject to step 4
<b>Stage 6</b>	<u>Not completed</u> Subject to steps 4 and 5

**Table 3: Article 4 direction for houses in multiple occupation**

<b>Houses in multiple occupation Article 4 direction</b>	
<b>Stage 1</b>	<u>Completed</u> Evidence was gathered between January and July 2019. It was found that a borough-wide non-immediate Article 4 direction would be appropriate.
<b>Stage 2</b>	<u>Completed</u> Reporting process for the making of a

	borough-wide non-immediate Article 4 direction took place between 15 <sup>th</sup> July and 24 <sup>th</sup> July 2019. The direction was made on 24 <sup>th</sup> July 2019.
<b>Stage 3</b>	<u>Completed</u> Consultation took place between 15 <sup>th</sup> August 2019 and 26 <sup>th</sup> September 2019. Further details are set out in the section below.
<b>Stage 4</b>	<u>Not completed</u> The confirmation of the direction is considered in this report.
<b>Stage 5</b>	<u>Not completed</u> Subject to step 4
<b>Stage 6</b>	<u>Not completed</u> Subject to steps 4 and 5

### **Public consultation**

- 3.11 Stage 3 of Table 1 sets out the minimum statutory requirements for carrying out the consultation exercise on the making of an Article 4 direction. Each of these requirements has been satisfied and as explained below.
- 3.12 The consultation on both Article 4 directions ran from 15<sup>th</sup> August to 26<sup>th</sup> September 2019. While it has been acknowledged that the first part of the consultation included the period of summer breaks, it is not considered that this adversely impacted on the stakeholders' ability to make representations given that the rest of the consultation was the period of time when people are likely to be back from their summer breaks.
- 3.13 Two press notices were advertised on 15<sup>th</sup> August 2019 in the East London Advertiser, each relating to a respective Article 4 direction.
- 3.14 The legislation requires a site notice at no fewer than two locations within the area to which the Article 4 direction relates to. A total of 89 site notices were put up across the borough. 80 site notices were put up in each town centre for this Retail A4D. 9 site notices relating to the 'HMO' A4D were put up in locations that had clusters of HMOs as evidenced in the justification report and in accessible locations around transport interchanges and town centres.
- 3.15 The legislation gives flexibility to the local planning authorities to consider if a requirement to notify each owner or occupier of the property within the area to which an Article 4 direction relates to is impracticable. Given the number of owners and/or occupiers that would have been identified for an individual consultation, it was not deemed practicable to carry out this type of consultation.



- 3.16 On the first day of the consultation, the Greater London Authority and the adjoining and neighbouring local planning authorities were notified of the made Article 4 directions. The Secretary of State was also notified on the same day.
- 3.17 According to the above, all of the statutory requirements were met. In addition, the Ward Councillors were notified of the consultation on the Article 4 directions in the Members' Bulletin.
- 3.18 The additional information and supporting documentation was available on the Council's website from the first date of the consultation.

Town centres Article 4 direction

- 3.19 A total of 29 representations were received relation to the public consultation for the 'Town Centre Article 4 direction'. All these responses were in support. This is summarised below:
- Two members of the general public expressed support for the direction.
  - 26 members of the public expressed support for the direction, with specific regard paid to the commercial development and growth of Roman Road as a thriving centre and high street.
  - The Mayor of London expressed support for the introduction of this Article 4 Direction within Tower Hamlets so that the borough can appropriately manage land uses within the Central Activities Zone and town centres. This is in accordance with draft London Plan policy which seeks to protect commercial activity in town centres; and to safeguard the vitality, viability, adaptability and diversification of the CAZ.

HMO Article 4 direction

- 3.20 A total of 6 representations were received. Of the responses received during the public consultation for the HMO Article 4 Direction, all were in objection to the Article 4 direction. The representations were from:
- Port of London Authority
  - Transport for London
  - Residents
  - Residential Landlords Association
  - London Property Licensing.
- 3.21 The received representations were structured and analysed according to their relevant topics. The summary of the raised issues and the Council's responses are set out in the table below.

**Table 5: HMO Article 4 Direction – consultation responses**

<b>Topic</b>	<b>Summary</b>	<b>Response</b>
Alternative HMO A4D Option	Encouragement to the Council to adopt alternative Option 2 and introduce A4D in certain	The evidence base found that HMOs tend to be dispersed across the borough albeit the identified

	localities only – rather than borough-wide.	<p>clustering in certain locations.</p> <p>A locality based approach could have the unintended consequence of new clusters establishing if the market responds to different regulatory approaches in different parts of Tower Hamlets.</p> <p>As such, it was considered appropriate to proceed with a borough-wide A4D.</p>
Consultation	The consultation has been carried out for a minimum period and during summertime when people are away. Issues were raised about the consultation not being on the portal.	<p>The Council has exceeded the statutory requirements given that the consultation was running for 6 weeks. In addition, some of the site notices were put up before 15<sup>th</sup> August 2019 which gave stakeholders more time to consider the introduction of the two A4Ds.</p> <p>It has been acknowledged that the first part of the consultation period was during the time when people are likely to be on holidays; however, there remained a period which did not overlap with a key holiday period.</p> <p>Additional information and supporting documents were available on the Council's website from midnight on 15<sup>th</sup> August.</p>
Evidence	A number of issues were raised in relation to the justification report which serves as an evidence base for A4D. These have been summarised below.	
	Table 2 makes no specific mention of HMOs.	Table 2 solely looks at different property tenure types with a particular focus on private rented properties.
	In addition to the student population, HMOs are equally important for young professionals.	This is recognised in paragraph 4.52 and 8.7. A particular focus was provided on the growing number of student population given that Tower Hamlets is home to two universities. In addition to this, the borough is close to other universities situated in the adjoining London boroughs.

	<p>Map 1 shows large HMOs (sui generis Use Class, i.e. properties occupied by 7 or more people).</p>	<p>Map 1 relates to the Tower Hamlets mandatory licensing scheme which incorporates HMOs with more than 5 occupiers. This also incorporates small HMOs with 5 and 6 occupiers; however, no differentiation between the small HMOs (C4) and large HMOs (Sui generis) has been given. Nonetheless, Map 1 is used to understand the spatial distribution of HMOs in general.</p>
	<p>The number of additional licence applications is higher than indicated in the report. Breakdown of single family and HMOs for selective licenses is not stated.</p>	<p>The evidence base was finalised in May 2019 which is only a month after the adoption of the additional licensing scheme. The number referred to in the report relates to the successful additional licenses, not to the actual applications for these.</p>
	<p>Combining the additional and selective licensing scheme would enable more accurate mapping of HMOs across the borough.</p>	<p>As stated above, the additional licensing scheme was in its infancy during the evidence gathering. As such, it was not considered necessary or appropriate to carry out a mapping exercise. This is acknowledged in paragraph 4.23. Selective licensing scheme only exists in the three boroughs and it was not considered necessary to show the information. However, the high numbers of selective licenses was acknowledged in paragraph 4.25.</p>
	<p>The planning data is of limited value. Most planning application relate to large HMOs.</p>	<p>This was acknowledged in paragraph 4.31.</p>
	<p>There is sparse evidence in relation to poor HMO housing conditions.</p>	<p>This was acknowledged in paragraph 4.39; however, paragraph 4.40 acknowledged the potential link between anti-social behaviour and crime and the quality of the management of residential properties.</p>

	<p>Anti-social behaviour and crime data is generic and provides no implied or causative link to HMOs. This was one of the reasons for selective licensing; however, it is unclear how the proposed HMO A4D would regulate such issues.</p>	<p>Paragraphs 4.45-4.47 analyse the correlation between the private rented properties and ASB and crime. As private rented properties are likely to include HMOs, this was considered an appropriate deduction from the analysed data.</p>
	<p>No data has been provided to demonstrate that HMOs have a higher number of parking permits. It seems likely that many HMO tenants will be car-free. Suggested reducing the maximum number of car parking permits per property.</p>	<p>This might be a likely case in the areas of excellent accessibility to the public transport facilities; however, it is potentially not that likely to be in areas of poor accessibility to the public transport.</p>
Flexibility of the housing market	<p>Landlords are advised about the most appropriate letting model in order to meet housing demand which can be single family let or shared accommodation. The implementation of the A4D would disrupt this flexibility and cause delays in tenancy.</p>	<p>Similarly to the letting model, the A4D seeks to meet housing demand by ensuring there is a mixed and balanced demand and supply of properties of various types and uses to cater for a wide range of potential users. In addition, the A4D seeks to consider the proposed use to ensure that there is no adverse impact on the amenity of the surrounding area.</p>
HMO management	<p>HMOs don't necessarily need to be managed by private landlords. There are examples of these types of properties being managed or leased by Registered Providers.</p>	<p>This is noted. The introduction of an A4D seeks to improve the management of HMOs regardless of their management individuals/ organisations.</p>
HMO types	<p>Particular issues were raised in relation to the management of 2-bedroom residential units and common example of a couple and unrelated friend on a single tenancy.</p>	<p>This would meet the legal definition of an HMO and has been acknowledged. However, the introduction of an A4D would result in various benefits to the local community and occupiers of HMOs.</p>
Management of the HMO use	<p>Properties with an already established HMO use would not entertain family housing as they would lose the HMO use.</p>	<p>This is noted. However, no evidence is available to indicate that this will be an outcome of the A4D. It is considered that the benefits of introducing an A4D including a provision of mixed and balanced demand and supply of properties of various types and</p>

		uses would ensure that the borough can cater for a wide range of potential users.
Planning fees	The introduction of an additional requirement for the submission of a planning application is unreasonable burden and a way for the Council to increase revenue.	The Article 4 direction has not been proposed as a process for the Council to increase revenue. Planning applications fees would be used for the processing and assessment of submitted applications.
Other Regulations	<p>HMO Management Regulations and Housing Health and Safety Rating System power can be used to affect improvements if voluntary co-operation does not have the desired outcome.</p> <p>Since October 2014 and including the changes in May 2015 and April 2019, all letting agents and property managers must belong to a government-approved redress scheme.</p>	<p>This is noted. The Article 4 direction provides a different type of management regime.</p> <p>This is noted; however, private landlords are not generally captured by the definitions given in the scheme as they are not acting on instructions from another party. As such, this statement does not apply to other providers of HMOs.</p>
Rent levels	The additional requirements for the submission of a planning application for the change of use would increase the costs and subsequently result in the increased rent levels. This might harm the most vulnerable in the society.	This is noted. However, the introduction of an A4D would result in various benefits to the local community and occupiers of HMOs.

3.22 The issues raised at the consultation stage are valid considerations and have been thoroughly analysed. While the A4D might have an adverse impact on the financial capital of HMO provides, it would have greater benefits for the local community and HMO occupiers. In addition, it would ensure that the local community has the opportunity to make representations on planning applications which in the case of permitted development rights is not possible. As such, it is recommended to carry on with the confirmation of the Article 4 direction.

3.23 In light of these comments and issues raised, there is an appropriate justification to proceed with the confirmation of the Article 4 direction.

### **Resource implications**

- 3.24 Where an Article direction is in place, an increase in the number of planning applications can be expected for developments that would otherwise have benefited from permitted development.
- 3.25 The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 introduced the ability for local planning authorities to charge a fee for planning applications where permitted development rights have been withdrawn. Prior to new regulations, an application for development subject to an Article 4 direction would have been exempt from planning fees. The payable fee under the new regulations cannot be higher than the statutory fee payable for planning applications of the same type.
- 3.26 The current statutory fee for a planning application for a change of use is £462.00. The payment of a planning fee, plus any professional fees for incurred in preparing an application, would place an additional burden on an individual or business wishing to make changes that are subject to the Article 4 directions. However this burden would not be disproportionate to the uplift in land values or future revenue income that could be derived from obtaining planning permission.
- 3.27 In general terms, the statutory planning fee income does not entirely cover the cumulative revenue costs to the Council in all aspects of registering, processing, assessing including consultation and determining a planning application. Hence taking these two points together, officers recommend that the fee for planning applications that would have previously been permitted development should be set at the same level as the statutory fee, currently £462.00 and should change in line with any subsequent changes to the statutory fees.

### **Conclusion**

- 3.28 The evidence has been gathered as part of the process of making Article 4 directions. It should be noted that the evidence is still up-to-date and relevant. As such, the evidence ensures that the confirmation of the Article 4 directions is reasonable and justified.
- 3.29 As detailed in the report above, the Council has carried out the consultation exercise and considered the responses. This provides the opportunity to the Council to consider the confirmation of the two Article 4 directions.
- 3.30 As a result of confirming the Article 4 directions, the Council will have the opportunity to consider the impact of the subject changes of use to ensure the vitality and viability of the town centres (in relation to the town centres Article 4 direction); and the creation of HMO clusters and living conditions of HMO's occupiers (in relation to the HMO Article 4 direction).

- 3.31 One of the main benefits of the Article 4 directions is to ensure that the local community has the opportunity to make representations on planning applications which in the case of permitted development rights is not possible.
- 3.32 As such, the Cabinet is recommended to proceed with the confirmation of the Article 4 directions to come in force one year from the confirmation date.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 The implications of the proposed Article 4 directions on the protected characteristics outlined in the Equalities Act 2010 have been considered using the Council's Equality Analysis Quality Assurance Checklist (EqIAAC).
- 4.2 For the 'Town Centres' Article 4 direction, no adverse impact was identified.
- 4.3 In terms of HMO Article 4 direction, positive impact was found on people of all age due to the improvements to the management of HMOs and ensuring that there is a minimised impact on the amenity of the surrounding area.
- 4.4 Both positive and negative impacts were found on single people and people on lower incomes due to the potential of HMO A4D resulting in improved accommodation, but potentially in fewer future HMOs depending on the outcome of planning applications. However, there is no strong evidence to indicate the likeliness of the negative impact or the anticipated degree.
- 4.5 One representation was made at the consultation stage regarding the negative impact on the identified groups.
- 4.6 The potential impacts would be monitored through the planning register to track impact on people with certain protected characteristics. The outcome of the monitoring will be used to inform any future changes to policies or the Article 4 direction itself.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration.
- 5.2 In order to bring forward an Article 4 direction in accordance with Regulation (10) of the Town and Country Planning (General Permitted Development) (England) Order 2015 direction the following tasks must be completed:

- The change of use to be addressed by the Article 4 direction to be clearly set out
- Identification of the geographical boundaries to which the Article 4 direction will apply, and for that information to be mapped and recorded and made available on the Council's website
- Compilation of robust and up-to-date evidence to support the Article 4 direction, and the information to inform a clear justification to be included with decision-making reports and be published alongside the Article 4 direction (Appendix 2 & 3 – Justification reports)
- Consideration of whether an immediate Article 4 direction is required, and if so for an assessment to be completed to identify the likely financial liability and risks to the Council from doing so
- Undertaking public consultation for a period of at least six weeks and notifying the Secretary of State
- Reviewing of the representations
- Reporting cycle to consider the confirmation of the Article 4 direction
- Confirmation of the Article 4 by Cabinet
- Publication of a notice of the confirmed Article 4 direction including maps and supporting information on the Council's website at least one year before the Article 4 direction takes effect.
- Publication of a notice on the Council's website when the Article 4 direction takes effect.

5.3 The Council has met the statutory requirements as discussed above. A consultation has been carried out and the received responses have been considered.

5.4 It is recommended to proceed with the confirmation of the two Article 4 directions.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 The two Article 4 directions will increase the number of planning applications. A statutory fee of £462 will be collected for each of these applications, which will cover the cost of review.

6.2 These Article 4 directions will not materially impact on the income collected by LBTH. It is felt that imposing planning restrictions around HMO's will not impact on the number of applications and therefore income collected within the Licensing team.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 The report seeks approval to confirm two Article 4 Directions and for them to take effect one year from the date of their confirmation. Article 4 Directions are made under the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GDPO") and have the



effect of removing the right to carry out the specified development without the need for planning permission. In this case the direction will remove permitted development rights for the change of use from retail (class A1), financial and professional services (class A2) and specified town centre uses (Betting Offices, and Payday Loan shops) to residential (class C3); and the change of use from dwelling houses (class C3) to small houses in multiple occupation (class C4) remove permitted development rights for the conversion of dwelling houses to small houses in multiple occupation (HMOs), in the areas covered by the order.

- 7.2 The procedure for making an Article 4 direction that will not have immediate effect is set out in Schedule 3 of the GPDO. This provides that as soon as practicable after the direction is made, the LPA are required to give notice by local advertisement. Site notices must also be erected within the areas to which the direction relates and notice must be served on relevant owners and occupiers (unless an exception applies). A minimum period of 21 days must be given for any representations to be made. The article 4 Direction can then be confirmed. Subject to confirmation, the direction can come into force any time after 28 days have elapsed from the date of notice being given, but the direction must come into force within 2 years.
- 7.3 The Council must also send a copy of the direction and the notice to the Secretary of State on the same day as the notice of the direction is first published by local advertisement. It should be noted that the Secretary of State has power to make a direction cancelling or modifying such a direction made under article 4 by a local planning authority at any time before or after its confirmation.
- 7.4 In deciding whether to confirm a direction, the Council must take into account any representations received during the consultation period.
- 7.5 Section 108 of the Town and Country Planning Act makes provision for compensation to be payable where an application for planning permission (that would formally have been permitted development) is refused or is granted subject to conditions different from those in the GDPO. However, as the changes are 'prescribed development' within regulations, so long as 12 months' notice is given before the Article 4 direction takes effect, no compensation will be payable.
- 7.6 Pursuant to section 9D of the Local Government Act 2000 all functions of an authority are executive functions unless they are specified as not in either the 2000 Act or the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended). Whilst some planning functions cannot be the responsibility of the Executive, the making of an Article 4 direction is not a specified function and it is therefore an Executive decision. This means that either the Mayor or the Mayor in Cabinet can make the Order (first stage) or delegate this first stage to an officer. The Mayor or Mayor in Cabinet can then confirm the Order(second stage) at which point the confirmation is a key decision..

- 7.7 When considering the recommendations in this report, regard must be given to the public sector equalities duty to eliminate unlawful conduct under the Equality Act 2010. The duty is set out at Section 149 of the 2010 Act. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. As noted in the One Tower Hamlets section below, an equalities analysis has been carried out and concludes that the project does not appear to have any adverse effects on people who share protected characteristics and that no further actions are recommended at this stage. The equalities analysis should be updated after the consultation period and before a decision is taken whether or not to confirm the direction.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 An Equalities Assessment has been prepared and is included as Appendix 3. Officers will continue to work with the Council's Equalities team to ensure actions are undertaken to mitigate the likely impacts on the equality profile of those affected by the Article 4.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE

#### **Appendices**

1. Appendix 1: *Made* Town centres Article 4 Direction
2. Appendix 2: *Made* HMO Article 4 Direction
3. Appendix 3: Justification report and Equality Analysis Quality Assurance Checklist for Town centres Article 4 direction
4. Appendix 4: Justification report and Equality Analysis Quality Assurance Checklist for HMO Article 4 direction

#### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information) (England) Regulations 2012**

- NONE

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020 7364 6393

**DIRECTION MADE UNDER ARTICLE 4(1)**  
**London Borough of Tower Hamlets**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015**

**DIRECTION WITHOUT IMMEDIATE EFFECT MADE UNDER ARTICLE 4(1)**

WHEREAS the Council of **The London Borough of Tower Hamlets** (“the Council”) being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”), are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown shaded in red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Order, hereby direct that the permission granted by Class M of Part 3 Schedule 2 of the Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

This DIRECTION is made under article 4(1) of the Order and, in accordance with paragraph 1 of Schedule 3 of the Order shall come into force on 1<sup>st</sup> January 2021 subject to confirmation.

**SCHEDULE**

M. Development consisting of:

(a) a change of use of a building from:

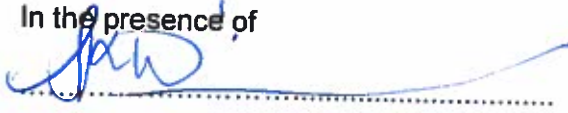
- (i) a use falling within Class A1 (shops) or Class A2 (financial and professional services) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (“UCO”);
  - (ii) a use as betting office or pay day loan shop, or
  - (iii) a mixed use combining use as a dwellinghouse with (aa) a use as a betting office or pay day loan shop or (bb) a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule to the UCO
- to a use falling within Class C3 (dwellinghouses) of that Schedule to the UCO, and

(b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

**Made under the Common Seal of  
Mayor and Burgesses of  
The London Borough of Tower Hamlets**

This .....day of.....2019.

In the presence of

  
.....



DP/19/847

**Confirmed under the COMMON SEAL of  
The Mayor and Burgesses of**

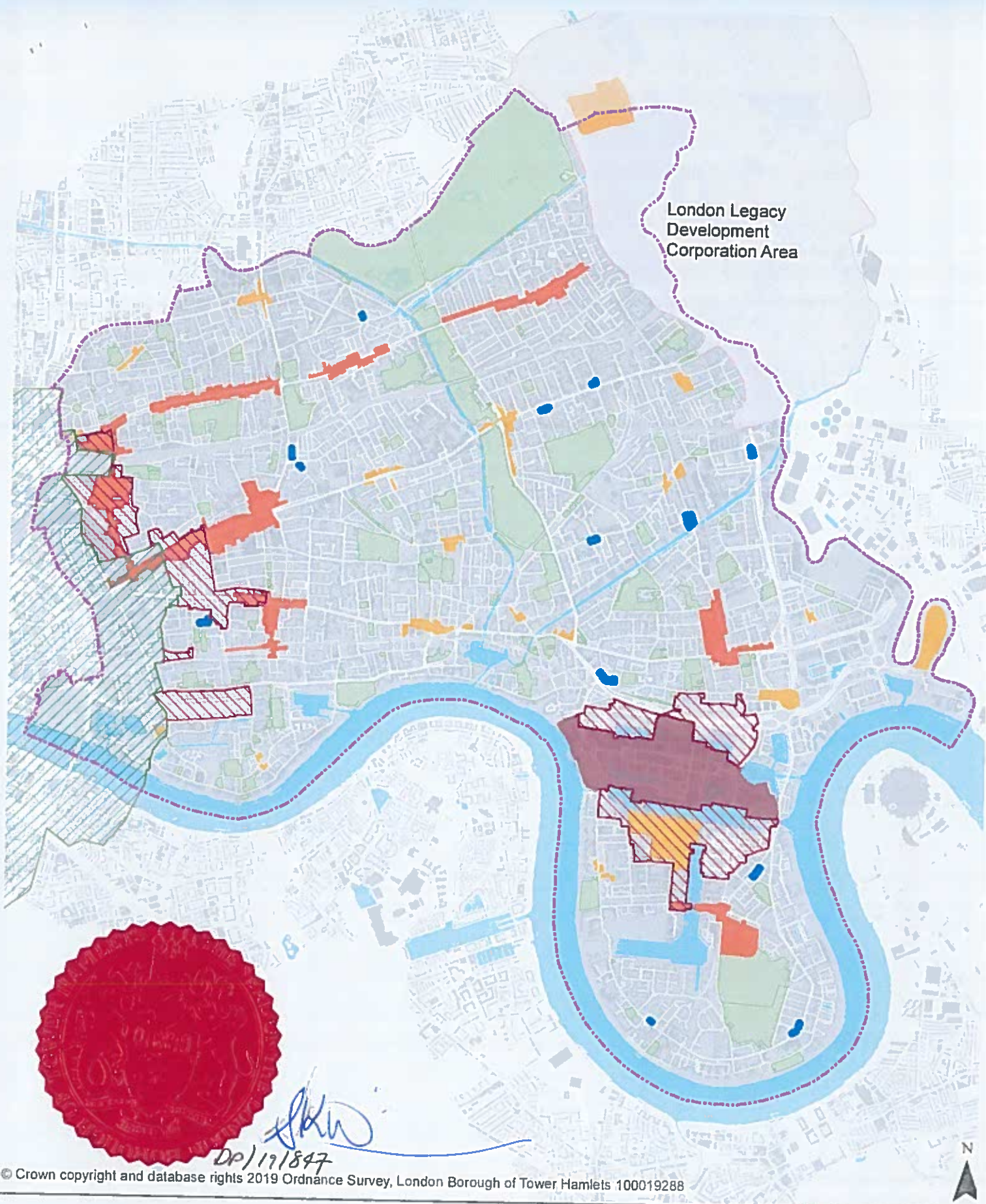
**The London Borough of Tower Hamlets**

This .....day of..... 2019

in the presence of

.....

**THIS DIRECTION COMES INTO FORCE ON 1<sup>ST</sup> JANUARY 2021 IF  
CONFIRMED**



London Legacy  
Development  
Corporation Area

*DP/171847*

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**PROPOSED ARTICLE 4 DIRECTION IMPLEMENTATION AREA**  
**LONDON BOROUGH OF TOWER HAMLETS**

Legend	
	Borough Boundary
	Central Activities Zone
	Tower Hamlets Activity Areas
	District Centre
	Major Centre
	Neighbourhood Centre
	Neighbourhood Parade





**DIRECTION MADE UNDER ARTICLE 4(1)  
London Borough of Tower Hamlets**

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT) (ENGLAND) ORDER 2015**

**DIRECTION WITHOUT IMMEDIATE EFFECT MADE UNDER  
ARTICLE 4(1)**

WHEREAS the Council of **The London Borough of Tower Hamlets** (“the Council”) being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”), are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown shaded in red on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Order, hereby direct that the permission granted by Class L of Part 3 Schedule 2 of the Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

This DIRECTION is made under article 4(1) of the Order and, in accordance with paragraph 1 of Schedule 3 of the Order shall come into force on 1<sup>st</sup> January 2021 subject to confirmation.

**SCHEDULE**

L Development consisting of a change of use of a building –

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

**Made under the Common Seal of  
Mayor and Burgesses of  
The London Borough of Tower Hamlets**

This .....day of.....2019.

In the presence of .





DP/19/848

**Confirmed under the COMMON SEAL of  
The Mayor and Burgesses of  
The London Borough of Tower Hamlets**

This .....day of..... 2019

in the presence of

.....

**THIS DIRECTION COMES INTO FORCE ON 1<sup>ST</sup> JANUARY 2021  
IF CONFIRMED**





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### Article 4 Direction (HMO) Implementation Area

**Legend**

- Article 4 Direction Implementation Area
- London Legacy Development Corporation Area
- Borough Boundary



11

Handwritten notes or a stamp, mostly illegible due to fading and bleed-through.

## Appendix 3 – Article 4 Direction Justification

### ***Conversion of A1 retail, A2 financial and professional services and specified town centre-compatible Sui Generis uses (Betting Offices and Payday Loan shops) to C3 residential***

#### **1. Introduction & Background**

- 1.1. The Council recognises the importance and significance of town centre uses to meet the needs of local communities throughout the Borough, and through the planning process, a range and balance of such uses is sought within town centres.
- 1.2. Retail uses are a particularly important focus for the Council. Their protection and enhancement is a theme which underpins the adopted Core Strategy's vision (2010) as well as featuring in the Managing Development Plan (2013) and emerging Local Plan as policies. In regards to the emerging Local Plan in particular, policies were drafted in response to a number of local concerns raised during regulation 18 and 19 stages of the Local Plan process highlighting an accelerated loss of local shopping facilities in the Borough.
- 1.3. Furthermore, the objective to 'improve the retail offer on the high street' within the Tower Hamlets High Streets & Town Centre Strategy (2017-2022) is identified as a key part of achieving the council's strategic mission for town centres. This is in recognition of the unique retail landscape within Town Hamlets in that it predominately comprises very small, independent retailers that provide essential services to our local communities<sup>1</sup>.
- 1.4. The Government introduced in April 2014 a change to the General Permitted Development Order ('GPDO') which allows for:
  - (a) a change of use of a building and any land within its curtilage from
    - (i) a use falling within Class A1 (retail) or Class A2 (financial and professional services) of the Town and Country Planning (Use Classes) Order 1987 (as amended) ("Use Classes Order");
    - (ii) a use as betting office or pay day loan shop, or
    - (iii) a mixed use combining use as a dwellinghouse with (aa) a use as a betting office or pay day loan shop or (bb) a use falling within either Class A1 (retail) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class G of this Part or otherwise) to a use falling within Class C3 (dwellinghouse) of that Schedule, and

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<sup>1</sup> Tower Hamlets High Street & Town Centre Strategy 2017-2022

(b) building operations reasonably necessary to convert the building referred to in paragraph (a),  
to a use falling within Class C3 (dwellinghouses) of that Schedule without requiring planning permission. The new rules only apply to premises not exceeding 150 square metres of floor space in conjunction with a number of other conditions. In the new GPDO introduced in April 2015, this PD right was amended to include betting shops and pay day loan shops, which have since been excluded from Use Class A2 and are now sui generis in use.

- 1.5. Prior Approval must be sought on this permitted development (PD) right, whereby the applicant is required to apply to the Local Planning Authority for a determination as to whether approval of the authority is required related to several matters. These matters include:
- Transport and highways impacts;
  - Contamination impacts;
  - Flooding impacts;
  - Design and external appearance; and
  - The impact of the change of use from A1/A2 to C3 in relation to:
    - the adequate provision of A1 and A2 uses services where there is a reasonable prospect of the building being used to provide those services; and
    - the sustainability of the shopping area where the building is located where the building is located in a “key shopping area”.
- 1.6. Although the prior approval process set out above allows for the council to assess the impacts of the change of use in question, there is still scope to argue all these points and “key shopping area” isn’t properly defined in national guidance, thereby risking the loss of viable retail units and designated town centres being undermined.

## **2. The need for an Article 4 Direction**

- 2.1. In view of the need to properly and effectively manage the balance of land uses within town centres through the planning system, it is therefore considered necessary for the Council to remove the PD rights set out in paragraph 1.4 through an Article 4 direction within the Borough’s town centre hierarchy which includes the Central Activities Zone, the Tower Hamlets Activity Areas, Canary Wharf Major Centre, District Centres, Neighbourhood Centres and Neighbourhood Parades. The town centre hierarchy boundaries are designated on the Local Plan Policies Map and are mapped in Appendix 2.
- 2.2. The above areas are included on the basis that they contain concentrations of sites with A1 retail, A2 financial and professional services, betting offices or pay day loan shops at risk to the conversion of C3 residential uses. These areas are also highly accessible by the Borough’s residents and visitors; provide essential local shops

services and shops; and are subject to town centre policies within adopted and emerging Local Plans as well as strategic planning guidance from the Greater London Authority.

- 2.3. The Council's approach is supported by a retail evidence base supporting both the adopted and emerging Local Plans, both of which seek to meet identified retail need and to maintain an appropriate balance of town centres. The full suite of retail evidence base documents is referenced within Annex 2 of this report. In particular, the Town Centre Retail Capacity Study (2016) most recently reviewed and identified the extent of the Borough's primary and secondary shopping frontages, primary shopping areas and town centre boundaries as a way to specifically enable the council to "*manage Permitted Development Rights, principally from retail to residential use*"<sup>2</sup>. The assessment undertaken to reach these policy recommendations is based on the robust evidence provided by Experian Goad, the Council's annual monitoring data, and other health checks in order to build a detailed retail portrait for each town centre.
- 2.4. Allowing A1 and A2 uses, a betting shop or a pay day loan shop to convert to a use falling within C3 residential use without the need for a planning permission is therefore contrary to the Council's adopted and emerging Local Plan policies which seek to manage the balance of land uses within the Borough through the planning system, particularly retail uses in the Borough's town centre hierarchy. Also by allowing retail uses to convert to residential use under PD will impact upon the Council's ability to meet identified retail need; to oversee the quality of new development and ensure minimum standards are met in terms of design, energy efficiency, parking and space standards; and to manage against other adverse socio-economic impacts in the wider community.
- 2.5. It should be noted that throughout this report, the term "retail" may be used to describe both A1 and A2 uses for the benefit of using a mutual word. Also note that although the specific sui generis uses (betting shops and payday loan shops) do fall within the proposed Article 4 direction, they are not the focus of this justification which is why they are not always referred to. This is set out in more detail within Chapter 12 of this report.
- 2.6. The purpose of this report is to recommend the issue of a non-immediate Article 4 direction in the Borough's town centre hierarchy where for (a) a change of use of a building and any land within its curtilage from (i) a use falling within A1 retail or A2 (financial and professional services) of the Schedule to the Use Classes Order; (ii) a use as betting office or pay day loan shop, or (iii) a mixed use combining use as a dwellinghouse with (aa) a use as a betting office or pay day loan shop or (bb) a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class G of this Part or otherwise) to a use falling within Class C3 (dwellinghouses) of that Schedule, and

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<sup>2</sup> Tower Hamlets Town Centre Retail Capacity Study (2016) (page 179).

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule and (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule would require a planning application, which would allow a full assessment by the Council.

### 3. Policy context

- 3.1. Further to qualitative and quantitative evidence within the evidence base, there are also policy justifications at national, regional and local levels which support the introduction of an Article 4 direction. These are set out below.

#### National

- 3.2. The National Planning Policy Framework (NPPF) (2018) recognises the role of the planning system in supporting the vitality and viability of town centres and promoting healthy communities. Paragraph 85 of the NPPF states that local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.
- 3.3. The NPPF is clear in stating that Article 4 directions should not be made without clear justification. Paragraph 53 of the NPPF states that *“the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)”*.

#### Regional (London)

- 3.4. Town Centres are also considered by the London Plan (2016) as a key spatial priority of the London Plan, providing access to a range of services and enabling all parts of London to make a greater contribution to London’s economic success (para. 2.69).
- 3.5. Policy 2.15 ‘Town Centres’, part C.a. advises that development proposals should sustain and enhance the vitality and viability of town centres and Policy 4.8 ‘Supporting A Successful And Diverse Retail Sector’ states that boroughs and other stakeholders including the Mayor should support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need. A vibrant, diverse retail sector is seen as essential to London’s success and in supporting the economic vitality and health of the whole range of town centres across London (para 4.47). Policy 4.7 ‘Small shops’ sets out the Mayor’s commitment to increase the diversity and attractiveness of the retail sector through the provision of small and affordable shops suitable for independent retailers.

- 3.6. The emerging London Plan echo's the strong town centre approach set out in the current London Plan. Policy SD6 'Town centres' in particular recognises that London's town centres are central to the lives of Londoners and provide a focus for the local community. The policy recognises the *"potential for new housing within and on the edges of town centres through higher-density mixed-use or residential development"*, although it also states that *"residential-only schemes in town centres may only be appropriate outside of primary and secondary shopping frontages where demonstrated that they would not undermine local character and the diverse range of uses required to make a town centre vibrant and viable"*.
- 3.7. The London Plan is also supported by a series of supplementary planning guidance documents or SPGs. Two of relevance to the Tower Hamlets town centre hierarchy include the Central Activities Zone Supplementary Planning Guidance (2016) (or CAZ SPG) and the City Fringe Opportunity Area Planning Framework (2015). Both documents provide a strategic policy direction for development within the Borough's CAZ designation in the west, as well as the two Activity Areas in the City Fringe and the Isle of Dogs. The essence of this strategic policy is concerned with the need to safeguard and enhance the unique mix of uses and activity prevalent within the CAZ and Activity Areas. More information on these documents and justification for the inclusion of these designations is provided in Chapter 13.

#### Local (Tower Hamlets)

- 3.8. The current Local Plan policies relevant to A1 and A2 are as follows:
- Core Strategy (2010):
- Spatial Policy SP01
- Managing Development Document (2013):
- Policy DM1 (Development within the town centre hierarchy)
  - Policy DM2 (Local shops)
- 3.9. The Council's emerging Local Plan, supported by the most up-to-date evidence base, contains the latest position in regards to designated town centres and town centre policies. The relevant emerging Local Plan policies are as follows:
- Policy S.TC1: Supporting the network and hierarchy of centres
  - Policy D.TC2: Protecting retail in our town centres
  - Policy D.TC3: Retail outside our town centres
  - Policy D.TC4: Financial and professional services
  - Policy D.TC5: Food, drink, entertainment and the night-time economy
- 3.10. The above policies were subject to examination in public between September and October 2018. Policy D.TC2 in particular contains minimum A1 thresholds for Primary

and Secondary Frontages of the District Centres (60% and 40% respectively), as well as the boundaries of Neighbourhood Centres (40%) and Neighbourhood Parades (40%). The A1 thresholds are based on a robust evidence base which establishes the proportion of retail uses and other main town centre uses that would ensure the vitality and viability of its town centres and local shopping areas.

- 3.11. As set out above, both the current and emerging local plans place the protection of retail uses in our town centres and the heart of the town centre strategy. It is considered that the PD right undermines the intent of these policies, in particular the A1 thresholds set out within Policy TC.2, but also the role of the town centre hierarchy set out in emerging policy S.TC1 and adopted policies; such as Policy DM1 (Development within the town centre hierarchy) and Policy DM2 (Local shops).

#### 4. The need for retail

- 4.1. In order to facilitate sustainable population and employment growth, the Council needs to ensure that sufficient land is available for retail floorspace amongst a number of other land uses. This is currently achieved through the planning system and the implementation of local plan policies.
- 4.2. To support the new Local Plan, the Town Centre Retail Capacity Study (2016) identified retail need across all of the Borough's designated town centres (Major, District and Neighbourhood Centres) as set out in Table 1 below. The analysis shows that all of the Borough's town centres have a need for convenience retail floorspace, creating a total borough-wide convenience need of 7,941 sqm to 2031. It is this type of need which is the Borough's priority in terms of meeting local retail need for everyday items such as groceries. The need for comparison floorspace is less significant, mainly because it takes into account the impact of large amounts of committed development, particularly in Canary Wharf, but note that this does not take into account other factors such as increased investment, expenditure or market share.

Table 1: Proportion of new retail floorspace required in Tower Hamlets to 2031

Type of centre	Name	Amount of convenience floorspace (square metres) <sup>3</sup>	Amount of comparison floorspace (square metres) <sup>4</sup>
Major Centre	Canary Wharf	1,119	No capacity
District Centre	Bethnal Green	919	1,868
	Brick Lane	54	63
	Chrip Street	381	1,077

<sup>3</sup> Tower Hamlets Town Centre Retail Capacity Study (2016)

<sup>4</sup> Tower Hamlets Town Centre Retail Capacity Study (2016). Where identified that there is 'no capacity', this represents a negative retail capacity figure as a result of committed development.



	Crossharbour	504	No capacity
	Roman Road East	565	1,523
	Roman Road West	48	No capacity
	Watney Market	471	389
	Whitechapel	2,262	3,105
Neighbourhood Centres	All	2,033	2,066
<b>Borough-wide capacity</b>		<b>7,941</b>	<b>No capacity</b>

4.3. As this justification report has already explained within Chapter 2, the emerging Local Plan sets out a number of policies and designations that seek to protect existing retail provision and provide new provision. Therefore, the PD right for the loss of retail uses without management through the planning system may inhibit the Council's ability to ensure that the Borough's town centre hierarchy retain a sufficient critical mass of retail provision to meet the identified need, as well as managing the mix and introduction of other uses (including housing) which may or may not contribute to the vitality and viability of the town centre or area. This compromises Policy S.TC1 (Supporting the network and hierarchy of centres) and Policy D.TC2 (Protecting retail in our town centres).

## 5. Impact to small shops

- 5.1. The Borough has a unique retail landscape with a strong emphasis on small and independent shopping that reflects the local traditional retailing nature of the centres<sup>5</sup>. These shops provide a critical service to our local communities whom often do not have the means to travel long distances to access essential services<sup>6</sup>. It is this understanding and evidence which forms the basis of the High Street & Town Centres Strategy as well as the Council's local planning policies to protect local retail provision.
- 5.2. The Greater London Authority (GLA) also recognise the importance of London's small shops and the extensive range of benefits that small shops have for their localities, including: serving a focus for local neighbourhoods; allowing people to shop locally on foot and thereby reducing carbon emissions; provide easy access to shops for low income groups, the elderly and those without cars; providing a critical role local employment and economy; and adding to the unique character of an area<sup>7</sup>. The Mayor's Small Shops Study also acknowledges that the existence of small shops is coming under sustained pressure and that "*the evidence documenting the decline of the small shop, independent retailer and the local neighbourhood shopping centre is clear*". The Tower Hamlets Town Centre Retail Capacity Study (2016) also makes this

<sup>5</sup> Tower Hamlets Retail Impact Threshold Study (2018) (page 10)

<sup>6</sup> Tower Hamlets has low car ownership ratio with only 37% of households owning one or more cars, compared to 43% across London (*Travel in London, Report 9, Transport for London, 2016*) (2015/16 figures).

<sup>7</sup> GLA's London Small Shops Study 2010

case and states the need to develop local policies where appropriate to support the provision of small shop units<sup>8</sup>.

- 5.3. This PD right targets smaller units in that it only applies to premises that do not exceed 150 square metres. Furthermore, the types of A1 and A2 use premises most at risk of conversion to residential have relatively small floorplates. Given the density of small shops in the Borough, this puts Tower Hamlets in a particularly vulnerable position in terms of retail provision and meeting the need identified in chapter 3 of this report.
- 5.4. Indeed, the Tower Hamlets Retail Impact Threshold Study (2018) identified the very small average size of retail units in Tower Hamlets:
- *The average unit size of units in the A1 Use Class are 149 sqm, ranging from 98 sqm to 235 sqm in the District Centres, and between 42sqm and 274 sqm in the Neighbourhood Centres.*
  - *A similar situation is noted for the units in the A2 Use Class: the average size is 69 sqm. The units range from 60 sqm to 96 sqm in the District Centres, and between 18 sqm and 93 sqm in the Neighbourhood Centres.*
  - *Across all the centres, the average unit size is 129 sqm.*
- 5.5. Therefore, the conversion of these premises under PD rights may result in a significant loss of retail space within Tower Hamlets.. It is important to ensure that the Borough's town centres are able to continue to accommodate local shops that provide everyday essential services to meet local needs, as well as providing sufficient space to accommodate small to medium sized enterprises (another strong policy direction with both adopted and emerging Local Plans. This is particular would compromise adopted Local Plan Policy DM2 (Local shops), as well as London Plan Policy 4.7 (Small shops).

## 6. Retail conversions to date

### *Loss of A1/A2 uses overall*

- 6.1. Focusing firstly on the loss of A1 and A2 uses to all other uses, Table 2 below shows that the Council has on its planning records 198 planning applications submitted in the past five years which sought the change of use from A1 or A2 other uses across the borough<sup>9</sup>, of which 116 (59%) have been approved. To put this in perspective, the average number of A1 and A2 units within the Borough's District Centres is 103. Of the 116 approved applications, 92 (or 79%) were within the town centre hierarchy showing the extent to which the hierarchy is most at threat from this PD right.
- 6.2. PD rights have also had an impact on the loss of A1 and A2 uses. A total of 41 prior approval applications have been received involving the loss of A1/A2 units to other

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<sup>8</sup> Tower Hamlets Town Centre Retail Capacity Study (2016) (paragraphs 3.43-3.45)

<sup>9</sup> Data since 23<sup>rd</sup> January 2014 from the Council's internal acolaid system

uses over the last five years, and 30 of these (73%) were in the town centre hierarchy, although a much smaller proportion of these application have been approved.

*Loss of A1/A2 uses to residential uses only*

- 6.3. As shown in Table 3, many of these A1 and A2 losses have been for the conversion to residential uses. The analysis shows that within the town centre hierarchy, approximately 20% of received planning applications and 37% of received prior notification applications are for conversion from A1 and A2 uses to residential units.
- 6.4. Focusing on the specific General Permitted Development Order for which this Article 4 direction seeks to address, there have been 15 prior approval notifications for the conversion of A1/A2 to residential uses since 2014 and nearly all these have been within the town centre hierarchy. Importantly though, 6 of the 15 applications were received during 2018 alone (of which 3 were approved) demonstrating that the impact of the PD right is increasing in recent months.
- 6.5. Overall, the analysis indicates that there is a high demand for change of use from A1 and A2 units to other uses with a total of 124 units being lost in the Borough (through both the planning system and through PD rights) over the last five years. As demonstrated throughout this report and within the emerging Local Plan, the need to retain all remaining viable retail uses is critical for the future sustainable development of the Borough, and without the Article 4 direction, the Council will not be able to manage these changes of use through the planning process.

*Table 2: Planning applications and prior approvals involving the loss of A1 or A2 units to any other use (including residential use) since January 2014*

		Total received	Approved	Refused	Withdrawn	Registered
Planning Applications	Loss of A1/A2 units to any other use <i>(Borough-wide)</i>	198	116	45	25	12
	Loss of A1/A2 units to any other use <i>(Town Centre Hierarchy)</i>	150	92	33	20	5
Prior Approvals	Loss of A1/A2 units to any other use <i>(Borough-wide)</i>	41	8	26	6	1
	Loss of A1/A2 units to any other use <i>(Town Centre Hierarchy)</i>	30	4	19	6	1

Table 3: Planning applications and prior approvals involving the loss of A1 or A2 units to residential uses only since January 2014

		Total received	Approved	Refused	Withdrawn	Registered
Planning Applications	Loss of A1/A2 units to C3 residential only (Borough-wide)	50	28	13	4	5
	Loss of A1/A2 units to C3 residential only (Town Centre Hierarchy)	29	20	5	2	2
Prior Approvals	Loss of A1/A2 units to C3 residential only (Borough-wide)	15	4	6	4	1
	Loss of A1/A2 units to C3 residential only (Town Centre Hierarchy)	11	2	4	5	0

\*Data does not take into account any gains in A1 or A2 uses over the last 5 years, only unit losses

\*\*Data does not include temporary changes of use

## 7. Retail occupancy

- 7.1. One of the main reasons for the introduction of the new PD rights was to “allow redundant buildings to be brought back into use” (DCLG, New opportunities for sustainable development and growth through the reuse of existing buildings, July 2012).
- 7.2. While reports in the press have suggested that high levels of vacancy are an issue in some parts of the country, it is not generally an issue in Tower Hamlets. The most recent surveys carried out as part of the 2016/17 Annual Monitoring Report (AMR) indicate that vacancy rates in the Borough’s Major and District Centres at 8.2% are well below the national average of 11.2%<sup>10</sup>. These figures are being further reviewed as part of the Council’s new Local Plan monitoring which will include a full review of the borough’s Neighbourhood Centres and Neighbourhood Parades.
- 7.3. The Borough’s low high street vacancy rate is also a characteristic recognised within the Tower Hamlets High Street & Town Centres Strategy<sup>11</sup>, which aims to further improve the health, competitiveness and vitality of the Borough’s town centres through a targeted investment and management plan.

<sup>10</sup> Vacancy Rates - Local Data Company (2017)

<sup>11</sup> Tower Hamlets High Street & Town Centre Strategy 2017-2022 (page 13)

- 7.4. The document contains various ways to achieve this, including enhancing the Borough's street markets; upgrading shopfronts; supporting enterprise, marketing and online presence; and managing the night time economy. Importantly however, it also recognises 'housing growth' as a major driver to improving footfall and health of our town centres, identifying the major housing schemes coming forward in close proximity to the Borough's town centres. For example, Whitechapel District Centre which will see an additional 3,614 units planned on 8 sites within 800 metres of the centre<sup>12</sup>. Given the compact nature of Tower Hamlets, all of the Borough's major housing sites identified within the latest Local Plan Housing Trajectory are within walking distance to a town centre which will serve to drive future footfall. More detail on the impact of housing growth is provided below.
- 7.5. Overall, given the Borough's already high town centre occupancy rates; the Council's targeted town centre investment and support strategies to further increase footfall; as well as the level of planned housing growth; the vitality and viability of the Borough's future retail offer is predicted to increase and it is therefore considered that this PD right runs counter to the adopted High Street & Town Centre Strategy vision.

## 8. Housing growth

- 8.1. It is contended that converting these areas to housing is not needed in terms of housing delivery. Since 2011, Tower Hamlets has overall exceeded its London Plan housing target (the largest target across all London Boroughs) and has continued to deliver more new homes than any other authority in the country. This is demonstrated by the New Homes Bonus awarded to Tower Hamlets which is almost £21 million over the past eight years - over a third more New Homes Bonus than the London Borough of Wandsworth, the second largest recipient of the award. During 2016/17 in particular, the Borough delivered 4,699 homes against a target of 3,931 homes.
- 8.2. The Council's future pipeline remains significant and it is reliant on a number of very large sites<sup>13</sup>. In this regard, the trajectory is far less reliant on the supply of singular units which is main outcome of this PD right. To help demonstrate the scale of the housing sites within the Borough, the Council's latest housing trajectory (2018) contains 101 sites with over 100 homes; 54 sites of these sites contain over 300 homes and 11 of these sites contain over 1,000 homes.
- 8.3. As stated in Chapter 6 above, housing growth is viewed as an important indicator of measuring future town centre footfall, health and vitality. Through the Local Plan, Tower Hamlets has made a commitment to secure the delivery of 58,965 homes across the borough between 2016 and 2031, equating to 3,931 homes per year.

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<sup>12</sup> Tower Hamlets High Street & Town Centre Strategy 2017-2022 (page 24)

<sup>13</sup> Examples of very large housing sites all in close proximity to town centres: include Wood Wharf (3,610 homes), Blackwall Reach (1,572 homes) and Leamouth Peninsula South (1,706 homes).

8.4. Overall, this chapter has demonstrated that:

- At this currently time, the Council's latest housing trajectory is not dependant on small sites to meet identified need; and
- Given the scale of new housing, on top of the unprecedented levels of housing delivery over recent years, it demonstrates that the role of the Borough's town centres and local services is more important than ever in order to support the growing population.

## **9. Amenity impact**

- 9.1. Although the Council's planning policies support a mix of uses in its town centres and elsewhere, should residential development come forward through this PD right the inability of the planning system to oversee and manage development means that there is potential for poor design and amenity impacts resulting from an inappropriate relationship between residential and commercial buildings.
- 9.2. For example, there is a risk of predominantly or solely residential use existing in town centres (contrary to emerging London Plan Policy SD6) which would erode those designations and the character of our town centres, meaning that they will not be able to perform their primary role of supplying shops and financial and professional services.
- 9.3. In addition, residential development amongst retail on the ground floor can inhibit intensification of new commercial activity through redevelopment, due to reverse sensitivity issues such as entitlement to rights of light; privacy; or noise and disturbance. Residential rights may also impose costly controls on the early and late servicing and operational activity, which is essential for maintaining a competitive business environment.
- 9.4. The potential for inappropriate interaction between residential and commercial uses also leads to amenity impacts on residential occupiers, with subsequent regulatory and enforcement impact on the Council. These difficulties include key design issues such as achieving minimum space standard in accordance with the Mayor's London Plan; other design issues such as single aspect dwellings and access to light; and ensuring transport impacts are accurately assessed such as parking standards.
- 9.5. Overall, it is considered that this PD right bypasses key planning decisions and assessment necessary to protect or ensure the amenity of both commercial uses and residential uses.

## **10. Other Socio - Economic Impacts**

- 10.1. There are other socio-economic impacts that must be taken into account when assessing the impact of this PD right as set out below.

- 10.2. In terms of economic impacts, the value placed on particular land uses is important. For example, residential values in Tower Hamlets have continued to appreciate over recent and most of the Borough benefits from high public transport accessibility levels which will be improved with the arrival of the Elizabeth Line.
- 10.3. Retail values on the other hand, have not increased to the same degree as residential, further exacerbating the differential in land values between retail and residential floorspace. As a result, there is evidence that landlords and letting agents are not effectively marketing their vacancies, particularly in areas such as the southern end of Brick Lane and in Roman Road West District Centres, in the hope of securing permission for conversion to residential use which commands higher returns<sup>14</sup>.
- 10.4. In relation to the above issue, the Council's town centres team have also experienced an increasing pressure from landowners converting upper floor retail storage space into residential use, which in turn puts additional pressure on the operation of the associated ground floor retail unit, as well as a risk to its future viability. This, again, is an issue particularly acute within Brick Lane District Centre.
- 10.5. In terms of social impacts, the PD right could also prevent the Council from securing affordable housing to meet its objective of increasing housing of this tenure along with all tenures across the Borough in accordance with its Local Plan. This may result in the Council not only losing retail floorspace, but would also be unable to secure affordable housing delivery. This will also undermine the objectives to create a mixed and sustainable community, which is contained in government guidance as one of the key considerations that can justify an Article 4 direction.

## **11. Betting shops and pay day loan shops**

- 11.1. As well as A1 and A2 uses, this Article 4 direction would also protect betting shops and pay day loan shops from this PD right in the Borough's town centres. While the Council supports the non-proliferation of betting shops and pay day loan shops throughout the Borough, it is preferred that a planning application is lodged for its proposed change to residential.
- 11.2. This would allow the Council to fully assess proposals and manage any potential impacts from future changes. For example, it is considered that once a betting shop or payday loan shop is lost to a residential use then it is likely to be lost in perpetuity and unlikely to ever change back to another active town centre use in the future. As detailed within this report, the gradual 'breaking up' of the Borough's shopping parades would have a significantly negative impact on the character, vitality and viability our local high streets. Residential units do not lend themselves for activity and in fact, they go as far as being 'inactive'.

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<sup>14</sup> Tower Hamlets High Street & Town Centre Strategy 2017-2022 (page 13)

## 12. Proposed Article 4 Direction Implementation Area

12.1. The proposed Article 4 Implementation Area includes the following town centre hierarchy designations which are mapped in Appendix 2 of this report:

- Central Activities Zone;
- Tower Hamlets Activity Areas;
- Canary Wharf Major Centre;
- District Centres;
- Neighbourhood Centres, and
- Neighbourhood Parades.

12.2. The key reasons for the selection of these town centre hierarchy designations are:

- they contain concentrations of sites with A1 (retail), A2 (financial and professional services), betting offices or pay day loan shops at risk to the conversion of C3 (residential) uses;
- they are highly accessible by the Borough's residents and visitors and provide essential local shops and services; and
- they are subject to retail planning policy at both local and strategic levels, including policies within the adopted and emerging Tower Hamlets Local Plan as well as the London Plan's policies and supplementary planning guidance. All layers of planning policy aim to protect retail provision in accordance with evidenced needs and in terms of promoting diverse, vibrant and economically healthy centres of activity.

12.3. A more detailed policy justification for the inclusion of each centre in the hierarchy is provided below:

### Central Activities Zone (CAZ)

12.4. The CAZ, located in the west of the Borough, is a London Plan designation. It is the geographical, economic and administrative heart of London, one of the world's most important financial and business centres, and contains the major employment, leisure and retail designations within London. The CAZ is also complemented by the 'North of the Isle of Dogs' which includes Canary Wharf Major Centre as well as the Isle of Dogs Activity Area. The North of the Isle of Dogs is 'functionally-related' to the CAZ and therefore subject to the same strategic policy.

12.5. Development within the CAZ is directed by relevant London Plan policies and the Central Activities Zone Supplementary Planning Guidance (2016) ('CAZ SPG'). The CAZ SPG in particular sets out detailed planning guidance for the CAZ. It describes the CAZ as having a "*significant agglomeration of activities combined with its character and international reputation for business, shopping, culture, tourism and heritage that make the CAZ unique in a London, national and international context*". It also states



that *“it requires a different set of policies to the rest of the country and national policy should always be tailored to the specific and unique circumstances of the CAZ”*<sup>15</sup>.

- 12.6. Retail uses are identified as a strategic function of the CAZ (see table 1 of the CAZ SPG) which means that retail is afforded significant weight in planning decisions in order to safeguard the unique mix of uses. Importantly though, although new housing development is strongly encouraged in the CAZ, it is not identified a CAZ strategic function. Paragraph 0.1.7 states that housing must not compromise the strategic functions of CAZ (including retail activities), rather they should always be complementary.
- 12.7. In conclusion, the CAZ SPG provides detailed and evidenced planning guidance to help manage new development within the CAZ, and as an SPG, this has material weight in planning decisions. There is a clear policy direction to protect the strategic function of the CAZ, which includes retail functions. Clearly, the PD right relevant to this report runs counter to the GLA’s strategic policy direction which warrants the need for an Article 4 Direction for this designation in order to fully assess the impact of proposals on the strategic importance of the CAZ through the planning system.

#### Tower Hamlets Activity Areas

- 12.8. The Borough contains two Activity Areas in the City Fringe (west) and Isle of Dogs (east). Activity Areas are bespoke policy designations that are areas of transition between the scale, activity and character of the CAZ and Canary Wharf Major Centre and their surrounding areas. Within both adopted and emerging local planning policy, the direction for development within the Activity Areas is to support a mix of uses which make a positive contribution to health and well-being and promote active uses at ground floor level.
- 12.9. Both Activity Areas are also subject to strategic planning guidance. As mentioned above, the Isle of Dogs Activity Area is located within the ‘North of the Isle of Dogs’ and therefore covered by the CAZ SPG which requires the need to protect retail uses as a strategic function of the CAZ.
- 12.10. The boundary of the City Fringe Activity Area, however, is not within the CAZ but does adjoin the CAZ. Instead, strategic policy guidance for this area is provided by the adopted City Fringe Opportunity Area Framework (OAPF) (2015). Like the CAZ SPG, the City Fringe OAPF provides a strong policy direction to protect the use mix and activity of the City Fringe area. For example, the OAPF vision is: *“Enabling the business cluster to continue to grow as a mix of large corporations, SMEs, micro businesses and start-ups and become the innovation hub driving growth in London and the UK’s the digital economy, while delivering housing and other supporting uses such as retail and leisure”*

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<sup>15</sup> Central Activities Zone Supplementary Planning Guidance (2016) - Paragraph 0.1.8

12.11. Indeed, one of the main objectives in the OAPF is “supporting the mix of uses that makes City Fringe special”<sup>16</sup>. In particular, it states that:

*The pressure for new development should not erode the qualities that draw businesses and residents to the City Fringe attractive in the first place. Ongoing provision of the mix of supporting uses such as leisure, retail and night-time economy needs to be managed in a way that doesn't compromise the character of the area and ensures “critical mass” at key locations such as special policy areas, CAZ frontages and the town centre network. Support is given to small independent traders and temporary “pop-up” uses that provide vibrancy and activity as well as provide valuable opportunities for new businesses.*

12.12. Strategy 4 sets out an approach to meet this objective, stating that “*retail development should generally be focussed into key frontages identified as part of the CAZ or the town centre network, and areas where such active uses have been identified as desirable as part of a mix including other active uses*”. Small independent shops are also an important feature of the OAPF and given strong support<sup>17</sup>.

12.13. The Tower Hamlets Activity Areas, as bespoke policy designations within the town centre hierarchy, are subject to local and strategic policy guidance which seeks to protect the mix of uses and activity within those areas. For this reason, it is considered that an Article 4 direction should also apply to these town centre designations in order to properly assess proposals for the conversion of A1 and A2 uses to residential uses.

#### Major, District and Neighbourhood Centres

12.14. Major, District and Neighbourhood Centres are the Borough's designated town centres in accordance with the London Plan definitions. These centres provide the main focus of retail provision for Tower Hamlets. Both District and Neighbourhood Centres are subject to A1 (retail) thresholds along shopping frontages within policy D.TC2 of the emerging Local Plan, in accordance with local evidence. Therefore, in order to ensuring the effective implementation of emerging Local Plan policies, clearly, Major, District and Neighbourhood Centres must be included within this Article 4 direction.

12.15. Note that the A1 (retail) threshold policy has not been applied to Canary Wharf Major Centre given the nature of its retail offer being confined within subterranean shopping malls and under single ownership (Canary Wharf Group). This means that Canary Wharf acts very differently to more traditional centres in terms of layout, footfall patterns and retailing needs, making it impossible to designate shopping frontages.

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<sup>16</sup> City Fringe Opportunity Area Planning Framework (2015) - page viii

<sup>17</sup> City Fringe Opportunity Area Planning Framework (2015) - Strategy 4: Support for the mix of uses that makes the City Fringe special

Nevertheless, Canary Wharf is still a strategic retail hub and an area 'functionally-related' to the CAZ (see paragraph 13.4) which is why the Article 4 should still apply.

### Neighbourhood Parades

12.16. Neighbourhood Parades are a further layer of the town centre hierarchy recognised within the London Plan<sup>18</sup>, providing a key localised function. They have been introduced within the emerging Local Plan as a way to specifically mitigate against the impacts of General Permitted Development Order on local shops and services. Neighbourhood Parades are also subject to A1 (retail) threshold policy within policy D.TC2 of the emerging Local Plan.

## **13. Conclusion**

### Need for an Article 4 direction

- 13.1. The making of this Article 4 direction for the withdrawal of the PD rights for Class A1 (shops), Class A2 (financial and professional services), betting shops and pay day loan shops to convert to Class C3 (residential) use in the Borough's town centre hierarchy is considered by the Council to be necessary to ensure that the balance of land uses in these centres are managed and planned to safeguard the character, viability and vitality of those centres; to protect these units from the potential loss of much needed retail floorspace; and to protect against adverse impacts on local amenity. This has been demonstrated in the above justification report and the report that this is attached to.
- 13.2. The specified PD rights conflict with the Council's ability to manage development in a sustainable manner in accordance with its Local Plan policies which have been developed from a strong evidence base, contrary to the aims of both the London Plan and the NPPF. Overall, being able to manage the change of use of Class A1 (shops) and Class A2 (financial and professional services) is critical to maintaining the vitality and viability of our local shopping offer.
- 13.3. The PD rights could have a detrimental impact on retaining core retail in the Borough's Major, District and Neighbourhood Centres, particularly given that in most of the Borough's town centres the proportion of retail uses is near or even below the minimum threshold protected, as well as that within the CAZ, Activity Areas and Neighbourhood Parades which make a significant contribution.

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<sup>18</sup> London Plan (2016) paragraph 4.50: In LDFs, boroughs should consider opportunities for new or expanded local centres where there is capacity to meet the needs of existing under-served areas or new residential communities. Co-ordinated planning and other interventions may be required to retain facilities such as corner shops or small parades (such as those in housing estates) that provide an essential social function but are on the margins of economic viability.

- 13.4. The Council is concerned that these PD rights, if left without the ability to manage development, could reduce access to local convenience shops and services for the Borough's residents and visitors. Maintaining and increasing this provision in appropriate areas is critical in a fast growing borough such as Tower Hamlets with GLA projections predicting growth of another 75,000 people to 2041<sup>19</sup>. It could also lead to the fragmentation of town centres; a decrease in their vitality and vibrancy; thereby leading to a negative impact on the Tower Hamlets local economy.
- 13.5. Although the Borough has seen a relatively small number of prior approval applications for this specific PD right since its introduction in 2014, the numbers of received applications has increased in recent months – including six during 2018 alone out of a total of 15 since 2014. Furthermore, as demonstrated in Chapter 5 there is still a significant pressure on retail uses to change to other uses through the planning system, particularly residential uses. Therefore, given the relatively small average size of the Borough's retail units (well below the 150 sqm floorspace threshold) and the ambiguity of what is meant by 'key shopping area', it is considered that the risk to our local retail provision is significant, particularly within centres with a more local shopping offer.
- 13.6. It should be noted that this Article 4 direction is not proposed so that all retail to residential development is to be refused, but without the Council's assessment of these changes and issues around viability through the planning application process, this may constitute a threat to the amenities of the Borough.
- 13.7. As noted in the report above, the advice given by the government is that local authorities should only consider making Article 4 directions in exceptional circumstances. It is the Council's view that exceptional circumstances exist in this instance necessitating the need for an Article 4 direction as detailed in this report.

#### Implications of not making an Article 4 direction

- 13.8. Failure to make an Article 4 direction to remove this PD right would likely have a negative impact, including:
- the Council's ability to protect essential local shops and services;
  - the Council's ability to provide sufficient new retail space to meet need;
  - undermining the role and function of the borough's town centres; and
  - the Council's ability to protect against adverse impacts on local amenity including design, energy efficiency, parking and space standards.

#### Recommendation

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<sup>19</sup> GLA Population Projections - Central Trend-based projection

13.9. In light of the information and evidence provided above, it is recommended that a non-immediate Article 4 direction to remove permitted development for the Conversion of A1 retail, A2 financial and professional services and specified town centre-compatible Sui Generis uses (Betting Offices and Payday Loan shops) to C3 residential (see paragraph 1.10 of this report for full definition) is made and issued by 1 November 2019 (tbc) to take effect from midnight on 1 November 2020 (tbc). The Article 4 should cover the entirety of the areas of coverage set out in Appendix 2 and should be reflected on the maps published to accompany the Article 4 direction.

#### 14. Process to bring forward an Article 4 Direction in line with the recommendation

##### Requirements and Process

14.1. The preparation of an Article 4 direction must include the following:

- Confirmation of the change of use to be addressed by the Article 4 direction;
- Identification of the geographical boundaries to which the Article 4 will apply, and for that information to be mapped and recorded;
- Compilation of robust and up-to-date evidence to justify the Article 4 direction and the boundaries/properties to which it would apply;
- Consideration of whether an immediate Article 4 direction is required, and if so for an assessment to be completed to identify the likely financial liability and risks to the Council from doing so;
- Undertaking public consultation for a period of at least four weeks, including publishing a Public Notice on the Council's website and in local press, displaying site notices at locations to be covered, and informing the Secretary of State in writing;
- Confirmation of the Article 4 by Full Council; and
- Publication of the confirmed Article 4 direction.

##### Proposed Timescales

14.2. An indicative timetable for taking forward the recommended Article 4 is outlined below:

Task	Date	
Completion of justification and supporting documents	01/01/19	
Permission to consult	DLT	18/02/19
	CLT	12/03/19
	MAB	27/03/19 (TBC)
Public consultation (TBC)	15/04/19 – 13/05/19	
Consideration of consultation responses, completion of final documents for confirmation (TBC)	13/05/17 – 24/05/19	
Permission to confirm Article 4 direction	DLT	June 2019
	CLT	June 2019
	MAB	July 2019
	Cabinet	August 2019
	Full Council	October 2019
Publication of non-immediate Article 4 direction	November 2019	

**Annex 1: Areas to be covered**

It is proposed that the primary areas of focus for the Article 4 direction include:

Central Activities ZoneTower Hamlets Activity areas

- City Fringe Activity Area
- Isle of Dogs Activity Area

Canary Wharf Major CentreDistrict Centres

- Bethnal Green Road
- Brick Lane
- Chrisp Street
- Crossharbour
- Roman Road East
- Roman Road West
- Watney Market
- Whitechapel

Neighbourhood Centres

- Aberfeldy Street
- Barkantine Estate
- Ben Jonson Road
- Burdett Road South
- Cambridge Heath
- Columbia Road
- Devons Road
- Limehouse
- London City Island
- Mile End
- Poplar High Street
- Redchurch Street
- Salmon Lane
- South Quay
- Stroudley Walk
- Stepney Green
- Thomas More

- Wapping Lane

#### Neighbourhood Parades

- Bow Road
- Burslem Street
- Cambridge Heath Road
- Caspian Wharf
- Castalia Square
- Cleveland Way
- Manchester Road
- Mile End Road
- Old Ford Road
- St Leonards Street
- St Pauls Way
- Westferry Road
- West India Dock Road/Pennyfields

#### **Annex 2: Tower Hamlets Retail Evidence Base**

##### Adopted Core Strategy (2010):

- Town Centre Spatial Strategy (2009)
- Borough Portrait for the Town Centre Spatial Strategy
- Retail and Leisure Capacity Study (2009)
- Retail and Leisure Capacity Study (Appendices) (2009)

##### Adopted Managing Development Document (MDD) (2013):

- Town Centre Boundaries and Balance of Uses Review (2012)
- Town Centre Policy Development Report (2011)

##### A new Local Plan: Managing growth and sharing the benefits (2018):

- Town Centre Retail Capacity Study (2016), including:
  - Appendix 13: Shopping Frontage Recommendations (2016)
  - Executive Summary (2016)
- Town Centre Spatial Strategy 2017 to 2022 (2017)
- Topic Paper: Town Centres (2018)
- Retail Impact Threshold Study (2018)

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### Appendix 3: EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

<b>Name of 'proposal' and how has it been implemented</b> (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Article 4 Direction ( <i>Conversion of A1 retail, A2 financial and professional services and specified town centre-compatible Sui Generis uses (Betting Offices, and Payday Loan shops) to C3 residential</i> )
<b>Directorate / Service</b>	<b>Development &amp; Renewal</b>
<b>Lead Officer</b>	<b>Patrick Harmsworth</b>
<b>Signed Off By (inc date)</b>	
<b>Summary – to be completed at the end of completing the QA (using Appendix A)</b> (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <div> <p><b>Proceed with implementation</b></p> <p>Based on the QA a Full EA will not be undertaken at this stage. As a result of performing the QA checklist the proposed decision making process for the Article 4 Direction does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.</p> </div> </div>

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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
<b>1</b>	<b>Overview of Proposal</b>		
a	Are the outcomes of the proposals clear?	Yes	
b	Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is	Yes	The impacts of the proposals will not be felt upon persons with protected characteristics.

	there information about the equality profile of those affected?		
<b>2</b>	<b>Monitoring / Collecting Evidence / Data and Consultation</b>		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	n/a	There are no identified impacts upon persons with protected characteristics.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	n/a	There are no identified impacts upon persons with protected characteristics.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	Public consultation and the Council's reporting cycle allow for input into the recommendations for determining applications.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	Formal public consultation will be carried out for four weeks. This is the statutory period of public consultation.
<b>3</b>	<b>Assessing Impact and Analysis</b>		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	n/a	There are no identified impacts upon persons with protected characteristics, therefore no links have been established.
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	n/a	There are no identified impacts upon persons with protected characteristics.
<b>4</b>	<b>Mitigation and Improvement Action Plan</b>		
a	Is there an agreed action plan?	n/a	There are no identified impacts upon persons with protected characteristics, therefore no mitigation has been identified.
b	Have alternative options been explored?	n/a	Yes, these are included in the Cabinet Report.
<b>5</b>	<b>Quality Assurance and Monitoring</b>		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	The Annual Monitoring Report produced by the Strategic Planning team will audit the implementation of the Article 4 direction.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics?	Yes	The Annual Monitoring Report produced by the Strategic Planning team will audit the implementation of the Article 4 direction.
<b>6</b>	<b>Reporting Outcomes and Action Plan</b>		

a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	n/a	There is no executive summary
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## Appendix A

### (Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the QA checklist, it is evident that due regard is not evidenced in the proposal and / or a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share Protected Characteristics. It is recommended that the proposal be suspended until further work or analysis is performed – via a the Full Equality Analysis template	<b>Suspend – Further Work Required</b>	<b>Red</b> 
As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	<b>Green:</b> 

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**Evidence base paper to support a proposed Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)**

***Conversion of dwelling units (Use Class C3) to houses in multiple occupation (Use Class C4)***

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## 1. Introduction

- 1.1 The purpose of this paper is to provide evidence in support of a proposal to make a non-immediate borough-wide Article 4 direction to remove permitted development rights for the conversion of single family dwellings (Use Class C3) into small houses in multiple occupation (HMOs) (Use Class C4).
- 1.2 Under planning law, different types of properties are identified under different Use Classes. These are defined in the Planning Use Class Order (2010). According to the Planning Use Class Order (2010), there are generally two different types of HMO. The first type is small HMOs under C4 Use Class – Houses in multiple occupation. Small HMOs are dwelling units occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. The second type is large HMOs which are under Sui Generis Use Class. These are properties with seven or more unrelated individuals who (also) share basic amenities such as a kitchen or bathroom. The table below is provided as a summary of the relevant use classes.

**Table 1. Planning use classes**

Type of home	Planning use class
Family homes occupied by a single family	C3
HMO occupied with between three and six people (small HMO)	C4
HMO occupied with seven or more individuals (large HMO)	Sui generis

*Source: Planning Use Class Order (2010)*

- 1.3 At present, changes of use between single family dwelling houses (C3) and ‘small’ HMOs (C4) do not require planning permission as this is ‘permitted development right’ under Schedule 2, Part 3 – Changes of Use, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Changes of use from single family dwelling houses (C3) or small HMOs (C4) to ‘large’ HMOs (Sui Generis) do need planning permission.
- 1.4 The Government has given Councils the power to remove certain ‘permitted development rights’ in all or part of their area through Article 4 of the General Permitted Development Order 2015 (as amended) if they consider it is appropriate to do so and there is sufficient planning justification. When adopted, the effect of the Article 4 direction results in a requirement for planning permission for certain types of development that would otherwise not require an application for planning permission. A sound evidence base case must be submitted to the Secretary of State detailing why the removal of permitted development rights is required.
- 1.5 In this paper, the Council has used a range of data sources to form an evidence base to provide information of the trends, spatial distribution, density and impact of HMOs across the borough. Whilst some of the data is considered to be out-of-date such as Census data, it is still considered to be the most up-to-date data of verified sources. Limitations of the evidence are highlighted in each section.

- 1.6 This paper considers whether it would be appropriate to restrict permitted development rights for changes of use to small HMO's and the expediency of making an Article 4 direction.

## 2. Background

- 2.1 HMOs make an important contribution to the private rented sector (PRS) by catering for the housing needs of specific groups/households and by contributing to the overall provision of affordable or private rented stock.
- 2.2 In areas where they are not properly managed, HMOs can have a negative impact on the community and the local environment. This could be related to the social impact by way of creating unbalanced communities which can face higher pressures on facilities and services in the area; environmental and physical impacts through poor maintenance and quality of HMOs; and economic impact as a knock-on effect on local housing markets by inflating property prices leading to competition between the privately rented landlord and the owner-occupier.
- 2.3 The Communities and Local Government's (CLG) "Evidence Gathering – Housing in Multiple Occupation and possible planning responses" (2008) sets out the potential negative impacts of HMOs and how local authorities can respond to the challenges of high concentrations of poorly managed HMOs. The issues highlighted in the report include:
- Anti-social behaviour, noise and nuisance
  - Imbalanced and unsustainable communities
  - Negative impacts on the physical environment and streetscape
  - Pressures upon parking provision
  - Increased crime
  - Growth in the private sector at the expenses of owner-occupation
  - Pressure upon local community facilities,
  - Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population
- 2.4 Tower Hamlets Council recognises that HMOs form part of the overall housing stock and contribute to meeting housing needs for individuals or families who cannot access other types of market housing or affordable housing. However, due to their possible adverse impacts, the report has been prepared to explore whether there is a need for a more attentive management of existing and future HMOs through the planning system.



### 3. Policy context

#### National

- 3.1 The National Planning Policy Framework (NPPF, 2019) does not set out specific guidance on HMOs. Paragraph 61 of the NPPF states that *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies”*.
- 3.2 In addition to the above, paragraph 7 of the NPPF states that *“the purpose of the planning system is to contribute to the achievement of sustainable development”*. At a very high level, the NPPF explains the objective of sustainable development as *“meeting the needs of the present without comprising the ability of future generations to meet their own needs”* (NPPF, paragraph 7).
- 3.3 In order to achieve sustainable development, the planning system has three overarching objectives: economic, social and environmental. The social objective seeks to ensure that *“a sufficient number and range of homes can be provided to meet the needs of present and future generations”* (NPPF, paragraph 8.b).
- 3.4 Paragraph 53 of the NPPF states the following:
- “The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).”*

#### Regional (London)

- 3.5 The current London Plan (2016) recognises the importance of HMOs. Paragraph 3.55 of the London Plan states the following:
- “Shared accommodation or houses in multiple occupation is a strategically important part of London’s housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock, though its quality can give rise to concern. Where it is of reasonable standard it should generally be protected and the net effect of any loss should be reflected in Annual Monitoring Reports. In considering proposals which might constrain this provision, including Article 4 Directions affecting changes between Use Classes C3 and C4, borough should take into account the strategic as well as local importance of houses in multiple occupation”*.
- 3.6 Policy 3.5 Quality and design of housing developments requires housing developments to be of the *“highest quality internally, externally and in relation to their context and to their wider environment”*. Specific standards and guidelines on how to achieve high quality housing is set out in the Mayor’s Housing SPG (2016).
- 3.7 Policy 3.9 Mixed and balanced communities states that *“a more balanced mix of tenures should be sought in all parts of London, particularly in some*

*neighbourhoods where social renting predominates and there are concentrations of deprivation”.*

- 3.8 The draft London Plan maintains the Mayor’s current position on HMOs and the provision of high quality housing accommodation.

#### Local (Tower Hamlets)

- 3.9 The adopted Local Plan does not set out specific guidance on HMOs. Local Plan policy SP02 Urban living for everyone of the Core Strategy (2010) seeks to ensure that *“all housing is appropriate, high-quality, well-designed and sustainable”*. Policy DM4 Housing standards and amenity space of the Managing Development Document (2013) requires all housing developments to have *“adequate provision of internal space in order to provide an appropriate living environment”* and appropriately sized amenity spaces.
- 3.10 The draft Tower Hamlets Local Plan 2031 supports the current approach for a delivery of a high-quality, appropriate housing. In addition, draft strategic policy S.H1: Meeting housing needs of the draft Local Plan seeks all housing to *“take appropriate account of cumulative development”*.
- 3.11 Detailed development management policy D.H7: Housing with shared facilities (houses in multiple occupation) of the draft Local Plan sets out an approach for dealing with large HMOs. The policy requires development to not result in the loss of existing family housing, be located in an area of high transport accessibility, and not to have significant amenity impacts on the surrounds. Policy D.H7 requires all HMOs to comply with relevant standards outlined in the draft detailed development management policy D.H3: Housing standards and quality, which requires developments to meet the minimum internal and external space standards and ensure the delivery of liveable and appropriate residential accommodation.

#### **4. Local evidence**

- 4.1 In order to understand the patterns and trends under which HMOs are created, their existing clustering in the borough and potential impacts on the environment, a range of information has been analysed and separated into three prevailing sections.
- 4.2 The first part of the evidence (4A) considers the opportunities in which HMOs are created, as well as factors which may contribute to the demand for HMOs. The evidence looks at the existing housing stock in terms of accommodation and tenure to understand the level of private rented sector in the borough. In line with the population growth in the borough, this paper focuses on the degree of changing student population which is likely to be a contributing factor to the increase of HMO’s demand. This has served as a focus due to the evidence being more readily available, however, it is accepted that there would be other contributing factors which might increase demand for HMOs due to their affordability and flexibility

- 4.3 The second part of the evidence (4B) analyses the spatial distribution of the existing HMOs. In order to be able to illustrate this, the information is derived from the housing licensing schemes that exist in the borough, planning applications and enforcement cases related to the use of HMOs. The data also considers the Council tax register data and its relevance to understanding the existing HMOs.
- 4.4 Finally, the last part of the evidence (4C) looks at potential impacts of HMO's and their clustering. In doing so, we looked at previous researches on the quality of living accommodation in HMOs and their impact on the surrounding area in terms of amenity, crime and anti-social behaviour, external appearance of properties and on-street parking.

#### **4A Conditions and contributing factors**

##### ***Housing stock***

- 4.5 This section analyses the available information in relation to the existing housing stock in terms of accommodation type and tenure. The accommodation type of properties helps in understanding which properties have the potential to be converted to HMOs while the tenure looks at the extent of private rented sector in which the conversions from dwellinghouses to HMOs happen.

##### **Accommodation type**

- 4.6 In 2017, the total number of properties with 3+ bedrooms was 30,010 compared to 81,430 properties with 1 and 2 bedrooms<sup>1</sup>. While larger properties are more likely to be converted into HMOs, it should be noted that communal spaces within smaller properties such as living rooms have the potential of being occupied as bedrooms. As a result, this presents a risk for the borough's housing stock because smaller residential units could also get converted into HMOs.

##### **Tenure**

- 4.7 The evidence<sup>2</sup> suggests that there has been a significant increase in the proportion of private sector housing in the borough. Around 37% of the private rented housing has been built since 1990 which compares to 12.6% across the rest of the country. The private rented sector in the borough has risen from 18.3% in 2003 to around 39% in 2014 which includes the majority of a period when approximately 20% of the whole housing stock in the borough was built<sup>3</sup>. Given the fast pace of growth being delivered in the borough, particularly in the eastern part, it is assumed that the trend of larger private rented sector has continued to increase over the last five years.
- 4.8 According to Table 2 below, Tower Hamlets had a higher percentage of PRS than the rest of London (25.1%) and England (16.8) in 2011. The red highlighted wards

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<sup>1</sup> See Appendix A for detailed information on accommodation types.

<sup>2</sup> London Borough of Tower Hamlets Housing Evidence Base, June 2016

<sup>3</sup> See Appendix B for detailed information on the borough's housing stock.

in Table 3 have been experiencing more than the borough's average of the private rented properties<sup>4</sup> which was 32.6% in 2011. This can be linked to the areas' specific conditions.

4.9 Blackwall and Cubitt Town, Canary Wharf and Whitechapel are the areas that have been experiencing the most significant levels of housing and commercial development in the borough. Canary Wharf, along with the Island Gardens and Limehouse areas, is also in proximity to good transport links and hubs. Other areas such as St Katherine's and Wapping, and Spitalfields and Banglatown are near town centres which offer good access to a wide range of shops, facilities etc.

4.10 Furthermore, some of the wards with a high percentage of PRS are important on a more strategic level which potentially justifies the high levels of PRS. Whitechapel is an area of London-wide importance with its life-science centre known as the Med-City while Canary Wharf is of international importance as a financial centre.

**Table 2. Tenure for each ward in comparison with London and England averages**

Ward name	Owner occupier [%]	Social rented [%]	Private rented [%]	Living rent-free [%]
Bethnal Green	25.8	47.3	25.8	1.1
Blackwall and Cubitt Town	28.1	24.5	46.1	1.3
Bow East	25.9	42.8	30.3	1
Bow West	33.1	39.0	26.7	1.2
Bromley North	17.8	54.8	26.0	1.4
Bromley South	18.9	54.8	24.8	1.5
Canary Wharf	27.0	22.4	49.0	1.6
Island Gardens	33.9	22.1	42.4	1.6
Lansbury	21.4	57.5	20.1	1
Limehouse	37.5	19.4	41.8	1.3
Mile End	22.0	51.4	25.8	0.8
Poplar	20.8	50.9	27.2	1.1
Shadwell	22.6	53.7	22.2	1.5
Spitalfields and Banglatown	25.9	34.3	38.6	1.2
St Dunstons	25.1	54.3	19.3	1.3
Stepney Green	24.5	51.6	22.3	1.6
St Katharine's and Wapping	45.1	13.6	39.8	1.5
St Peter's	23.4	43.2	32.3	1.1
Weavers	25.5	43.5	30.0	1
Whitechapel	22.7	31.3	44.8	1.2
LBTH	26.6	39.6	32.6	1.2
London	49.5	24.1	25.1	1.3
England	64.1	17.7	16.8	1.4

Source: Census 2011

### **Student accommodation**

4.11 Tower Hamlets is one of the fastest growing boroughs in the country. The projected population increase will create a higher demand for residential units of all types, sizes and tenures. Given that HMOs present a type of lower income housing, a

<sup>4</sup> See Appendix C for a mapped representation of the privately rented properties.

particular population group that is often likely to contribute to the higher demand for HMOs is students.

4.12 Properties occupied by students, such as student halls, that are managed by an educational establishment which has signed up to an approved code of practice are not considered to be HMOs. According to the Student Accommodation Survey (University of London Housing Services, 2015), 28% of students in London were living in a shared flat/house rented from either a landlord or letting agent. However, the report acknowledged the limitations of the methodology used for the survey, and it was estimated that over 40% of students were renting from private landlords in 2015.

4.13 Tower Hamlets is home to two universities, the Queen Mary University of London with campuses in Mile End and Whitechapel, and London Metropolitan University with the School of Art located in Aldgate. After Camden and Islington, Tower Hamlets has the 3<sup>rd</sup> largest proportion of student bedspaces in the capital, accommodating 12% of the stock (approximately 7,000 bedspaces) and much of the accommodation being delivered is by private operators and not by the two Universities<sup>5</sup>.

4.14 Table 3 below evidences the increase in student population between 2001 and 2011 which equals to a net increase of 31.7%. The data focuses on full-time students which are more likely to find accommodation in the proximity to the university and within the borough.

**Table 3. Changing student population in Tower Hamlets, 2001-2011**

Qualifications	Census 2001	Census 2011 data	Net change 2001-2011	Net change [%]
Full-time students Economically active: In employment	3,540	7,402	+3,862	+52.2%
Full-time students Economically active: Unemployed	1,343	2,544	+1,201	+47.2%
Full-time students Economically unactive	11,967	14,724	+2,757	+18.7
Total	16,850	24,670	+7,820	+31.7

Source: Census 2001 and Census 2011

4.15 It is assumed that this trend in growth has continued since 2011 with QMUL attracting more research with the Med-City initiative<sup>6</sup> and LMU's high rate of full-time students<sup>7</sup>. This potentially creates a greater need for more flexible

<sup>5</sup> London Borough of Tower Hamlets Housing Evidence Base, June 2016

<sup>6</sup> City Fringe Opportunity Area Planning Framework, Greater London Authority, December 2015

<sup>7</sup> <https://www.londonmet.ac.uk/about/our-university/university-publications/key-statistics/>; Accessed on 31<sup>st</sup> May 2019

accommodation such as HMOs in the borough as the students are likely to search for shared accommodation to which the market would eventually respond.

## **4B Spatial distribution and extent**

### ***Housing licensing***

- 4.16 The following sub-sections look at different types of housing licenses in order to provide an understanding on the current spatial distribution of HMOs. The assessment includes a mapping exercise for the mandatory licensing scheme, a postcode analysis for the additional licensing scheme and the current number of properties included in the selective licensing scheme.
- 4.17 The Housing Act 2005 requires landlords of certain types of houses in multiple occupation to be licensed by the local authority. At present, there are different licensing schemes depending on the type of property and number of tenants. Table 2 below summarises the relevant requirements for each of the licensing schemes: mandatory, additional and selective. Mandatory and additional licensing schemes relate solely to HMOs while selective licensing scheme relates to any private rented property which could include HMOs given that this type of accommodation is usually rented by the private sector.
- 4.18 A summary of the three licensing schemes in the borough is set out in Table 4. Further information on each of the licensing scheme is set out below.

**Table 4. Current private rented licensing schemes in Tower Hamlets**

<b>Scheme</b>	<b>Type of privately rented property</b>	<b>Wards affected</b>	<b>Duration of scheme</b>
<b>Mandatory HMO licensing</b>	All HMO's that have 5 or more tenants from two or more households sharing amenities. Does not include purpose built blocks of flats	All Wards	Not limited, a three year licence is normally issued
<b>Additional licensing</b>	Any privately rented multiple occupied premises with three or more tenants from two different households. Includes purpose built blocks of flats	All Wards, excluding the Selective Licensing Area	Scheme locally designated, expires April 2024, is renewable by local designation. Five year licences normally issued.
<b>Selective licensing</b>	Any privately rented property, irrespective of property size or number of tenants	Weavers, Whitechapel, Spitalfields and Banglatown – pre 2014 ward changes	Scheme locally designated, expires October 2021, is renewable by local designation. Five year licences normally issued

*Source: Tower Hamlets Environmental Health data*

### Mandatory HMO licensing

4.19 The government has decided to change the scope of mandatory licensing from the previously used criteria. From the 1<sup>st</sup> of October 2018, mandatory HMO licensing includes the following:

- all HMOs with 5 or more occupiers living in 2 or more households regardless of the number of storeys;
- self-contained flats where there are up to two flats in the block and one or both of the flats are occupied by 5 or more persons in two or more separate households regardless of the block being above or below commercial premises.

4.20 In May 2019, Tower Hamlets had 330 HMOs with a mandatory license. According to the most recent available data, this is twice less than in Royal Borough of Greenwich and one fifth less than in Boroughs of Lewisham and Wandsworth. However, Tower Hamlets has around 40% more mandatory HMOs than Waltham Forest Borough and twice as much than Borough of Hackney.

4.21 Map 1 is a graphic representation of HMOs registered through the mandatory licensing scheme. It appears that there is a higher number of HMO clusters in the southern part of the Isle of Dogs, but there are also smaller clusters around the Bow area to the east of the borough. The highest numbers of HMOs lies in the western part of the borough, mainly around roads well served by public transport such as Mile End Road, Whitechapel Road and Commercial Road. It should be noted that this data does not cover smaller sized HMOs, i.e. 3-4 people household, as it includes only properties with 5 or more people.

### Additional HMO licensing

4.22 On 1<sup>st</sup> April 2019, LBTH introduced an additional licensing scheme which includes properties with three or more tenants forming two or more different households irrespective of the property type, i.e. it includes flats and houses. The additional licensing scheme does not apply in the three wards where the selective licensing currently operates.

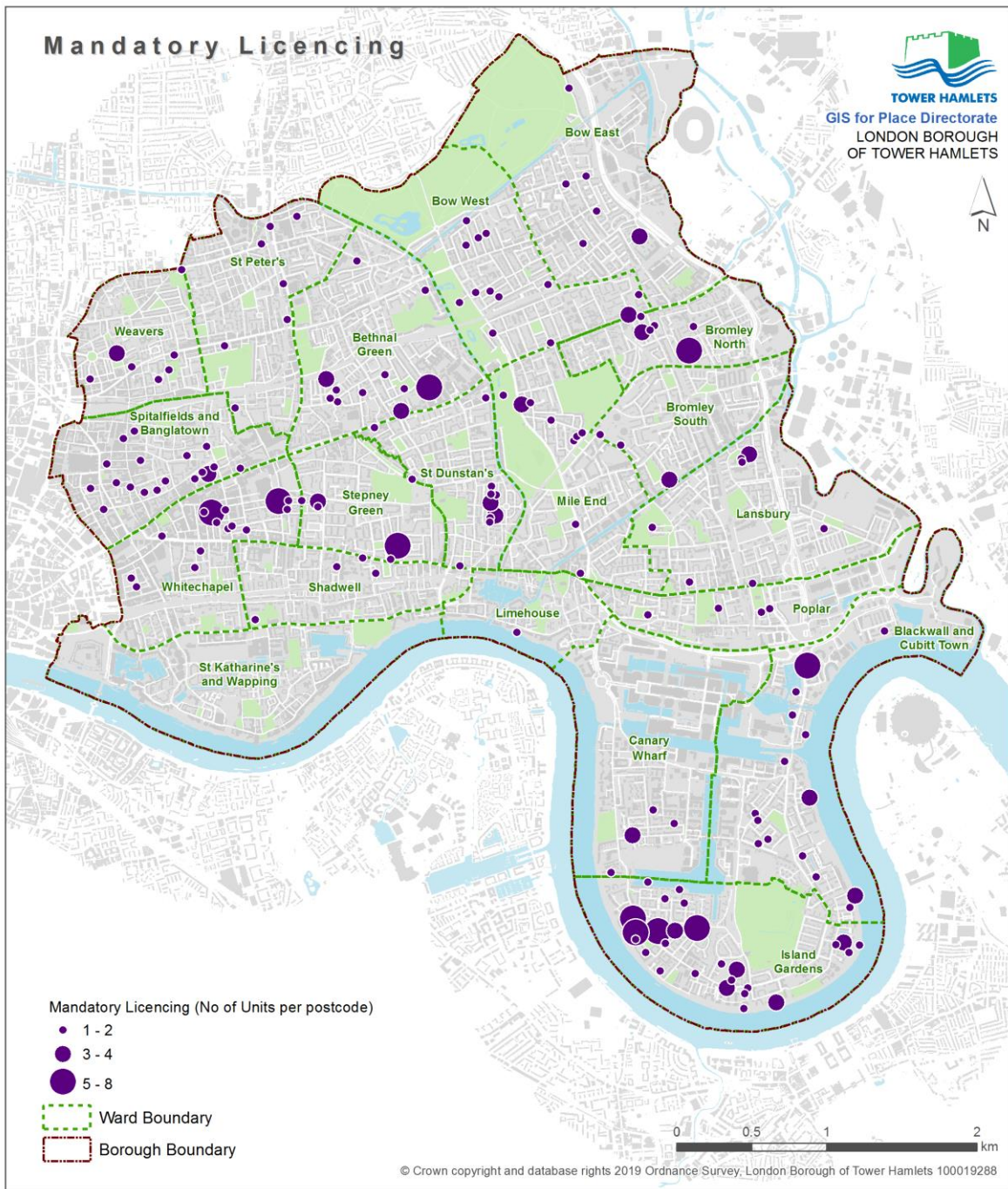
4.23 Within the first three months of the introduction of an additional HMO licensing, less than 100 properties obtained a license. Given the very early stage of the additional licensing scheme, it was considered too crude to look at the spatial distribution of properties with licenses as it is very likely for this number to be higher. However, a postcode analysis shows that properties with the obtained additional licenses tend to be dispersed across all parts of the borough.

### Selective licensing

4.24 The selective licensing started in October 2016. This scheme requires all privately rented properties within the wards of Weavers, Whitechapel, Spitalfields and Banglatown to apply for a license excluding properties needing a licence under the mandatory scheme.

4.25 In May 2019, there was circa 4,000 privately rented properties in the three selected wards. This represents approximately one fifth of the total number of properties in the subject wards. The selective licensing data provides information on all privately rented properties which captures small HMOs given that this type of accommodation is usually provided by the private sector.

**Map 1. Spatial distribution of properties registered under mandatory licensing scheme**



Source: Tower Hamlets Environmental Health data



### **Council tax register**

- 4.26 This section considers the relevance of the Council tax data when looking at the current extent and spatial distribution of HMOs. However, the definition of HMOs for Council tax purposes is different to that contained in the Housing Act 2004 and relates to a property occupied by persons who do not constitute a single household.
- 4.27 Analysis of different surnames has a potential to demonstrate the amount of HMOs in the borough. However, different surnames do not necessarily mean occupation by different households or unrelated individuals.
- 4.28 HMOs properties can be rented through a single tenancy. As such, the Council tax register could indicate a different categorisation of the data. This is often the case with students living in shared accommodation.
- 4.29 Due to the up-front identified limitations of the Council tax data, it was considered that the information would neither be reliable nor representative, and was not taken into consideration as part of the assessment.

### **Planning register**

- 4.30 The Council's planning register contains data on received planning applications and enforcement cases relating to the use of HMOs. This information helps in understanding the spatial distribution of the existing HMOs and areas in which their clustering has been occurring for a period between 2008 and 2018.

#### Planning applications

- 4.31 According to the planning register, the Council has received a total of 72 applications over the previous 10 years (2008-2018) as listed in Table 5. While this number does not appear to be high, it should be noted that since April 2010, Use Class C4 is under 'permitted development' meaning the number of applications would have been reduced significantly for the analysed period of time.

**Table 5. Planning applications, 2008-2018**

<b>Type and number of planning application</b>	<b>Approvals</b>	<b>Refusals</b>	<b>Other (Withdrawn, Disposed)</b>
Full Planning Permission	31	12	12
Certificate of Lawfulness for existing use	8	3	0
Certificate of Lawfulness for proposed use	6	0	3

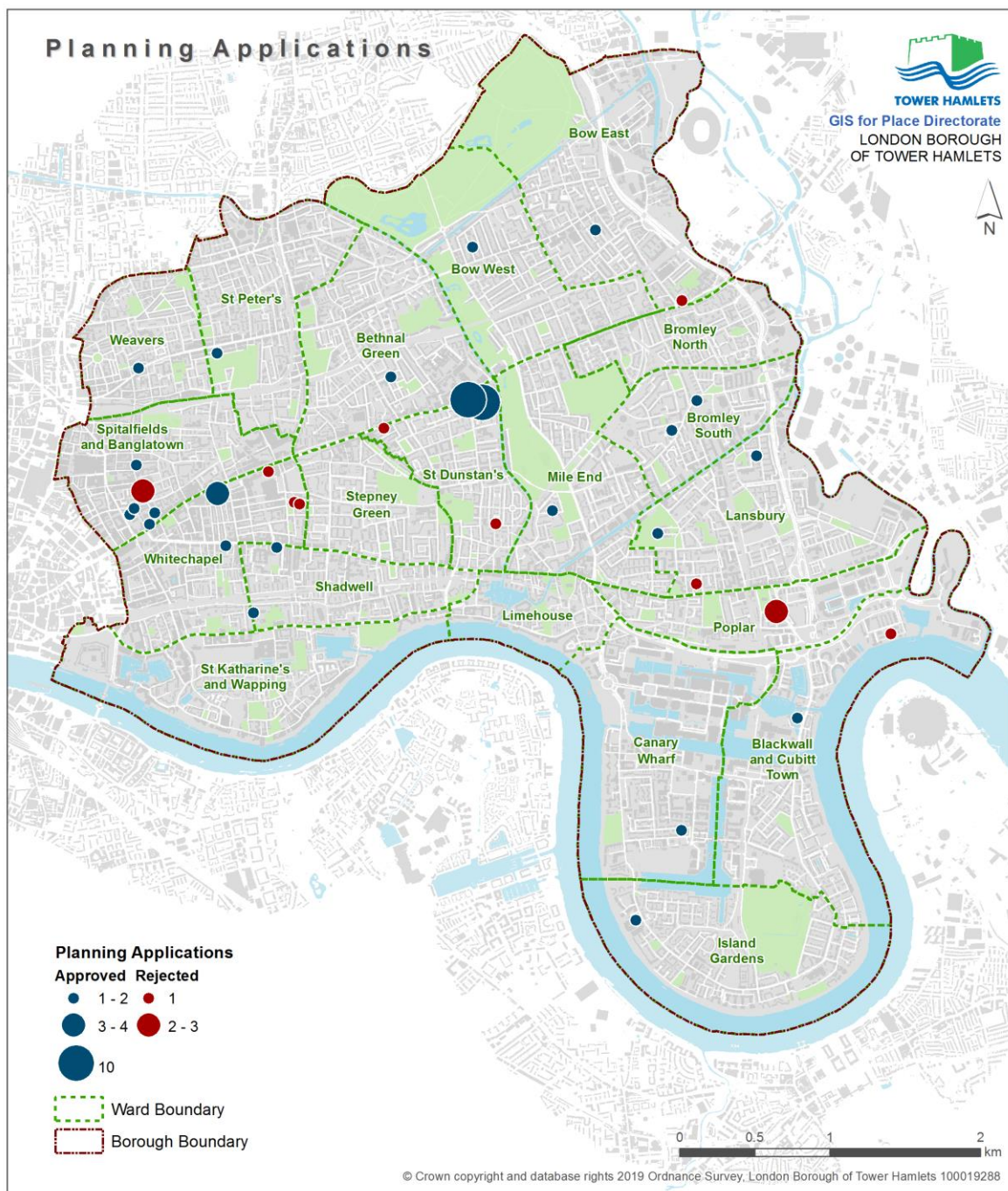
*Source: Tower Hamlets Planning Register*

- 4.32 A closer analysis of the planning applications for full planning permissions shows that the prevailing reasons for refusal include the loss of single family homes and inadequate facilities such as undersized bedrooms, insufficient communal areas

and lack of amenity space. In terms of certificates of lawfulness for existing use, it seems that applicants often fail to provide sufficient information in terms of precision and clarity for the established use as an HMO.

4.33 Map 2 below shows the spatial distribution of properties that have been subject to planning applications listed in Table 5. It appears that higher concentration of HMOs exists in the western part of the borough, closer to the Central Activities Zone and in the close proximity to the two QMUL's campuses. Other parts of the borough had been subject to occasional planning applications relating to HMOs and appear to be located in various parts of the borough.

**Map 2. Spatial distribution of properties subject to planning applications**



Source: Tower Hamlets Planning Register

## Planning enforcement cases

4.34 According to the planning register, the Council dealt with 127 enforcement cases against unauthorised dwelling conversions and uses as HMOs in the last 10 years (2008-2018). Half of the enforcement cases had no formal breach and more than one fifth was not expedient to take enforcement action or was considered immune from enforcement action as these changes were covered under the permitted development rights.

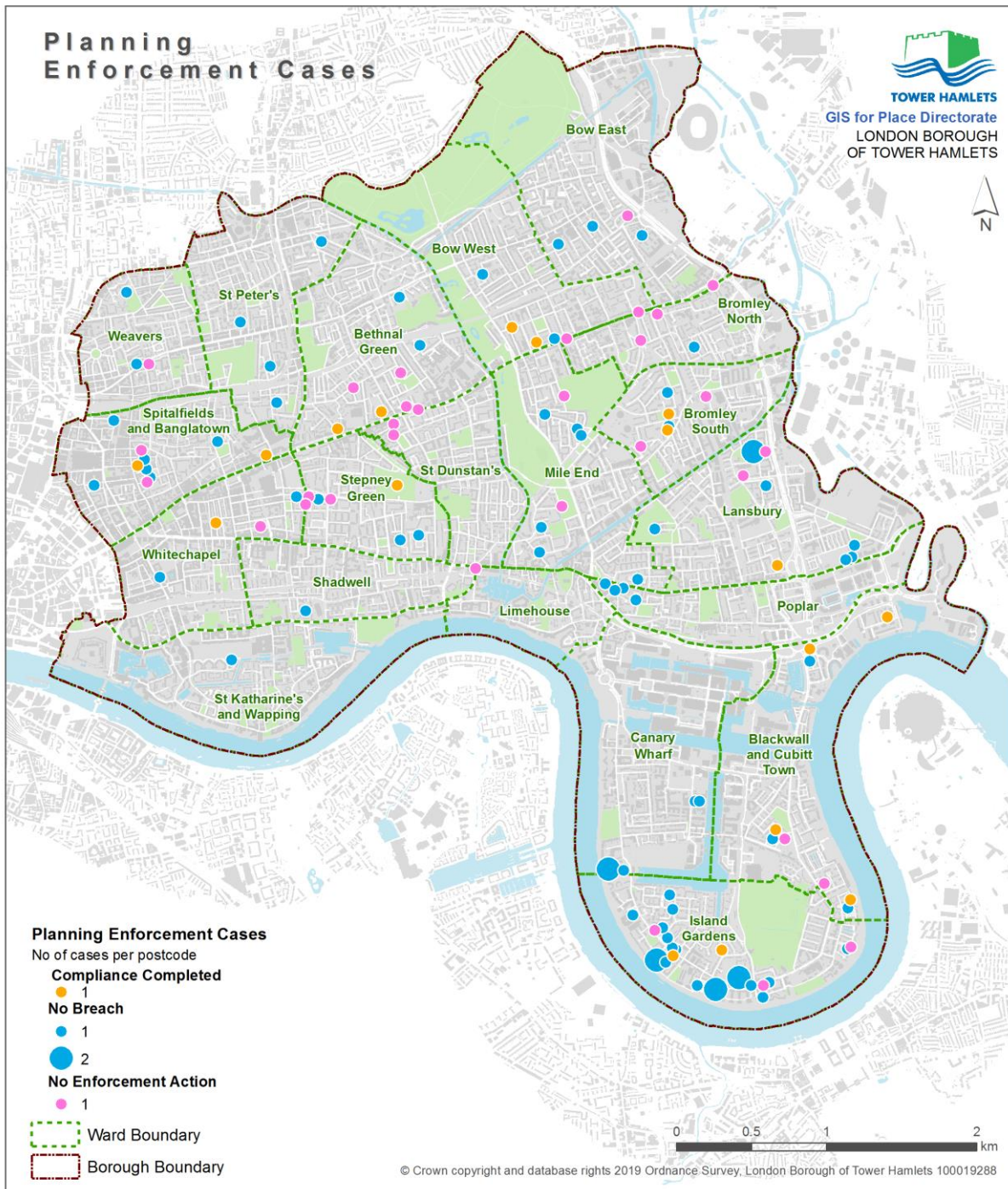
**Table 6. Enforcement cases 2008-2018**

<b>Type of decided action</b>	<b>Number of cases</b>
Breach Resolved	6
Compliance Done With No Formal Action	8
Enforcement Complied With	1
Immune from Enforcement Action	6
Immune from Enforcement	1
No Breach	69
Not Expedient to take Enforcement Action	27
No Further Action	4
Planning Permission Granted	5

*Source: Tower Hamlets Planning Register*

4.35 The map below illustrates the spatial distribution of properties that have been subject to enforcement and are listed in Table 6. According to Map 3, it is evident that HMO use is not clearly concentrated in two parts of the borough as that is the case with planning applications. The enforcement cases had been diffused across all parts of the borough with a peak in the most southern part of the borough which coincides with the licensing data.

Map 3. Spatial distribution of properties subject to planning enforcement cases



Source: Tower Hamlets Planning Register

## **4C Housing conditions and impacts**

### ***Housing conditions***

4.36 In order to understand the potential impacts of HMOs, the evidence starts with looking at the quality of provided accommodation and the living conditions of HMO's occupiers.

4.37 Private rented accommodation experiences more issues than other types of accommodation<sup>8</sup>. In 2011, it was found that 67% of all fuel poverty in the private sector is linked to rented properties. At the same time, 16% of residents lived in overcrowded private rented accommodation which is three times higher than the national average (5%) and also above the average for Inner London (14%). Fire safety is the biggest hazard in HMOs, representing 58% of all hazards.

4.38 Example of some of the issues of poor living conditions and ineffective management of HMOs are<sup>9</sup>:

- Lack of adequate fire precautions
- Insufficient kitchen, bathroom or toilet amenities
- Undersized bedrooms
- Poorly maintained amenities, leaks, damp and dirty conditions, pest infestations or overcrowding

4.39 While there is very limited evidence on the current housing conditions in the borough for the private rented properties, previous site visits carried out by the Development Management officers and colleagues in the Environmental Health Team revealed that properties can be in extremely poor conditions.

4.40 A more specific analysis related to the management and up-keep of residential properties which affects living conditions of their occupiers is provided in the following section on anti-social behaviour and crime.

### ***Anti-social behaviour and Crime***

4.41 This section analyses how HMOs can have a potential impact on their surrounding areas and residential amenity of the adjoining and neighbouring properties. This includes the examination of various complaints received by the Council between 2013 and 2016 and a spatial analysis of recorded criminality between 2010 and 2019.

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<sup>8</sup> London Borough of Tower Hamlets Housing Evidence Base, June 2016

<sup>9</sup> London Borough of Tower Hamlets Cabinet Report, Wednesday 31 October 2018

4.42 According to DCLG<sup>10</sup>, anti-social behaviour (ASB) is deemed to occur when it falls into one of three categories:

- Crime: tenants not respecting the property in which they live, including vandalism, criminal damage, and robbery/theft or car crime
- Nuisance neighbours: noise, nuisance behaviour, animal-related problems, vehicle-related nuisance etc.
- Environmental crime: graffiti, fly-posting, fly-tipping, litter around a property, untidy front gardens, dilapidations.

4.43 The data shows that the complaints the Council had received can be categorised as follows:

- Complaints notices in the period April 2014 to March 2017 (1,384 cases) covering various notices to property owners such as requiring property information, improvement notices, prohibition orders or hazard awareness
- Miscellaneous complaints from April 2014 to March 2017 (3,384 cases) covering a wide range of issues including noise, begging, criminal damage, threatening and other criminal behaviour.
- Fly tipping reports from January 2013 to September 2016 (25,195 cases) covering all types of commercial, household and green and other waste based on Veolia raw data
- Missed food and waste collections from January 2013 to October 2016 (1,749 cases)
- Graffiti occurrences Jan 2013 to Oct 2016 (846 cases)
- Housing complaints from April 2014 to Mar 2017 (2,811 cases) covering reports of hazards, licensing enquiries and general advice
- Noise complaints April 2014 to March 2017 (18,083 cases) including domestic, commercial and construction categories
- Pest control call outs from April 2014 to April 2017 (12,010 cases). No details available of particular types of pests. Tends to be strongly seasonal
- Tower Hamlets Enforcement Officer System (THEOs) from April 2014 to September 2016 (11,638 cases). THEO data are collated by street wardens. Incident types vary with less emphasis on violent or drug related behaviour and more on litter fly tipping etc.
- Waste enforcement from Jan 2013 to September 2016 (5,798 cases).

4.44 A more detailed analysis of the above data is provided in the table below and it has been produced to indicate patterns and trends amongst the received complaints.

**Table 9. Pattern and trend of anti-social behaviour in Tower Hamlets**

ASB indicator	Rate per month	Seasonality	Trend
Complaints notices	36	Random	Slightly downward
General complaints	94	Summer	Level
Fly tipping	560	Summer	Slightly increasing

<sup>10</sup> Approval steps for Additional and Selective licensing designations in England, 2010

Missed food and waste collections	38	Summer	Slightly downward
Graffiti	18	Random	Level
Housing complaints	78	Winter	Increasing
Noise complaints	502	Summer	Slightly downward
Pest control	325	Summer	No information
Tower Hamlets Enforcement Officer System	323	Random	Slightly downward
Waste enforcement	126	Summer	Increasing

*Source: The potential for an extension of discretionary licensing in the London Borough of Tower Hamlets, Neighbourhood Knowledge Management*

4.45 While different wards face different issues in terms of the ASB, there are some indicators positively associated with the size of the private rented sector more than others. The variables which are most positively correlated with the ASB indicators are noise complaints, housing complaints and housing notices which are the highest in Whitechapel, St Peter's, Bethnal Green, and Spitalfields and Banglatown wards<sup>11</sup>. Two of these wards are included in the selective licensing which was introduced in order to deal with the significant and persistent problems of ASB, amongst other issues.

4.46 Map 4 below represents the spatial distribution of crimes across the borough between April 2010 to December 2018. The analysis of the data results in the following:

- St Peter's and Spitalfields and Banglatown have a high percentage of PRS and crime counts,
- Canary Wharf and Whitechapel have very high percentage of PRS and medium crime counts,
- Wards with medium percentage of PRS and medium crime counts are situated in the norther part of the borough such as Weavers, Bethnal Green, Mile End, Bow West and Bow East.

4.47 In addition to the medium to high percentage of PRS and crime counts, wards within the western part of the borough such as St Peter's, Spitalfields and Banglatown, Whitechapel, Weavers and Bethnal Green also have more HMOs which tend to be created in clusters as evidence in the spatial distribution section.

4.48 A comparison analysis was carried on a regional level where Tower Hamlets' wards were compared to other London boroughs' wards<sup>12</sup>. It was found that between 2010

<sup>11</sup> The Potential for an extension of discretionary licensing in the London Borough of Tower Hamlets, Neighbourhood Knowledge Management

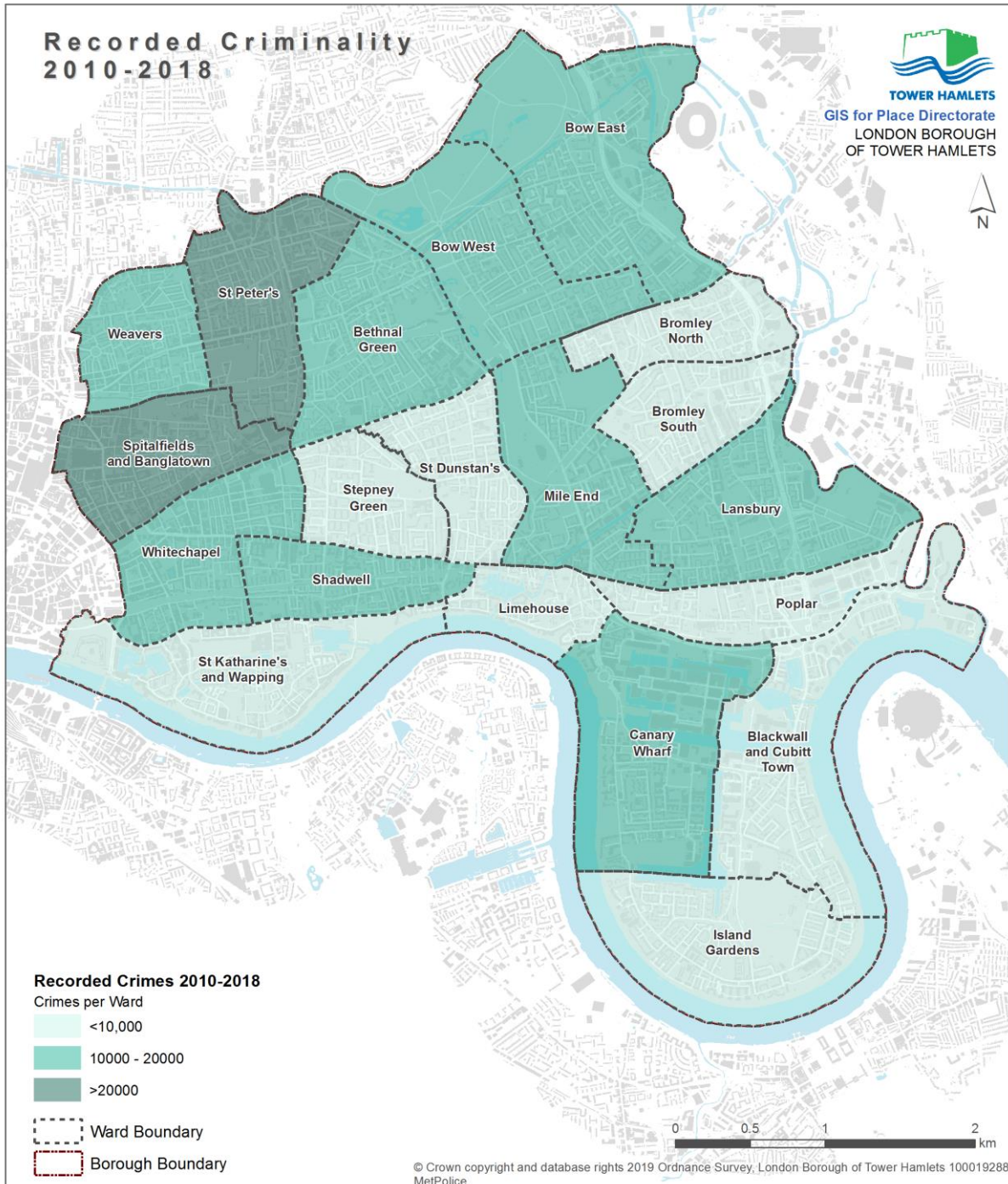
See Appendix D for detailed information on all wards.

<sup>12</sup> Metropolitan Police data.

and 2018, the following six LBTH's wards were included in the 100 London wards that had experienced the highest levels of crime in the metropolitan region:

- St Peter's – 8/100
- Spitalfield & Banglatown – 18/100
- Bethnal Green – 58/100
- Weavers – 78/100
- Mile End – 100/100.

**Map 4. Spatial distribution of recorded crimes in the borough**



Source: Metropolitan Police Stats and data; Accessed on 25<sup>th</sup> March 2019



### **Character of the area**

- 4.49 The following paragraphs look at the potential impact on the physical and social changes to the character and appearance as a result of HMO's and, in particular their clustering.
- 4.50 Unlisted properties and properties outside conservation areas benefit from other permitted development rights which include larger home extension where owners are allowed to apply for prior approval for extension of 6m in the case of a terraced house and 8m for detached houses. By creating additional space which can amount up to 30sqm on average for terraced dwellinghouses and even more for detached houses, properties would often be sufficiently large to be subject to a subsequent conversion to an HMO. The current legislation provides sufficient flexibility for a legitimate use of different PD rights that the Council cannot manage properly and which can result in HMOs clustering as well as changes to the character of the area.
- 4.51 In 2007, the Council introduced a greater flexibility to home extensions within the Driffield Road and Medway conservation areas by enabling mansard roof extensions along Victorian terraces<sup>13</sup>. Some of these properties had been converted to flats in the 1990s and early 2000s; however, the majority of houses are still used as single family dwellinghouses that retain the original planform consisting of two-bedrooms, communal spaces and garden area. There are concerns about the potential of these properties being converted into HMOs under PD rights once they are sufficiently enlarged which could create HMOs in these parts of the borough.
- 4.52 In addition to the physical changes, HMO accommodation can result in the social changes to the areas as well. It is assumed that this could be in the form of providing mainly student HMO accommodation in the proximity to the universities or young population in the areas of good accessibility to employment hubs and public transport. The resulting population change can also be observed in new types of facilities and services in the area.

### **Parking permits**

- 4.53 This section considers a potential impact of HMOs on highways network and in particular on-street car parking. The current Council's approach to car-free residential developments is also set out to understand how HMOs could potentially have an additional unmanaged impact on the borough's parking levels.
- 4.54 Tower Hamlets is a well-connected part of London. According to the Transport for London's Public Transport Accessibility Levels (PTAL), circa one half of the borough benefits from a good to excellent accessibility levels measured as 4-6 on a scale 1-6 where higher figures show better accessibility. The extensive public transport network in the borough will benefit from improvements to Docklands

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<sup>13</sup> Medway Conservation Area Character Appraisal and Management Guidelines (2017)  
Driffield Road Conservation Area Character Appraisal and Management Guidelines (2017)

Light Railway and London Underground as well as the opening of the Crossrail stations at Whitechapel and Canary Wharf.

- 4.55 The adopted Local Plan policies SP09 of the Core Strategy (2010) and DM22 of the Managing Development Document (2013) seek to promote car-free developments in areas of good public transport accessibility and areas of existing on-street parking stress. Similarly, draft Local Plan detailed development management policy D.TR3 requires residential developments to be permit-fee in terms of on-street parking and all parking should be provided on-site.
- 4.56 The current terms and conditions of the Council's resident's parking permit scheme allows for a maximum of three on-street resident permits at the property. However, the current planning practice in the borough seeks all new and converted residential developments to be car-free due to the good public transport accessibility levels, exceeding capacity demand for on-street parking and high planned growth. Car-free developments also positively contribute to the reduction of the high air pollution in the borough. Therefore, it would appear that a maximum number of three permits only applies to the existing residential properties.
- 4.57 London Borough of Tower Hamlets Parking Stress Study (2011) found high parking stress during night-time. The study recommended the review of the parking stress on a location specific basis to ensure that the likely impact of planning applications is considered. While the number of maximum permits per one property is same for single family households and HMOs, an assumption is made that a number of different households at one property are more likely to have more than one permit than a single household.

## **5. Evidence summary**

- 5.1 The presented evidence demonstrates a rapid growth of the private rented sector in Tower Hamlets since the 1990s. The numbers suggests that the PRS levels in the borough are higher than in the rest of the capital and the country. Notwithstanding the recent growth in the Build to Rent schemes across the borough, the analysed data shows that a significant amount of new housing forms part of the PRS which creates an opportunity for more HMOs to be created in the borough. (Section 4A Conditions and contributing factors – pages 7-9)
- 5.2 Mapping exercises found that HMOs tend to be dispersed across the whole of the borough which is consistent with the previous assessments<sup>14</sup>. However, certain clustering exists in the areas of high growth, good transportation interchanges and in the proximity to universities. (Section 4B Spatial distribution and extent – pages 10-16)

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<sup>14</sup> The Potential for an extension of discretionary licensing in the London Borough of Tower Hamlets, Neighbourhood Knowledge Management

- 5.3 The evidence suggests that HMOs can suffer from poor housing conditions such as insufficient internal spaces and a greater risk of housing hazards of which the fire hazard is the most common. Anti-social behaviour and crime are significantly higher in the western part of the borough which coincides with a higher proportion of existing HMOs. In addition, the analysed set of complaints demonstrates that these same areas suffer from poor conditions and management of the housing stock. (Section 4C Housing conditions and impacts – pages 17-21)
- 5.4 Limitations of this research have been set out for each topic separately; however, it should be noted that the presented data is not exhaustive and it is based purely on assumptions from previous researches. Given the hidden nature of permitted development rights in respect of the change of use from dwellinghouse to HMOs, it is considered that the exact number of HMOs in the borough is higher than presented in this paper.

## **6. Need for Article 4 direction**

- 6.1 London Borough of Tower Hamlets has one of the highest housing targets in the country. In order to achieve these targets and provide sustainable places, a more effective management of current and future housing supply is needed. Considering the evidence, an assessment of the challenges and benefits of introducing the Article 4 direction for HMOs are presented in the sections below.

### ***Need for family housing***

- 6.2 There is a significant shortage of family housing units<sup>15</sup> in the borough. Whilst the demand for larger homes is higher in the affordable sector rather than the market sector, it is important to ensure that there are various tenures and units sizes that can cater for diverse population in the borough such as growing families, but also for people and individuals who need and/or want to share.
- 6.3 According to the planning definition of C4 use class, small houses in multiple occupation provide accommodation for at least three unrelated individuals. This usually results in properties with 3 or more bedrooms being converted into HMOs. As a consequence, there is an even higher demand for family houses as the existing family housing stock gets reduced through permitted development rights.
- 6.4 The adopted and emerging Local Plan policies seek to protect existing family homes and maximise their future provision. The introduction of an Article 4 direction would help the Council manage the existing housing stock and monitor the extent of family housing units that gets converted into HMOs through the PD rights. This is further discussed in the implementation section below.

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<sup>15</sup> Family housing unit is defined as a property of three or more bedrooms

### ***Mixed and balanced communities***

- 6.5 In addition to the housing need, population growth puts the pressure on the existing and creates a demand for new physical and social infrastructure. This includes community facilities such as schools, healthcare, leisure facilities and open spaces, but also less visible infrastructure such as utilities, telecommunications etc.
- 6.6 Permitted development rights for the change of use from dwellinghouses to small HMOs result in a larger number of different types of households where might otherwise have not been planned for. The Infrastructure Delivery Plan (2017) does not plan for this 'additional population growth' which appears to be 'invisible' as it is subject to PD rights. As a consequence, HMOs could put a greater pressure on the services and social infrastructure in the area such as health, educational and other community facilities.
- 6.7 The removal of permitted development rights for the change of use from dwellinghouses to HMOs could ensure that communities' needs are being considered and reviewed through planning applications seeking to create new HMOs.

### ***Living conditions***

- 6.8 As the analysed evidence suggests, HMO properties often provide a poor standard of living accommodation which fails to comply with the relevant size standards. In addition to the inappropriate living conditions within existing HMOs, the Council does not have the ability to secure management plans, where they might be needed, in order to ensure adequate maintenance of HMOs in the future and also minimise the impact on the surrounding properties.
- 6.9 The introduction of an Article 4 direction would allow the Council to promote and secure high quality housing accommodation that provides appropriate internal and external spaces for future individuals. Furthermore, an impact on the living conditions of the surrounding properties could be managed through appropriate management plans.

### ***Anti-social behaviour and crime***

- 6.10 With regards to anti-social behaviour and crime, links exist between the private rented sector and HMOs in areas such as noise and housing complaints and housing notices. The introduction of an Article would give the Council the opportunity to review the proposed HMO proposals and ensure that such properties do not give rise to additional adverse impacts in terms of social and environmental issues.

### ***Highways and parking***

- 6.11 Similarly as the rest of physical infrastructure, HMOs can result in significant negative impacts on the highways networks in terms of capacity. Additional people at one property generate more deliveries and create a greater need for additional

on-street car parking as often off-street car parking could not be sufficient to cater for more households at one property.

6.12 The current Council's practice secures car-free agreements and appropriate facilities that encourage sustainable transport such as cycle storage for all new residential developments and conversions. This is in line with the national, regional and local planning policies which seek to promote active travel and reduce the need for car usage. With the introduction of an Article 4 direction, the Council would have a possibility to consider highways impact arising from the change of use from single family dwellinghouses to HMOs.

## 7. Options

7.1 As embedded in the NPPF, the use of Article 4 directions should be limited to situations where this is necessary to protect local amenity or the well-being of the area. Local planning authorities should not impose A4D as a tool to restrict developments of any kind.

7.2 The following options have been considered in order to create a mechanism for more effective management of HMOs, their impact and spatial distribution throughout the borough:

- Option 1 – Do nothing,
- Option 2 – Introduction of an Article 4 direction for certain areas/wards, and
- Option 3 – Introduction of a borough-wide Article 4 direction.

### *Option 1*

7.3 This option would not introduce an Article 4 direction. As a result, the conversion of dwellinghouses to HMOs would continue under permitted development rights potentially resulting in the issues discussed above.

7.4 It is expected that the recently introduced additional licensing scheme for HMOs would achieve a higher quality of HMO accommodation in the borough. However, some of the issues covered by the planning system (such as loss of family accommodation, cumulative impacts, transport, waste and amenity impacts) are not included in the environmental health regime.

7.5 This paper found that some of the borough's challenges and issues could be linked to HMOs. As such, it is considered that the option of not introducing Article 4 direction is not be a suitable solution to better manage the borough's environment.

### *Option 2*

7.6 Second option would introduce an Article 4 direction in certain wards and/ or areas that are seen as more problematic than others. However, the evidence shows that HMOs tend to be created across the borough, albeit with larger clusters in the western part of the borough and the southern part of the Isle of Dogs.

- 7.7 Furthermore, this option could potentially result, over time, in a higher percentage of HMO clusters in areas which are not covered by an Article 4 direction if the market reacts to localised planning controls. Issues such as disturbance to the residential amenity of surrounding properties and anti-social behaviour and crime could be displaced to these areas.
- 7.8 Option 2 could address certain issues in chosen areas; however, this could have a counter-action to other parts of the borough resulting in the same issues in other parts of the borough. As such, this option is not recommended.

### *Option 3*

- 7.9 This option would introduce an Article 4 direction in all wards of the borough. As a result, planning permission would be required for every change of use from dwellinghouses to small HMOs.
- 7.10 It is considered that the option of a borough-wide Article 4 direction could ensure a more consistent and effective management of HMOs. However, it would be important to understand the implementation of an A4D as the current Local Plan does not provide detailed guidance on small HMOs and the draft Local Plan relates to large HMOs.
- 7.11 In addition, the Council would need to secure appropriate resources as it is expected that the number of planning applications relating to the change of use from dwellinghouses to small HMOs would increase.

## **8. Potential further guidance**

- 8.1 Section 6 above explains how further development of unmanaged HMOs could adversely impact the borough. In order to properly manage the impact of HMOs, it is recommended to consider implementation guidance and/or strategy that would help in properly assessing planning applications relating to the change of use from dwellinghouses to small HMOs.
- 8.2 According to the need for an Article 4 direction, the following overarching principles could form part of the implementation guidance:
- loss of family housing,
  - management and cumulative impact of HMOs,
  - locations of HMOs,
  - amenity impacts,
  - transport implications, and
  - waste and environmental implications.

### *Loss of family housing*

- 8.3 The current Local Plan policy SP10 of the Core Strategy (2010) and emerging Local Plan policy S.H1 seek to protect existing family homes in the borough due to the high housing targets and the shortage of family homes in the borough. Policies resist the conversion of family homes into smaller self-contained flats unless the conversion enables the retention of a family unit. In addition, conversion to other residential uses such as hostels or shared accommodation is resisted.
- 8.4 It should be noted that the Council's policies seek to prioritise affordable family homes. According to the latest Tower Hamlets Strategic Housing Market Assessment (2017), it was found that only 20% of 3+ bedroom units in the market sector are needed. As HMOs are generally part of the private rented sector, it is assumed that consideration at the planning application stage could mainly result in the loss of PRS family sized units.
- 8.5 Article 4 directions should not be used as blanket tools to refuse all future planning applications relating to the change of use from dwellinghouse to a small HMO. Therefore, it is imperative to understand how the guidance can help officers to reach a balanced decision when considering the housing conversion at the planning application stage.

### *HMO clusters and amenity*

- 8.6 The current Local Plan policies SP10 of the Core Strategy (2010) and DM24 and DM25 of the Managing Development Document (2013) seek to promote good design and aim to protect residential amenity of the surrounding public realm and residents. Similarly,
- 8.7 High levels of HMOs have the potential to change the character of the area including physical changes such as alterations to the property, type of services and shops needed in the area, but also social changes such as a high portion of younger generations which are more likely to seek accommodation in the form of HMOs.
- 8.8 In order to protect the amenity of the surrounding residential properties and the public realm, the Council should consider securing management plans for the change of use from dwellinghouses to HMOs. The format and type of management plan would need to be developed.

### *Location and highways implications*

- 8.9 Draft Local Plan policy D.H7 provides guidance on large HMOs and other types of housing with shared facilities and promotes their locations in the areas of high transport accessibility. In accordance with other Local Plan policies, HMOs would need to be secured as car-free which would result in occupiers not being eligible to apply for a resident permit.

8.10 The Council could potentially consider promoting smaller HMOs in more sustainable locations such as areas with good accessibility levels to public transport. However, careful consideration should be given to ensure that there is no HMOs clustering as a result.

## **9. Conclusion**

- 9.1 Tower Hamlets is an inner London borough which is experiencing higher levels of private rented properties than the rest of London and England. The Council has introduced three licensing schemes to manage houses in multiple occupation; however, there are concerns that licensing would not necessarily capture all aspects of potential impacts as evidenced in this paper.
- 9.2 With the projected high degree of developments in the borough and the continued increase in population, the Council needs to manage the housing stock and environment more effectively to ensure the delivery of sustainable growth, also linked to the potential negative impact on their surrounding area. This can give rise to adverse impacts to the amenity of the area and change its character.
- 9.3 A number of options have been considered and it is recommended that a non-immediate borough-wide Article 4 direction could assist the Council in better management of HMOs.



## APPENDIX A – Accommodation types

**Table A1. Accommodation types in Tower Hamlets in 2017**

<b>Bungalow</b>					
1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Unknown	All
80	20	10	0	30	140
<b>Flat/Maisonette</b>					
1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Unknown	All
35,410	42,450	16,690	3,540	4,670	102,770
<b>Terraced house</b>					
1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Unknown	All
280	3,060	5,910	3,430	860	13,530
<b>Semi-detached house</b>					
1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Unknown	All
10	90	200	140	30	480
<b>Detached house</b>					
1 bedroom	2 bedroom	3 bedroom	4+ bedroom	Unknown	All
10	20	40	50	40	160
<b>1-bedroom total</b>	<b>2-bedroom total</b>	<b>3-bedroom total</b>	<b>4-bedroom total</b>	<b>Unknown total</b>	<b>All</b>
35,790	45,640	22,850	7,160	5,630	117,080

*Source: Valuation Office Agency, Council Tax: stock of properties 2017 (Table CTSOP3.0: Number of properties by Council Tax band, property built period and region, county and local authority district)*

## APPENDIX B – Borough’s housing stock

**Table B1. Private sector stock by age**

Dwelling Age	No.	%
<1919	14,465	22
1919-1944	5,860	9
1945-1964	7,680	11
1965-1980	6,706	10
1981-1990	7,900	12
1990+	24,598	37
Total	67,209	100

*Source: Private Sector Stock Condition Survey, 2011*

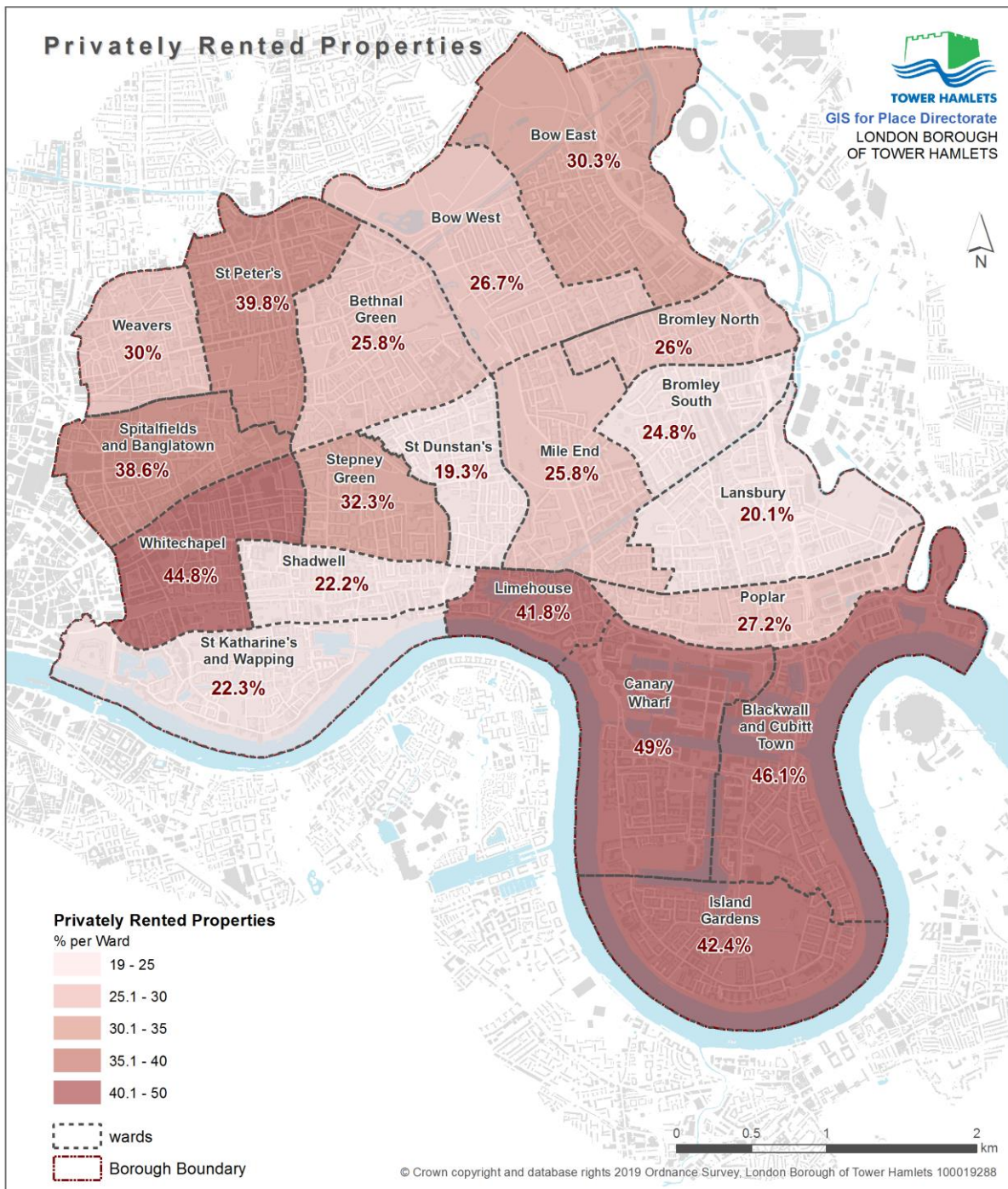
**Table B2. Housing stock by age**

Build period	Number of properties	Percentage [%]
Pre 1900	15,230	12.8
1900 to 1918	1,580	1.3
1919 to 1929	2,040	1.7
1930 to 1939	4,060	3.4
1945 to 1954	7,170	6.0
1955 to 1964	11,120	9.3
1965 to 1972	10,060	8.4
1973 to 1982	9,620	8.1
1983 to 1992	8,680	7.3
1993 to 1999	10,850	9.1
2000 to 2009	24,720	20.7
2010 to 2015	11,750	9.8
Unknown	2,550	2.1
All properties	119,430	100

*Source: Valuation Office Agency, Council Tax: stock of properties 2017 (Table CTSOP4.0: Number of properties by Council Tax band, property built period and region, county and local authority district)*

## APPENDIX C – Private rented properties

Map C1. Spatial distribution of privately rented properties in the borough



Source: Census, 2011

## APPENDIX D – Anti-social behaviour

**Table D1. Ward table comparing the size of the private rented sector with housing conditions and ASB based on rank.**

No.	Ward	Rank PRS	Housing notices	General complaints	Fly-tipping	Garden and food waste	Housing complaints	Noise complaints	Pest control	THEOS	Waste enforcement	Ward rank
1	Bethnal Green Ward	9	4	2	18	3	5	5	6	6	6	5
2	Blackwall & Cubitt Town Ward	2	13	18	20	11	10	13	16	19	17	17
3	Bow East Ward	7	18	13	12	4	7	6	15	13	7	12
4	Bow West Ward	12	10	9	14	1	3	8	12	8	8	8
5	Bromley North Ward	16	17	16	17	6	17	15	7	16	18	15
6	Bromley South Ward	19	14	15	19	17	16	16	11	20	15	19
7	Canary Wharf Ward	1	14	17	10	14	15	9	17	18	13	14
8	Island Gardens Ward	3	8	18	11	2	13	17	17	17	19	13
9	Lansbury Ward	14	3	18	2	5	2	10	3	11	11	6
10	Limehouse Ward	13	20	12	9	19	20	19	19	12	20	20
11	Mile End Ward	11	10	14	5	12	4	7	4	9	10	9
12	Poplar Ward	20	19	8	13	19	18	20	14	15	15	18
13	Shadwell Ward	15	5	4	8	14	8	14	8	5	5	7
14	Spitalfields & Banglatown Ward	8	1	10	4	13	9	1	2	1	1	2
15	St. Dunstan's Ward	18	8	7	7	6	14	11	13	14	12	10
16	St. Katharine's & Wapping Ward	6	16	11	16	16	19	12	20	7	14	16
17	St. Peter's Ward	5	7	3	3	9	5	2	1	4	4	1
18	Stepney Green Ward	17	12	5	15	8	12	18	5	10	9	11
19	Weavers Ward	10	6	1	6	9	11	2	10	3	3	4
20	Whitechapel Ward	4	2	6	1	18	1	4	9	2	2	3
Correl			0.20	-0.19	0.14	0.08	0.27	0.48	-0.22	0.14	0.15	0.23

Source: *The Potential for an extension of discretionary licensing in the London Borough of Tower Hamlets, Neighbourhood Knowledge Management*

Note: Private rented sector ranking based on high risk PRS analysis (Key: 1=highest, 20=lowest)

## Appendix 4: EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

<b>Name of 'proposal' and how has it been implemented</b> (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	<b>Proposed Article 4 direction for the removal of planning permitted development rights for the conversion of dwellinghouses to small houses in multiple occupation (HMOs)</b>
<b>Directorate / Service</b>	<b>Place</b>
<b>Lead Officer</b>	<b>Aleksandra Milentijevic</b>
<b>Signed Off By (inc date)</b>	<b>Marissa Ryan-Hernandez (01/11/2019) Paul Buckenham (01/11/2019)</b>
<b>Summary – to be completed at the end of completing the QA (using Appendix A)</b> (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <div><b>Proceed with implementation</b></div> </div> <p>Based on this QA, the majority of people with shared characteristics will not experience any impact; however, the assessment found that there would be both positive and negative impact on certain people with shared characteristics.</p>

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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
<b>1</b>	<b>Overview of Proposal</b>		
a	Are the outcomes of the proposals clear?	Yes	The Article 4 direction would provide the opportunity for the Council to consider the impact of the creation of additional houses in multiple occupation (HMOs).

b	Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?	Yes	The confirmation of the Article 4 direction would bring the direction into force and could positively and negatively affect both the existing and future population of the borough. The equality profile of the affected is provided in section 3a.
<b>2</b>	<b>Monitoring / Collecting Evidence / Data and Consultation</b>		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	N/A	The EqIA aims to assess the degree of impact on people with shared characteristics taking into consideration the available information.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	N/A	The degree of potential impacts is considered below, but it is not considered to be exhaustive.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	Public consultation and the previous Council's reporting cycle have allowed for an input from various stakeholders.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	Formal consultation was carried out between 15 <sup>th</sup> August and 26 <sup>th</sup> September 2019. One representation raised concerns in relation to the impact of the Article 4 direction on the most vulnerable members of the society.
<b>3</b>	<b>Assessing Impact and Analysis</b>		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	No	There is no evidence of impacts. The justification report identifies the overall impact of HMOs on the borough's population without differentiating population groups.
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	Yes	The proposed Article 4 direction would better manage HMOs in terms of their future occupiers' residential amenity by providing appropriate quality of living accommodation. The new management of HMOs has the potential to benefit the local community by reducing potential social and environmental adverse impacts that might rise from HMOs and their clusters, e.g. noise, waste, general upkeep etc. This would be a positive impact on people of all age (1).  The proposed Article 4 direction is neutral in terms of

disability (2), gender reassignment (3), pregnancy and maternity (4), race and ethnicity (5), religion or belief (6), sex (7) and sexual orientation (8).

In terms of marital status (9), it is assumed that single people are more likely to be accommodated in HMOs and they would benefit from the proposed improvements to the living conditions. However, there might be a decreased provision of HMOs as a result of the proposed Article 4 direction which could negatively impact this group.

Other key groups include people on lower incomes as they are likely to be accommodated within HMOs. Additional information is provided below. The Article 4 direction might result in fewer HMOs, albeit with improved quality, decreasing the provision of opportunities for such forms of low income housing.

#### Welfare benefits claimants

According to the Jobseeker's Allowance from September 2019<sup>1</sup>, there were 8,025 claimants in total. More than half of the claimants are in the age group 25-49.

#### Unemployment

The model-based information from Jul 2018-Jun 2019<sup>2</sup> indicates that there might be around 10,700 unemployed people in the borough.

#### Young People

More than half of the homelessness reported to the borough

<sup>1</sup> <https://www.nomisweb.co.uk/reports/lmp/la/1946157257/report.aspx#tabwab>; accessed on 1<sup>st</sup> November 2019

<sup>2</sup> <https://www.nomisweb.co.uk/reports/lmp/la/1946157257/report.aspx#tabempunemp>; accessed on 1<sup>st</sup> November 2019

			<p>by single people came from those under 35, whilst just under a quarter who reported homelessness were aged between 18-25<sup>3</sup>. Tower Hamlets Housing Strategy 2016-2021 states that young people on low incomes who are unable to live in the family home face a number of difficulties accessing affordable alternative housing including within the private rented sector.</p> <p>It has been acknowledged that HMOs make contributions towards housing options for those on lower income including young people. However, this is dependent on a number of factors including location, quality and personal choice.</p>
<b>4</b>	<b>Mitigation and Improvement Action Plan</b>		
a	Is there an agreed action plan?	No	There is no agreed action plan in place.
b	Have alternative options been explored?	Yes	Yes, these are included in the main report.
<b>5</b>	<b>Quality Assurance and Monitoring</b>		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	The proposed Article 4 direction would be monitored through the planning register, i.e. the number of submitted planning application for the change of use from dwellinghouses to small houses in multiple occupation.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics?	No	While the implementation of the proposed Article 4 direction will be monitored through the planning register, it is not clear how the impact on the people who share protected characteristics could be monitored.
<b>6</b>	<b>Reporting Outcomes and Action Plan</b>		
a	Does the executive summary contain sufficient information on the key findings arising from the	No	Yes. Whilst the executive summary looks at the overall impact of the Article 4 direction, it also acknowledges a



<sup>3</sup> Tower Hamlets Housing Strategy 2016-2021



	assessment?		potential impact on the people who share certain protected characteristics.
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## Appendix A

### (Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the QA checklist, it is evident that due regard is not evidenced in the proposal and / or a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share Protected Characteristics. It is recommended that the proposal be suspended until further work or analysis is performed – via a the Full Equality Analysis template	<b>Suspend – Further Work Required</b>	Red 
As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	Green: 

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