TOWER HAMLETS

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, 25 March 2020 at 5.30 p.m.
Council Chamber - Town Hall Mulberry Place

The meeting is open to the public to attend.

Please note that meeting arrangements may change if required to follow Covid-19 guidance.

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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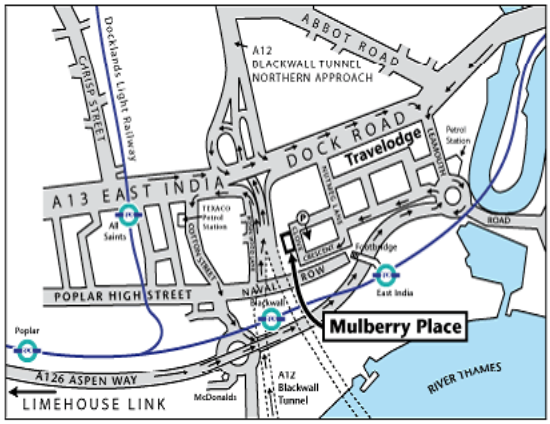

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A Guide to CABINET

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

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, 27 March 2020**
- The deadline for call-ins is: **Friday, 3 April 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, 25 MARCH 2020

5.30 p.m.

Pages

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

9 - 12

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.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the Cabinet meeting held on Wednesday 26 February 2020 are presented for approval.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

5. OVERVIEW & SCRUTINY COMMITTEE

5 .1 Chair's Advice of Key Issues or Questions

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

5 .2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

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

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6 .1	Malting and Brewster House Structural Strengthening Works	13 - 132

Report Summary:

Cabinet in June 2019 considered a report on structural reinforcement works at Brewster and Malting House. That report set out the details and deliverability of the works and the impact to residents. The report also explained the likely cost to leaseholders. Cabinet resolved to defer some matters to allow for further discussion with residents.

The discussion with residents has happened and further structural reports have been received. This report provides a final update on the structural works, seeks Cabinet approval of the decisions deferred in June 2019, and seeks approval for the voluntarily buy-back of leasehold properties at Brewster and Malting House.

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

6 .2	Final decision on the amalgamation for Guardian Angels and St Anne's Primary School	133 - 186

Report Summary:

- Report on the outcome of public representations received in response to the statutory proposal to amalgamate Guardian Angels and St Anne's Catholic Primary Schools.

- Decision on Amalgamation of Guardian Angels and St Anne's Catholic Primary Schools.

- Decision on Closure of Guardian Angels Catholic Primary School.

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 for the amalgamation (merger) of Guardian Angels and St Anne's Catholic Primary Schools. This would require the closure of Guardian Angels School and for a two form entry (2FE) primary school to continue on the site of St Anne's School.

It recommends for the Mayor in cabinet to consider a decision on whether or not to formally proceed with plans for the schools merger that would take effect from the 1st September 2020. Guardian Angels School would therefore officially close on 31st August 2020

Wards:	All Wards
Lead Member:	Cabinet Member for Children, Schools and Young People
Corporate Priority:	TH Plan 1: A better deal for children and young people: aspiration, education and skills

6 .3	**Report on the outcome of public representations received in response to the statutory proposal to amalgamate Smithy and Redlands Primary Schools.**	**187 - 230**

Report Summary:

- Report on the outcome of public representations received in response to the statutory proposal to amalgamate Smithy Street and Redlands Primary Schools.

- Decision on Amalgamation of Smithy Street and Redland Primary Schools

- Decision on Closure of Smithy Street Primary School.

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 establish a single three form entry primary school; through the amalgamation (merger) of Smithy Street and Redlands two form entry Primary schools. The schools are also proposing that the new 3FE school will be called Stepney Park Primary School.

It recommends for the Mayor in cabinet to consider a decision on whether or not to formally proceed with plans for the schools to amalgamate from the 1st September 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

Wards:	All Wards
Lead Member:	Cabinet Member for Children, Schools and Young People
Corporate Priority:	TH Plan 1: A better deal for children and young people: aspiration, education and skills

6 .4	**Strategic Plan 2020-23**	**231 - 236**

Report Summary:

This is a refreshed version of the Strategic Plan for 2020-23 to reflect 2019 data and progress, and the continued move of the Council to be an outcomes-based authority.

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

6 .5	Climate Emergency Declaration: Tower Hamlets Council Zero Carbon Roadmap	237 - 292

Report Summary:
The Zero Carbon Roadmap is a demonstration of progress on the LBTH Climate Emergency declaration and includes a number of actions for costed delivery plans to be produced.

Wards:	All Wards
Lead Member:	Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty
Corporate Priority:	A borough that our residents are proud of and love to live in

6 .6	Self-Build Policy, Guidance Document and Details of Self-Build Sites	293 - 336

Report Summary:
The Mayor has committed to support up to 50 self-build homes over the period 2018-22. To facilitate this, officers have produced a self-build policy, a guidance document and a list of self-build sites.
Following consultation with residents on the documents and sites, Cabinet approval for implementation of the policy and the disposal of the self-build sites is sought.

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

6 .7	Contracts Forward Plan 2019/20 – Quarter Four	337 - 352

Report Summary:
This report presents THE contracts being procured during quarter 4. The report also sets out the Contracts Forward Plan at Appendix 1 to the report.
2. The report asks for confirmation that all contracts can proceed to contract award after tender.

Wards:	All Wards
Lead Member:	Cabinet Member for Resources and the Voluntary Sector
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, 29 April 2020 at 5.30 p.m. in Council Chamber - Town Hall Mulberry Place

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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

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Cabinet 25 March 2020	TOWER HAMLETS
Report of: Ann Sutcliffe, Corporate Director, Place	**Classification:** Unrestricted
Structural Works – Brewster House and Malting House - Update	

Lead Member	Cllr Sirajul Islam: Cabinet Member for Housing and Statutory Deputy Mayor
Originating Officer(s)	Karen Swift: Divisional Director Housing and Regeneration
Wards affected	Limehouse
Key Decision?	Yes
Forward Plan Notice Published	20th January 2020
Reason for Key Decision	Financial Threshold
Strategic Plan Priority / Outcome	A borough our residents are proud of and love to live in

Executive Summary

This report sets out proposals for agreeing financial resources to undertake strengthening works to safeguard the structural integrity of two large concrete panel system blocks comprising 112 flats at Brewster House and Malting House. In 2017 the Government advised councils to review the structural condition of blocks that used the Taylor Woodrow Anglian large concrete panel system and to ensure that their structural integrity was sufficient and maintained.

Therefore, in July 2018, November 2019 and January 2020, Wilde Carter Clack (WCC) were commissioned by THH to carry out an assessment of the blocks in accordance with Building Research Establishment (BRE) guidance. WCC concluded in their reports (Appendices 1, 2 and 3) that Brewster House and Malting House require intrusive structural strengthening, particularly as the buildings are at risk of progressive structural collapse in the event of an explosion and possibly following an extremely intense fire which could cause floors to buckle and collapse.

Cabinet in June 2019 considered a report on structural reinforcement works at Brewster House and Malting House. That report set out the details and deliverability of the works and the impact to residents. The report also explained the likely financial cost for the works. Cabinet deferred a decision to allow further investigations of the structure and to enable further discussions with residents.

Resident engagement has taken place and details are set out in section 3.4 of the

report. Further structural investigations have concluded (Appendix 2 and 3). Residents asked the Council to independently validate the structural works recommended and the costs involved. The Council has concluded both these pieces of work and details are contained in this report in Appendices 4 and 5. This report provides a final update on the structural works and seeks Cabinet approval for the following recommendations.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve £9,414,088 of capital funding within the Council's provisional five-year HRA Capital Programme to fund the structural works and the associated services required to deliver the works.

2. Award of the works contract to undertake the structural works to Wates in the sum of £8,044,436 (£7,704,436 plus £340,000 for the refurbishment of 40 decant properties to be use as temporary accommodation) in its capacity as a contractor procured via the Council's Better Neighbourhoods Works Framework ("the Framework").

3. Note to formally consult leaseholders in accordance with Section 20 of the Housing Act 1985 and recharge them for the financial apportionment payable towards their portion of the cost of the structural works in accordance with the service charge provisions in leases.

4. Agree to voluntary buy-back leasehold properties in Brewster House and Malting House, with potential financial costs to the Council estimated at an approximate sum of c. £9.6m. This sum would be in addition to the total project cost.

5. Approve the sum of £760,000 from General Fund resources to fund the restitution payment to leaseholders set out in section 3.4.4 of the report, in compensation for the loss or disturbance during the works. Subject to the securing the appropriate budget provision as set out in para 13.10.

1 REASONS FOR THE DECISIONS

1.1 Consulting structural engineers, Wilde Carter Clack (WCC), concluded in their reports (Appendices 1, 2 and 3) that Brewster House and Malting House require intrusive structural strengthening, particularly as the buildings are at risk of progressive structural collapse in the event of an explosion and possibly following an extremely intense fire which could cause floors to buckle and collapse.

1.2 The Council commissioned Arup to undertake a review of the WCC reports and structural strengthening proposals. The conclusion of this review is documented by Arup in their report (Appendix 4). Arup agree with the analysis that the blocks need strengthening as they do not meet the current or previously existing standards for normal loads. Arup's review also supports the proposed works. Potter Raper, were commissioned by the Council to undertake a review of the costs proposed. They concluded (Appendix 5) that the costs of the works are properly priced and are fair and reasonable to form the basis to enter into further negotiations.

1.3 A risk assessment undertaken by consulting structural engineers Curtins (Appendix 6) states that it is safe for residents to remain in occupation now and during the planned works, with respite facilities and temporary rehousing options available as required.

1.4 External Wall Insulation (EWI) works are already being delivered by Wates who have a site set up and who are integral to the works being proposed. The EWI works have been suspended pending the procurement and delivery of the proposed structural works. Wates will conclude the EWI works following the completion of the structural works.

2. OPTIONS

2.1 **The Council can opt to disregard undertaking the structural works:** Undertaking this work will be complex involving all the 112 dwellings and cause disruption to the amenity of residents due to the length of expected duration of the works, being 22 months. The floor slabs in each of the blocks require strengthening particularly as the buildings are at risk of progressive structural collapse in the event of an explosion. The structural assessments conclude that the buildings need strengthening.

2.2 **Proceed with undertaking the proposed structural works and recharge the leaseholder in accordance with the term of the lease:** The structural works are required as a result of the findings from WCC's investigations.

2.3 The total estimated cost of this option is £9,414,088. A summary of the cost and allowance categories is shown in table 1 below

Table 1

ITEM	COST (£)
Structural Works	7,704,436
Contingency (unforeseen Works)	150,000
Security & Safety (Walk and watch)	190,722
Resident Disturbance: Decanting; Temporary Accommodation; Respite facilities and rehousing.	650,000
THH Staffing Resources	578,930
Structure Engineer and Fire Safety Engineer	140,000
Total	**9,414,088**

2.4 **Redevelop the site of the Malting House and Brewster House blocks to replace existing homes and build additional new homes:** The option to demolish Malting House and Brewster House and redevelop new homes on the estate was considered. Outline views from architects suggests that there is scope to increase density in line with planning policy, building around 160 new homes. However, the considerable costs of rehousing residents, buying out and compensating leaseholders, demolishing the existing blocks and then constructing new buildings would make this option unviable in normal commercial development terms, even if all the additional homes were sold at full market value. Based on outline assumptions, the net cost to the Council (after cross-subsidy from open market sales) is estimated at between £25m and £40m.

2.5 If the Council opted to increase the supply of social rented homes on the estate through redevelopment, funding would be limited to HRA borrowing, with use of RTB receipts only possible under current rules for additional new social homes, not the replacement of existing homes. Therefore only 48 homes if used as affordable housing of the 160 homes could receive 30% RTB receipts towards the cost. As indicated above, the net cost of redevelopment is estimated at between £25m and £40m. On a unit cost basis per rented dwelling, this means a cost of between £223k and £357k, in contrast to an average refurbishment cost per dwelling of £87.5k. Therefore, despite the high costs of the strengthening works set out in this report, officers recommend that the refurbishment offers better value for money to the Council than redevelopment and is less disruptive to residents.

2.6 **Whole Estate Regeneration including Malting House and Brewster House:** Remodelling the whole estate (including Brewster House and Malting House and the neighbouring low-rise blocks) would involve replacing the existing homes and providing much needed additional new homes. Whilst further feasibility work on this option could be undertaken to explore the scope and tenure mix, whilst complying with planning policy on the tenure mix, this would further delay the necessary structural works needed to Brewster and Malting Houses.

2.7 The overall net cost to the HRA will be significantly higher than redevelopment of only Malting House and Brewster House.

2.8 **Full decant of Malting House and Brewster House blocks prior to commencing the proposed works:** The option to vacate both blocks prior to starting the works and throughout the works contract has been considered. This option would effectively extend the timescale by an estimated nine months (six at the outset and three at the end). This approach would significantly increase the overall costs; with an estimated £13.5m decant cost increasing the overall project costs to c. £23m. The risk assessment undertake by Curtins, the specialist structural engineering consultants, confirms that the structural works can be carried out safely with the majority of residents remaining in occupation (other than periods of rehousing required for those flats directly undergoing strengthening works at any one time). The Arup report supports the proposed methodology.

3 DETAILS OF THE REPORT

3.1 During the delivery of external wall insulation cladding works (EWI) it was deemed necessary to conduct an initial structural survey to ensure that the strength of the existing building fabric would safely adopt the new cladding system. In addition, this was supported by the Ministry of Housing, Communities and Local Government (MHCLG) advice to landlords to review the condition of their large panel system blocks and to ensure that their structural integrity is sufficient and maintained. Therefore, the structural engineers' brief was extended to include a review of the buildings' ability to withstand a disproportionate collapse in the event of an explosion.

3.2 WCC, the engineers who were subsequently commissioned to conduct the intrusive surveys emphasised the importance to undertake the remedial structural works in their reports of July 2018, December 2019 and January 2020 (Appendix 1, 2 & 3).

3.3 In June 2019, Cabinet considered the report on structural reinforcement works at Brewster House and Malting House, which set out the details and deliverability of the works and the impact to residents. The report also explained the likely cost to leaseholders and the potential support from the Council. Cabinet resolved to defer a decision to allow for further consultation and discussion with residents.

3.4 Resident Discussions, Actions and Outcomes

3.4.1 Since June 2019 Cabinet officers have met with residents and have been maintaining contact with residents in other ways.

- Residents meetings on 24th July 2019 and on 9th March 2020
- A leaseholder meeting on 4th September 2019

- Four newsletters have been sent to residents in June; July; August 2019 and January 2020
- The on-site team are available Monday to Friday for queries and meet with the TRA Chair and residents every Thursday morning
- Council officers have been in correspondence with individual leaseholders
- Council officers have been available to meet with leaseholders and have done so when meetings have been requested
- Council officers have indicated their availability to meet with tenants at the Thursday Coffee Mornings
- THH has made ex gratia payments of £75 each to all residents for contributions toward heating bills while the EWI remains incomplete to the NE and SW elevations causing cold bridging internally to flats, these payments were made in 2018 and 2019. In addition to this, 16 flats on the ground and first floors in both blocks were also given £45 in 2019 as a contribution towards the costs of electricity for lighting, as their flats were kept wrapped in scaffolding and netting longer than was anticipated.
- THH has a dedicated project site team who are in constant contact with residents and are available Monday to Friday on site to deal with residents' concerns.
- A flat which has a mock-up of the new steel beams has been made available to residents to view. Photographs of the mock up flat have been published in resident newsletters.

3.4.2 On 12th August 2019, the Mayor wrote to the Secretary of State for MHCLG requesting that the Government step in to pay for the works. The Mayor wrote a follow up letter to the Secretary of State on 8th January 2020. The MHCLG has not responded to this correspondence to date.

The meeting with residents and leaseholders in 2019 resulted in a range of actions for the Council and THH to undertake, these are set out in the sections below

3.4.3 **Due Diligence**

a. **Extended Investigative Surveys:** WCC has conducted further internal intrusive tests in the under-croft area and additionally in vacant flats in each block to complete the pre-works surveys they previously recommended to be undertaken prior to the commencement of the structural works. The intrusive investigations are now complete and WCC issued an addendum report in December 2019 (Appendix 2). This report indicated that a further investigation of the podium floor slab, and underground garages/storage units, within the car park areas

beneath the blocks be undertaken. WCC provided a further report on this at Appendix 3.

b. **Works and Cost Validation:** The Council commissioned Arup to independently validate the structural works and Potter Raper to review the proposed costs.

   Arup were asked to provide a review of the findings from WCC and their subsequent proposed works. Arup agree with the analysis that the blocks need strengthening as they do not meet the current or previously existing standards for normal loads. Arup's review also supports the proposed works. (See Appendix 4).

   Potter Raper were asked to review what has been priced by the contractor in relation to the works specification, programme, scope, assumptions, exclusions and allocation and pricing of risk and to report upon the general pricing methodology. Potter Raper concluded that the cost of the works appears to be properly priced and are fair and reasonable to form the basis to enter into further negotiations. (See Appendix 5).

   Additionally, Potter Raper has been instructed by the Council to review the costs and determine/confirm whether they were correctly apportioned to leaseholders (when the works have been completed). This would ensure transparency and eliminate any possibility of cost being passed on to leaseholders as a result of "cost contamination" from the existing contract for the EWI works.

3.4.4 **Restitution Payments by the Council to leaseholders**: The Council's fiduciary duty is to charge leaseholders where they are lawfully liable for the cost of works. At the same time, the Mayor recognises the significant financial costs estimated for the necessary structural works to be undertaken in this case. In acknowledgement of this he supports the principle of offering leaseholders a "restitution" payment which would compensate them either as remaining owners or as part of a leasehold interest buyback agreement.

The proposed restitution payments are based upon several factors including bed-sizes and circumstances (retaining/selling). The payments are summarised in table 2 below:

Table 2

	1 BED	2 BED	3 BED
Buyback	£19,250	£22,350	£25,760
Retained resident leaseholder	£5,100	£13,625	£14,625
Retained sub-letting leaseholder	-	£8,225	£8,925

The rationale for the amounts is below:

a. **Buybacks**: this is a voluntary sale by the leaseholder. The Council recognises the difficulties the proposed works have caused to the leaseholders resulting in the need to sale their homes. Therefore, the proposed restitution payment includes elements for potential rent loss, legal costs on repurchasing a new home, and a provisional sum deduction given the possibility that works costs deducted from the valuation of the leaseholder's property before being acquired by the Council includes contingencies that may not actually be required.

b. For **retained resident** leaseholders, the proposed restitution payments reflect estimated costs of making good, loss of demise (where new steelwork slightly reduces the living space in the home) and loss of quiet enjoyment during the works.

c. For **retained sub-letting** leaseholders, the proposed restitution payments reflect making good and loss of demise. Any decant costs for sub-tenants (if required) will be settled separately with those individuals.

d. The Council is not proposing to cap the liability for those lessees where the full sum for works will be due.

3.4.5 **Acquire Leasehold Properties under the Council's Buyback Programme**: The Council's existing programme applies at Brewster House and Malting. House. However, the cost of the work will be deducted from the market value. It is considered that the Buyback Programme provides a good option for both the lessees and the Council. It removes, disputes over making good and facilitates the carrying out of the structural works as the flats will be vacant during the proposed works. In turn the Council has a home returned for letting.

4. Proposed Structural and Associated Works

4.1 The Recommendations 2 and 3 seek Cabinet's approval to enter into contract for structural works to be undertaken by Wates (subject to contract and s20 Housing Act 1995 consultation prior to contract award): The works involve:

- To undertake structural strengthening works externally to the two blocks and complete the EWI.
- Undertake structural strengthening works internally to flats and reinstate finishes to the flats.
- Provision of daytime respite and decant facilities on an individual household assessed basis.

4.2 The structural works are expected to take around 22 months to complete. The structural works to both blocks will be carried out simultaneously. A programme of the works is contained within Appendix 7.

4.3 Based on procurement and legal advice, officers recommend making use of the new Framework to procure the contractor to deliver the structural strengthening works. Wates is the highest scoring contractor on the Framework and thus can be directly awarded a contract, subject to the Framework award rules being followed.

4.4 Wates has conducted a competitive tender between two specialist structural contractors Bersche-Rolt and Cintec. This work makes up most of the physical works and Wates tender price.

4.5 THH officers have been actively involved during the tender process. Due to the nature of the structural works it has not been possible to agree a fixed price with Wates. However, the tender includes appropriate provisional sums to cover this. In addition, a contingency sum has been incorporated to cover unforeseen works or resident support services that may be required.

4.6 Wates are responsible for the site and the contractors, and for the structural design and structural works sign-off via their own structural engineer.

4.7 WCC, structural consulting engineers who have a long association with the two blocks and have been actively involved since cladding and EWI works, are engaged and are responsible for checking the design and the works on behalf of the Council. Building Control will also continue to review as required.

4.8 Wates tender price submitted in January 2019 totalled £6,276,605.50. This sum has been subject to inflation in accordance with the Framework, final design costs and the additional works as identified in Appendix 3 brings the total to £8,044,436.

4.9 In addition, a full buyback take-up by leaseholders would add further potential costs estimated of c. £9.6m (set out in 3.4.5).

5. Consultant Structural Engineer

5.1 The consultant structural engineer WCC has been leading on the structural investigations and solutions. They have provided the initial structural solution and design.

5.2 It is proposed that they are retained for the duration of the structural works. Their role will be to oversee the specialist structural works and to provide ongoing advice and support.

5.3 WCC has submitted a tender price to oversee the structural works and to provide ongoing advice and support.

5.4 The cost for their remaining commission is currently estimated as follows in table 3:

Table 3

STRUCTURAL ENGINEER	**COSTS**
Wilde Carter Clack (Consultant Structural Engineer)	£120,000.00
Contingency (Including Fire Safety Report)	£20,000.00
Total	**£140,000**

5.5 Oakleaf Ltd has been engaged by THH to further investigate the fire safety of the structure and compartmentalisation within flats.

6. Respite and Rehousing (Decant)

6.1 The proposed work is extremely intrusive and will require respite and some decant (temporary rehousing) facilities to be offered to some residents.

6.2 This service will apply equally to tenants and leaseholders. Although the leases do not obligate the Council to provide these facilities.

6.3 Daytime respite facilities are being established via Wates. This includes temporary accommodation on-site to allow respite during the dwelling specific intrusive works. THH officers will work with each household to determine the extent to which they need to use daily respite facilities or be temporarily or permanently rehoused.

6.4 Several empty properties will be held and made available for longer term decants. Further temporary and/or permanent decant will be made available off-site in hotels and by way of permanent rehousing accommodation. In addition, an emergency overnight facility will be available on-site should it be required. This will avoid creating additional duress to households in the event of an emergency decant.

6.5 There is a costing allowance for daytime respite, on-site temporary accommodation, and off-site temporary accommodation incorporated into the project costs. This will be adjusted as required.

7 Tower Hamlets Homes Staff Resourcing

7.1 Due to the complex and intrusive nature of the structural works, it is proposed to allocate the following additional resources to the contract. This is based on 22-month duration on agency rates. It also assumes that on current information it is possible for the works to be carried out with most residents in occupation but with respite facilities provided and short term decants as the exception; based on needs as shown in table 4.

Table 4

POST DESCRIPTION	**COST**
Project Management	£279,500
Surveying	£140,000
Resident Liaison Coordinator	£98,000
Decant Coordinator	61,430
Total	**£578,930**

7.2 This team will be responsible for managing all aspects of the contract, along with all external stakeholder engagement.

7.3 Should a full decant become required (although this is not currently anticipated) then additional resources would be needed. These are estimated as being an additional Decant Officer and one Admin Officer at a total additional cost of £110,000.

8. RESIDENT ENGAGEMENT

8.1 Residents have been kept informed throughout the structural investigation period via weekly drop in coffee mornings, monthly newsletters, regular liaison with the TRA Chair, access to the onsite Project Team, a drop in afternoon/ evening session with THH officers followed up by FAQs on the findings and proposed works. THH and the Council have held three residents' meetings two with all residents on 24th July 2019 and 9th March 2020, and the other on 4th September 2019, just with leaseholders, the details of which are set out in section 3.4 of the report. The ward Councillor and Deputy Mayor have been kept regularly updated of the position.

8.2 Throughout 2019 THH has undertaken Resident Impact Assessments by visiting residents in their homes to ascertain their specific needs during the works. These assessments will be subject to ongoing reviews to ensure residents' needs are catered for before and during the works.

9. LEASEHOLD CONSIDERATIONS

9.1 It is proposed that leaseholders are charged a financial apportionment for all the necessary structural works. The structural works will be disruptive and intrusive, and it will be important to establish an equitable approach for all residents notwithstanding that the leaseholders will be recharged for the works. It should be stressed that the structural works are of a very exceptional nature and so costs are an estimated approximate sum.

9.2 Based on the recommended option in section 2.2 - 2.3, the financial charges for leaseholders are estimated at this stage to be in the approximate region of: £63,000, £76,000 and £85,000. The range reflects a 1 bed, 2 bed and 3-bedroom property. The total to be billed to lessees will be in the region of £2m.

9.3 Section 20 Notices will be served upon leaseholders for the estimated cost of the works and applicable fees. The cost of the works will be based upon the tender submitted by Wates under the new Major Works Qualifying Long Term Agreement.

Major works payment options

9.4 Currently leaseholders have a range of support payment options previously agreed by the Council. The support payment options administered by THH are available to all leaseholders, subject to eligibility. Malting House and Brewster House leaseholders will be able to make use of the existing wide-ranging payment options including the support set out in paras 3.4.4.

Restitutionary Claims at Malting House and Brewster House

9.5 As the circumstances at Malting House and Brewster House are unique there does not appear to be any existing policy in this area. For example, Tenants decants are covered by: Land Compensation Act 1973 (S37 and 38 – Disturbance Payments), Housing Act 1985 (S26 - Financial assistance towards removal expenses), Housing Act 1996 (Parts VI & VII – Allocation of housing accommodation & Homelessness). Given the uniqueness of Brewster House and Malting House, there has been reliance on statutory payments as well as a Council's own determined restitution payment set out in section 3.4.4.

Benefits

9.6 Some lessees may be entitled to DWP assistance if in receipt of one of the following benefits for 39 weeks or more:

- Income Support
- Jobseekers Allowance
- Employment & Support Allowance
- Pension Credit (Guaranteed element)
- Universal Credit (excluding tax credits)

9.7 If the above apply then leaseholders may be entitled to assistance with their major works charge. This would entail meeting the leaseholder and going through a Financial Inclusion (FI) assessment which includes an income and expenditure assessment to determine eligibility. As an alternative, leaseholders can also carry out a self-assessment. It is now likely that the first invoice lessees will receive will be September 2021. Therefore, there is plenty of time to assist lessees with these applications if necessary. Applications will need to be made within 30 days of the date of invoice. As the Council now bills on the costs incurred in each financial year, lessees are likely to receive such invoices every September and possibly up to September 2023 or even September 2024.

10. PROCUREMENT ROUTE

10.1 Wates are one of the contractors who have been appointed to the Framework. The Framework is suitable as a procurement route to procure a suitable contractor to undertake the proposed structural works. Wates are the highest scoring contractor in the main works lot of the Framework. Therefore, it is a direct award (call-off contract) to Wates.

10.2 Wates were invited to tender for the works on a negotiated tender basis. This was because the designs of the structural strengthening works were still in progress. Wates and the two specialist structural strengthening subcontractors were inextricably involved in developing the specialist design for the structural works. This forms the major element of the project.

10.3 The other works relate to opening areas within residents' homes, managing decant of residents and their belongings, and reinstating the residents' homes upon the completion of the work. The works need to be undertaken in a specific sequence due to the close tolerances of lining up the steel columns within flats. Thus, the logistics around managing the works and the residents' issues are significant. Wates will be the principal contractor and will manage the site on behalf of THH.

10.4 Wates has priced some of the enabling works and the property reinstatement works as provisional sums. This is because the exact extent of these works is unknown until all residents support plan have been agreed with them. This approach is preferred as it was considered that Wates would price these items on a worst-case scenario if they were required to price at risk.

10.5 Wates already has a site presence due to their contract for EWI works. Their contract is currently suspended pending the delivery of the structural strengthening works. The EWI works contract will then recommence. It is therefore considered contractually and logistically advantageous for Wates to carry out the structural strengthening works.

10.6 There is a heavy reliance on resident liaison officers provided both by Wates and THH. This service is essential in order that resident issues are effectively

managed and avoidable disruption and inconvenience is not experienced by residents.

11. EQUALITIES IMPLICATIONS

11.1 A review of equality implications arising from the proposals has been undertaken with officers identifying a number of implications for vulnerable residents concerning the works and decant period. A number of mitigation measures have been put in place for those identified as vulnerable during this period including decanting and respite measures. Residents identified as high risk / vulnerable have been consulted in depth and will continue to be visited during the works to ensure all are supported through the process and any additional needs met. The works have financial implication to leaseholders because they are recharged for their portion of the cost of works therefore, in mitigation, the Council has offered a range of support to leaseholders including payment options, voluntary buyback of leasehold properties and restitution payment.

11.2 An Equality Impact Assessment Checklist has been completed (Appendix 8) concluding that the strengthening works can proceed. A full EIA will not be undertaken; the strengthening works will have no impact under the Council's duties arising out of the Equalities Act 2010.

12 OTHER STATUTORY IMPLICATIONS

12.1 **Best Value Implications**

The contract sum has been negotiated with Wates. Wates has conducted a competitive tender between two specialist structural contractors Bersche-Rolt and Cintec. Procurement and legal officers advise that this approach satisfies the value for money considerations in the framework contract rules. Given the considerable concern across the UK regarding the safety of large concrete panel blocks, it is vital that the borough minimise any risk in this area to the health and safety of residents and the wider community by progressing the structural works. An independent review of the proposed costs was carried out by Potter Raper (Appendix 4).They concluded that the costs appear to be properly priced and are fair and reasonable to form the basis to enter into further negotiations .

12.2 **Sustainable Action for a Greener Environment**

Officers will ensure that all products used conform to the LBTH strict sourcing strategy to achieve value for money whilst stimulating local markets and securing community benefits. These will support a strong and sustainable green economy, resilient to climate change.

12.3 **Risk Management Implications**

There are significant risk implications inherent in large concrete panel blocks. A formal risk assessment undertaken by structural engineer Curtins Consulting Limited has identified that the TWA buildings require urgent works.

12.4 The risk assessment prepared by Curtins has concluded it is safe for residents to remain in occupation, subject to a risk assessments and methodology statements being completed.

12.5 Successful challenge by leaseholders for the structural works and associated costs is a risk. If successful, this would limit recharges to £250 per unit.

12.6 There is still a degree of uncertainty of the scale of work that is required pending accessing the proposed areas of work. The costs could increase if, for example, historical poor workmanship or use of poor materials is discovered. Specialist structural engineering advisers are appointed to monitor and mitigate this risk, for which contingency budgets are in place. Any emerging issues will be reported to the Corporate Director through the THH client meetings.

12.7 **Crime and Disorder Reduction Implications**
There are no specific Crime and Disorder reduction implications

12.8 **Safeguarding Implications**
Recommendations made in this report will ensure increased safety to all residents in the two blocks and maintain provision of 80 social rented homes and 32 leasehold homes. Individual household visits and needs assessments are underway to ensure the individual needs of vulnerable residents are adequately supported throughout the period of works.

13 COMMENTS OF THE CHIEF FINANCE OFFICER

13.1 The cost of the preferred option to undertake structural works on Brewster House and Malting House will cost £9.414m. These costs are capital in nature and will be contained entirely within the Housing Revenue Account. The full cost of the works will need to be included in the Council's provisional capital programme.

13.2 Staffing costs estimated at £0.579m have been identified as a requirement to deliver the work. It is anticipated that these costs will be capitalised against the project. The full capital costs will need to be included in the Council's provisional HRA capital budget once approved.

13.3 Funding will be through a combination of leaseholder s20 contributions and HRA balances. THH will be leading on the structural works on Brewster House and Malting House and this work will be included in the THH Housing Capital Programme where there is £9.083m spread over the next three years within their planned work. This amount is lower than the planned requirement of £9.414m and THH's total capital programme is in excess of the amount set aside by LBTH for funding the Housing Capital Programme as a whole. Budgets will therefore need to be confirmed ahead of commencing any works.

13.4 Any leaseholder property buybacks will be funded through the General Fund. The Council's standard buyback offer will apply but be will adjusted for the

value of these works to each property. Typically, each buyback will cost the General Fund £250k to £300k to acquire. Funding of £19m is available within the provisional capital programme for the wider buyback programme and these properties will need to be considered as part of this.

13.5 There are advantages to the General Fund budget as letting these properties at LHA levels to homeless families will reduce the burden on the Temporary Accommodation budget through limiting the use of more expensive nightly paid accommodation.

13.6 Right to Buy receipts can be used to fund 30% of each buyback if the Right to Buy purchase took place over 10 years ago. In these cases, the remaining 70% will be funded through General Fund borrowing.

13.7 There are two properties that could potentially be bought back where Right to Buy receipts cannot be used as the sales were completed within the 10-year timeframe. Should these properties be acquired then funding will be entirely through borrowing.

13.8 It is difficult to estimate the potential borrowing requirement or the call on Right to Buy receipts as it is dependent on the uptake by leaseholders. There are a total of 32 leasehold flats within the buildings that could be bought back. Assuming a purchase price of £300k and 100% uptake, a total funding requirement of £9.6m would be required. This would be made up of £2.7m Right to Buy receipt (30 eligible properties) and £6.9m from borrowing. These funding requirements are less if demand for buyback is lower.

13.9 The option of demolition and regeneration of the two blocks has been discounted, however the financial implications have not been modelled in detail. Indicative costs have been identified, indicating that it will be prohibitively more expensive than repairing the existing blocks, primarily as a result of the need to decant. However, it is uncertain that a full decant of the blocks will not be required anyway and if this were the case the decision may not be so clear cut. Regeneration of the whole estate has advantages and could provide more units, greater use of RTB receipts, increased rents, and potential for market sales and will also reduce future costs around repairs and maintenance, FRA works and legislative changes such as decarbonisation but would require more capital.

13.10 The Council is making a voluntary contribution in the form of restitution payments to leaseholders. These will amount to £760k in total. These payments will be made from the General Fund and at present no budget has been identified for these costs. Funding will need to be agreed before this cost is approved.

14 COMMENTS OF LEGAL SERVICES

14.1 The Recommendations set out in the Report seek Cabinet's approval for the requisite capital resources to deliver the structural works and associated services, within the five-year HRA Capital Programme:

- to award the structural works contract to Wates;
- to formally consult leaseholders and recharge them for their portion of the cost of the structural works;
- to agree "voluntary buy-back" of leasehold properties;
- agree the restitution payments for leaseholders from General Fund resources.

14.2 The Council has the legal power to undertake the structural works that are subject to the Recommendations as set out in the report.

14.3 Paragraphs 1 and 2 of the report sets out the context and necessity for the structural works to be undertaken at the Brewster House and Malting House blocks as well as the feasibility of various options that the Council may adopt.

14.4 Section 3 Local Government Act 1999 requires an authority "to 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" ("the Best Value Duty"). To reach this balance, prior to choosing how to achieve the Best Value Duty, the Council remains under a duty to consult with local persons. Furthermore, the Council is under a duty to consult under section 105 of the Housing Act 1985 on matters of housing management. The Council have demonstrated in paragraph 3.4 of this report that it has taken steps to engage with the leaseholders.

14. 5 Cabinet will note some of the flats within Brewster House and Malting House are local authority accommodation. The Council is designated as a local housing authority by the Housing Act 1985 (as amended) ("the Act"), and by virtue of section 9 of the Act is empowered to provide housing accommodation by erecting, altering or improving houses. In addition to this, Section 21 of the Act permits the Council to carry out the general management, regulation and control of such local authority housing.

14.6 As detailed within this report, the Council has the legal power to perform the works that are the subject of this report and seeks Cabinet's approval to enter into contract for structural works to be undertaken by Wates (subject to contract and s20 consultation prior to contract award). The Framework advert reflects the scope of the works described in this report. Therefore, the Council is legally entitled to access the Framework.

14.7 Paragraph 4.3 of the report advises that Wates is the highest scoring contractor in the main works lot of the Framework. Therefore, in accordance with the Call-Off procedure set under the Framework Wates can be directly awarded this contract.

14.8 Cabinet is advised that Wates has undertaken a legally compliant competitive tender process for the works as detailed at paragraphs 4.4-4.6. The Framework contracts are fully complaint with European law and the tender process demonstrates that this award would be compliant with the Council's Best Value Duty referred to above. This is because it represents the most economically advantageous tender determined by reference to a blend of predetermined evaluation criteria and price.

14.9 Furthermore, pursuant to section 1 of the Local Government (Contracts) Act 1997 the Council is empowered to procure the structural strengthening work at Brewster House and Malting House as part of its wider powers regarding the construction/refurbishment of local authority housing and associated services.

14.10 The Recommendation seeks Cabinet's approval for leaseholders to be re-charged their apportionment of the financial costs of the structural works to be undertaken. The flats comprised within Brewster House and Malting House are subject to two types of lease. A leaseholder has either a 'LBTH Lease' or a 'GLC Lease'. Both types of lease have been reviewed and contain clauses within them which enable the Council to recharge the leaseholders their apportionment of the cost of the structural works through the service charge.

14.11 It is the Council's position, in its capacity as landlord, that the structural works are recoverable. There will be no liability on the Council outside the terms of the lease as: -

1. There has been no damaged caused to the premises demised under the various leases or to anything in them and any duty is excluded by the terms of the leases.
2. There is no liability in negligence in respect to the original construction of the blocks as to date there has been no personal injury or damage to the flats.
3. The Defective Premises Act 1972 does not apply as the works were completed before 1 January 1974.

14.12 The Council is under a fiduciary duty to council taxpayers to recover money that is lawfully recoverable. In order to cover these sums, the Council is also required to consult leaseholders on the proposed works in accordance with s20 of the Landlord and Tenant Act 1985 unless a dispensation has been obtained from the Upper Tribunal. Any failure to comply with these requirements will mean the amount of the recoverable contributions will be limited in accordance with sections 20 (6) and 20(7) of the Housing Act 1985 and Regulations 6 and 7 of The Service Charge (Consultations Regulations (England) 2003.

14.13 Cabinet will note that paragraphs 9.5 -9.7 of the report sets out the restitution package, financial assistance and support available to affected leaseholders to minimise disruption to their amenity. Further, paragraphs 11 and 12.8 also sets out the equalities implication and safeguarding considerations that the

Council will be undertaking to ensure compliance with the Public Sector Equality Duty.

14.14 Cabinet is advised that an Equalities Impact Assessments have been undertaken and that Residents Impacts Assessments have been completed and will continue to be assessed throughout the duration of the works. The assessments have identified vulnerable residents and devised a package of mitigating steps to address these specific needs. This demonstrates due regard has been given to those affected leaseholders with protected characteristics pursuant to the requirements of the Equality Act 2010.

14.15 The Council is the local housing authority within the meaning of the Housing Act 1985 and as such is specifically empowered to provide housing accommodation. The report details that the Council has also offered to voluntarily buy back affected flats although it is not under a legal obligation to do so. Any such voluntary buy back is authorised by section 120 Local Government Act 1972 which enables the Council to acquire land for the purposes of exercising the statutory housing functions contained in the Housing Act 1985.

14.16 The report details that the voluntary buy backs are to be funded by using a mixture of right to buy receipts and capital resources. Right to buy receipts must be applied in accordance with relevant legislation and guidance and particularly Local Authorities (Capital Finance and Accounting) (England) Regulations 2003. The 2003 Regulations permit the use of these receipts to fund capital expenditure such as the provision of affordable housing, subject to the conditions of any agreement entered into with the Secretary of State pursuant to section 11(6) of the Local Government Act 2003.

Linked Report

None

Appendices

Appendix 1,2,3 Wilder Carter Clark Structural Appraisals
Appendix 4 Arup Review of Structural Assessment and Proposed works
Appendix 5 Porter Raper Value for Money Report
Appendix 6 Curtins Survey report
Appendix 7 Contract works programme
Appendix 8 Equality Impact Assessment Checklist

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

- NONE.

Officer contact details for documents: John Kiwanuka Ext 2616

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Wilde
CARTER·CLACK

Structural Appraisal of

Malting and Brewster Houses,

Barley Mow Estate,
Barleycorn Way,
Poplar, London E14 8DE

Job No. 17:5108
July 2018

Version: A
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1.0 Executive Summary

Malting and Brewster Houses are Large Panel System buildings constructed using the TWA Larsen Nielsen method and were completed in 1968 just before the partial collapse, due to a piped gas explosion, of Ronan Point which was built using the same system.

Piped gas was removed from both Malting and Brewster Houses and steel angles installed at the base of the flank and cross wall panels, to increase the resistance of the wall panels to base shear failure, before the buildings were occupied, post Ronan Point, in 1970. The wall panels were not strengthened to enhance their flexural strength.

In 1988 prior to the construction of the Limehouse Link tunnel, appraisals of the buildings were carried out by S P Christie and Partners and subsequently by Scott Wilson Kirkpatrick and Partners. The appraisals recommended that steel angles at the base of the cross walls panels be installed to ensure the stability of the walls in the event of a non-piped gas explosion, strengthening works to the main elevations to resist self-weight loading and additional cavity ties and, that the dry pack was checked and improved as necessary.

As part of a refurbishment work and over-cladding, these recommended works were carried out in 1990 together with modification to the podium in-situ structure. This contract was carried out with ECD as Architects and Carter Clack Partnership as engineers.

It has recently been decided to replace the over-cladding and Wilde Carter Clack were asked to review the condition of the external elevations.

Additionally, since the buildings are now 50 years old, a review of the structural condition and ability to withstand a severe non-piped gas explosion in accordance with the *Handbook for the Structural Assessment of LPS Dwelling Blocks for Accidental Loading* published in 2012 by the Building Research Establishment has been carried out.

Investigation and Findings

The site investigation works have included a durability assessment of the concrete and reinforcement on the elevations and investigation in two rooms within one flat in each of Malting and Brewster House.

The investigation found that the concrete of the wall panels and floor slabs to be of good quality and comparatively high strength. The reinforcement has good cover in most locations.

Based upon these tests, it is considered that the external elevations will not suffer significant reinforcement corrosion and concrete spalling within the lifespan of the proposed over-cladding system.

Internal investigations included determining the size and type of the reinforcement in the precast floor slabs. This allowed a calculation of the capacity of these floors. The investigation was carried out by cutting into the concrete to determine the size and spacing of the reinforcement and in-situ hardness assessment to estimate the strength of the reinforcement.

Analysis based on the size and strength of reinforcement found in the investigation locations indicates that the reinforcement is of insufficient size and that under full normal service loads (dead load plus 1.5KN/m^2), the reinforcement would be overstressed.

Given the factory control conditions under which the units were produced this finding is, in our opinion, surprising.

The findings were based on investigation in only two flats and, due to the critical nature of this overstress of the slab reinforcement, further investigation is necessary to confirm these findings.

The construction of the building was then checked in accordance with the *BRE 2012 Handbook* for capacity in respect of a severe non-piped gas explosion and appraised by the BRE in respect of their specialist information in respect of this type of construction.

It was found that:

All the walls except those at the top two stories meet the required criteria for flexure and shear resistance. Indeed, the BRE suggest that based upon test data, only the top storey walls may fail.

The central floor slabs meet the criteria provided that the concrete partition wall between the bedrooms provides additional support in the event of a non-piped gas explosion.

The lounge slabs adjoining the flank walls at all levels fail and would, in the event of a non-piped gas explosion, cause destabilisation of the flank wall.

In order to minimise the risk of disproportionate damage in the event of a severe non-piped gas explosion occurring within the habitable areas of the building it would be necessary to undertake selected strengthening works.

This would include works to the slabs adjoining the flank walls, the flank walls and all the walls at the top one or two levels.

However, prior to evaluating the work necessary for this strengthening work, **it is essential that the size and strength of the slab reinforcing bars are confirmed by further investigation** in order to confirm that an overstress of the reinforcement exists under full service loads.

This investigation should be carried out in at least four flats distributed through the two buildings and also a flat in the lowest 4 levels which are non-standard.

It is vital given the findings of the investigation carried out that the possibility of a non-piped gas explosion is eliminated until strengthening measures are in place.

The use of gas cylinders or similar pressurized containers which contain volatile materials should be banned and measures should be taken by Tower Hamlets Homes to advise residents and ensure that such potentially explosive items are not used or stored within the building.

2.0 Brief

On the instruction of Giuseppe Coia of Tower Hamlets Homes Wilde Carter Clack (WCC) were asked to carry out a review of two high-rise buildings, Malting and Brewster House, which form part of Barley Mow Estate. The review would include the future durability of the external wall elevations and evaluate the building under the latest recommendations to resist disproportionate collapse as set out by the Building Research Establishment (BRE), report (BR511 - *Handbook for the Structural Assessment of LPS Dwelling Blocks for Accidental Loading*).

To inform the review, intrusive investigations were carried out on both the external wall elevations and internal structure under the instruction of WCC.

3.0 Building Description

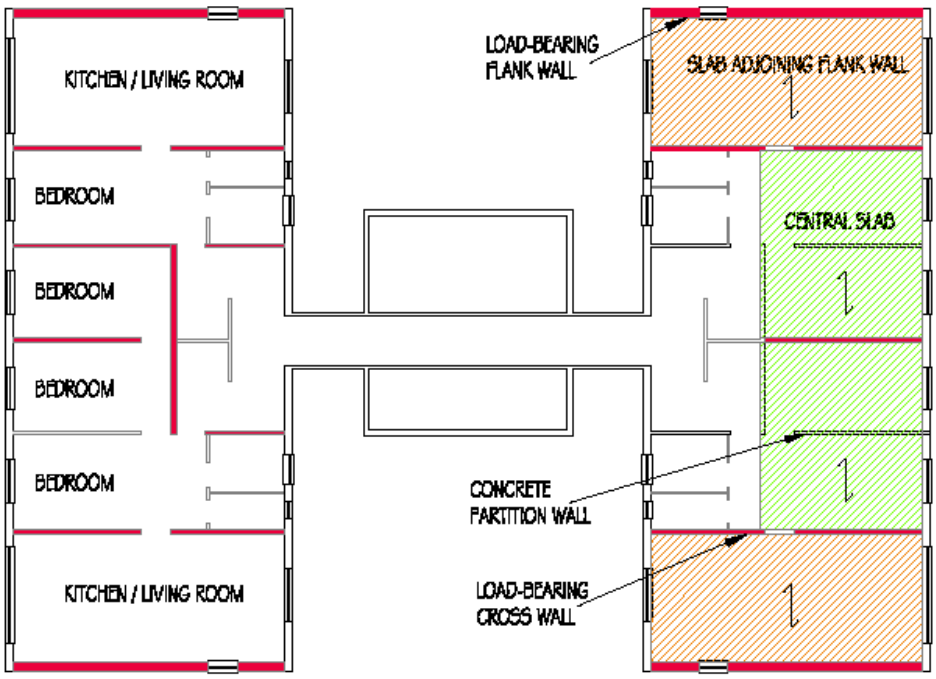
Brewster and Malting House are 14 storey high-rise tower blocks over a car park basement. The towers are of large panel system (LPS) precast concrete construction, by Taylor Woodrow-Anglia (TWA) in the late 1960's. Retrofitted steel angles were installed to the slab/wall joints to strengthen the walls before initial occupation. This followed Government advice to prevent disproportionate collapse after the partial collapse of Ronan Point in 1968, due to a piped gas explosion.

The two towers have the same floor plan and are formed of two "halves" on each side of the access core, which houses the lifts, stair core and services risers, and connecting corridor.

Each 'half' contains two flats at each level. The flats are arranged in 'three and three' habitable room pairs (from the 5th Floor and above) and 'two and four' habitable room pairs below.

The precast floors span in a north-south direction onto a series of load bearing cross walls. The east-west traverse supporting cross walls extend down to the podium slab, which is of insitu construction, over a sunken basement car park. The buildings have piled foundations.

The end or lounge slab spans from the flank wall across the Living room. The internal or central slab spans to form two bedrooms which are divided by a non-load bearing wall.



TYPICAL FLOOR LAYOUT & CONSTRUCTION

The stability of the building is provided by the load bearing wall panels. Wind in the east-west direction is resisted by the cross walls and flank walls, acting as vertical cantilevers. Wind in the north-south direction is resisted by a single spine wall (or wind wall) in each 'half', acting as vertical cantilevers.

The stability of the separate access core is similarly provided by its own wall panels acting as vertical cantilevers.
The main east and west elevation walls or window walls are non-load bearing and formed of two separate reinforced concrete leaves with insulation between. These window wall panels are supported at their ends by the cross and flank walls.

4.0 History

The tower blocks were designed by Phillips Consultants, using the LPS Larsen Nielsen method. After the partial collapse of the similar Ronan Point building Phillips Consultants designed steel angles to strengthen the walls, based on the advice from the Ministry of Housing and Local Communities.

In 1988, SP Christie & Sons carried out a visual survey of the towers including a limited inspection of two vacated flats with removed finishes. Their interim report dated September 1988, observed large voids in the dry-pack mortar and the presence of strengthening steel angles. The report concluded the building was not designed to accommodate an abnormal load of 34kN/m^2. This higher load intensity was recommended for a severe piped gas explosion.

Also, in 1988 Scott Wilson Kirkpatrick & Partners (SWKP) carried out a detailed investigation of the buildings. Their appraisal concluded additional steel angles were required to restrain the walls and the window walls required remedial works. But they were otherwise satisfied with the building under normal loading and progressive collapse would not occur under a non-piped gas abnormal load of 17kN/m^2. The piped gas had been removed from the building, so this was the correct loading under the then recommendations.

In 1990, Carter Clack Partnership (CCP) were engaged to carry out the recommended works to the structure as set out by SWKP as well as other works to the podium slab as part of the refurbishment.

5.0 External Cladding on Long Elevations and Flank Walls

5.1 General

The window walls on each main elevation are non-load bearing composite walls. The flank walls are of similar composite construction except the load bearing internal leaf is 152mm thick.

The buildings were over-clad in the early 1990's as part of the general refurbishment of the building along with internal flat works and external podium works.

The over-cladding was removed from the façade during the first half of 2018. This work exposed the original external concrete leaf of the precast panel which was tested by Martech to determine its current condition and possible future life. The exposed 1990's installed steel supporting brackets, plates and anchor bolts were found to be hot dipped galvanised.

5.2 Investigation

On the 4th April 2018 a preliminary inspection of the concrete cladding was carried out on Brewster House by WCC. No inspection of Malting House was carried out as the over-cladding removal had not yet started. The over-cladding was formed of a

100mm thick Sto render system with supporting rails drilled and anchored into the external concrete leaf.

During the week ending 18th May 2018 a detailed intrusive external inspection of the cladding panels to both tower blocks was carried out by Martech. Their testing included carbonation depth, chloride levels, cover to reinforcement, a hammer test to identify any cracked or defective elements and visual inspection of the panels.

Chloride
Chlorides found in cast concrete can be due to a possibility of different sources.

Historically chlorides were often use as an early strength accelerator additive. This would be especially likely in a speedy production line factory sequence and as a method to form the composite window walls which comprise of two separate concrete leaves. High chloride levels cause accelerated rates of corrosion for buried reinforcement.

Some aggregates were sourced from the sea and were poorly washed.

Chlorides can also be absorbed into the concrete from exposure to salt-borne winds and spray.

Carbonation
Carbon dioxide in the atmosphere combines with rainwater to form a weak acid. This is deposited on the structure and gradually penetrates concrete. Reinforcement in concrete is protected by the highly alkaline nature of concrete. The acid chemically reacts with the alkaline cementitious compounds and thereby reduces the alkalinity of the concrete, initially at the surface and then with increasing depth.

The carbonation depth into the concrete is measured and is compared to the concrete cover of the embedded steel reinforcement bars.

Carbonation reaching the depth of reinforcement provides the conditions necessary for the corrosion of reinforcement bars. The rate of carbonation depends upon the quality of the concrete.

5.3 Findings and Conclusion

The results indicate low concentrations of chlorides apart from a single sample and therefore the concrete cladding can be categorised as having a moderate to low chloride content.

The results indicate that the carbonation has only penetrated the concrete to a shallow depth. This is due to the good quality concrete and the EWI protection of the previous three decades.

The condition of the concrete cladding is considered to be good and given the intention to restore the over-cladding it is unlikely that significant corrosion of reinforcement will occur in the next 30 years in these conditions.

Calculations indicate the non-load bearing wind walls and support brackets perform satisfactorily under wind loading.

6.0 Structural Appraisal of the Building

The internal structural investigation was carried out by Martech in two separate phases in Flat 38 Brewster House, located on the 8th Floor, and Flat 22 Malting House, located on the 5th Floor. The first phase started on the 30th May and the second phase started on the 18th June.

Their investigation was carried out under our direction and included: concrete core testing; exposing embedded steel reinforcement for detailed measurements; testing the yield strength of the embedded steel rebar; and exposing original concrete slab, wall and in-situ mass concrete joint profiles. The findings of this investigation will be provided separately in their report.

An interim report has been provided on the floor slabs which details our findings based on the embedded reinforcement bars which were found during these investigations.

6.1 Findings

Walls

The findings of the investigations are as follows:

1.0 The concrete strength test results ranged from 33 to 73N/mm^2. Due to the wide range of the test results the characteristic strength was calculated as 21N/mm^2.
2.0 The vertical positioning bolts were found to be the pre-Ronan Point type, which were not vertically continuous.
3.0 A vertical lacer bar was located in the joint between adjacent load bearing walls panels.
4.0 A horizontal lacer bar was located under the wall in the slab joint.
5.0 Load bearing walls were measured as 152mm thick.

Slabs

The findings of the investigation are as follows:

1.0 Slabs were measured as 180mm thick with 100mm diameter cores at 150mm centres and centrally positioned within the slab profile.
2.0 A single continuous reinforcement bar was chased to prove there were no bar splices or multiple bars in the one location. Reinforcement was located at 150mm horizontal centres and positioned under the vertical rib, formed by adjacent cores.
3.0 Flank slab reinforcement was exposed across the full width of the Living Room and found to be plain round bars of 8mm diameter at 150mm centres. The bars were of mild steel strength grade. The bars terminated at the end of the slab and did not continue into the wall joint.
4.0 Central slab reinforcement was exposed across the full width of the Bedroom and found to be plain round bars of 12mm diameter at 150mm centres. The bars were of mild steel strength grade.
5.0 The transverse reinforcement was laid first into the slab at 400mm nominal centres and the main longitudinal bars laid second.
6.0 A single ribbed bar was embedded in the in-situ floor joint and is believed to be bent around the flank wall lacer bar.
7.0 Slab finishes were formed of a thin layer of compressed rockwool laid directly onto the rough precast slab, with builder's paper over and a nominal 50mm thick non-bonded concrete screed. The original vinyl tiles were glued to the screed with modern timber laminate flooring or carpet laid over.
8.0 Steel angles which were installed as part of previous strengthening works were found at wall/floor junctions as indicated on historic drawings.
9.0 The concrete strength test results ranged from 58N/mm^2 to 73N/mm^2 and the characteristic strength was calculated to be 58N/mm^2.

6.2 Load bearing Walls

Normal Loading

The load bearing walls support the weight and live loads on the precast slabs and provide overall building stability from wind loads. Wind loads were applied in proportion to the size or stiffness of each of the cross walls.

Under wind loading, calculations indicate nominal tension would occur under the flank walls at podium level, where the LPS building is constructed off the insitu podium slab.

North-south direction wind loading onto each 'half' would be resisted by the single "wind wall". The wind wall incorporated a pair of coupled splice bars at each end and were found to perform satisfactorily.

Abnormal Loading
In the event of a severe non-piped gas explosion the BRE report 511 suggests an abnormal loading of 17kN/m^2 should be applied.

The load bearing walls (flank and cross walls) except at the upper levels were calculated to have sufficient capacity under this abnormal loading criteria. The BRE independent analysis of the wall panels show that the walls at the top 2 levels failed to meet the criteria for this type of abnormal loading criteria. The failure of the walls could potentially cause progressive collapse due to debris loading on the lower floor which, according to calculations, would be overstressed. The BRE suggest that test data indicates that only the top floor walls may be at risk of failure.

6.3 Slabs

Normal Loading
The slab reinforcement bars were calculated to be overstressed based on the bar diameter measured and field tests undertaken to estimate the steel yield strength. Therefore, the slabs were found to be under capacity, based on normal dwelling loading, and do not therefore comply with British Standards requirements.

A separate check was carried out by the BRE using a different approach and found no immediate danger of slab failure under normal loading conditions.

Abnormal Loading
Abnormal loading pressures of 17kN/m^2, based on a severe non-piped gas explosion, were applied to the slabs.

The central slab spans two bedrooms which are separated by a concrete partition wall.

This 63.5mm thick non-load bearing partition wall on the level above and below the gas explosion has been found to have capacity to act as a temporary load bearing wall.
If this wall provides satisfactory support, the central slabs were calculated to be sufficient to resist abnormal loading.

The slabs adjoining the flank walls were found to fail the assessment criteria under both upward and downward loading, albeit by a small margin in upward loading.

If there is a severe non-piped gas explosion in one of the rooms adjoining the flank wall, there is a significant risk that the associated slab below will fail. This will result in destabilisation of the flank wall panels and potential disproportionate collapse.

7.0 Conclusion

External Elevations

The tests results show the concrete of the external panels to be of good quality with low levels of chlorides and low levels of carbonation. The external elevations are therefore unlikely to suffer reinforcement corrosion and concrete spalling over the lifespan of the proposed over-cladding system given the proposed environmental conditions.

Cross Walls and Flank Walls

Under normal vertical and wind loading the cross and flank walls were found to satisfy the requirements of the British Standards.

An accidental loading criterion of 17 KN/m2 was adopted to assess the building since it does not contain piped gas.

Under this load, the walls at the top two levels were, however, found to fail.

Slabs

Under normal loading the flank and central slabs were found to have undersized reinforcement and therefore to be under capacity in accordance with British Standards.

The BRE has checked the slabs using a method which was different to the British Standard and found them to be sufficient.

It is recommended that THH should inspect the flats to ensure slabs are not overloaded by storage in excess of the British Standard load of 1.5KN/m2.

Under a severe non-piped gas explosion, the central slabs were found to have sufficient capacity based on utilising the support of the dividing wall.

Under a severe non-piped gas explosion, the flank slab was found to fail under the assessment criteria. This will most probably cause instability of the flank wall and disproportionate collapse.

It is vital that bottled gas or cylinders containing similar volatile or potentially explosive materials should not be used or stored in the building until further investigation is complete and the necessary strengthening works have been carried out.

8.0 Next Steps

Additional localised investigations should be carried out to confirm the current findings on the slab reinforcement bars. **At least two additional flats should be made available for inspection in each of the tower buildings**, in addition to flats located below the 5th floor which are of a different format.

9.0 Scope of works

We have to advise that the investigation work is limited to that set out in the report. We have not inspected those parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect. Latent defects may exist in the structure which can only be discovered by further detailed investigation.

Appendix

Building Research Establishment commentary and spread sheets.

'The accompanying figure shows the locations of the various wall and floor 'Types'.

In summary, based upon the preliminary information obtained from only one flat in each block, we have the following comments to make.

Floor Slabs

Lounge (Floor Type 1-1)
Likely to be able to accommodate the upward loading associated with 17 kN/m^2 flexural criterion, albeit being slightly overloaded (factor of 1.1) – dead-weight of slab/screed acting against the upward overload. However, it is calculated to be grossly overload (factor of 3)) in downward flexure due to the presence of a small provision of tension steel and the additional dead weight of the slab/screed acting with the downward overload pressure.

Bedroom 1 or 2 (Floor Type 1-2)
If we assume that the thin partition between the bedrooms in the storeys immediately above and below the site of an explosion can accommodate the vertical compressive loading being imparted by the 5.35 m long floor slab as it moves upwards/downwards (Robert has previously calculated that this partition can carry the vertical load without 'buckling'), then we might assume that the floor slabs above/below a bedroom is/are working as a half-span. In other words it can be assumed that the bedroom floor slabs have an effective span of 2.675 m and act accordingly. Therefore on this basis we predict that the slabs should be able to accommodate the overpressure in both upward and downward flexure.

If, however, the thin partition wall between the two bedrooms is unable to carry the imposed vertical load from the floor/ceiling slab to the bedrooms (i.e. it 'buckles') then the bedroom 1 & 2 floor slab will be forced to act as a 5.35 m long slab. In this case it is predicted as being grossly overloaded with overload factors of 2.4 (upward loading) and 2.9 (downward loading). In this case it is very questionable whether the long span floor slab will survive in either upward or downward loading. However, lab-based load testing of a duplicate floor panel (or better still several floor slabs) fabricated with comparable concrete concrete/mild steel bars would be able to prove or disprove the current preliminary conclusion derived from simplified calculations. Alternative a non-linear FE model could be developed and run with varying material properties.

Either of these two approaches, whilst seeming expensive, may save the LA many £100ks in the long run by negating the need to carry out widespread strengthening of the floor slabs. Worth thinking about I would suggest.

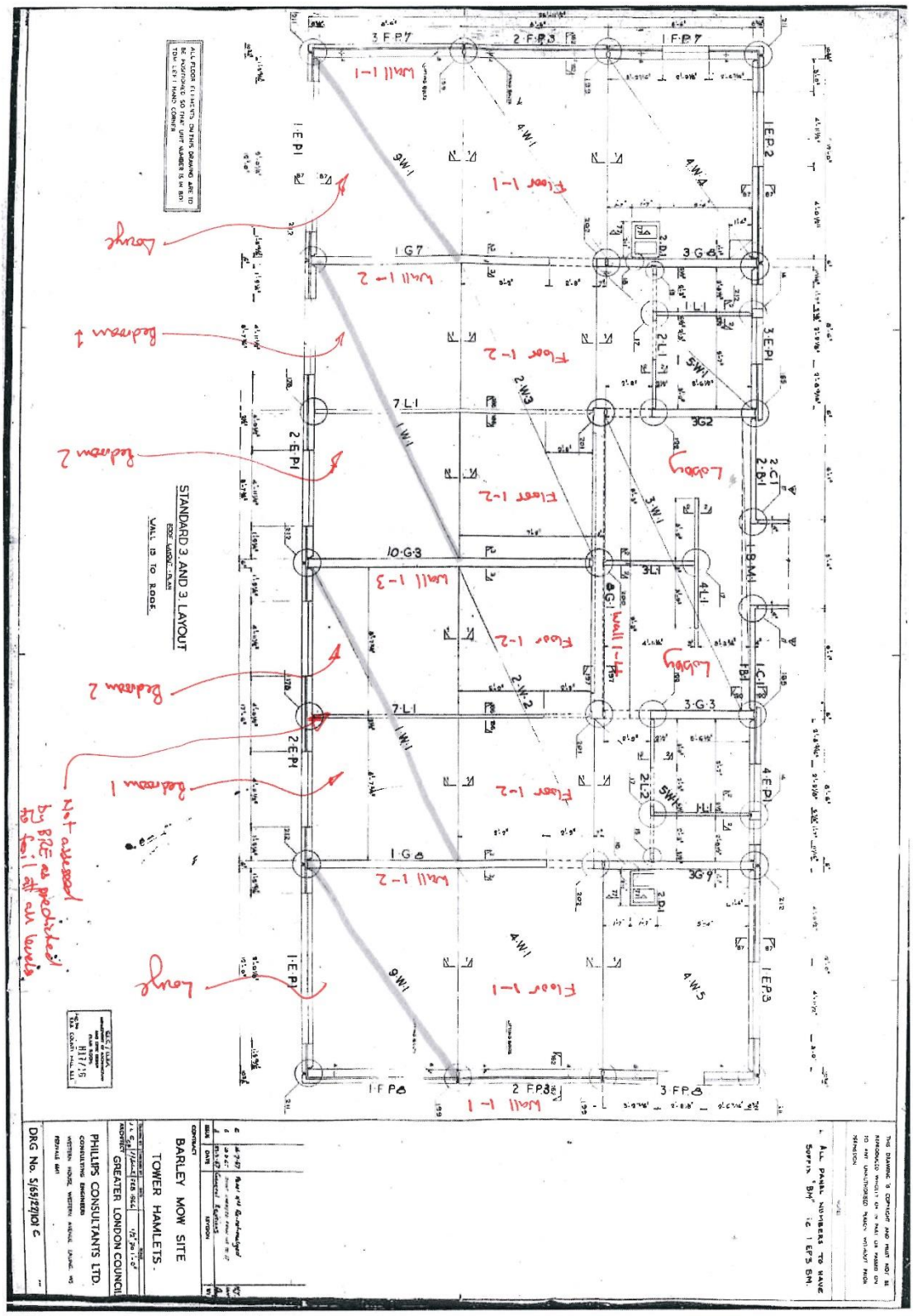
Wall Panels (ignoring presence of top and bottom strengthening angles)

The simplified calcs indicate that all wall types are at increased risk of base shear failure (sliding) on the top two storeys but in practice (based upon our load tests) we anticipate that only the walls on the top storey maybe at an increased risk of base shear failure. Of course in practice the strengthening steelwork is expected to prevent such a failure from occurring.

Wall Types 1-1 to 1-3 fail the assessment criterion for flexure on the top two storeys. In practice, however, we anticipate that only these wall types on the top storey will be at an increased risk of flexural failure.

Wall Type 1-4 (shear wall) meets the assessment criterion for flexure at all floor levels and should therefore be able to survive the over-pressure loading associated with a severe non-piped gas explosion.

The thin partition wall between the two back-to-back bedrooms has not been considered as this wall type is predicted to fail in the event of a severe explosion in one of the bedrooms due to its geometry/nature/slenderness.


STANDARD 3. AND 3. LAYOUT
ROOF LAYOUT PLAN
WALL IS TO ROOF.
BARLEY MOW SITE
TOWER HAMLETS.
GREATER LONDON COUNCIL
PHILLIPS CONSULTANTS LTD.
CONSULTING ENGINEERS
DRG No. 5/65/22/101 C
Wall 1-1
Wall 1-2
Wall 1-3
Wall 1-4
Floor 1-1
Floor 1-2
Lobby
Bedroom 1
Bedroom 2
Not assessed by BRE as predicted to fail at all levels

CLIENT :	**Carter Clack**	
LPS BLOCK(S) :	**TWA Blocks : Barley Mow**	
Run No.	**1**	
Floor Slab Depth	**180**	mm
	Estimated Current Concrete Strength(s)	
Walls	**33.7**	N/mm2
Floors	**56.7**	N/mm2

Preliminary Structural Assessment Calculations for Floor Panels :
Overload Factors in Flexure
Accidental Loading **17kN/m2**

Moment Behaviour : Maximum Mid-span Moment
Assuming floor slabs simply-supported (ie. M = W * L^2 / K, where K = 8).

K factor	8	@

			Performance of Plain Concrete Section	Performance of Reinf. Concrete Section
			Overload Factors #	
	Flat Type 1 : End Flat - 2 Bedrooms		**Up**	**Down**
Floor Ref.	***Room Type***	*Span (m)*		
Floor 1-1	Lounge	3.66	1.1	3.0
Floor 1-2	Bedroom 1 or 2	2.675	OK	OK
Floor 1-3	Bedroom 1 & 2 (ignoring partition)	5.35	2.4	2.9
Floor 1-4	Not used	Not used	N/A	N/A
Floor 1-5	Not used	Not used	N/A	N/A
Floor 1-6	Not used	Not used	N/A	N/A
	Not Used			
Floor Ref.	***Room Type***	*Span (m)*		
Floor 2-1	Not used	Not used	N/A	N/A
Floor 2-2	Not used	Not used	N/A	N/A
Floor 2-3	Not used	Not used	N/A	N/A
Floor 2-4	Not used	Not used	N/A	N/A
Floor 2-5	Not used	Not used	N/A	N/A
Floor 2-6	Not used	Not used	N/A	N/A

 # Overload factors calculated on the basis of a minimum x-sectional area of reinforcement as derived from investigations of selected floors within the two sister blocks and floors.

@ The worst case has only been considered as the degree of fixity at the floor / wall joints approaches that of simply supported elements at higher loads.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	**CLIENT :**	**Carter Clack**												
2	**LPS BLOCK(S) :**	**TWA Blocks : Barley Mow**								Run No.	1			
3														
4		**SUMMARY PAGE : WALL PANEL BEHAVIOUR : FLEXURE AT MID-HEIGHT OF WALL**								***Estimated Current Concrete Strength(s)***				
5		**N.B. CONSIDERING EFFECT OF UPLIFT FORCES ON FLOOR SLAB SOFFIT (WHERE NECESSARY)**								***Walls***	33.7 N/mm2			
6		**SIMPLIFIED ANALYSIS**												
7														
8	**Wall Ref.**	**Floor Level**	Analysis	14	13	12	11	10	9	8	7	6	5	4
9														
10		**Flat Type 1 : End Flat - 2 Bedrooms**												
11														
12	Wall 1-1(A)	Lounge Flank wall (Ignoring effect of any strengthening angles)	Actual	Cracking	Cracking	OK	OK	OK	OK	OK	OK	OK	OK	OK
13	Wall 1-2	Lounge - Bedroom X-wall	Actual	Cracking	Cracking	OK	OK	OK	OK	OK	OK	OK	OK	OK
14	Wall 1-3	Bedroom 2/Bedroom 2 party wall	Actual	Cracking	Cracking	OK	OK	OK	OK	OK	OK	OK	OK	OK
15	Wall 1-4	Spine wall	Actual	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK	OK
16	Wall 1-5	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
17	Wall 1-6	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
18	Wall 1-7	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
19	Wall 1-8	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
20														
21														
22														
23		**Not Used**												
24														
25	Wall 2-1 (A)	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
26	Wall 2-1(B)	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
27	Wall 2-2	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
28	Wall 2-3	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
29	Wall 2-5	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
30	Wall 2-6	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
31														
32														
33														

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
34	**CLIENT :**	**Carter Clack**												
35	**LPS BLOCK(S) :**	**TWA Blocks : Barley Mow**								Run No.	1			
36														
37		**SUMMARY PAGE : WALL PANEL BEHAVIOUR : SHEAR AT BASE OF WALL**								***Estimated Current Concrete Strength(s)***				
38		**N.B. CONSIDERING EFFECT OF UPLIFT FORCES ON FLOOR SLAB SOFFIT (WHERE NECESSARY)**								***Walls***	33.7 N/mm2			
39														
40														
41	**Wall Ref.**	**Floor Level**	Analysis	14	13	12	11	10	9	8	7	6	5	4
42														
43		**Flat Type 1 : End Flat - 2 Bedrooms**												
44														
45	Wall 1-1(A)	Lounge Flank wall (Ignoring effect of any strengthening angles)	Actual	Sliding	Sliding	OK	OK	OK	OK	OK	OK	OK	OK	OK
46	Wall 1-2	Lounge - Bedroom X-wall	Actual	Sliding	Sliding	OK	OK	OK	OK	OK	OK	OK	OK	OK
47	Wall 1-3	Bedroom 2/Bedroom 2 party wall	Actual	Sliding	Sliding	OK	OK	OK	OK	OK	OK	OK	OK	OK
48	Wall 1-4	Spine wall	Actual	Sliding	Sliding	OK	OK	OK	OK	OK	OK	OK	OK	OK
49	Wall 1-5	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
50	Wall 1-6	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
51	Wall 1-7	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
52	Wall 1-8	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
53														
54														
55														
56		**Not Used**												
57														
58	Wall 2-1 (A)	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
59	Wall 2-1(B)	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
60	Wall 2-2	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
61	Wall 2-3	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
62	Wall 2-5	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
63	Wall 2-6	Not used	Actual	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Wilde
CARTER·CLACK

Addendum Report
To
Structural Appraisal of

Malting and Brewster Houses,

Barley Mow Estate,
Barleycorn Way,
Poplar, London E14 8DE

Job No. 17:5108
Dec 2019

Version: A
Status: A
Prepared By: RV

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1.0 Executive Summary

As part of the July 2018 structural appraisal report, further internal investigations of the building were recommended due to the limited number of flats tested. The additional investigations were carried out to decanted flats in order to verify the initial findings and to the podium and lower ground areas which had not previously been investigated.

The flats 12 & 14 Brewster House, Flat 15 Malting House were decanted and made available for testing. The common areas of the lower ground and the podium slab of both Houses were made available.

The aim of the investigations of Flat 12 was to confirm the nature and extent of hollowcores within the precast slab panels of the bedroom, lounge and kitchen. In addition, limited exposure of the embedded reinforcement confirmed similar results to the initial investigations.

The investigation of Flat 14 & 15, exposed the embedded reinforcement in the slab panels of the lounge, kitchen, bedroom and lobby rooms. The embedded reinforcement in the lounge and bedroom slabs were confirmed to be similar to the initial investigations.

The embedded reinforcement in the lobby slab panels of flats 14 & 15 was found to be pairs of 12mm diameter plain and 16mm diameter ribbed bars. Calculations show the embedded reinforcement bars are satisfactory for normal loading, but indicate the slab panels may fail under loading from a severe non-piped gas explosion.

The findings of embedded reinforcement from the additional investigations have confirmed the recommendations for strengthening of the slab panels made in the previous Structural Appraisal report, dated July 2018.

The investigation of the podium structure exposed the embedded reinforcement in the cast insitu concrete walls and slab. Calculations show the reinforcement bars are satisfactory for normal loading. The investigation did not expose the top layer of embedded reinforcement. Therefore, assuming no top layer reinforcement is present, the slab panels would fail under upward abnormal loading of a severe non-piped gas explosion. This was found to be critical for the floor slabs located under the lounge and kitchen, which are private garages.

In order to minimise the risk of disproportionate damage of the flank wall from a severe non-piped gas explosion, it would be necessary to ensure explosive materials or gas bottles cannot be stored or used in these storage units. Measures include regular policing or taking over ownership of the units. Alternative, if there are no further investigation of a ground floor flat, strengthening works using steel beams positioned under the slab will be needed to provide lateral support to the

flank wall. These works are in addition to the recommendations made in the previous Structural Appraisal report, dated July 2018.

It is vital given the findings of the investigation carried out that the possibility of a non-piped gas explosion is eliminated until strengthening measures are in place.

The use of gas cylinders or similar pressurized containers which contain volatile materials should be banned and measures should be taken by Tower Hamlets Homes to advise residents and ensure that such potentially explosive items are not used or stored within the building including the lower ground floor private garages located directly below the footprint of the tower.

2.0 Brief

On the instruction of Carl Alleyne of Tower Hamlets Homes, Wilde Carter Clack (WCC) were asked to carry out additional investigations to flats and the car park areas of Malting and Brewster House, as recommended in the July 2018 Structural Appraisal Report.

The further investigations would aim to verify the findings of the initial investigations.

3.0 Building Description

Brewster and Malting House are 14 storey high-rise tower blocks over a lower ground floor car park. The car park cast insitu concrete walls support the podium slab which is also of cast insitu concrete construction.

The lower ground floor is divided into separate 'rooms' with reinforced concrete walls which are located under the load bearing cross and flank walls of the high-rise building over, which they support. The 'room' usage varies from private garages, currently used as storage rooms, and various building services 'rooms'.

The central podium slab under the footprint of the high-rise block is surrounded by a skirt of reinforced concrete slabs, beams and columns, and provides vehicle access lanes and further car parking areas. The podium skirt structure is separated from the central main high-rise podium structure by a movement joint.

4.0 Investigation

The initial site investigations were carried out in June 2018, and included a durability assessment of the concrete and reinforcement on the elevations and investigation in two rooms of Flat 22 (5th Floor) Malting House and Flat 34 (8th Floor) Brewster House.

Due to the limited number of flats investigated, it was recommended further flats be decanted to allow investigations to confirm the initial findings as well as review the car park areas of the building.

The areas of further investigations included:

- Internal investigations in Flat 12 Brewster House, located on the 2nd Floor, started in August 2018.
- Internal investigations by Martech, in Flat 15 Malting House, located on the 3rd Floor and Flat 14, Brewster House, located on the 3rd Floor, starting in September 2019.
- Investigations by Martech, of the podium slab and lower ground level walls and slab soffits, starting in September 2019

5.0 Findings

The detailed results of the additional investigations are provided separately in Martech's report.

Flat 12 (2nd Floor) Brewster House was decanted and made available for the purpose of the investigating the hollowcores within the precast concrete slab panels, as part of investigations into possible strengthening options. The exposed embedded reinforcement bars in the lounge and bedroom were found to be similar to the findings of the initial investigations.

Flat 15 (3rd Floor) Malting House and Flat 14 (3rd Floor) Brewster House were decanted and the investigation exposed 6mm diameter plain embedded reinforcement bars in the lounge, kitchen and bedrooms. This was confirmed to be similar to the findings of the initial investigations, which were found to be undersized in the previous Structural Appraisal report. The Flat 15 slab panel the spanning across two adjoining bedrooms was found to have embedded reinforcement of 12mm diameter.

The podium slab and lower ground level walls and slab soffit were investigated by exposing the reinforcement in the cast insitu concrete elements, to determine their type, size and spacing of bars. The slab and wall bars were found to be reinforced with square twist bars. The bars have a yield strength of 410N/mm^2, as historic information would suggest these cold worked bars have a high yield.

The investigation of the podium slab exposed the bottom layer embedded reinforcement but did not confirm top layer embedded reinforcement over the slab panels. No ground floor flats were available and therefore the investigation was unable to confirm if embedded reinforcement bars were located in the top layer of the cast insitu podium slab. Further, the archive drawings do not include drawings which would indicate embedded reinforcement in this area of the building.

Additional concrete strength tests were carried out on the podium slab and lower ground level walls and slabs ranged from 44 to 73N/mm^2. The results determined a characteristic concrete strength which was satisfactory and was similar to initial investigation results.

The podium investigation found the concrete of the lower ground floor walls and podium slabs to be of generally good quality and comparatively high strength. The reinforcement has good cover in most locations, with some areas showing localised defects related to low concrete cover or water ingress.

6.0 Structural Appraisal

The embedded steel reinforcement bars exposed in the lounge and bedrooms of the flats which were investigated, matched the previous investigation findings. The Flat 15 bedroom slab exposed 12mm diameter bars. Calculations show the reinforcement was undersized under loading of a severe non-piped gas explosion, and therefore the slab panel may fail. The previous report recommended strengthening of these flat slab panels remains unchanged.

The embedded steel reinforcement bars exposed in the lobby slabs of Flats 14 and 15 were found to be pairs of 12mm diameter plain and 16mm diameter ribbed bars. Calculations show the bars are satisfactory for normal loading but are undersized under loading of a severe non-piped gas explosion, and therefore the slab panel may fail. The lobby slab panel therefore require strengthening as previously recommended.

The embedded steel reinforcement bars exposed in the podium slab and walls were found to be 10mm square twist bars. Calculations show the slab embedded reinforcement bars are satisfactory for normal loading, but based on no top layer embedded reinforcement bars, the slab failed under upward abnormal loading of a severe non-piped gas explosion.

If the slab failed it would no longer provide lateral support to the adjacent load bearing cross walls. The flank wall is particularly sensitive to this form of instability, resulting in possible disproportionate collapse. The non-flank walls are laterally supported by a slab on each side and therefore, failure of one slab would still leave another un-effected slab to laterally support the load bearing cross wall.

Therefore, safety measures are recommended to ensure no explosive materials or gas bottles are stored in these private and unsupervised areas. Otherwise, further

investigations to expose the embedded reinforcement of a ground floor flat could allow further structural calculations to be carried out. It is possible the exposed top layer of embedded reinforcement bars may be of satisfactory size to justify the slab under loading of a severe non-piped gas explosion.

Lastly, if the embedded reinforcement bars are found to be too small or it is decided not to carry out further investigations, then additional flank slab strengthening may be carried out using steel beams positioned under the slab to provide wall lateral support.

7.0 Conclusion

As recommended in the previous report, additional flats were provided for further internal investigation of the building, as well as investigations to the podium slab and supporting walls.

The investigations to the new flats were able to confirm the original findings, and therefore the strengthening recommendations to the flat slabs remain unchanged.

The investigation was not able to confirm embedded reinforcement bars in the top layer of the podium slab in the lounge and bedrooms. It is therefore assumed there is no reinforcement bars located in the top layer of the concrete slab above the lounge and kitchen. Therefore, under a severe non-piped gas explosion, the podium or ground floor flank slabs would fail under the upward flexure or bending assessment criteria. Failure of the flank slab may cause instability of the flank wall, resulting in disproportionate collapse.

The lower ground areas under the lounge and kitchen are typically used as private garages. Measures must be taken to prevent the risk of a severe non-piped gas explosion in these areas by the following means:

1. Carry out regular checks to all of the private storage units / garages. The frequency of the inspections is to be determined by the Landlord based on their own risk assessment.
2. The Landlord should gain control and ownership of these private units to prevent the storage of gas bottles.
3. Carry out further investigations of a ground floor flat over these areas.
4. Provide additional strengthening beams to the underside of the podium flank slabs.

It is vital that bottled gas or cylinders containing similar volatile or potentially explosive materials should not be used or stored in the building until further investigation is complete and the necessary strengthening works have been carried out.

8.0 Next Steps

Based on the additional investigations the need for the strengthening works as previous detailed have been confirmed.

Further to the previous recommendation, measures must be taken to ensure gas bottles are not stored in the private storage units, as noted above. This can range from; regular policing of the units, the Landlord gaining control of the garages under the flank slab, further investigating ground floor flats, or strengthening the ground floor flank slab.

9.0 Scope of works

We have to advise that the investigation work is limited to that set out in the report. We have not inspected those parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect. Latent defects may exist in the structure which can only be discovered by further detailed investigation.

Wilde
CARTER·CLACK

Addendum Report
To
Structural Appraisal of

Malting and Brewster Houses,

Barley Mow Estate,
Barleycorn Way,
Poplar, London E14 8DE

Job No. 17:5108
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1.0 Executive Summary

As part of the July 2018 structural appraisal report, further internal investigations of the building were recommended due to the limited number of flats tested. Further tests were carried out to other flats and the level 1 slab in August and September 2019. However, additional testing of a level 1 flat was recommended. The additional investigations were carried out to void a level 1 flat to confirm its construction.

The flat 4 Brewster House on level 1 was made available for testing. The lower ground bin store was also made available. The investigation found 6mm diameter plain reinforcement bars in the top and bottom layers of the slab. The slabs were found to fail under overloading pressures of a severe non-piped gas explosion.

The cast insitu slabs under the flat appear to have been cast over a woodwool type product, used originally as a thermal insulation layer. The woodwool allowed concrete grout and fines to separate from the concrete matrix, resulting in honeycombing of the concrete soffit, and poor concrete cover to the reinforcement. The embedded reinforcement bars show signs of extensive surface corrosion.

The defective concrete soffit will require careful removal of the woodwool layer, followed by grit blasting of the exposed reinforcement bars and removal of loose aggregate. The remaining slab would then be repaired using a sprayed concrete patch repair method to fill the voids and provide satisfactory concrete cover to the reinforcement bars.

The level 1 slabs forming the lounge and kitchen will require additional strengthening steel strutting beams to provide lateral restraint to the flank wall in cases of a severe non-piped gas explosion. Due to restricted access to the transformer room, alternative steel columns may be used to provide lateral restraint to the flank walls.

It is vital given the findings of the investigation carried out that the possibility of a non-piped gas explosion is eliminated.

The use of gas cylinders or similar pressurized containers which contain volatile materials should be banned and measures should be taken by Tower Hamlets Homes to advise residents and ensure that such potentially explosive items are not used or stored within the building including the lower ground floor private lockup units and storage cupboards located adjacent to the stair and lift cores.

2.0 Brief

On the instruction of Carl Alleyne of Tower Hamlets Homes, Wilde Carter Clack (WCC) were asked to carry out additional investigations to a level 1 flat which is of cast insitu construction.

The investigations would allow a review of the structural condition to withstand a severe non-piped gas explosion in accordance with the *Handbook for the Structural Assessment of LPS Dwelling Blocks for Accidental Loading* published in 2012 by the Building Research Establishment.

3.0 Building Description

Brewster and Malting House are 14 storey high-rise tower blocks over a lower ground floor car park. The lower ground level cast insitu reinforced concrete walls support the level 1 / podium slab which is also of cast insitu reinforced concrete construction.

The lower ground floor under the main building is divided into separate units with reinforced concrete cast insitu walls located directly under and supporting the precast concrete load bearing cross and flank walls of the high-rise building over. These rooms are used for private storage lockup units, plant and transformer rooms.

The central podium slab under the footprint of the high-rise block, forms a rectangle shape and is surrounded by a skirt of reinforced concrete slabs, beams and columns, to provide vehicle access lanes and covered car parking. The outer podium skirt structure is separated from the central main high-rise level 1 structure on all sides by a movement joint.

The public access corridor to the flats on each floor of the main building includes two separate storage cupboards, one adjacent to the lift core and the other adjacent to the stair core. These storage cupboards are rented by individuals not necessarily occupying a flat on the same floor. It was reported that THH have cleared some of these cupboards as part of their risk management, however the storage cupboards are still in use.

4.0 Investigation

The initial site investigations were carried out in June 2018, and included a durability assessment of the concrete and reinforcement on the elevations and two rooms of two flats.

Due to the limited number of flats investigated, it was recommended further flats be investigated to confirm the initial findings, including a review of level 1 and lower ground floor elements of the building. Following a review of the level 1 investigation additional testing of a level 1 flat was recommended.

The areas of further investigations included Flat 4 Brewster House located on level 1, and the bin store room directly below Flat 4, in January 2020.

5.0 Findings

The report of the investigations to Flat 4 have not been issued as yet, however initial site observation were carried out.

The level 1 slab under the flats is of similar cast insitu reinforced concrete construction to the adjacent exposed concrete areas, however, it appears to have been cast over a woodwool type product often used to provide some thermal insulation. Currently the woodwool is hidden from view by a separate sprayed material which was reportedly used for fire proofing.

The investigation of the level 1 floor slab exposed defective concrete due to the use of a woodwool type product under the slab and low concrete cover. This has resulted in extensive surface corrosion of the poorly embedded reinforcement bars.

The investigation found 6mm diameter plain reinforcement bars in the top and bottom layers of the slab. The top layer of embedded reinforcement was exposed and found not to continue across the mid-span of the slab panel, which is satisfactory and not unusual.

A single core was taken from the defective concrete for strength and chemical testing.

6.0 Structural Appraisal

The level 1 slab supporting the flat rooms was found with defective concrete across the slab soffit with low cover to the embedded reinforcement bars which showed extensive surface corrosion. These slabs should be repaired by removing corrosion from the reinforcement and with a concrete patch repairs to provide concrete cover. Assuming normal concrete adhesion to the reinforcement, calculations show the bars are satisfactory for normal loading but are undersized under loading of a severe non-piped gas explosion, and therefore the slab panel may fail.

If the level 1 slab failed it would no longer provide lateral support to the adjacent load bearing cross walls. The flank wall is particularly sensitive to this form of instability, resulting in possible disproportionate collapse. The non-flank cross walls are laterally supported by a slab on each side and therefore, failure of one slab would still leave another un-effected slab to laterally support the load bearing cross wall.

The level 1 slab flank panel would therefore require additional steel strutting beams to provide lateral support to the flank wall. Where access to the slab soffit is restricted alternative steel columns may be used to provide lateral support to the flank walls. The level 1 repair and strengthening works are in addition to the conclusion of the July 2018 Structural Appraisal Report.

The private storage units located off the access corridor on each floor level represents a potential risk location for the storage of gas bottles. A gas explosion within a storage cupboard could result in the failure of a load bearing wall which may result in a disproportionate collapse event. This risk must be managed by the Landlord. Options include removing the private storage cupboards from public general, or carry out regular inspections of the storage cupboards as part of the typical building inspection / public area cleaning cycle.

General safety measures are recommended to ensure no explosive materials or gas bottles are stored in the private lower ground lockup units.

7.0 Conclusion

As recommended in the December 2019 Addendum report, additional testing was carried out within a Level 1 flat.

The investigation uncovered defects in the level 1 slab. Some minor defects in the car park podium slab will require concrete repairs.

Simplified calculations show the level 1 slab under the flats would fail in upward flexure or bending assessment criteria, under a severe non-piped gas explosion. Failure of the flank slab may cause instability of the flank wall, resulting in disproportionate collapse. Therefore, additional strengthening steelwork beams will be required under the level 1 lounge and kitchen to provide lateral support to the flank wall. Due to access restrictions to the transformer room, steelwork columns may provide an alternative method of strengthening.

The lower ground areas are typically used as private lockup storage. The Landlord is to manage and prevent the risks of a severe non-piped gas explosion in these areas. Options include:

1. Carry out regular checks to all of the private lockup storage units as part of the regular building inspection. The frequency of the inspections is to be determined by the Landlord based on their own risk assessment.
2. The Landlord gaining control and ownership of these private units, thereby preventing the possibility of storage of gas bottles. Regular inspections of the rooms may still be needed with this option.

Similarly, storage cupboards adjacent to the lift and stair cores were in general use and measures need to be taken to prevent the possibility of storage of gas bottles. This could be achieved by the building management voiding these areas and regaining ownership of these storage. An alternative approach would be to carry out a risk review and carry out regular inspections the storage cupboards, possibly as part of the general corridor cleaning programme.

It is vital that bottled gas or cylinders containing similar volatile or potentially explosive materials should not be used or stored in the building.

8.0 Next Steps

Based on the additional investigations the need for the strengthening works as previous detailed have been confirmed.

Additional works are noted as follows:

1. Steelwork strengthening works are required to the level 1 slab located under the lounge and kitchen.
2. Concrete patch repair works are required to the underside of the defective level 1 slab.
3. Concrete patch repair works of localised areas of defects within the car park podium structure.
4. Determine the future use of the corridor storage cupboards.

Measures must be taken to ensure gas bottles are not stored in both the private storage units and storage cupboards. These measures may include regular policing, or registering users and restricting use of the storage units, or gaining full control of the cupboard units to preventing its use for storage.

9.0 Scope of works

We have to advise that the investigation work is limited to that set out in the report. We have not inspected those parts of the structure which are covered, unexposed or inaccessible and we are therefore unable to report that any such part of the property is free from defect. Latent defects may exist in the structure which can only be discovered by further detailed investigation.

London Borough of Tower Hamlets

Malting and Brewster House

Review of Structural Assessment and Proposed works

Issue 1 | 11 February 2020

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 272836-00

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1 Executive Summary

Arup has been appointed by the London Borough of Tower Hamlets (LBTH) to undertake a review of the structural assessments and proposed strengthening works of Malting and Brewster Houses.

Malting and Brewster Houses are 14-storey precast concrete Large Panel System (LPS) tower blocks. These systems are vulnerable to a risk of disproportionate collapse. Malting and Brewster Houses were both strengthened after the Ronan Point collapse in 1968 in accordance with the Ministry of Housing Circulars [4][5].

In the 1980s and 1990s reviews of the structural integrity of Malting House (but not Brewster House) were carried out associated with the construction of the Limehouse Link Tunnel and we understand further strengthening works were carried out at this time to all blocks.

Most recently Wilde Carter Clack (WCC) were employed by LBTH to carry out a structural assessment of the blocks in accordance with the 2012 handbook produced by the BRE and the Ministry of Housing, Communities & Local Government [2]. The assessment included some limited investigation works and based on this WCC have proposed strengthening works to the towers and have produced a tender package for these works.

Arup have reviewed the documentation available and our comments on the main findings of the investigations and structural assessment are as follows:

- WCC found that the concrete slab floors to certain areas do not meet current or previously existing standards for normal loads and require strengthening. We agree with this analysis.
- WCC concluded that the blocks do not comply with the recommendations for the prevention of "disproportionate collapse" in the 2012 guidance produced by the Building Research Establishment (BRE) and the Ministry of Housing, Communities & Local Government [2]. This means that an accidental extreme event such as a gas explosion or vehicle impact could lead to the collapse of a disproportionately large part of the building.
- To comply with the 2012 regulations and based on calculations carried out by WCC and BRE, it is proposed that the following works are carried out:
    1. Flank walls are strengthened against accidental loads and tied in to underside of leve13 (top occupied floor)
    2. New internal steel frames are installed to underside of leve1 13 to limit the spans of the internal reinforced concrete slabs under accidental loads (and normal imposed loads).
    3. The longer span, living room slab areas are strengthened sufficiently to resist both normal and accidental loads at all floors.
    4. The internal loadbearing walls are strengthened against accidental lateral loads at levels 11 and 12.

Generally, our review supports the work proposed. Our key comments are:

- The proposed strengthening of the living rooms slabs is a complex procedure that requires a high degree of quality control to be successful, especially as the final installed system is not examinable. We understand tests have been carried out to review constructability and quality. Close control of quality should be maintained on site.

- The extent of the strengthening of the internal cross walls is limited to levels 11 and 12 storeys based on the BRE assessment. Although these assessments do not fully comply with current codes for the design of concrete structures (BS EN 1992 1-1-2004)[13] and guidance; the BRE have based their analysis on testing and have confirmed that based on these tests the capacity is available to resist any accidental loads at the lower levels and that therefore there is negligible risk with regards to this element. The test results are not available but assuming these were carried out to comply with good practise we would have no further comment on this.

We have also reviewed briefly the following which were not covered by the WCC report and proposals:

- Central Stair Block

  The central stair block is formed from precast walls and precast stairs and slabs. Although these areas are at lower risk of most types of accidental loading (explosions etc) they are the main escape routes. A risk assessment should be carried out as a way of confirming that LBTH can manage any outstanding risks to this block in terms of disproportionate collapse.

- Fire

  We have not generally reviewed fire safety, however we have confirmed that covers to primary reinforcement to slabs found in the limited investigation works carried out are sufficient to meet requirements of modern codes for the design of reinforced concrete structures - general rules for structural fire design (BS EN 1992 1-2-2004[18]). This should be verified locally as works are carried out, since the investigation works to date have been relatively limited and lack of cover is a known issue on blocks of this type.

- Wind loads

  Wind loads are now known to be higher than are likely to have been assumed at the time of construction., however it appears the building was designed for wind loads that comply with current standards.

- Foundations

  We have not reviewed the capacity of the piled foundations in detail and it will be difficult to do so given the limited information available. The capacity under extreme wind loads is highly dependent on the ability of

the raft and in situ podium to act as a spreader of the overturning loads to the piles. Our preliminary review indicates this should be acceptable, although it is not fully compliant with current codes for the design of r.c. structures (BS EN 1992 1-2-2004[13]) in that it depends on the raft concrete developing a limited tensile capacity to enable the load to be spread in the ultimate wind load case, which we know it has in reality.

Methodology

It is proposed that the flats remain in almost full occupation during the works.

Generally, the proposed strengthening works should not affect the stability of the structure if carried out competently.

A competent principle designer should be involved and the risk of any impacts or accidental loads to the structure minimised via method statements and assessments.

The contractor should be made aware of the limitations of the load capacity of the existing structure. In particular the longer span slabs which are under reinforced as existing and therefore have limited capacity for storage or equipment. All temporary works and loads should be checked by a competent engineer.

2 Introduction and Brief

This report describes the review of the structural assessments of Malting and Brewster Houses undertaken by Arup on behalf of LBTH.

Malting and Brewster Houses are 14-storey precast concrete Large Panel System (LPS) tower blocks. We understand they were built for the Greater London Council (GLC) by Taylor Woodrow-Anglian (TWA), and are believed to have been completed by 1968 although the exact dates of construction are not known. It is believed that the gas supply was removed and strengthening works were undertaken following the Ronan Point collapse in 1968. Some of the strengthening works are visible, although full details are not known. Some original drawings of the original construction are available, but investigations have found that these do not always reflect the as built construction.

The scope of the work is to perform a high-level review of the documentation from BRE and Wilde Carter Clark and any related documentation with regards to the proposed strengthening works and also a design review of the construction documentation related to health and safety. The documentation provided by the London Borough of Tower Hamlets is listed in Appendix A.

The aim of the assessment is to

- Provide a high-level review of the necessity of the proposed strengthening works and the adequacy of the works proposed.
- Assess any health and safety implications of the works (particularly with regard to the residents of the blocks) as described in the brief, with regard to the design aspects of the proposed methodologies and statements.

Arup have not reviewed the replacement of the façade or the overall fire strategy.

3 The Buildings

3.1 Description of the buildings

Malting and Brewster Houses are both 14 storeys high (above podium), with a floor to floor height of approximately 2.7m (Figure 1). Each block has a 'H-shaped' floorplan consisting of two residential towers and a lift/stair core in-between the two towers which provides access to the towers. It is likely that each of these three structures was designed to resist wind loading independently. Floor plans vary slightly between one, two and three-bedroom flats.

3.1.1 Structural form

Both blocks have standard cast in place reinforced concrete construction for the podium levels.

The tower blocks were constructed using the Taylor Woodrow Anglian (TWA) large panel precast system (i.e. they were built from factory-made precast concrete panels that were assembled together on site).

The floor slabs generally span one-way onto the internal cross-walls and the outer flank walls.

The external wall panels are supported by the cross-walls.

The approximate floor plan of one residential block can be seen in Figure 1. Floor slab panels are coloured according to their span length.

There are additional thin concrete partitions supported by the floor slabs at each level. These are likely to have been considered as non-structural.

Lateral stability against wind loading on the broad face is provided by the cross and flank walls. Lateral stability against wind loading on the narrow face is provided by the single shear wall (shown as green stability wall) with the cross walls providing torsional resistance.

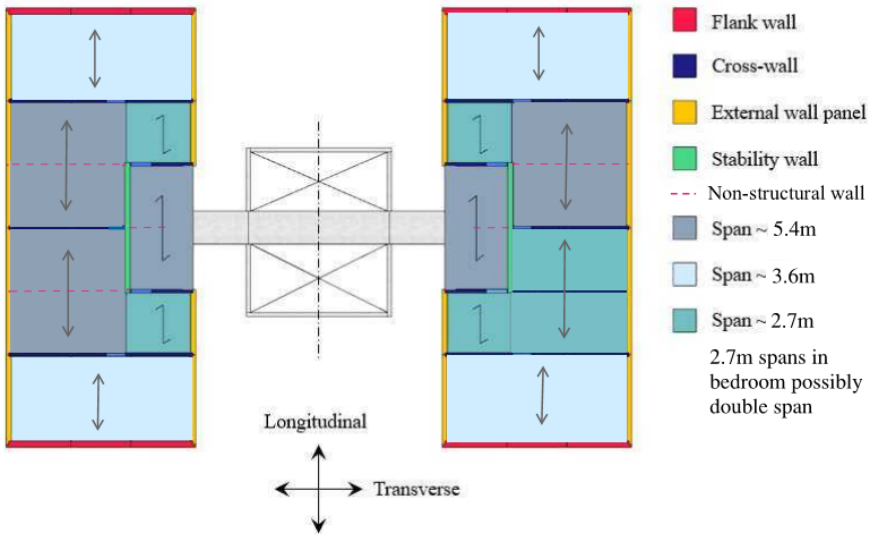

Figure 1 - Approximate floorplan of each block, illustrating the clear span dimensions..

Based on the 1990 SWK report, both blocks have piled raft foundations. The raft was designed to be approximately 900mm (3 feet) thick and relatively lightly reinforced. The piled foundations are driven piles either extending into the London clay (38 feet long noted for Malting House) or the gravel layer (24 feet long noted for Brewster House) depending on the local geology of the ground. Design drawings indicated predominantly 90-ton capacities under the tower blocks.

The stair core is made up from precast panels, floors and stairs bolted together. No drawings were available for this and this element was not assessed as part of the WCC investigations.

3.2 Summary of history of Malting and Brewster, and LPS buildings in general

Malting and Brewster Houses are located on the Barley Mow Site in The London Borough of Tower Hamlets.

The buildings were built by Taylor Woodrow-Anglian (TWA) in 1968. The TWA Large Panel System used is also known as the Larsen-Nielsen design.

Ronan Point partially collapses

In May 1968, the Ronan Point tower block, also built by Taylor Woodrow-Anglian, suffered a partial collapse as a result of a gas explosion. The damage caused by the gas explosion was considered to be more extensive (i.e. caused more parts of the building structure to collapse) than should have occurred following an event of that magnitude. In response the Ministry of Housing and Local Government issued Circulars 62/68 [4] and 71/68 [5], which effectively acted as retrospective legislation.

Circular 62/68 issued

Circular 62/68 [4] required that all LPS blocks over six storeys in height should be appraised by a structural engineer and their ability to withstand a force equivalent to a static pressure of 34kPa without incurring disproportionate collapse be assessed. If this requirement was not met, the blocks were to be strengthened or gas removed. Additionally, all new LPS blocks were to be built to these same standards.

Circular 62/68 also stated that the current wind code (CP3 Chapter V 1952) was out-dated and recommended that all LPS blocks over six storeys be reassessed in relation to their resistance to wind. It was recommended that until a revised wind code was available, designers should take note of current research papers by the Meteorological Office and the Institution of Civil Engineers [6][7].

It is believed that strengthening measures in the form of structural steel angles were adopted post-construction at Malting and Brewster Houses in response to Circular 62/68.

Circular 71/68 issued

Circular 71/68 [5] maintained that LPS blocks with piped gas should be assessed against a pressure of 34kPa. However, if the piped gas was removed, this figure could be reduced to 17kPa.

Amendment to the Building Regulations

The minimum requirements for preventing disproportionate collapse in any buildings of five or more storeys were introduced in 1970 in an amendment to the Building Regulations [8]. This is now captured in the current Building Regulations [9] by Requirement A3 in Approved Document A [3] which states:

"The building shall be constructed so that in the event of an accident the building will not suffer collapse to an extent disproportionate to the cause."

While Ronan Point was caused by a gas explosion, the current Building Regulations refer to an 'accident' in general (examples are given in Section 7.1) and therefore always apply, even if there is no gas supply in a building.

Amendment to UK wind codes

CP3: Chapter V: Part 2: 1970 [19] introduced significant changes to the national wind code in the UK, increasing design wind pressures for buildings compared to the previous code (CP3: Chapter V: 1952 [18]). This was updated again in 1972 (CP3: Chapter V: Part 2: 1972 [20]). Current codes of practice for UK building design (BS EN 1991-1-4 [12]) give similar design pressures to CP3: Chapter V: Part 2: 1972.

BRE research on LPS blocks

The BRE published several reports following the partial collapse of Ronan Point, including a report in 1985 [1], which specifically reviewed the Taylor Woodrow Anglian form of construction.

It stated: *"the conclusions drawn from the assessment of Ronan Point are likely to apply to some extent to all other TWA buildings and action is desirable to check the extent where that is not known already"*; and

"Most 'Type A' buildings are likely to have acceptable margins of safety in respect of normal loads in the H2 joints of the lower storeys if they are soundly constructed. The H2 joints in buildings of 14 or more storeys should be appraised. Consideration should be given to the appraisal of the H2 joints in other TWA buildings, having regard in particular to their height and plan arrangement."

BRE guidance on assessing LPS blocks

In 2012 BRE published the "Handbook for the structural appraisal of Large Panel System (LPS) dwelling blocks for accidental loads" [2]. This document was written in order to update the Government's 1968 guidance to consider all of BRE's subsequent research, the general development of assessment methodologies and to align with current structural design codes. The document continues to recommend that LPS blocks with piped gas should be assessed against their ability to withstand a pressure of 34kPa. However, if piped gas is not present, this figure is reduced to 17kPa.

This document is considered the current best practice guidance for the appraisal of LPS buildings.

4 Information Available and Previous Reports

4.1 Construction work and Early Strengthening

Some of the original design drawings for the Barley Mow Estate are available. including some layouts for the typical panels but no details of connections were available. The WCC investigations (see section 4.5) indicate that these do not necessarily always reflect what was built and therefore the information should be used with care.

Key points are:

- Floor panels are 180mm thick and lightly reinforced with voids at 150mm centres. The panels are tied together. The panels are supported on 44mm wide nibs at the top of the wall units and are tied into the wall unit and the adjacent floor with an in-situ stitch detail.
- Cross walls are generally 150mm thick and may have light central mesh reinforcement. In some areas ducts and recesses for services were cast into the walls (generally the central cross wall). The walls are generally levelled using two bolts at their base and tied in laterally at their top.
- Flank walls have a 152mm structural inner RC wall and 95mm outer non-loadbearing skin
- Non-loadbearing façade walls have a 102mm inner RC skin and a 95mm outer skin
- The spine wall used for lateral stability is 225mm wide and is reinforced at each end with 2 No 32mm diameter Macalloy bars. These do not appear to be prestressed and one bar drops off at each end above level 9

Angles were fixed to the base and top of the loadbearing walls units to satisfy Circular 62/68. Photos noted in the WCC report show that these have been elongated on site to ensure that the bolts have better edge distances and fixings than is usual in these situations.

4.2 Intermediate Remedial Works

Scott Wilson Kirkpatrick and SP Christie carried out a series of reviews and investigations in the late 1980s associated with the construction of the Limehouse Link Tunnel. at this stage the team clearly still had access to all drawings and the original calculations. These mainly looked at Malting House and Risby House.

The key issues that came out of this were that:

- Loadbearing walls - in many areas the walls had not been grouted properly to transfer vertical loads and levelling bolts had not been loosened and locked off. the mortar joint was also often poor quality and too thin.

- Angles restraining the flank walls were bent and loose.
- A preliminary assessment at this time wrt disproportionate collapse reached similar conclusions to the later WCC report wrt the walls, (see section 4.5). The slab design based on the drawings and calculations was considered adequate as long as the non-structural walls carried load temporarily.
- Non-loadbearing façade walls were not adequately supported laterally or vertically resulting in cracking to the panels.
- The length and design of the piled foundations could not be confirmed via integrity tests. Calculations carried out by SWK indicated that the piles to Malting House which bear on the London Clay potentially have a factor of safety of 1.5. The piles bearing on the gravel for Brewster House should have a factor of safety of 3.

The following actions were proposed. It should be noted that these were primarily to ensure robustness with regard to any settlement or movement during construction of the Limehouse Link.

- Additional wall to floor ties/angles would be installed to help restrain the wall panels in terms of disproportionate collapse (although nothing was to be done to strengthen the upper two floors where the wall panels were inadequate).
- Additional panel fixings were installed to restrain the façade panels.

These works were carried out as part of the WCC proposals in 1990 (see below).

4.3 1990 Carter Clack Assessments

Carter Clack Associates were asked to carry out a review based on the SWK reports and presented a series of options for strengthening based on different risk and design life options.

Based on this review the following remedial work was carried out, assuming that piped gas would not be installed in the blocks.

- Total soft strip.
- Removal of floor screed and reinstatement of unsatisfactory dry pack to walls with new high strength packing and grouting.
- Installation of new tie angles bolted between floors and walls.
- Tying the leaves of the outer wall panels together.
- Re-support with angles of non-loadbearing facade wall panels.
- Smoke stopping installed.

4.4 2005 WCC report

This was a superficial investigation of any visual defects.

4.5 2019 WCC Investigation and Report

In 2018 Wilde Carter Clack were asked to carry out an investigation and review of the blocks.

A desktop study and physical investigation was carried out in two apartments, one in each block which included concrete testing and also an investigation into the condition and detailing of the reinforcement in the panels where possible.

The findings generally confirmed the details of the drawings in terms of panel thicknesses and joint details, with the key exception that the reinforcement area to the floor slabs was less than shown on the drawings.

The findings are assessed in section 5, 6 and 7 below.

5 Condition of the structure of the buildings

High chloride and carbonation levels in reinforced concrete can lead to the corrosion of the reinforcement, reducing the strength of the structure. The carbonation and chloride levels in the concrete were tested at several internal locations in the buildings. In all cases, the levels measured were found to be extremely low and not a concern. In addition, all reinforcement exposed during the internal investigation works appeared to be in good condition with no significant corrosion.

The concrete was generally of high strength with test results greater than specified (as is it be expected with age effects).

Main reinforcement in the precast elements was generally found to be mild steel rather than high yield bars.

Cover to main reinforcement in the slabs was generally within code requirements of the Eurocode 2 – Design of reinforced concrete structures for both durability and fire -(BS EN 1992 1-1-2004 and BS EN 1992 1-2-2004) [13][18]. Cover to secondary bars was less than would be expected to current codes but these should not affect strength.

6 Assessment of the existing superstructure under normal loads

6.1 Vertical Loads

6.1.1 Superstructure

The key findings of the assessment were:

- The 3.6m spanning slabs were calculated by WCC to be overstressed based on the bar diameter found. The BRE independent checks (which we do not have the details of) found no immediate danger of slab failure. We would agree with the WCC assessment. Our checks indicate that generally the slabs are overstressed in bending rather than shear and therefore are unlikely to fail catastrophically.
- The 5.4m spanning slabs would also be overstressed and beyond usual deflection/crack limits under loads required by current Eurocodes[11] and we believe may be relying on the non-loadbearing partitions to limit live load movement. As noted above our checks indicate that generally the slabs are overstressed in bending rather than shear and therefore are unlikely to fail catastrophically.
- The 2.7m spanning slabs are generally within acceptable design limits under normal loading.
- The main loadbearing walls were found to be generally within acceptable load capacities for axial loads.

6.1.2 Foundations

The foundations were not assessed as part of the WCC report. SWK reviewed the foundations in 1998 based on the Cementation tender documentation and the site investigation calculations. As built drawings were not available and integrity tests carried out at this time to ascertain the length of the piles integrity tests were inconclusive.

SWK estimated that the piles into the gravel (Brewster House) would have a factor of safety of 3 and those under Malting House would have a factor of safety of 1.5. We would agree that the piles into clay have less capacity than into the gravel, although in both situations they have less than the 90 tonne capacity noted on the design drawings. However, a preliminary assessment indicates that generally there is a factor of safety greater than 1 on all normal vertical loads and there is no indication of settlement or undue movement.

6.2 Lateral Loads

6.2.1 Superstructure

The buildings need to be able to resist wind pressures acting on them, calculated using an appropriate wind code. As noted earlier many LPS blocks were designed to lower wind loads than codes introduced in the 1970s and current codes. The SWK review of the original calculations noted that the loads used were higher than those required by CP3 Chapter V and therefore would comply with current codes. A secondary check against the moments at the base of the walls also indicate that this is likely to have been the case.

For the purposes of assessing wind resistance, each building has been taken as three separate structures. The two residential blocks and the stair core.

The wind resistance of the lift and stair cores is provided by the outside walls of the lift and stair cores. The wall panels are connected to each other with bolted connections at the four corners and at the beam half-joints above the doors. These walls and the connections are likely to be sufficient to resist wind loads in all directions acting on the core, but a more detailed check should be carried out.

The two most onerous wind load cases on the residential blocks were considered by SWK i.e. wind perpendicular to the faces of each residential block. East-West winds are resisted by the flank walls and cross-walls. North-South winds are resisted by the spine/stability wall, again shown on Figure 3 with any resultant torsion taken by the cross walls.

SWK found that all the walls and their connections were found to have adequate resistance to wind loads. Arup review of the available data and checks on previous similar blocks would confirm this conclusion.

6.2.2 Foundations

The foundations were designed with the assumption that 15% additional capacity could be allowed for under wind load (up to 25% capacity was often allowed in previous codes such CP 2004 1972 or the Code of Practice No. 4 “Foundations” published by the Institution of Civil Engineers in 1954)

If simple techniques are used to assess the structure the loads would be relatively localised under the spine wall in the N-S direction and piles would be overloaded. However, a slightly more detailed assessment shows that the raft is sufficiently deep to allow for the spread of load instantaneously across the piles under the worst case loads to retain a factor of safety of 1. This requires the raft to spread the loads and the reinforcement may not be sufficient in terms of standard analysis to BS EN 1992-1-1[13] depending on the settlement that occurs in the piles under stability walls under the very short-term wind loads. However allowing for limited tension capacity of the concrete, as allowed in section 12 of BS EN 1992-1-1 as well as the reinforcement provided would provide sufficient capacity in all situations.

7 Assessment of the resistance of the existing buildings to "disproportionate collapse"

7.1 Assessment criteria defined by BRE

The BRE document "Handbook for the structural appraisal of Large Panel System (LPS) dwelling blocks for accidental loads" [2] clearly defines three assessment criteria. If the building can be proven to satisfy any one of the three criteria, then it is considered to satisfy requirement A3 of the Building Regulations [9] (which is the requirement to avoid disproportionate collapse) in accordance with Approved Document A [3]. The following is an extract from the BRE assessment guide:

"An LPS dwelling block exceeding four storeys in height (i.e. five storeys or higher) will be considered to satisfy Requirement A3 of the Building Regulations if it meets one of the following criteria:

LPS Criterion 1: There is adequate provision of horizontal and vertical ties to comply with the current requirements for Class 2b buildings as set down in the codes and standards quoted in Approved Document A – Structure as meeting the requirements set down in the Building Regulations.

LPS Criterion 2: An adequate collapse resistance can be demonstrated for the foreseeable accidental loads and actions [which is defined as 34kPa for a block with piped gas or 17kPa for a block without piped gas]

LPS Criterion 3: Alternative paths of support that can be mobilised to carry the load, assuming the removal of a critical section of the load bearing wall in the manner defined for Class 2B buildings in Approved Document A – Structure or alternatively assuming the removal of adjacent floor slabs (taking the floor slabs bearing on one side wall at a time) providing lateral stability to the critical section of the load bearing wall being considered."

7.2 Compliance with assessment criteria of Malting and Brewster Houses

LPS Criterion 1 is a prescriptive approach which defines design loads for the horizontal and vertical ties, between the structural elements in the buildings.

Although it appears that the structural elements are better tied together than in many of the LPS buildings built at this time, there is not sufficient tying action, especially vertically between wall panels, to satisfy this criterion.

LPS Criterion 2 states that in the absence of piped gas, key structural elements must be assessed for a collapse resistance under a pressure of 17kPa according to criterion 2.

According to the BRE handbook [2]:

"Collapse resistance is a measure of the ability of a structural system to resist the effects of specified accidental loads or actions occurring at or below a defined threshold.

The overpressure should be applied simultaneously to all surfaces of a single room/bounding enclosure."

The structural assessment against this criterion is concerned with the resistances of the panels themselves against this defined pressure, as well as the connections between the panels. Calculations were carried out by WCC and BRE to review this and with regards to the existing structure the following are the key issues:

- The floor slabs which span 3.6m cannot resist accidental loads either up or down (they also cannot resist normal downwards loads in usual conditions see section 6.1.1)
- The floor slabs which span 5.4m cannot resist accidental (or normal) loads up or down without relying on the support of the "non-structural" wall.
- The floors which span 2.7m can resist accidental downwards loads. The BRE also state they can take the upwards accidental blast loads but our preliminary assessment indicates they are slightly overstressed in bending in his condition. Shear/tying at ends is sufficient.
- The internal loadbearing cross walls rely on the load above to prestress them to resist lateral loads. The BRE calculations state that the walls to the top two storeys do not have sufficient prestress to resist the accidental loading and will crack. It is not clear what the assessment is based on. We would estimate that possibly up to 4 storeys may require strengthening based on simple arch theory or assuming simply supported elements with some tensile capacity.
- The flank walls will also rely on the load above to prestress them. The BRE assessment also indicated that two floors of load are required to sufficiently prestress the walls and that that they are not sufficiently well tied in to resist lateral loads. Again, our initial preliminary calculations indicate that this may be slightly unconservative but as the walls are being strengthened to deal with the lateral ties this is not an issue.
- The non-loadbearing walls were not considered in the WCC and BRE assessment but earlier checks by SWK indicate they can take temporary vertical loads from the slabs over without buckling but cannot resist any accidental lateral load.
- The strengthening angles installed in 1998 will provide lateral restraint / tying sufficient to resist the accidental load force when considered with the reinforcement detail linking slabs to their support walls This has been reviewed at upper levels where frictional resistance is limited.

LPS Criterion 3 considers whether or not alternative load paths could be mobilised in the event of removal of individual structural elements.

For the purposes of this assessment, the size of the element being removed is defined as a whole precast unit, or a wall of length 2.25H (where H is the storey height), whichever is the smaller. The largest individual precast wall units are the cross-walls adjacent to bedrooms which are approximately 5.4m long.

Owing to the structural arrangement of the building, together with the limited amount of reinforcement which could be included in any justification of alternative load paths, it is not possible to find reliable alternative load paths for all the existing floor loads.

7.3 Proposed Strengthening to achieve LPS Criterion 2

7.3.1 Proposed works and commentary

WCC have chosen to satisfy LPS Criterion 2. The proposed strategy for achieving LPS criterion 2 is documented in WCC document "Philosophy Strategy "and the calculations.

The key works proposed are:

- To strengthen the 3.6m spanning living room slabs to resist normal loads and also the accident upwards and downloads loads. The downwards loads have been taken to be both the blast loading and also a second load case based on the weight of any non-loadbearing partitions and the slab above should they collapse during any accident. The method proposed is to insert reinforcement into the voids in the slab and to grout these into place. Theoretically this works well but success will be highly dependent on workmanship. We understand that tests have been carried out on the proposed system to review constructability and result and these have been positive. We would recommend that a high level of quality control and review is maintained on site.

- To strengthen the 5.4m spanning slabs by inserting a new steel frame against the non-loadbearing partitions to support the slabs at each level, thereby reducing span from 5.4m to 2.65m- 2.7m. This means the slabs can resist downwards accidental loads (and normal loads). This new steel frame also allows the non-structural walls to be lost without risk of disproportionate collapse of the structure. Under uplift loads the slab above the explosion/accidental load will fail. This should not cause any disproportionate collapse issues as the slab below will be able to resist the load of any debris and the structural walls are stabilised by the slabs to either side of the critical span. The details at the base for this frame are not yet determined and local site investigation has been specified to confirm this detail at an early stage of the site works.

- Testing of bolts into existing reinforced concrete spine wall should be carried out to confirm capacity.

- Strengthening of the cross walls will be carried out at levels 11 and 12 to resist lateral loads. This will be carried out by using steel plates bolted and resin bonded to the walls to from a reinforcement to the wall. The

strengthening will be fire protected. This means that the roof may collapse but there will be no disproportionate collapse due to the strengthening of the slabs. As noted previously the BRE assessment is slightly less conservative than simplified checks based on BS EN 1992-1-1 criteria[13]. We understand the assessments are based on test data and that the test data supports the reduction of the extent of strengthening compared to the simpler calculations.

- The flank walls will be strengthened by the installation of a new external steel frame against the flank wall which will resist lateral loads up to underside of level 13 and also ties in the wall and floors against any accidental loads. The details at the base for this frame are not yet detailed and will need to be signed off before the works begin on site allow this to be finalised.

7.3.2 Sequence of Construction

We have not reviewed any detailed proposals with regards to sequence of construction. Our understanding is:

- The buildings will generally be occupied whilst works are ongoing and residents will only be moved in a few situations.
- The works will be carried out from lower levels upwards and we understand that the lateral flank wall strengthening will be carried out simultaneously with the internal works on a floor-by-floor basis.
- As none of the works should have any impact on the stability of the adjacent elements if competently carried out then it should be acceptable for residents to remain in place.
- The contractor should be made aware of the limitations of the load capacity of the existing structure - in particular for the longer span slabs which are under-reinforced as existing and therefore have limited capacity for storage or equipment. All temporary works and loads should be checked by a competent engineer.
- We assume that internally all works on any single area or cross wall/elevation will be completed at one level before works progress to the next level. i.e. packing to new frames is fully carried out and grouting for strengthening is allowed to cure.
- Where possible the contractor should mark out any areas where they need to drill through slabs or walls to ensure that they do not drill through existing reinforcement.
- Although not part of our remit, as the blocks have a single escape route the contractor must ensure that these fire escape routes are not blocked at any time.
- We assume no hot works will be carried out on site.

8 Recommendations

8.1 Strength against disproportionate collapse of main blocks

In order to meet current reinforced concrete code requirements[13] in terms of vertical capacity and to satisfy requirement A3 of the Building Regulations [9] in terms of robustness, structural strengthening measures are required to provide the buildings with sufficient resistance against disproportionate collapse.

Arup has reviewed the indicative measures shown in the WCC report and we are generally in agreement with the proposals.

The extent of the strengthening of the internal cross walls is limited to levels 11 and 12 storeys based on the BRE assessment. Although these assessments do not fully comply with current codes for the design of concrete structures (BS EN 1992 1-1-2004)[13] and guidance; the BRE have based their analysis on testing and have confirmed that based on these tests the capacity is available to resist any accidental loads at the lower levels and that therefore there is negligible risk with regards to this element. The test results are not available but assuming these were carried out to comply with good practise we would have no further comment on this.

Some of the details remain outstanding until local site investigations can be carried.

Until the strengthening is carried out, it is recommended to undertake the mitigation measures summarised in Table 1.

Hazard	**Mitigation**
Gas explosion	There is no piped gas in the blocks. The existing ban on bottled gas (including oxygen cylinders) should be strictly enforced.
Vehicle impact	There is little risk of high speed vehicle impact because the buildings are sufficiently far away from the road and are generally protected. No mitigation required.
Fire	The cover to the main bars appears to be adequate. The team should ensure that sufficient investigation work is carried out to show that this is a general condition.
Hazards due to human errors during design and construction, or due to a lack of proper maintenance	The construction and condition of the blocks were assessed by WCC and SWK. With the exception of robustness against disproportionate collapse, the design and construction has been generally found to be satisfactory.
Unauthorised structural modifications	The reinforced concrete structural walls would be very difficult to modify. Nevertheless, a ban on any structural modifications should be strictly enforced.
Environmental hazards such as exceptionally strong winds or heavy snow on the roof	The superstructure has been reviewed for wind loads which are 3 second gusts estimated to be exceeded on the average once in every 50 years. No mitigation required
Hazards due to misuse such as overloading of a floor slab	The slabs will have been designed for residential loads (1.5 kPa). There should be a ban on any excessive loading which should be strictly enforced.

Table 1 - Hazards and mitigation measures relating to disproportionate collapse.

8.2 Stair core

The stair core has not been assessed against disproportionate collapse. As the construction is also of large precast panels the system is unlikely to fully comply with the requirements of the BRE Guidance. The core is less likely to be at risk of explosions as there is a requirement not to store or pipe gas in these areas. As they are fire escapes they should also generally be free of fire loads. They are also not inhabited spaces.

The risk therefore of any incident is very low but, as noted above, it is possible that the structure would be at risk in the unlikely event of an explosion or impact. We understand that the LBTH have been made aware of the risks and judge that these are manageable overall. We would recommend that a formal risk assessment is carried out.

8.3 Long term durability of the buildings

If the buildings are to be retained, a maintenance plan which includes proposed future assessment and inspection regimes should be formulated. The BRE outline proposed maintenance measures in their handbook [2].

9 References

[1] The structure of Ronan Point and other Taylor Woodrow – Anglian buildings, Building Research Establishment, Department of Environment, 1985

[2] Handbook for the Structural Assessment of Large Panel System (LPS) Dwelling Blocks for Accidental Loading, Stuart Matthews and Barry Reeves, Building Research Establishment, 2012

[3] Approved Document A: Structure, The Building Regulations 2010, Department for Communities and Local Government

[4] Circular 62/68, Ministry of Housing and Local Government, 15 November 1968

[5] Circular 71/68, Ministry of Housing and Local Government, 20 December 1968

[6] C. Scruton and C. W. Newberry, On the estimation of wind loads for building and structural design, Proceedings of the Institute of Civil Engineers, Volume 25, Issue 2, 1963

[7] H.C. Shellard, Extreme wind speeds over the United Kingdom for periods ending in 1963, Meteorological Office Climatological Memorandum No 50

[8] Statutory Instruments 1970 No. 109, Building and Buildings, The Building (Fifth Amendment) Regulations 1970

[9] The Building Regulations 2010, Building and Buildings, England and Wales

[10] Eurocode: Basis of structural design, BS EN 1990:2002+A1:2005

[11] Eurocode 1: Actions on structures – Part 1-1: General actions – Densities, self-weight, imposed loads for buildings, BS EN 1991-1-1:2002

[12] Eurocode 1: Actions on structures – Part 1-4: General actions – Wind actions, BS EN 1991-1-4:2005+A1:2010

[13] Eurocode 2: Design of concrete structures – Part 1-1: General rules and rules for buildings, BS EN 1992-1-2004+A1:2014

[14] Larsen and Nielsen system, Architect and Building News, Nov 14 1962

[15] CP3: Chapter V: 1952, Code of Basic data for the design of buildings, Chapter V. Loading, Reset and reprinted 1965, The Council for Codes of Practice, British Standards Institution

[16] CP3: Chapter V: Part 2: 1970, Code of Basic data for the design of buildings, Chapter V. Loading, Part 2. Wind loads, The Council for Codes of Practice, British Standards Institution

[17] CP3: Chapter V: Part 2: 1972, Code of Basic data for the design of buildings, Chapter V. Loading, Part 2. Wind loads, British Standards Institution

[18] BS EN 1992-1-2:2004 Eurocode 2: Design of concrete structures. General rules - structural fire design (+A1:2019) (Incorporating corrigendum July 2008)

Appendix A

List of Documents Reviewed

Wilde Carter Clack, Desk Top Study on Malting and Brewster Houses, January 2018
Wilde Carter Clack, Structural Appraisal Malting and Brewster Houses, July 2018
With supporting information from;
o Martech, Internal Concrete Condition Testing
o Martech, External Concrete Condition Testing
o Socotec, Hardness Testing of Steel, Rebar to Precast Concrete Planks

Wilde Carter Clack Specification for Structural Works which includes the design of specialist
reinforcement works. November 2018
WCC Structural calculations for remedial works October 2018

· Set of Preliminary structural strengthening drawings by Wilde Carter Clack
o S.01
o S.02
o S.03
o S.04
o S.10
o S.11
o S.20
o S.21
o S.22
o S.23
o S.24
o S.26
All Status P1, tender issue 2 November 2018

Appendix A SWK report Structural Investigation on malting and Risby Houses Vol 1 August 1988
Appendix B SP Christie Interim Report Barley Mow Estate September 1988
Appendix C SP Christie Final Report Barley Mow Estate January 1990
Appendix D CCP Stage 1 Report March 1990
Appendix E CCP Stage 2 Report April 1990
Appendix E CCP Stage 2 Report April 1990
Appendix H CCP Appraisal of the Building on the Barley Mow Site January 2005

Barley Mow Estate various record drawings

VALUE FOR MONEY REPORT

RELATING TO

B9525 – BREWSTER HOUSE & MALTING HOUSE STRUCTURAL WORKS

LONDON BOROUGH OF TOWER HAMLETS

AT

BREWSTER HOUSE & MALTING HOUSE

13TH JANUARY 2020

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1.0 Introduction

1.1 Location

The addresses for both blocks within the scheme are as follows: Malting House, Poplar, London E14 8BS and Brewster House, Poplar, London E14 8HU.

Both blocks are located within the London Borough of Tower Hamlets.

1.2 Description of the Works

The scope of work as set out in the tender documentation includes the following:

- Undertake structural strengthening works externally to the two blocks. This will involve drilling and inserting steel rods into the existing concrete floors to supplement the existing inadequate reinforcement.
- The steel rods are then tied into the block façade via an external connected steel frame. This ties the wall panels into the floor panels.
- Expose various floor and ceiling areas within flats; undertake structural strengthening works and reinstate finishes to the flats and externally.
- Removal of resident's belongings, furniture and finishes. Provision of daytime respite and decant facilities on an individual household assessed basis. Reinstatement upon the completion of the works.
- Main Contractor to engage a specialist structural contractor through a competitive tendering process.

1.3 Basis of Report

This report is based on the proposed costs received to date from the preferred contractor and is intended to analyse what has been priced by the contractor in relation to the works: specification, programme, scope, assumptions, exclusions and allocation and pricing of risk and how it is priced so far as possible given the information provided to us for review.

The following list of documents has been issued by Tower Hamlets and form the basis of this report:

1	Tender Issue Folder
1	ITT 21.12.18
2	Ancillary document PCG
3	BMS works price book 21.12.18
4	Structural performance specification 21.12.18
5	Drawing Issue sheet 13.12.18 WCC issue sheet
6	ITT information for clients
7	Local code of safe working practise
8	Preliminaries 21.12.18
9	Safeguarding policy V3 05.10.18
10	Schedule 1.3 - Performance Framework V2
11	Schedule 1.4 - Materials & Workmanship specification - External
12	Schedule 1.4 - Materials & Workmanship specification - Internal
13	Schedule 2 - Appendix 1 - Quality Statement Works V1 21.12.18
14	Schedule 2 - Form of Tender v1.1

2	Tender Return Folder
1	Programme (Rev D)
2	Submission Cover Letter
3	Cost Movement Tracker
4	Payment Schedule
5	Bersche Rolt Submission zip
6	Cintec Submission zip
7	Preliminaries breakdown
8	Cintec Method Statement template
9	Appendix 1 - Quality / Method Statements
10	Appendix 8 - Freedom of Information Schedule
11	Signed Form of Tender
12	Subcontract authorisation form
13	Conflicts of interest declaration
14	Programme (Rev A)
15	Wates basis of offer (Clarifications)

3	Clarifications
1	190410 - Brewster & Maltings Structural Works - Issued 11.04.19

4	Wates Framework Rates
1	Wates Lot 1 Works

1.4 Limitations of Report

We have not been party to the tender process or any post tender discussions which have taken place between the submissions of the revised and original tenders.

2.0 Proposed Costs Summary

Current proposed costs as submitted by Wates are as set out in the table below:

SECTION	DESCRIPTION	TENDER SUM (£)	(%)
1	Preliminaries and site overheads	945,994.90	15%
2	Specialist structural works	3,753,656.30	60%
3	Main contractor works	255,880.80	4%
4	Full NHF Back Up Schedule of Rates	476,200.00	8%
5	Daywork	237,412.00	4%
6	Social values *(NB: error identified in breakdown)*	36,861.00	1%
7	Performance Bond	**Excluded**	
	Sub-total	*5,706,005.00*	
8	Combined Overheads & Profit Percentage	570,600.50	10%
	TOTAL	**6,276,605.50**	

Overall Cost per Unit if 112 = £56,041.12 as set out in tender documents*

Overall Cost per Unit if 84 = £74,721.49 as priced by Wates and Specialist*

** Please see separate comments below in relation to the number of properties Wates have included in their pricing submission.*

3.0 Cost Analysis

In the following section we have examined the costs proposed by the contractor against current market values as follows:

3.1 Preliminaries and site overheads

The Wates LOT 1 Framework rates do not contain Preliminary costs to serve as the basis for comparison to the Wates pricing submission. However having reviewed the pricing submission from Wates, generally the rates are in line with expectations for a project of this nature with our main observations recorded below.

i) Portable refuge resident's accommodation (7) is entered as 75 weeks and not the revised 55 weeks. Similarly the items for Small Plant Tools (19) and Consumables (22) has maintained the original submitted programme length of 75 weeks. It is not clear how these items relate to the revised programme of 55 weeks. We recommend this should be queried with Wates and confirmation received as to why these items have not been adjusted to 55 weeks in line with the revised programme.

ii) Scaffolding (9) is priced as a lump sum of £19,600.00. It is not clear how this relates to the Wates LOT 1 Framework rates for scaffolding as no quantity has been included within their pricing submission. On the separate Prelims Breakdown document submitted by Wates they have identified the £19,600.00 as being a scaffold adaption cost. Working on the assumption this is to be split equally over both of the high rise blocks we consider this to be a reasonable cost for scaffold adaption.

iii) Additionally included for access to carry out the works under Preliminaries is the mast climber hire allowance (25), which has been allocated for a total of 204 weeks. It is not clear how this relates to the revised programme of 55 weeks. Within Section 3 of their pricing submission 'Clarifications' Wates have stated they have moved 8 mast climbers for 18 weeks to the separate EWI contract. Further clarification from Wates is required as to how the 204 weeks has been arrived at and whether this is sufficient to execute the scope of works. The mast hire rate of £256/week is acceptable however Wates will need to clarify the total mast hire allowance allowed for within their tender submission.

iv) Logistics (26) has been included within the Prelims cost at a total of £76,890.00 or £1,398 a week based on the revised 55 week programme. It is not clear what this allowance is included for. Overall Project management as well as individual block Site Managers and Resident Liaison Officers have been included within the Management, Staff and Supervision (1) section of the Preliminaries. We recommend this is queried with Wates and confirmed what additional logistics costs have been allowed for.

v) In the Wates 'Basis of Offer' letter forming part of their tender return, Wates have stated they have included for a full time out of hours site security guard. A lump sum allowance of £16,032.00 or £291.49 a week has been included within the Management, Staff and Supervision (1) costs under the heading Safety Department. Further clarification from Wates should be provided as an allowance of £291.49/week would not be sufficient to provide for a full time out of hours security guard. We recommend this is queried with Wates to confirm what the Safety Department provision allows for.

vi) A number of discrepancies have been identified within the documents returned by Wates, in particular the 'Submission Cover 08.03.19' letter and the 'Basis of Offer 11.04.19' letter. An example of this is that the 'Submission Cover' letter states that no allowance has been made for Bunker Bins, however on the 'Basis of Offer' letter under point 8, Wates have confirmed they have included for 4 No. "Bunka Bin" type sleeping units.

vii) Overall the Preliminaries cost submitted by Wates = £945,994.90. When divided by the revised programme length of 55 weeks as submitted by Wates this equates to £17,200/week. As a stand-alone contract we would consider this allowance to be at the upper range of acceptable however when viewed as a bolt on to an existing contract

3.2 Specialist structural works

As stated in item 1.10 of the Structural Performance Specification, Wates were to conduct a competitive tender between two specialist structural contractors with Tower Hamlets Home officers to oversee the competitive tender process.

From having a review of the i) Bersche-Rolt and ii) Cintec it does not appear both specialist contractors have strictly priced the works on a like for like basis, in that some items have been priced by one contractor but not by the other. In addition a number of queries were issued to Cintec from Wates as part of their tender analysis but we can't see any of the Cintec responses to these queries and how they have been resolved satisfactorily.

Wates have included a variety of allowances across this section of the pricing document in addition to the specialist structural contractor's pricing.

For example in relation to the erection of internal bedroom steel frames to each block, Wates have entered a rate of £7,283.22 for works to 2 bed properties.

This can be broken down as follows:

£4,723.54 – Bersche-Rolt tender submission
£1,217.06 – Wates Asbestos refurbishment survey (see comments below)
£1,097.62 – Penache quotation (see comments below)
£ 245.00 – Wates Provisional Sum (£200 unforeseen electrical works + £45 remove timber battens & ceiling)
£7,289.22 TOTAL

The asbestos refurbishment survey has been priced as a lump sum of £1,217.06 per flat. However when this is compared to Section 1 Asbestos Survey & Removal of the LOT 1 Wates Framework rates for similar works this appears to be overpriced by £45 per flat as the breakdown below:

Undertake an asbestos refurbishment and demolition survey to a typical dwelling. Include for testing and producing a survey report and asbestos management plan in the required format.	£108.85
Enclosures to Textured coatings to ceilings	£103.67
Removal of 5m2 of Textured coatings to ceilings	£205.65
Semi controlled enclosures to enable the removal of floor tiles	£207.32
Removal of 1m2 of ACM Floor Tiles	£11.22
10% of an Asbestos Skip	£79.25
1nr Air Monitoring Visit	£456.10
TOTAL as LOT 1 Wates Framework rates =	**£1,172.06**

For each block Wates have made reference to a quotation from Penache in relation to fire stopping steelwork. The total of the Penache quotation £50,490.50 has been divided by 46 and the pro-rate allowance of £1,097.62 has been included to build up the overall rate. The total number of properties within this section is 42 and the total number of properties within each block is 56. It is unclear why the Penache quotation has been divided by 46 and further clarification should be sought by Wates. No copy of the Penache quotation has been provided for review.

We believe the £245 Provisional Sum Allowances for unforeseen electrical works and removal of timber battens and ceiling is reasonable. However consideration should be given to how these potential works will be recorded and signed off within each property.

Note the rate for the same works to the 3 bed properties has been built up in a similar way, utilizing the enhanced Bersche-Rolt base rate for the larger property.

Item 2 of the specialist structural works section for the erection of lobby cupboard steel frames has been priced at a rate of £5,632.38 per property, this includes £5,202.38 as put forward by Bersche-Rolt with an additional £430 per property included as a Provisional Sum Allowance by Wates to allow for protecting / isolating electrics and removing plasterboard. As before we would consider this to be a reasonable provisional allowance for these potential works but it will important to consider how these potential works will be recorded and agreed should they be required.

Item 3 of the specialist structural works section for the application of external reinforcement has been priced at a rate of £17,067.12 per property, this includes £12,567.12 as put forward by Bersche-Rolt with an additional £4,500 per property included as a Provisional Sum Allowance by Wates for all associated enabling works and re-instatement of Kitchen / Bathroom / WC / Living Room to a specification yet to be agreed. When compared against the LOT 1 framework rates for complete Kitchen renewal (averaged by size) = £3,452.13 and Bathroom Inc. WC = £1,267.11 provides a total of £4,719.24. As the level of reinstatement required will not be known until the structural work is complete we believe the £4,500 per property to be a suitably robust allowance. However it should be noted that the reinstatement specification is yet to be agreed and consideration to the parameters of the budget will need to be given when agreeing the reinstatement scope of works. It should also be noted there is a further allowance of £1,252.46 per property within Section 3 Main Contractor Works for reinstatement of dwelling upon completion of the structural works Inc. for framing, boxing, screeds, plastering, decoration and the like based on a total of 42nr properties per block.

Item 4 of the specialist structural works section for works to the flank wall floor slab has been priced at a rate of £14,529.83 per property. This rate is built up directly from the structural specialist's tender submission and includes a Provisional Allowance agreed with Wates and Bersche-Rolt of £307.64 per property for removing overspill. It should be noted this was specifically excluded from Bersche –Rolt's tender submission with the note stating no allowance has been made for removing overspill as not found within investigation works. We therefore assume this allowance is provisional and will be deducted from the rate should the removing overspill works not be required. This should be confirmed and agreed with Wates prior to entering into contract.

Item 5 of the specialist structural works section for installation of external steel frame has been priced at a rate of £4,855.13 per property. Wates have stated this is as per the Bersche-Rolt's quotation however the specialist sub-contractor's rate for the same has been entered £3,703.16 per property. Further clarification from Wates is required as to which is the appropriate rate to be used for this item of work.

Wates have further included additional costs of £30,000 for the specialist sub-contractor to provide a level of PI Insurance commensurate with their sub-contract value. No indication of this additional cost has been provided by Bersche-Rolt in their tender submission. Confirmation should be sought as to the level of PI cover currently in place for Bersche-Rolt.

An additional allowance of £21,263.29 per block has been included by Wates for the provision of Bersche-Rolt plant. However within the specialist sub-contractor's quotation an overall figure for both block of £33,005.71 has been inserted for site plant and transport (including associated labour and forklift) based on a 52 week programme. We would therefore request Wates clarify this item and confirm what the correct figure should be for the provision of plant and how this is broken down.

Wates have also adjusted a number of the quantities as set out in the tender issued pricing document. This should be carefully reviewed with Wates and the design team to ensure the correct quantities have been included for the works. The tender issued pricing document set out a total of 20 units for the 1 & 3 bed flats from Ground to 4th Floor for each block, however Wates have only allowed for 10 units to each block. Where the tender pricing document outlined 36 units for 2 bed flats to 5th -13th floor on each block this has been adjusted to 32 units by Wates.

Wates have also stated the Bersche-Rolt clarifications submitted with their tender submission form part of Wates' tender submission. There are a number of items within the Bersche-Rolt clarifications which the council's legal team will need to review and agree. Not limited to but in particular the item in relation to payment terms being 45 days will need to be reviewed and agreed as well as the statement that no allowance has been made for retention.

3.3 Main contractor works

Similarly to the Specialist sub-contractor works Wates have adjusted the quantities as set out in the tender pricing document. Where the tender pricing document indicated a total of 56 units per block Wates have adjusted their pricing based on only 42 units per block. Wates original submission was based on 46 units per block and it is not clear from the information available how they arrived at a revised total of 42 units. This should be carefully reviewed with Wates and the design team to ensure the correct quantities have been included for the works.

Wates have priced this section of the work in total as £255,880.80. Over 41% of the cost of this section is made up of Provisional Sum allowances which are at risk of re-measurement should the notional allowances be insufficient.

Wates have included a Provisional Sum allowance of £760 per property for moving tenant's belongings. As the extent of the works is unknown we do not consider this to be an unreasonable allowance however we would request Wates confirm how many labourers are included within this rate and for how many days. This will allow the rate to be used on a pro-rata basis.

Additionally Wates have included an allowance of £396.87 for taking up and reinstating existing floor finishes only and stated no allowance has been included for new floor finishes. Should the existing floor finish not be suitable for re-use once taken up this will be costed as a variation to the contract. It is not clear from Wates tender submission the quantity of floor finish which has been allowed to be taken up and reinstated. Wates have used a bespoke rate for the floor finish works which does not relate to their LOT 1 Framework rates.

Additional Provisional Sum allowances of £250 per property have been included for fire-stopping within dwellings and a separate £250 Provisional allowance per property for fire-stopping between dwellings. Each of these allowances is based on a notional 10nr penetrations per property not exceeding 0.15m2 in area. We would view these allowances for fire-stopping to be appropriate and reasonable with consideration to be given to how these will be recorded and agreed on site.

3.4 Full NHF Back Up Schedule of Rates

This has been entered into their pricing submission as a total of £476,200.00 which we would consider to be high. Wates have entered their Contractor's percentage adjustment as -52.38%. This is in line with the LOT 1 Framework rates and the total is carried through to the Summary.

3.5 Daywork

This has been entered into their pricing submission as a total of £237,412.00 which we would consider to be high. Wates have included Daywork rates which we have reviewed and can confirm these are in line with the LOT 1 Framework rates and the total is carried through to the Summary.

3.6 Social values

Wates have priced for works to the low rise blocks adjacent to the site as required in the pricing document. The rates entered are bespoke and not comparable with the LOT 1 Framework rates. Generally the rates entered appear to be reasonable.

It has also been identified that a formulae error was included in the original pricing submission of £375. Wates have confirmed this will be corrected post contract signing stage.

3.7 Performance Bond

Wates have stated in their submission cover letter that they have excluded the cost of a Performance Bond from their tender submission as they will be unable to price for such until negotiations are complete. Should this be required Wates should be asked to provide this at additional cost.

3.8 Combined Overheads & Profit Percentage

Wates have entered their combined Overheads & Profit Percentage as 10%. We do not have any information to be able to confirm if this relates to an agreed framework rate. However we can confirm this sits within a reasonable limit for a project of this nature.

3.9 Cost Qualifications/Exclusions

In the following section we have included the Qualifications / Clarifications as submitted by Wates on their Basis of Offer letter 11.04.19 and commented as appropriate. We have not included any reference to the clarifications on the Submission Cover Letter 08.03.19 which as previously identified contains a number of discrepancies between the two letters received from Wates.

2. Bersche Rolt have based their price and design of the external steelwork on an assumption that all structural hollow core slabs generally align throughout the building. They are, as you are aware, carrying out further investigation and line/level surveys to ascertain that this is the case. Any further design changes that may be required as a result of these investigations will be ascertained once known and discussed with THH for further instruction.

We do not consider this to be an unreasonable assumption based on the available information but recommend this should be confirmed by the council's Structural Engineer.

3. We have carried out exploratory investigations to Flat 12 Brewster House only and our pricing and programme for the anticipated internal works (Inc. structural works) has been based on what has been found within this property along with other assumptions around the extent of furniture, floor coverings and the like that may found. Work within other properties will be ascertained as and when access and inspections can be arranged – particularly in respect to Leaseholders properties and 2/3 bed properties. Our pricing submission contains a number of Provisional Quantities and / or Provisional Sums, as detailed in the Works Price Book.

Whilst we do not consider this to be an unreasonable assumption based on the level of available access, it is important to note in respect of Leasehold and 2/3 bed properties that should the layouts vary significantly from Flat 12 Brewster House there is a substantial risk of additional cost to the contract.

4. Our programme and pricing assumes that Residents will pack and relocate their own personal belongings from each affected room within their flat in good time ahead of us requiring access. We have allowed for the removal and reinstatement of whole furniture only. We have discussed with you over the past several weeks options in respect of fitted furniture, wardrobes to be dismantled and reassembled and as agreed we will await further instruction once all surveys and visits have been carried out to the flats and individual assessments and requirements ascertained.

Again we would not consider this to be an unreasonable assumption based on the level of available information however Tower Hamlets may wish to ensure any potential vulnerable residents are offered support as required to facilitate Wates programme of works. This is especially important to highlight as this is a critical path item on the construction programme and any delays will add time to the programme as well as additional cost to the contract.

5. The programme we have included within our submission is based on an 11 week pre construction period and a 75 week construction period. The last 20 weeks of the programme also allow for the remaining works on the current EWI contract to be carried out whilst Internal works to this Structural Works Contract are concluded. Accordingly and as discussed we have reduced the preliminaries allowances within our bid on the basis that these costs will be transferred across to the current EWI project as part of the ongoing prolongation and variation to the final remaining EWI works. We have also included a schedule and preliminaries breakdown that details all of this.

Tower Hamlets should be aware of the potential risk that if the benefit of the interdependency between the structural works contract and the separate EWI contract should not be realised there is a potential risk of the Structural Works programme attracting additional cost to the contract for the 20 weeks overlap.

6. We have within our preliminaries included for a full time Out of Hours site Security Guard. We have discussed with yourselves and our supply chain the potential for incorporating "Waking Watch" requirements within this security guard allowance, however this is not currently included within the cost allowance and further discussion would be required to finalise this if it was still considered an option that THH wished to progress.

As previously identified an allowance of £291.49/week does not appear to be a sufficient for Wates to provide a full time out of hours security guard. This should be queried and confirmed with Wates.

7. We have assumed that the role of Principal Designer will be carried out by THH or one of its appointed consultants and as such we have not allowed any costs within our submission in respect of this.

We do not believe this to be unreasonable clarification however Tower Hamlets to confirm the role of Principle Designer will be carried out independently from Wates.

8. We have allowed for a daytime Respite facility as required and also for 4 No "Bunka Bin" type sleeping accommodation units which we understand would only be used on an emergency type basis and as such we have based our cleaning of these units on an assumption of circa one use per week during the main part of the internal works.

Tower Hamlets to review cleaning requirements and confirm the assumption of circa one use per week is sufficient.

9. Our adjustment to both the NHF and Dayworks schedules has been based on our recent Framework submission rates.

We have reviewed both the NHF and Dayworks schedules and can confirm these are aligned to the Wates LOT 1 Framework rates.

10. We have assumed the form of Contract will be a JCT DB 2016 with amendments to be agreed over the course of the next few weeks. We note that THH will issue an indicative schedule of amendments for review and further discussion. We will require the contract amendments to include a suitable Brexit related clause, bearing in mind the continuing uncertainty around the current status of this – particularly in relation to the continuing availability of labour and/or materials. We will also require a suitable rider to be included within the amendments that specifically excludes any implied or express fitness for purpose obligations.

In our view the above proposals by Wates do not seem unreasonable however the council's legal team will need to review and agree all contract clauses and proposed amendments. Owing to the specialist nature of the works any variations to the contract are unlikely to be able to be priced appropriately under the NHF or Dayworks sections of the contract. Under the Design and Build form of contract such variations will attract a design fee and risk premium.

11. We will work with you during the next stages of the project to agree the final version of the Employers Requirements and Contractor's Proposals for incorporation into the Contract documents.

Ideally the Employer's Requirements and Contractor's Proposals would be aligned and agreed prior to entering into contract with only the

12. We have assumed any design warranties that are required from either the supply chain or our consultants will be limited to the levels of PI Insurance that they are each able offer. Our assumption in respect of PI Insurance requirements from ourselves is based on £5m for each and every event and in the aggregate in any one period of insurance.

Given that the current price proposal for the works is in excess of £5m, Tower Hamlets may wish to consider requesting Wates provide a minimum of £10m PI insurance for each and every event.

4.0 Value for Money/Conclusion

Having reviewed the information provided we consider the current proposal submitted by Wates to be a fair and reasonable basis to enter into further negotiations for the works with a number of key points necessitating further clarification as set out in Section 5 of this report.

5.0 Further Clarifications & Queries for Contractor

As outlined throughout this report, whilst Wates submission generally appears to be properly priced, a number of further clarifications and queries are required to be addressed by Wates. We would welcome the opportunity to sit down and review this report in detail with Tower Hamlets. We have set out below the key but not exhaustive list of items requiring further clarification below:

- Clarification required of the Preliminaries allowance against the revised programme.
- Clarification required of the allowance for mast climbers and review this is suitable to execute the contract works.
- Wates to confirm what the allowance for logistics included in the preliminaries allows for?
- Wates to confirm what the Security Department allowance is included for?
- Wates to resolve all discrepancies between Basis of Offer letter and Submission Cover letter.
- Wates to confirm how they have closed out all of the outstanding queries on the Cintec specialist sub-contractor competitive tender.
- Wates to confirm and provide the Penache quotation for fire-stopping steelwork and clarify the basis for its inclusion in their tender submission.
- Wates to review their pricing of the asbestos survey and removal and confirm why this is not aligned to the LOT 1 Framework rates.
- Generally Employer's Requirements and Contractor's Proposals are to be agreed and aligned. In particular Tower Hamlets and Wates to agree the scope of works and specification requirements for reinstatement of internal areas.
- PI cover to be provided by structural specialist to be confirmed by Tower Hamlets and the cost to be evidenced by Wates.
- The sub-contractor plant costs are to be confirmed and evidenced by Wates.
- The actual quantities to each block for work to be carried out internally to the properties will need to be reviewed and confirmed by all parties. Wates current tender submission does not include for the total number of properties within each block.
- Wates and Tower Hamlets to agree the programme and further the extent of provisional sums & quantities.
- Wates have stated in their submission cover letter they've been unable to quantify durations for Leaseholder and 2 bed units where cross bracing is required and as such they have included undefined provisional sums for these works. From having reviewed the Wates tender submission it is unclear if these undefined provisional sums have been included by Wates. We would not advise Tower Hamlets to proceed with entering into a contract containing undefined provisional sum allowances and would request these items are firmed up prior to entering into contract if deemed required.

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Brewster House and Malting House

Risk Assessment

Curtins Ref: B070765

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Client Name: Tower Hamlets Homes

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Reviewed	**Signature**	**Date**
John Conway **Director**		17/12/18

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- Technical Publications
- Previous Reports

1.0 Executive Summary

- We have reviewed the structural appraisal reports prepared by Wilde Carter Clack and present our own simplified interpretation of their findings for your use as follows:
- The buildings are 14 storey residential tower blocks of large panel system (LPS) construction. They have no conventional framework of beams and columns and are built of large factory made concrete slabs.
- A gas explosion in a similar type of building in 1968 (Ronan Point) revealed that this form of construction could be vulnerable to disproportionate or progressive collapse. A localised small failure could overload adjacent elements leading to collapse above and below the zone of the original accident or failure.
- Piped gas was removed from these and many other buildings of similar construction.
- Scott Wilson Fitzpatrick and SP Christie & Sons assessed these structures in 1988 and their strengthening recommendations were carried out under the direction of Carter Clack around 1990.
- A new structural assessment is being carried out in connection with plans to renew the over-cladding. Testing has shown the concrete to be in good condition with a low risk of deterioration. The concrete floors slabs have been opened up to examine and measure the reinforcement in two of the residential units.
- The slabs have been checked for strength under normal loading and it has been found that they do not meet the expected standards. Simple calculations prepared by Curtins indicate that the factor of safety is reduced to about 75% of the value required by current standards. The slabs appear to be even more overloaded by the standards of the 1960ôs.
- The Building Research Establishment (BRE) have produced a document for assessing LPS buildings for accidental loads. Wilde Carter Clack and BRE have prepared an assessment of the buildings and found that in the case of a gas explosion; the bending strength of the walls is satisfactory (except the top 2 floors), bedroom floor slabs are satisfactory with assistance from non-loadbearing partitions, kitchen/living room floor slabs fail under explosion loads, the connection between the base of walls and slabs is satisfactory except for the top 2 storeys which carry less weight.
- In the event of a gas explosion which damaged the kitchen/living room slab lateral support to the outside wall would be lost with the likelihood of debris falling from above overloading the structure below, this is very similar to what happened at Ronan Point.

- Wilde Carter Clack have recommended that further investigations be carried out in more flats to confirm their initial findings. The BRE commentary in the Appendix to their report suggests that full scale laboratory testing or more sophisticated computer analysis might be considered also. A recommendation has been made to remove all potentially explosive items from the buildings as an urgent precaution pending implementation of structural safety measures.
- The preliminary structural safety proposals focus on strengthening the kitchen/living room floor slabs and strengthening flank wall and non-loadbearing partition connections to limit the spread of damage in the event of an explosion or other accidental loading. Strengthening of internal walls at the top 2 storeys is also proposed.
- We understand that the advice on removing potentially explosive items from the buildings has been acted upon.
- We confirm that the proposed strengthening works may be carried out with the residents in place with appropriate Risk Assessments/Method Statements being implemented. There could possibly be times when temporary exclusion of residents is necessary from certain areas subject to arrangements between the contractor and Tower Hamlets Homes.
- We have made reference to and commented on other accidental loadings including vehicle impact at low level or the small risk of aircraft impact.
- We have pointed out the possibility of unauthorised or inadequately planned building alterations and maintenance which might increase risks. These factors should be within the control of Tower Hamlets Homes.

2.0 Introduction and Background

- Brewster and Malting Houses are similar 14 storey residential tower blocks of large panel system (LPS) construction dating from the 1960ûs. They have no conventional framework of beams and columns, but they are built of large factory made concrete slabs.
- A gas explosion in a similar type of building in 1968 (Ronan Point) revealed that this form of construction could be vulnerable to disproportionate or progressive collapse. A localised small failure could overload adjacent elements leading to collapse above and below the zone of the original accident or failure.
- As a result of the Ronan Point incident much research has been done and guidance prepared. Many buildings were strengthened in the aftermath of Ronan Point and piped gas supplies were removed. Brewster and Malting Houses were strengthened before they were occupied, and the gas supply was removed.
- Structural safety reviews were carried out in the late 1980ûs with further strengthening works in the early 1990ûs.
- Further structural safety reviews were commissioned by Tower Hamlets Homes (THH) in early 2018.
- Desk studies and intrusive surveys have been carried out leading to recommendations for significant strengthening works to be carried out.
- Curtins were initially approached by Tower Hamlets Homes in September 2018 to provide a proposal to undertake a third party risk assessment on these buildings and to review the relevant documentation. The fee proposal was forwarded on 3 October 2018 and subsequently accepted by Tower Hamlets Homes on 24 October 2018 with the issue of two orders.

3.0 History of Reviews

- A desk top study report was prepared by Wilde Carter Clack (WCC) in January 2018. This company have worked on Brewster and Malting Houses previously as far back as 1990.
- Their report provides a list of the known history of design and previous structural assessments and includes copies of some the previous reports.
- The original designs were prepared by Phillips Consultants using the Larsen Neilsen/Taylor Woodrow Anglian LPS system for the upper storeys and more conventional reinforced concrete for the podium levels. Strengthening works were carried out just after the main construction phase and before occupation due to the Ronan Point incident.
- In August 1988 Scott Wilson Fitzpatrick and Partners (SWK) were instructed to prepare a structural assessment on Malting House and Risby House in a short timescale. The works were prompted by the proposals to build the nearby Limehouse Link road tunnel. Risby House, which was close to the new tunnel, has since been demolished.
- SWK received the original design calculations but details were not included in the WCC document. SWK deduced, without including evidence, that the floor slab reinforcement appeared to be adequate for normal loads. They assessed the risk of disproportionate collapse in the event of a gas explosion (non piped gas, pressure 17kN/m^2) and concluded that the floor slabs in the end bays would fail. SWK went on to say that the floor below would be capable of supporting the debris from the collapsed floor above and that progressive collapse would not follow. They expressed doubts about the restraint fixings between the floor slabs and walls which could cause a progressive failure under accidental loading.
- SP Christie and Partners prepared a report on Malting and Risby (now demolished) Houses in September 1988. This was commissioned in connection with proposals for the Limehouse Link road tunnel. A few technical details of the construction were included based on a visual survey. They reported on cracking and some distortions in mainly non-loadbearing elements. They advised that the buildings were not inherently robust but had been strengthened to resist abnormal loading.
- Carter Clack Partnership were engaged in 1990 to follow up the recommendations of the SWK and SP Christie reports on Brewster and Malting Houses. Drawings and a specification for structural strengthening were prepared in 1991.
- The works comprised strengthening the steel angle connections between floor and wall panels, packing the defective joints between some panels with mortar and dealing with gaps and overstress in the essentially non-loadbearing window wall panels. The external and internal leaves of the outer wall panels were tied together. Access improvements were also made at the podium level to Brewster House at this time.

- The Building Research Establishment (BRE) documents which provide guidance on the assessment and management of LPS blocks recommend visual inspection of such buildings at 5 year intervals, durability testing at 15 year intervals and full structural assessment at a period not to exceed 30 years.
- Wilde Carter Clack recommended that, as the buildings are approaching 50 years of age with 30 years or so since the last structural assessment, a full re-assessment should be carried out to determine plans for the future management of Brewster and Malting Houses.

4.0 Recent Reviews

- Wilde Carter Clack have prepared a structural appraisal report on Brewster and Malting Houses dated July 2018. As part of their work WCC commissioned detailed internal and external concrete condition testing reports from Martech. Martech carried out visual surveys with in situ and laboratory testing to confirm the strength and durability of the concrete.
- There were no significant indications for the poor strength or likely deterioration of the concrete.
- In two unoccupied flats opening up was carried out to determine the size and distribution of the reinforcement in the floor slabs.
- Specialist testing company Socotec carried out in situ hardness testing of the exposed reinforcement and reported that the results were consistent with mild steel, not the higher grade of steel used for pre-stressing wire.
- Calculations prepared by WCC concluded that the amount of reinforcement in the floor slabs was insufficient for normal service loads. That is, the reinforcement would be overstressed.
- Due to the critical nature of this finding WCC recommended further investigation of the reinforcement in floor slabs for confirmation.
- An assessment of the resistance to a non-piped gas explosion was carried out. They found that the walls met the criteria except for the top two storeys. The central or bedroom floor slabs met the collapse resistance requirements as long as the non-structural concrete partition wall between bedrooms provided additional support. The kitchen/living room floor slabs would fail in the event of a non-piped gas explosion. This would lead to destabilisation of the flank wall and likely progressive collapse of part of the building.
- Consequently, WCC have recommended further evaluation of the size and strength of the reinforcement in the floor slabs and the removal of pressurised gas containers from the buildings.
- If the findings on the floor slab weaknesses are confirmed then strengthening of floor slabs, flank walls and connections are required plus strengthening of walls at the top one or two levels.
- WCC report that BRE have assessed the floor slabs by an alternative method and found them to be sufficient. They have also suggested that full scale mock up testing or specialist computer modelling might be considered.

5.0 Current Proposals

- Wilde Carter Clack have provided a series of preliminary drawings outlining the proposals for structural strengthening works and investigation of the floor slab in flat 12 of Brewster House.
- The drawings show the installation of external steel framing on the flank walls to increase the bending strength of these walls and provide effective vertical ties in the event of a loss of support to provide alternative load paths and restraint.
- Preliminary details requiring further development show strengthening and tying in of the floor slabs to the kitchen/lounge areas.
- The details show additional steel at the top of the non-loadbearing bedroom partitions to make use of their benefit in case of explosion. The addition of steel straps applied to the face of internal cross walls at the upper levels is shown to increase their bending resistance.
- These drawings are in the early stages of development, but the principles and intentions are clear.

6.0 Recommendations

- We have reviewed the reports prepared by Wilde Carter Clack and their supporting information and agree with their conclusions that further investigation of the floor slab reinforcement be carried out. Also that the risk of gas explosion should be mitigated by the removal of gas or other volatile substance containers from the blocks.
- The structural strengthening works outlined in the preliminary drawings provided should be carried out particularly if the low levels of reinforcement in the floor slabs is confirmed.
- Based on the technical details provided by Wilde Carter Clack we have prepared our own assessment of the strength of the floor slabs to carry normal floor loadings.
- Using BS8110, Structural Use of Concrete in Buildings we have determined that there is insufficient reinforcement by this relatively recent standard. The normal factor of safety is reduced to about 75% of the recommended value.
- We also carried out an assessment using BSCP114, the design standard from the 1960ôs. This uses a different approach, but we determined that the factor of safety by this method was between about 0.9 and 1.1. That is, the steel was close to yield stress under normal service loading.
- There have been no reports of excessive deflections or signs of distress in the floor slabs.
- The Building Regulations, BRE guidance and Eurocode documents have created categories for classifying different types of buildings according to size and use and the number of people likely to be put at risk of harm.
- Brewster and Malting Houses are in Class 2B as residential buildings not exceeding 15 storeys. The requirements for resisting disproportionate or progressive collapse can be met by; providing horizontal and vertical ties or by showing that removal of a wall or structural element will cause only limited damage. If this is not the case then structural parts should be checked as ókey elementsô to show that they can resist the pressure of a gas explosion. In the case of buildings without piped gas the pressure to be resisted is 17kN/m^2.
- Since the floor slabs are believed to be under-designed for normal service loads they cannot resist the upward pressure from an explosion or the downward pressure from explosion or the weight of falling debris from the slab above.
- We agree that further investigations and strengthening works should be carried out.
- The preliminary details prepared by Wilde Carter Clack need to be developed.
- We are of the opinion that the works can be carried out safely with the residents in place subject to proper Risk Assessments and Method Statements being implemented.
- There could possibly be times when temporary exclusion of residents is necessary from certain areas subject to arrangements between the contractor and Tower Hamlets Homes.

7.0 Accidental Actions

- The various reviews and recommendations for strengthening have considered the general robustness of the buildings and their ability to resist disproportionate or progressive collapse. Guidance is given in Building Regulations, Eurocodes and BRE documents. Guidance for LPS buildings is specific in relation to designing for an explosion pressure of 17 kN/m^2 for buildings without piped gas.
- Eurocode Parts 1 ï 7 General Actions ï Accidental Actions gives guidance on other kinds of accidental actions (or loads) that might be considered.
- Various kinds of impacts are identified including road vehicles and others, e.g. shipping, that are not applicable to these buildings due to their location.
- Brewster and Malting Houses have basement level parking garages. The drawings prepared by WCC show that there are a number of robust in situ concrete walls within the garage areas aligned with the principal loadbearing walls of the residential towers above. We do not have specific details of the construction of the basement areas but we would expect the in situ form of construction to be sufficiently robust to mitigate the risk of collapse from impact by cars and light vans.
- The general arrangement of the approach roads and landscaped surroundings to the buildings will reduce the risk of impact on the robust podium levels from heavy vehicles travelling at speed.
- The risk of impact from aircraft on these tall buildings cannot be discounted. London City Airport is approximately 5km to the east of the site and the runway is on an east ï west alignment. However, there are many tall buildings in the east of London and the risk of an individual building being struck by an aircraft may be considered to be very small.
- The various published technical documents advise on risk analysis by identifying and mitigating risks where this is possible and taking design or remedial measures to limit the extent and consequences of any failure. This has been done or recommended by the current reviews.
- A conceivable risk outside the published technical documents is the possibility of unauthorised or inadequately planned structural alterations which might weaken the building. This issue should be within the control of Tower Hamlets Homes to ensure that residents do not make building alterations or that any maintenance or refurbishment, e.g. plumbing, electrical works etc, commissioned by Tower Hamlets Homes pays due regard to structural safety of the buildings.

8.0 Documents Referred to

Technical Publications

- BRE2012
  Handbook for the Structural Assessment of Large Panel System (LPS) Dwelling Blocks for Accidental Loading.
- BSEN1991 ï 1-7
  - Eurocode 1 Actions on Structures
    Parts 1 ï 7 General Actions ï Accidental Actions
  - UK National Annex Part 1-7 Accidental Actions
    Annex A ï (Informative) Design for Consequences of Localised Failure in Buildings From an Unspecified Cause
    Annex B ï (informative) Information on Risk Assessment.
- BSEN 1990
  Eurocode ï Basis of Structural Design

Previous Reports

- Wilde Carter Clack, Desk Top Study on Malting and Brewster Houses, January 2018
  With supporting information from;
  - Martech, Internal Concrete Condition Testing
  - Martech, External Concrete Condition Testing
  - Socotec, Hardness Testing of Steel, Rebar to Precast Concrete Planks
- Set of Preliminary structural strengthening drawings by Wilde Carter Clack
  - S.01
  - S.02
  - S.03
  - S.04
  - S.10
  - S.11
  - S.20
  - S.21
  - S.22
  - S.23
  - S.24
  - S.26

  All Status P1, tender issue 2 November 2018

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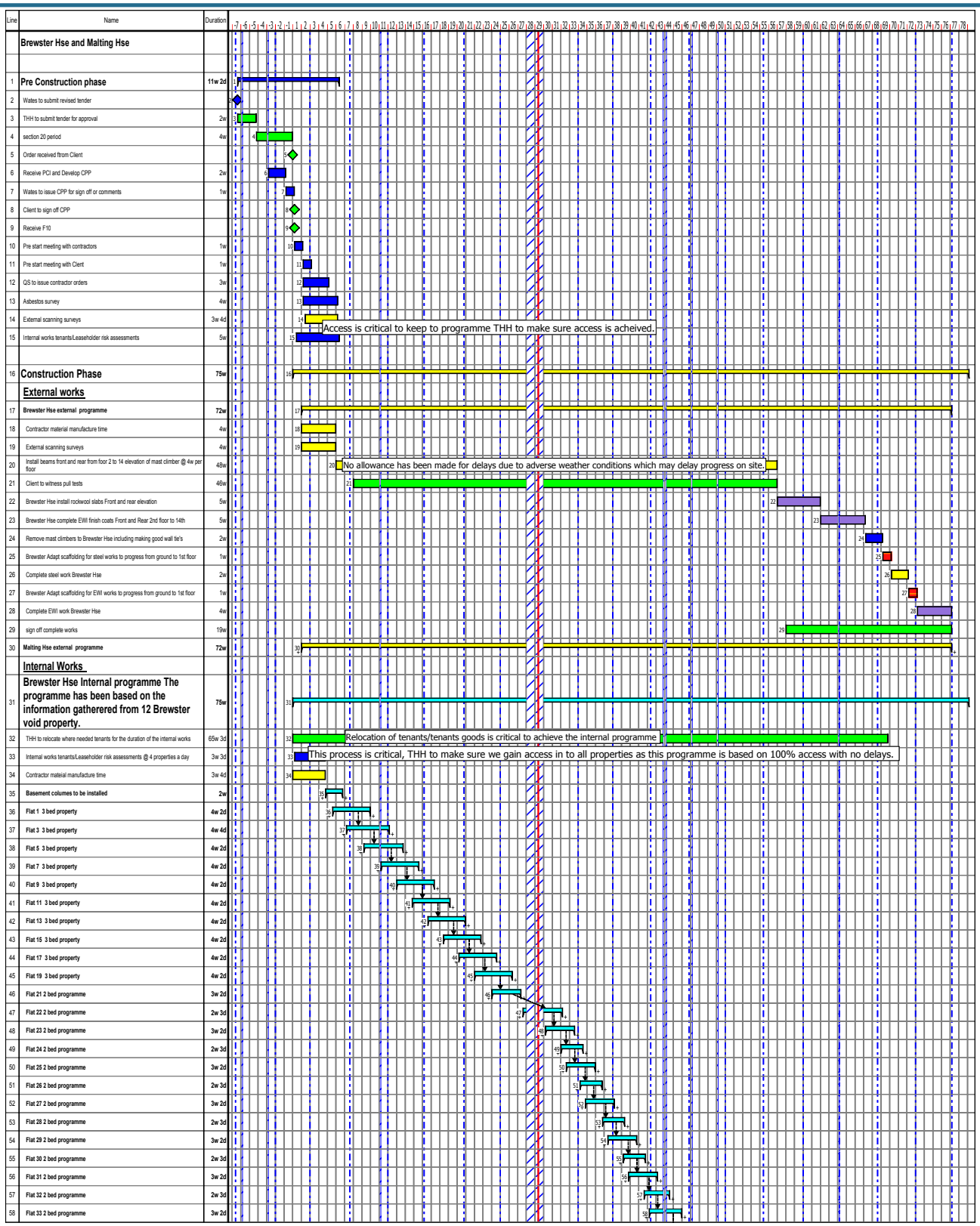
WATES CONSTRUCTION
Wates House
Station Approach
Leatherhead
Surrey, KT22 7SW

Tower Hamlets Homes
Brewster & Malting Houses



Line	Name	Duration
	Brewster Hse and Malting Hse	
1	**Pre Construction phase**	**11w 2d**
2	Wates to submit revised tender	
3	THH to submit tender for approval	2w
4	section 20 period	4w
5	Order received ftrom Client	
6	Receive PCI and Develop CPP	2w
7	Wates to issue CPP for sign off or comments	1w
8	Client to sign off CPP	
9	Receive F10	
10	Pre start meeting with contractors	1w
11	Pre start meeting with Client	1w
12	QS to issue contractor orders	3w
13	Asbestos survey	4w
14	External scanning surveys	3w 4d
15	Internal works tenants/Leaseholder risk assessments	5w
16	**Construction Phase**	**75w**
	External works	
17	**Brewster Hse external programme**	**72w**
18	Contractor material manufacture time	4w
19	External scanning surveys	4w
20	Install beams front and rear from foor 2 to 14 elevation of mast climber @ 4w per floor	48w
21	Client to witness pull tests	46w
22	Brewster Hse install rockwool slabs Front and rear elevation	5w
23	Brewster Hse complete EWI finish coats Front and Rear 2nd floor to 14th	5w
24	Remove mast climbers to Brewster Hse including making good wall tie's	2w
25	Brewster Adapt scaffolding for steel works to progress from ground to 1st floor	1w
26	Complete steel work Brewster Hse	2w
27	Brewster Adapt scaffolding for EWI works to progress from ground to 1st floor	1w
28	Complete EWI work Brewster Hse	4w
29	sign off complete works	19w
30	**Malting Hse external programme**	**72w**
	Internal Works	
31	**Brewster Hse Internal programme The programme has been based on the information gatherered from 12 Brewster void property.**	**75w**
32	THH to relocate where needed tenants for the duration of the internal works	65w 3d
33	Internal works tenants/Leaseholder risk assessments @ 4 properties a day	3w 3d
34	Contractor mateial manufacture time	3w 4d
35	**Basement columes to be installed**	**2w**
36	**Flat 1 3 bed property**	**4w 2d**
37	**Flat 3 3 bed property**	**4w 4d**
38	**Flat 5 3 bed property**	**4w 2d**
39	**Flat 7 3 bed property**	**4w 2d**
40	**Flat 9 3 bed property**	**4w 2d**
41	**Flat 11 3 bed property**	**4w 2d**
42	**Flat 13 3 bed property**	**4w 2d**
43	**Flat 15 3 bed property**	**4w 2d**
44	**Flat 17 3 bed property**	**4w 2d**
45	**Flat 19 3 bed property**	**4w 2d**
46	**Flat 21 2 bed programme**	**3w 2d**
47	**Flat 22 2 bed programme**	**2w 3d**
48	**Flat 23 2 bed programme**	**3w 2d**
49	**Flat 24 2 bed programme**	**2w 3d**
50	**Flat 25 2 bed programme**	**3w 2d**
51	**Flat 26 2 bed programme**	**2w 3d**
52	**Flat 27 2 bed programme**	**3w 2d**
53	**Flat 28 2 bed programme**	**2w 3d**
54	**Flat 29 2 bed programme**	**3w 2d**
55	**Flat 30 2 bed programme**	**2w 3d**
56	**Flat 31 2 bed programme**	**3w 2d**
57	**Flat 32 2 bed programme**	**2w 3d**
58	**Flat 33 2 bed programme**	**3w 2d**

C young:

Revision .

DATE 11/4/19

WATES CONSTRUCTION
Wates House
Station Approach
Leatherhead
Surrey, KT22 7SW

Tower Hamlets Homes
Brewster & Malting Houses

Line	Name	Duration
59	Flat 34 2 bed programme	2w 3d
60	Flat 35 2 bed programme	3w 2d
61	Flat 36 2 bed programme	2w 3d
62	Flat 37 2 bed programme	3w 2d
63	Flat 38 2 bed programme	2w 3d
64	Flat 39 2 bed programme	3w 2d
65	Flat 40 2 bed programme	2w 3d
66	Flat 41 2 bed programme	3w 2d
67	Flat 42 2 bed programme	2w 3d
68	Flat 43 2 bed programme	3w 2d
69	Flat 44 2 bed programme	2w 3d
70	Tenants/Leaseholders onTop 2 floor need to be moved out for duration of works in there properties	5w 2d
71	Flat 45 2 bed programme	5w 3d
72	Flat 46 2 bed programme	5w 2d
73	Flat 47 2 bed programme	5w 3d
74	Flat 48 2 bed programme	5w 2d
75	Flat 49 2 bed programme	5w 3d
76	Flat 50 2 bed programme	5w 2d
77	Flat 51 2 bed programme	5w 2d
78	Flat 52 2 bed programme	5w 2d
79	Flat 53 2 bed programme No works required	
80	Flat 54 2 bed programme No works required	
81	Flat 55 2 bed programme No works required	
82	Flat 56 2 bed programme No works required	
83	**Malting Hse Internal programme The programme has been based on the information gatherered from 12 Brewster void property.**	70w

Floor Level
Client | Scaffolding | WLS | steel work contractor | General builers works | EWI

Revision .

C young:

DATE 11/4/19

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	**Approval to proceed with Structural Reinforcement Works at Brewster House and Malting House**
Directorate / Service	**Place/ Housing and Regeneration**
Lead Officer	**Karen Swift**
Signed Off By (inc date)	
Summary – to be completed at the end of completing the QA (using Appendix A) (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)	An equality analysis quality assurance checklist concludes that the structural strengthening works at Malting and Brewster House should proceed. The following mitigation steps will be observed in the course of delivering the works. <u>Works mitigation steps</u> ▪ Residents Impact Assessments have been undertaken to identify those who are vulnerable ▪ Residents seen as vulnerable will continue to be visited during the works to ensure they are supported through the process and any addition needs met ▪ A decant mapping is in place to provide a visual display of where decant is necessary matched with resident needs and the planned programme of works. ▪ Tailored mitigations will be developed including decanting and respite measures. <u>Leasehold charges – mitigating steps</u> ▪ Leaseholders will be recharged for costs resulting from the structural works; the Council has offered a range of support to leaseholders including payment options, voluntary buyback of leasehold properties, and restitution payments.

	Therefore, a full EIA will not be undertaken; the strengthening works will have no impact under the Council's Duties arising from the Equality Act 2010.

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)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	Cabinet in June 2019 considered a report on structural reinforcement works at Brewster House and Malting House. That report set out the details and deliverability of the works and the impact to residents. The report also explained the likely cost to leaseholders. Cabinet resolved to defer decisions to allow for further discussion with residents and for further investigations of the structure. The discussion with residents has happened and further structural reports have been received. This report provides a final update on the structural works, seeks Cabinet approval of the decisions deferred in June 2019, and seeks approval for the voluntarily buy-back of leasehold properties at Brewster House and Malting House. In addition, the Council has offered a range of support to leaseholders to meet their portion of the cost for the structural works, these include payment options, voluntary buyback of leasehold properties, and restitution payments.
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	An impact assessment has been carried to determine the how programme affect all the residents. The assessment identified vulnerable residents for which tailored mitigations have been developed including decanting and respite measures. A decant mapping process is in place to provide a comprehensive view of the decant need matched against resident needs and the planned programme of works.

			THH has engaged with residents and collected need data that will assist when assessing individual circumstances with regards to the works and allow THH to plan support packages to suit. The structural reinforcement works will benefit all residents at Malting and Brewster Houses, regardless of any protected characteristic they may identify with.
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Y	An impact assessment has been carried out. The assessment identified several residents for decanting to temporary accommodation. Most residents can remain in occupation with a range of respite facilities being provided.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Y	There is some evidence of local/regional/national research to inform our assessment. The strengthening works are needed to address the structural integrity at Brewster House and Malting House; the two are Large Panel System blocks. This follows several communications from the MHCLG advising building owners to review the condition of their blocks that used Taylor Woodrow Anglian Large Concrete Panel System and to ensure that their structural integrity is sufficient and maintained. Other research includes analysis by BRE. THH commissioned structural studies identified that the concrete slabs do not meet current or existing standards for normal loads and need strengthening. The works proposed will address this. A methodology for the identified programmed works is informing the work with residents on decant and respite.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Y	Relevant knowledge and expertise have been sought both internally and externally. Three sets of external structural engineering firms have been commissioned; two determine the need for the works, and one to independently validate the other report findings. Additionally, an independent cost consultant has been sourced to validate the projected works costs and to conduct

			an audit following delivery of the works to ensure transparency particularly to leaseholders. The Resident Impact Assessments have been carried out by THH Resident Liaison Coordinator. The data has been checked with other members of THH Housing Management Team; Health & Safety Team and the Contractor's Resident Liaison Officer. Assessments have been made using a risk matrix provided by our Health and Safety Team. This work is still being reassessed by the teams to ensure we capture up to date information.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Y	There has been extensive consultation with residents around the details, costs and deliverability of the works and the impact to residents. Further consultations will be carried with leaseholders as part of s20 consultations. Many of the residents first visited during the Impact Assessments have been revisited and we will continue to offer revisits to anyone that requests or is of high-risk impact from the works.
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Y	The strengthening works will have no impact on the Council's Duties under the Equality Act 2010. Following the Cabinet decision services to residents will remain the same as before and will not have a disproportionate impact on any of the residents THH serves on behalf of the Council. Assessments of need is ongoing across the key characteristics particularly age and disability.
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	Y	Yes, vulnerable residents have been identified and tailored mitigations developed including decanting and respite measures. A decant mapping is in place to provide a visual display of where decant is necessary matched with resident needs and the planned programme of works.
4	Mitigation and Improvement Action Plan		

a	Is there an agreed action plan?	Y	THH is in the process of mapping resident profiles based on the assessment data collected. This will include diagrammatic examples of 'a day in the life of', this will identify what additional care and support needs may be required.
b	Have alternative options been explored	Y	The works are required as a result of a safety consideration that became apparent after the blocks were built – the Ronan Point explosion in 1968. Responsibility for repairs to this type of block fall upon the owners which includes leaseholders. Officers have considered the alternative option of demolition of Malting House and Brewster Houses and redevelopment of new homes on the estate. However, the considerable costs of rehousing residents, buying out and compensating leaseholders, demolishing the existing blocks and then constructing new buildings would make this option unviable in normal commercial development terms.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Y	The works will be delivered by THH and will be monitored and reviewed via the LBTH/THH clienting and governance regime including the Quarterly Strategic and Bi -monthly operational meetings. THH will have a dedicated Resident Liaison Coordinator and a Decant Coordinator based on site, together with housing management presence will monitor residents daily, adjusting care provisions as appropriate.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Y	See 5a above
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Y	

Appendix A

(Sample) Equality Assessment Criteria

Decision	Action	Risk
	Proceed with implementation	**Green:**

Cabinet 25 March 2020	
Report of: Debbie Jones, Corporate Director, Children's Services	**Classification:** Unrestricted
Report on the outcome of public representations received in response to the statutory proposal to amalgamate Guardian Angels and St Anne's Catholic Primary Schools.	

Lead Member	**Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People**
Originating Officer(s)	Terry Bryan, Service Head (Pupil Access and School Sufficiency)
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	21 February 2020
Reason for Key Decision	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.
Strategic Plan Priority / Outcome	**Children and young people are protected so they get the best start in life and can realise their potential**

Executive Summary

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 for the amalgamation (merger) of Guardian Angels and St Anne's Catholic Primary Schools. This would require the closure of Guardian Angels School and for a two form entry (2FE) primary school to continue on the site of St Anne's School.

It recommends for the Mayor in Cabinet to consider a decision on whether or not to formally proceed with plans for the schools amalgamation that would take effect from the 1st September 2020. Guardian Angels School would therefore officially close on 31st August 2020.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the report and supporting documentation, particularly the statutory notice at Appendix 2; the comments and objections raised by the four respondents at Appendix 3 and the Equalities Assessment at Appendix 4.

2. Agree to proceed with plans for the amalgamation (merger) of Guardian Angels and St Anne's Catholic Primary Schools to take effect from the 1st September 2020 and meaning that Guardian Angels School would therefore officially close on 31st August 2020 and St Anne's would expand to accommodate the displaced pupils from 31st August 2020.

1 REASONS FOR THE DECISIONS

1.1 The recommendation is made in order to determine the Council's response to the statutory notice on the proposal for the amalgamation of Guardian Angels and St Anne's Catholic Primary Schools.

1.2 This would be achieved through the closure of Guardian Angels School (1FE – 30 children) with all children able to be accommodated at the St Anne's site, whose PAN would increase to 2FE(60 children, an increase from the current 50).

1.3 The proposal to merge the schools has been put forward after the Local Authority (LA) and RC Diocese considered possible alternatives through the recent review of its primary school organisation. Given the lack of pupils applying and the financial pressures facing both schools this proposal is the only option being presented to the Mayor in Cabinet

1.4 In line with the Department for Education guidance (November 2019) "Opening and Closing Maintained Schools" informal consultation has been undertaken, and statutory a notice inviting representation has been published.

1.5 This report provides feedback on the representations received following the publication of Statutory Notice on 6th February 2020.

2 ALTERNATIVE OPTIONS

2.1 The Mayor could decide not to agree to the recommendation for the schools amalgamation. In which case the LA would then have to decide on how the Guardian Angels School's budget deficit would be funded beyond the 2019/20 school year, given that it is no longer financially viable at its current pupil number and the next round of pupil admissions will not see a sufficient increase for the situation to improve.

2.2 The Mayor could decide to delay his decision on the schools amalgamation. However, this would mean the amalgamation taking place later than the proposed date of August 2020, by which time both schools financial position would have worsened. Officers are convinced that it would not be possible for Guardian Angels School to sustain a rounded education that meets its children's academic, social and emotional needs and, consequently, any

delay would not be in the best interests of quality educational provision.

3 DETAILS OF THE REPORT

3.1 The LA has a statutory duty to ensure that it provides sufficient school places. Decisions on how to achieve this are taken at local level, based on forecast pupil numbers across the planning areas (PAs) in a local authority. These PAs are groups of schools, often (but not exclusively) in a similar geographic area, reflecting patterns of provision. Department for Education 'School Place Planning Guidance (2018)':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/789602/School_Place_Planning_2018_Technical_Guidance.pdf

3.2 In Tower Hamlets the planning areas for primary schools are the same as the LA's primary school admission catchment areas. A summary of the pupil projections for the borough together with the PAs for Stepney (Guardian Angels) and Bethnal Green (St Anne's) are included as **Appendix 1**.

3.3 In order to fulfil its statutory responsibility the LA regularly reviews its provision, pupil forecast numbers, school applications and census data. This ensures that supply of school places remains appropriate to meet the level of demand and also that the LA is able to take steps to avoid too great a surplus in any particular area. Too many surplus places tie up scarce resources in under-utilised school premises or give rise to inefficient small classes or schools.

3.4 There has been significant and rapid demographic change in Tower Hamlets, which has led to a sudden fall in children applying for reception places in the West of the Borough, causing a high number of vacancies in some schools. The LA has taken a proactive approach to this developing trend, including conducting a Review of Primary School Places. Progress on the review has been regularly reported to Cabinet.

3.5 There has been a drop in applications across all schools, including Catholic Schools. Both Guardian Angels and St Anne's Schools have seen the number of reception applicant's fall. In reviewing Catholic provision the RC Diocese and LA consider, and governors agree, that Guardian Angels School is no longer sustainable and have therefore proposed an amalgamation of the two schools to minimise the disruption to staff and children that would be caused by a straightforward school closure. The amalgamation would draw on the strengths of both schools and enable those children who wish to transfer with their friends and known staff to the newly amalgamated school.

3.6 During the October and November 2019 an informal consultation was undertaken with the parents and staff at both schools, other local schools and key stakeholders. The consultation document and response analysis are available on the school websites.

3.7 The response to the informal consultation has been used to highlight and address issues that need mitigation to support the schools successful amalgamation, where possible these have been referred to in the statutory notice. Parents meetings and coffee mornings have been held in both schools, including at parents request, joint sessions. Staff, children and parents have been invited to visit each other's schools. A joint football match, won by Guardian Angels, was seen as a highlight by the children, but they have also enjoyed year group visits for Years 3, 4 and 5. Guardian Angels parents have appreciated the opportunity to visit St Anne's where they report being warmly received. The Guardian Angels school community would prefer not to see their school close, but in the circumstances, many of them have decided they would prefer to transfer their children to the amalgamated school at St Anne's. A number of parents have decided they would rather move their children to other schools more local to their homes, and 28 children have chosen to leave Guardian Angels since the consultation process began.

3.8 Publication of the Statutory Notice

A report on the outcome of the informal consultation was presented to the Mayor in Cabinet on the 29th January 2020. The Mayor agreed to proceed to the next stage of the consultation, which would begin the four week 'statutory representation period' and require the publication of a statutory notice.

The statutory notice (**Appendix 2**) was published on the 6th February 2020. It was completed using the applicable Department for Education (DfE) prescribed alterations template and guidance. The proposal was not related to any other proposal. All statutory requirements were carried out regarding the consultation.

Notification of the publication of the statutory notice was advertised widely, in line with DfE guidance. The permanent proposal for the amalgamation of Guardian Angels School and St Anne's School through the closure of Guardian Angels School and the expansion of St Anne's School was posted publically outside the schools, and on their websites on 5th February and published in East London Advertiser Newspaper on 20th February. All parents received a hard copy of the complete notice, and other stakeholders were signposted to the school and Council websites.

3.9 Responses to the Statutory Notice

By the formal close of the statutory notice period, four written responses were received from persons who identified themselves as:

- Parent and Guardian Angels parishioner
- Guardian Angels parishioner x 2
- Local headteacher

All four responses can be view here:

https://www.towerhamlets.gov.uk/lgnl/council_and_democracy/consultations/Proposal-to-merge-GARCandStAnne.aspx

Three respondents were opposed to the schools amalgamation and one was in favour.

The responses to the proposal covered the following areas:

1. Guardian Angel School's financial mismanagement and the impact of its closure on parents and children of the catholic community
2. Delaying the closure of Guardian Angels to provide opportunity for the recruitment of a permanent full-time Headteacher, enabling the school to improve and reach a position of self-sustainability.
3. Impact on the community
4. Using the Guardian Angels School site to manage the oversubscription at Bishop Challoner RC School
5. Travel and Transport for Guardian Angels families
6. Consultation Process and Engagement with Community

A summary analysis of the representations, including feedback from Guardian Angels staff, together with the Council response is included at **Appendix 3**. The Council response is summarised here as follows:

LBTH Response to representations following the Statutory Notice

The Council recognises the impact of a school closure on its pupils, parents, staff and the wider community and, especially, when this is precipitated by the need to address the challenges of ensuring school sustainability. Efforts to address the earlier decline in standards at Guardian Angels School have not been helped by the fall in the pupil population in the local area. The anticipated pupil growth in future years is related to other areas east of the borough and this growth will not benefit schools in the west.

The current financial challenges at Guardian Angels mean that it would require significant and sustained investment over a number of years requiring it to run a budget deficit. Given the government changes, limiting the period for local authorities to fund schools with budget deficits, it would not be possible to delay its closure. The appointment of a permanent headteacher at Guardian Angels has not been possible, given its financial circumstances.

The Bishop Challoner RC Secondary Schools are popular schools in the borough, but they are not oversubscribed. There is therefore no need for these schools to require additional accommodation offsite.

The Council and the diocese will explore a range of options for ensuring that any decisions concerning the future of the Guardian Angels site will be of benefit to the catholic community.

The Council will provide travel support for existing Guardian Angel families to enable them to continue in catholic school provision at St Annes' RC. This would normally be in accordance with its travel policy here. In support of the aim for the majority of Guardian Angels children to transfer to St Anne's RC

upon the schools amalgamation, the Council can consider providing the School with a subsidy to run its own school bus transport for these children.

In addition governors have researched whether they would be able to offer a hardship travel fund, for particular families who live more than a mile from the St Anne's site and are also considering whether extended day provision at the amalgamated school is sufficient to support parents with their journey to work.

The closure of Guardian Angels should not deprive future children in the area of a local catholic provision as there will still be the option for families to apply for nearby St Agnes RC School as well as St Annes RC.

Before moving to consultation the LA considered carefully with the RC Diocese the balance of denominational provision. This was addressed in the statutory notices, which were published with the support of the RC Diocese and both schools' governing bodies.

In the last 6 years the Catholic proportion of the school population has varied between 8% and 10 %. The proposed changes still provided for a 10% proportion of the population to access Catholic education. The proposal leads to a reduction of only 10 places across the Borough's Catholic Primary Schools. Current proposals to reduce pupil places in non-faith schools could reduce 165 places.

The admission criteria changes ensure children from the Guardian Angels Parish will continue to have priority access to a good Catholic education.

Guardian Angels Primary School does not offer nursery provision, but this will be available for parents in the amalgamated St Anne's Primary School.

Throughout the period of this proposal the schools governing bodies, RC Diocese and the LA have engaged in extensive consultation with parents and the local community. This has included:

- Letter to all parents from the Director of Education in July 2019;
- Letter from governors to parents following the schools decision to consult on amalgamation;
- Consultation documents published Monday, 4 November;
- Parents meetings for school based consultation 13/20 November 2019; Coffee mornings 27/11/19 at Guardian Angels and 28 November 2019 at St Anne's;
- Local Authority Open Information Sessions at the PDC on the Primary Review 11 December 2019, morning and evening sessions;
- Cabinet papers published 3 January 2020 on LA to decide whether to publish statutory notices;
- Statutory notices published 5 February 2020 in and around the school buildings; School letters to parents 6 February 2020 to invite feedback on the statutory notices

Having given due consideration to consultation responses, equalities issues, the financial stability of the schools and the quality of education, governors from both schools, the RC Diocese and Tower Hamlets Local Authority officers are in support of this proposal. They have considered issues raised by parents, other stakeholders, staff and children through all stages of consultation, including those received formally, raised in meetings and mentioned informally.

This proposal enhances the educational offer for the school community and secures long term financial stability and educational quality, matched to local Catholic demand, for our children.

There have been no representations made during this process that would change the proposal.

This is a strong proposal that is recommended to be agreed by the Mayor Cabinet.

4 EQUALITIES IMPLICATIONS

4.1 When making decisions the Council must act reasonably and rationally. It must take into account all relevant information and disregard all irrelevant information and consult those affected, taking into account their views before final decisions are made. It must also comply with its legal duties, including relating to equalities.

4.2 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").

4.3 An Equalities Assessment has been conducted by the LA and is attached at **Appendix 4**. It has been updated in view of the responses to the statutory notice and the representations. This must be considered in detail when the Cabinet considers the matters above, as part of its decision on whether the two schools should amalgamate.

4.4 Governors and the LA have considered carefully whether changes may affect particular groups disproportionately. They have recognised the potential financial impact of new school uniforms and changed travel arrangements for some families. They have sought to ensure that Catholic children in the Guardian Angels Parish are given priority for places at St Annes, protecting their right to access Catholic education. They have worked with Trade Unions to ensure planning for any staff changes is in line with agreed policies and therefore fair and equitable.

4.5 The assessment has found that there are no obvious equalities issues arising from this proposal, either for staff, parents or children.

5 OTHER STATUTORY IMPLICATIONS

(i) Managing the Impact of the Amalgamation on School Staff

The LA, the RC Diocese and the School Governing Bodies are working together to support the schools staff through this change. A report on the planned HR Organisational change process and meetings already held with the staff and their unions as well as the support being provided is attached as **Appendix 5**. A formal staff consultation will only take place once the final decision has been made on the schools amalgamation.

(ii) Best Value Implications

The LA has a duty to ensure that governors are fulfilling their duties and that value for public money is achieved, alongside maintaining and improving educational standards. They must ensure that admissions policies are equitable and fair, but also that schools do not fall into financial deficit so that they are unable to offer a quality education. With falling school rolls meaning that there are nearly 600 surplus reception places across the Borough it is inevitable that some very difficult decisions will have to be made. The proposal is an integral part of the Council's Primary School Review Strategy.

It will support the quality of educational opportunity for the children, providing access for Guardian Angels children to additional resources and space, in an accessible building. It will also allow parents in the Guardian Angels Parish to access Catholic Nursery provision, should they wish. In its October 2018 inspection OFSTED graded the provision at Guardian Angels as "satisfactory". St Anne's was inspected in January 2020 and was graded as a "good" school.

The proposal does not have any major mainstream revenue or capital implications for the Council, however building works at St Anne's will support the additional children and staff transitioning.

When a school closes its finances (and any surplus or deficit) is returned to the LA. The LA is no longer able to support schools with licensed deficits unless there is a clear plan that the deficit can be repaid within 3 years. The falling rolls at Guardian Angels make that impossible.

The closure of Guardian Angels School will release the annual lump sum element (currently £130,000) for the school from the Delegated School's Budget, (at a sliding rate over 2 or 3 years) so that over time the deficit accrued would be paid off. This money reduces the pressure on the Dedicated Schools Grant that is caused by having a large number of smaller schools, and several with deficit budgets, and also provides better value for money across the schools estate.

(iii) Environmental (including air quality)

Although Guardian Angels and St Anne's Schools are both in areas where the air quality is the same, the Guardian Angels site overlaps into areas where pollution is higher and the Mile End Road, particularly the crossroads area, is at more than the borough's highest levels of pollution.

St Anne's School site is not next to a major road, or crossroads, so does not border high pollution areas. St Anne's also benefits from improved air quality on its Northern side – from Spitalfields Farm and the neighbouring park area.

(iv) Risk Management

If these recommendations are agreed, continuation of the schools amalgamation process will be carefully managed and evaluated in line with statutory guidance and taking account the views of stakeholders in order to reduce and mitigate risks. It will be particularly important to ensure an effective transition of pupils to minimise any impact. The LA and the Diocese are working with Guardian Angels and St Anne's schools to support them in mitigating this risk.

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 quality education.

The plans/options for both the St Anne's and Guardian Angels sites, following amalgamation is set out at **Appendix 6**.

(v) Safeguarding

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

(vi) Data Protection / Privacy Impact Assessment.

The proposals presented in this report have followed a full public consultation. All responses received through these mechanisms or made directly to Council officers or members have been included in the analysis of the feedback received. These responses have only been used to assess the community's view of the proposals and not for any other purpose.

The Council will handle information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 2018 and is the data controller for the purposes of the Data Protection Act 2018. For more information the privacy notice for Pupil Services can be accessed here.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 The changes, if agreed, will take place after April 2020 and therefore each school will receive its own budget share for 2020-21. If Guardian Angels close in August 2020 its governing body will receive 5/12th of the budget share. The remainder of its share will pass to St Anne's School.

6.2 The transferred share will include the pro-rata value of the full lump sum (£135,428). In 2021-22 transitional arrangements will apply that guarantee Guardian Angels school 85% of the former combined lump sums (lump sum plus £94,800). 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.

6.3 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.

6.4 As the deficit for Guardian Angels will be a charge on the General Fund, the Governing Body will be required to request a Licensed Deficit Arrangement (LDA) with an accompanying action plan to ensure the deficit is minimised.

7 COMMENTS OF LEGAL SERVICES

7.1 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 and the statutory guidance – Opening and closing maintained schools, have been followed to enable a decision to be taken in respect of whether Guardian Angels should close.

7.2 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.

7.3 The LA can publish a proposal to close one school (Guardian Angels) and enlarge or transfer site (following the statutory process) of an existing school (St Anne's) to accommodate displaced pupils. The report includes consideration of proposals to expand St Anne's School to make available places for the pupils by the potential closure of Guardian Angels. 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, together with the associated guidance, has been followed in respect of the proposal to expand St Anne's.

7.4 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 to close

Guardian Angels School, and to expand St Anne's to accommodate the displaced pupils, with effect from the 31st August 2020. Cabinet must take the representations made conscientiously into account in taking a decision about whether to close the school.

7.5 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 Guardian Angels 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.

7.6 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.

7.7 The Mayor in Cabinet 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.

7.8 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.

<u>Employment considerations</u>

7.9 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 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

7.10 The impact of TUPE provisions may need to be considered later depending upon the final proposals including decisions about amalgamation.

<u>Equality considerations</u>

7.11 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.

7.12 In light of both schools' designation as Catholic schools, 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 closing the school.

7.13 In the event that the council uses S.106 money on the refurbishment of a building belonging to the Diocese the Council needs to enter into an agreement with the diocese in order to recoup the funds.

Linked Reports, Appendices and Background Documents

Linked Report

- 30th October Cabinet Report on Planning for School Places 2019 /20 - Review and Recommendations

Appendices

Appendix 1	LA Pupil Projections 2018-2028 (overall borough and Stepney catchment area)
Appendix 2	Statutory Notice (issued on the 6th February 2020)
Appendix 3	A summary analysis of the responses to the statutory notice
Appendix 4	Equalities Assessment (updated following statutory notice responses)
Appendix 5	Report on HR Organisational change process and support to be provided to school staff
Appendix 6	Plans/Options for both the St Anne's and Guardian Angels sites, following amalgamation
Appendix 7	Summary analysis on the current financial position of both schools

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

- NONE

Officer contact details for documents:

N/A

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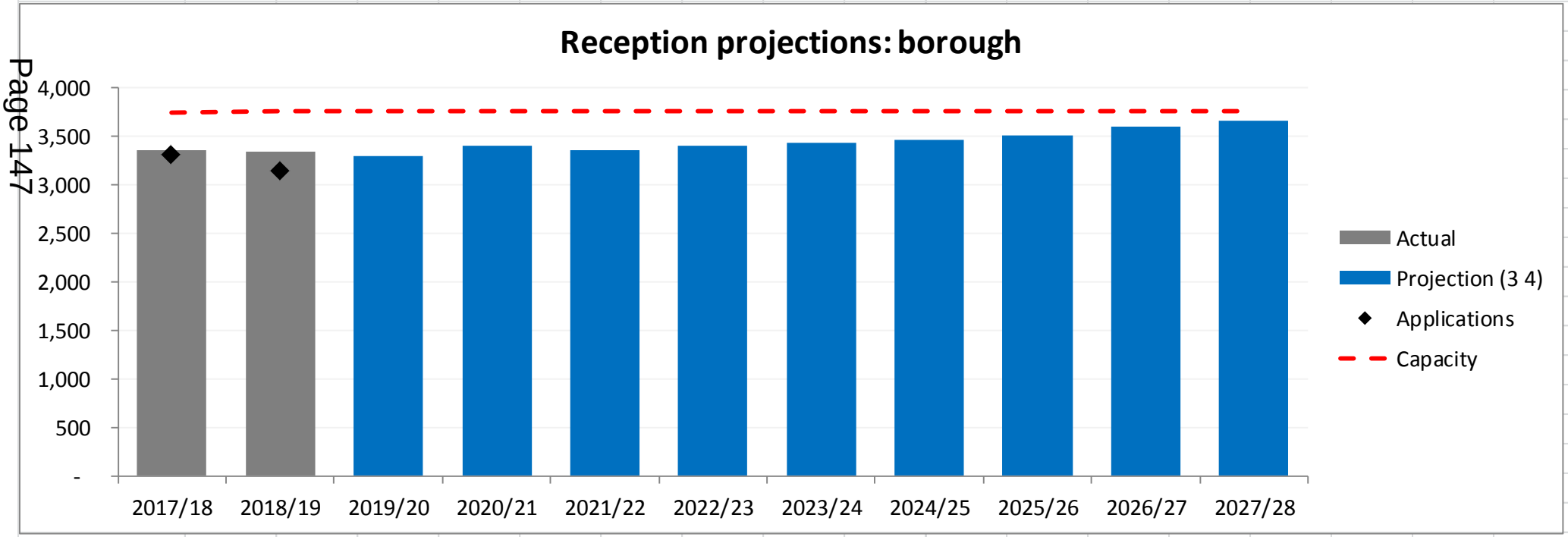
Appendix 1

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
Actual		3,353	3,340									
Projection (3 4)				3,299	3,403	3,364	3,398	3,436	3,469	3,512	3,606	3,658
Applications		3,305	3,136									
Capacity		3,740	3,766	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761
Variance (3 4)	**Pupils**	387	426	462	358	397	363	325	292	249	155	103
	FE	12.9	14.2	15.4	11.9	13.2	12.1	10.8	9.7	8.3	5.2	3.4
	%	10%	11%	12%	10%	11%	10%	9%	8%	7%	4%	3%



Planning Area 1

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
Actual		756	730									
Projection				727	753	716	712	703	696	692	698	699
Capacity		840	840	840	840	840	840	840	840	840	840	840
Variance	**Pupils**	84	110	113	87	124	128	137	144	148	142	141
	FE	*2.8*	*3.7*	*3.8*	*2.9*	*4.1*	*4.3*	*4.6*	*4.8*	*4.9*	*4.7*	*4.7*
	%	*10%*	*13%*	*13%*	*10%*	*15%*	*15%*	*16%*	*17%*	*18%*	*17%*	*17%*

Planning Area 6

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
Actual		528	508									
Projection				528	539	517	513	514	513	516	524	529
Capacity		660	660	660	660	660	660	660	660	660	660	660
Variance	**Pupils**	132	152	132	121	143	147	146	147	144	136	131
	FE	*4.4*	*5.1*	*4.4*	*4.0*	*4.8*	*4.9*	*4.9*	*4.9*	*4.8*	*4.5*	*4.4*
	%	*20%*	*23%*	*20%*	*18%*	*22%*	*22%*	*22%*	*22%*	*22%*	*21%*	*20%*

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.

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Appendix 2

Statutory Proposal to amalgamate Guardian Angels and St Anne's Catholic Primary Schools

Proposals to combine St Anne's Catholic Primary School and Guardian Angels Catholic Primary School from 1 September 2020.

The proposals will have the effect of combining St Anne's Catholic Primary School and Guardian Angels Catholic Primary School in order to provide a combined Catholic Primary School. No pupils will be displaced and all the pupils attending the schools at the time of implementation could transfer to the current St Anne's school site. The current St Anne's school entrance will provide the main entrance to the new school, and the point of measurement for distances for new applicants for the 2020/21 academic year. Children with siblings at St Anne's or Guardian Angels Schools, and those living in either parish, would be given priority for new admissions to the new amalgamated school.

Part 1 Guardian Angels Catholic Primary School

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Tower Hamlets Council, Tower Hamlets Town Hall, Mulberry Place intends to discontinue Guardian Angels Catholic Primary School on 31 August 2020.

Part 2 St Anne's Catholic Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Tower Hamlets Council intends to make the following prescribed change to St Anne's Catholic Primary School to extend the provision at St Anne's Catholic Primary School to accommodate Guardian Angels pupils and maintain an annual intake of 60 pupils.

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 schools proposed to be amalgamated:

St Anne's Catholic Primary School, Underwood Rd, Whitechapel, London E1 5AW. Catholic Voluntary Aided Primary School.

Guardian Angels Catholic Primary School, Whitman Rd, Globe Town, London E3 4RB. Catholic Voluntary Aided Primary School.

2. Implementation

Date on which it is proposed to amalgamate the schools:

1 September 2020

It is proposed to implement the amalgamation as follows:

St Anne's Catholic Primary School will expand to 2 Forms of Entry from 1 Sep 2020

Guardian Angels Catholic Primary School will close from 31st August 2020.

All children attending Guardian Angels School will be offered a place at St Anne's School from 1st September 2020. Children currently attending St Anne's School will continue to do so.

3. Reason for amalgamation

The proposal arises due to a fall in pupil numbers and the associated impact on the educational and financial viability of Guardian Angels School. The School is being recommended for closure due to underlying sustainability issues relating to its considerable and unrecoverable budget deficit, very low pupil numbers, and admission patterns that has seen a substantial decline in applications over the previous eight year period. The School's position is further exacerbated by it being in Ofsted category of 'Requiring Improvement' since its inspection in September 2018.

A six school week period of public consultation, including meetings with staff, governors, and parents, along with other interested parties has been undertaken from 4th November to 13th December 2019. The consultation documents and responses to which can be viewed here:

https://www.stannesschool.org.uk/consultation-information-1/

https://www.guardianangelsprimary.org.uk/informal-consultation-documents-proposed-school-am/

4. Pupil numbers and admissions

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

Guardian Angels School. This school is a co-educational mainstream Catholic Primary School for pupils aged 5 to 11. The school has a Published Admission Number (PAN) of 30 for each year group, giving a total of 210. As at October 2019 the school had 170 pupils on roll, and only 15 reception children. At January 2020 there were 5 first choice applicants for reception places in September 2020.

St Anne's School. This is a co-educational mainstream Catholic Primary School for pupils aged 5-11 with Nursery provision for children from 2 years old. The school currently has a PAN of 50 for each year group, which will increase to 60. As at October 2019 the school had 207 pupils on roll, and 35 reception children. At January 2020 there were 16 first choice applicants for reception places, and a further 16 overall applicants for September 2020.

The admissions criteria for the amalgamated school will be amended to confirm that the PAN will become 60. That new applicants with siblings at Guardian Angels or St Anne's will be given priority, and that Catholic children born in Guardian Angels or St Anne's Parish will be given priority.

5. Displaced pupils due to amalgamation.

No children will be displaced because all have places at the amalgamated St Anne's Catholic Primary School from September 2020.

There are currently 144 pupils on roll at Guardian Angels School

There are currently 210 pupils on roll at St Anne's School: with a further 24 children attending Nursery provision.

Provision has been made to accommodate all pupils from both schools at St Anne's Catholic School. The Local Authority recognises that the home to school travel distances for Guardian Angels children will increase. Any pupil whose journey from home to school increases to more than 2 miles (Infants) and more than 3 miles (juniors) will be entitled to travel support under the Local Authority scheme.

During the informal consultation, it was indicated that some families have preferences for other local schools and may live closer to other schools. Some schools in the surrounding areas have vacancies in some year groups, parents who wish will be supported to apply for them, and the Local Authority will endeavour to meet parental preferences for school places, where possible.

Current pupil projections and plans indicate there are sufficient places for future cohorts following the closure of Guardian Angels Catholic Primary School. The local authority will monitor the projected need for future school places and propose changes, if required, to ensure sufficient places are available.

6. Impact on the community of the amalgamation

Guardian Angels school site will close from September 2020.
Guardian Angels School has been linked with Guardian Angels Church over many generations. It is seen as the linked school for the local Catholic community. The proportion of Guardian Angels families attending the church has fallen over recent years, and is now approximately 40%

Many of the local Catholic community have attended the school and will be disappointed that it is no longer a financially viable school. To ameliorate this consideration will be given to some form of memorial plaque so that the memory of many staff, children and parents is retained.

7. Rural Primary Schools

Not applicable

8. Balance of denominational provision

The LA 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. As there are other Catholic Schools, as well as other faith schools in Tower Hamlets and surrounding areas, and St Anne's is being expanded to 2 forms of entry, the proposed amalgamation will have minimal impact on the balance of denominational school provision.

There has been a significant decline in the number of applications for children from Catholic schools to Catholic Primary Schools 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.

The proportion of children applying for places at Catholic Schools over the last 6 years has been between 8 and 10 %. The proposed changes in PAN numbers (a reduction of 10 overall) would ensure there remained capacity for up to 10% of the Tower Hamlets population to have places in Catholic Schools.

9. Maintained nursery schools

Guardian Angels Catholic Primary School does not offer Nursery provision; this will be available for parents in the amalgamated St Anne's Catholic Primary School

10. Sixth form provision

Not applicable

11. Special Educational Needs provision

The school does not provide educational provision recognised by the local authority as being reserved for children with special educational needs. There are 26 pupils on roll at Guardian Angels School who have been identified as having special educational needs, of whom there are 4 pupils with an Education Health and Care Plan. There are 46 pupils on roll at St Anne's School who have been identified as having special educational needs, of which there are 9 pupils with an Education Health and Care Plan St Anne's Catholic Primary School site has fully accessible buildings, the Guardian Angels School site does not.

12. Travel

The distance for most children currently attending Guardian Angels School will increase.

The table below shows the distances Guardian Angels children would have to travel and how many would meet the Local Authority eligibility requirements for travel support.

Reception to Year 2		
Distance to school	**Guardian Angels**	**St Anne's**
Less than 2 miles	50	26
Greater than 2 miles	5	29

Year 3 - Year 5		
Distance to school	**Guardian Angels**	**St Anne's**
Less than 3 miles	80	72
Greater than 3 miles	4	12

Eligibility for Local Authority 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.

As part of the consultation response governors and the Local Authority are considering exceptional short term travel support.

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

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

Closing date for responses is March 5th 2020

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-March 2020. The website address is:

https://www.towerhamlets.gov.uk/Home.aspx

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TOWER HAMLETS

Appendix 3

A summary analysis of the representations received in response to the Statutory Proposal to amalgamate Guardian Angels and St Anne's Catholic Primary Schools from the 1 September 2020

Consultation Response Analysis

London Borough of Tower Hamlets (LBTH) consulted the following stakeholders and interested parties directly to inform them of the publication of this statutory proposal:

- ✓ Secretary of State
- ✓ Parents, Carers and Pupils of Guardian Angels and St Anne's
- ✓ Staff at Guardian Angels and St Anne's
- ✓ Governors of all LBTH schools
- ✓ Diocese of Westminster (Roman Catholic)
- ✓ London Diocesan Board for Schools
- ✓ LBTH Admissions Forum
- ✓ Children and Young Peoples Voluntary Sector Forum
- ✓ Headteachers of all LBTH schools
- ✓ Local MPs
- ✓ All LBTH councillors
- ✓ All neighbouring boroughs local authorities
- ✓ Parents Carers Forum
- ✓ Parent Champions
- ✓ Young People Forum
- ✓ Somali Community Association
- ✓ Collective of Bangladeshi Governors
- ✓ East London NEU
- ✓ Council of Mosques
- ✓ Published on LBTH website / social media accounts
- ✓ East London Advertiser

By the formal close of the statutory notice, the following written responses were received:

Total Responses	Agreed with the Proposal	Did Not Agree with the Proposal
4	1	3

Respondents identified themselves as:

- Parent and Guardian Angels Parishioner
- Guardian Angels Parishioner x 2
- Local Headteacher

Within the four written responses received, there were 20 issues raised, within six broad themes:

1. **Guardian Angel School's financial mismanagement and the impact of its closure on parents and children of the catholic community**

   - We understand the fall in pupil numbers and the mismanagement of the school finances are the major factors behind this. Which the latter is of no fault of the parents and children of Guardian Angels School. The governors and council should have picked up on the financial situation of the school much sooner, so that issue could have been made aware of to all and dealt with better and not left until it became a bigger problem putting the school at risk of closure.
   - The result of this so-called merger is that some parents who want to send their children to a Catholic school will feel they have been given no option but to send their children to a non-Catholic school to save time and to keep their jobs. So the closure decision will effectively discriminate against their religious preferences.

Council Response

The Council recognises the impact of a school closure on its pupils, parents, staff and the wider community and, especially, when this is precipitated by the need to address the challenges of ensuring school sustainability. Guardian Angels School is at risk of closure due to its earlier decline in standards, subsequent fall in pupil numbers and the financial difficulties that resulted. Unfortunately the subsequent interventions could not prevent the school from reaching the point where it is no longer sustainable as a 1FE school.

The current plan for amalgamation enables Guardian Angels children to have the option to continue in catholic provision together. The LA will ensure that assistance is provided to families who wish for their children to transfer to catholic schools.

Before moving to consultation the LA considered carefully with the RC Diocese the balance of denominational provision. This was addressed in the statutory notices, which were published with the support of the RC Diocese and both schools' governing bodies.

In the last 6 years the Catholic proportion of the school population has varied between 8 and 10 %. The proposed changes still provided for a 10% proportion of the population to access Catholic education.

The proposal leads to a reduction of only 10 places across the Borough's Catholic Primary Schools. Current proposals to reduce pupil places in non-faith schools could reduce 165 places.

The admission criteria changes ensure children from the Guardian Angels Parish will continue to have priority access to a good Catholic education

2. **Delay the closure of Guardian Angels and provide opportunity for the recruitment of a permanent full-time Headteacher, enabling the school to improve and reach a position of self-sustainability.**

   - Guardian Angels School has been without a full-time permanent Head Teacher since the resignation of the former head; however 'good' the Head Teacher of St. Anne's may be I feel that she has the interest of her own school; St Anne's, uppermost in her mind and will fight for the survival of that school at all costs. Guardian Angels, however, has not been given a chance to recover and improve. The appointment of a new, young vibrant headteacher may well have seen the revival of that school in what has been many, many years of educational excellence in this Borough.

- I understand that there is a financial issue at stake here, but no opportunity has been provided for the school to recoup its losses and become a viable proposition again: I am certain that other schools in this Borough are equally in financial difficulties but nothing as drastic as closure has been placed at their door.
- I think that this decision should be postponed until a permanent Head Teacher can be appointed and the opportunity for the school to improve be given. The question of finance can be dealt with if the school reduces its size and number of staff and, until these improvements become evident, saves on expenditure but that it should be given the opportunity to do this and as an active member of the Church of Guardian Angels, to see that Roman Catholic Christian children be given the opportunity to be educated in an atmosphere which fosters Catholic beliefs and practice in a comfortable and sensitive way so that the future of Roman Catholic Christianity can be fostered, maintained and assured in this Borough along with the many other faiths that exist here.
- I also understand that the Mayor of Tower Hamlets is predicting a growth in the number of primary school places required in 2023 and yet here you are planning to close schools.

Council Response

Guardian Angels has significantly falling roll, with only 1 first choice applicant for reception in September 2020. It is the smallest Catholic School in the Borough.

Guardian Angels most recent OFSTED inspection (September 2018) assessed the school as “Requiring Improvement”. St Anne’s Schools most recent OFSTED inspection (January 2020) assessed the school as “Good”.

The Guardian Angels School site is not accessible, St Anne’s School is a single storey school and is fully accessible.

Guardian Angels School has a significant financial deficit; St Anne’s School has a balanced budget. The current financial challenges at Guardian Angels mean that it would require significant and sustained investment over a number of years requiring it to run a budget deficit. Given the government changes, limiting the period for local authorities to fund schools with budget deficits, it would not be possible to postpone the decision on its amalgamation with St Anne’s. The appointment of a permanent headteacher at Guardian Angels has not been possible, given its financial circumstances.

The demographic changes in the Borough are seeing a significant pupil population shift. This means the number of places at schools in the west of the borough will need to be reduced and the number of places in the east of the borough will need to be increased. This is what the Mayor is referring to when he talks about growth in primary schools. The anticipated pupil growth in future years would not therefore benefit Guardian Angels.

In the light of this information the proposal is to amalgamate the school through closing Guardian Angels and expanding St Anne’s.

3. Impact on the community

- But we would like to ask you to reconsider the idea to still keep the Guardian Angels School site open for Catholic or other Christian Denomination educational purposes.

- The time will come when we need our school sites again. Guardian Angels School is over 150 years old and we wish to continue this legacy. We would like all avenues looked into to find a way to keep Guardian Angles School site running as a Catholic educational facility for our borough.

- Positive impact on the issue with excess places in primary schools in the West of the borough

- Building long term educational and financial sustainability for the school communities under an excellent HT.

Council Response

The local authority and the diocese will consider a range of options for ensuring that the former Guardian Angels site can be used for the benefit of the catholic community, including funding the improvement of facilities at catholic schools in the borough.

4. Using the Guardian Angels School site to manage the oversubscription at Bishop Challoner RC School

- A further idea put forward by one of our church parishioners and parent, is there is only one Secondary Catholic School in Tower Hamlets which is Bishop Challoner RC School, the Guardian Angels site could be used in addition to this secondary school to intake those on the waiting lists. Perhaps this can be discussed with the head teacher of Bishop Challoner RC School and put forth as a proposal to the governors, council and the mayor.

Council Response

The Bishop Challoner RC Secondary Schools are popular schools in the borough, but they are not oversubscribed. There is therefore no need for these schools to require additional accommodation offsite.

5. Travel and Transport

- I fully support the view that every parent has the right to choose where their child is educated and by closing Guardian Angels many parents will be deprived of this privilege and will have to face growing increases in fares putting an added burden on many who are already struggling financially.
- Some parents have told me that they will not be transferring their children to St Anne's; it is very difficult to travel from the Guardian Angels area to St Anne's with small children in less than 40 minutes, then to return home and then to collect the children at home time and then return home = 160 minutes travel time each day. Some parents have other children at other schools which will involve even more rushing around.
- The site of Guardian Angels school is more accessible transport wise and location wise for parents to get their children to the school; and is definitely a nicer and safer environment than where the St Anne's School site area is. Adaptions can be made to site all the children at the Guardian Angels School Site.

Council Response

The closure of Guardian Angels should not deprive future children of a local catholic provision as there will still be the option for parents to apply for nearby St Agnes RC School. Families also have the option to apply for non-denominational local schools if this is their wish.

The Guardian Angels (GA) site does not have capacity for a 2FE school and it would not be financially viable for the amalgamated school to operate over two sites. The St Anne's site will be modified to enable to a 2FE school that could also accommodate GA pupils.

The Council will provide travel support for existing Guardian Angel families to enable them to continue in catholic school provision at St Annes' RC. This would normally be in accordance with its travel policy. In support of the aim for the majority of Guardian Angels children to transfer to St Anne's RC upon the schools amalgamation, the Council will also provide the School with a subsidy to run its own school bus transport for these children.

In addition governors have researched whether they would be able to offer a hardship travel fund, for particular families who live more than a mile from the St Anne's site.

Governors are also considering whether extended day provision at the amalgamated school is sufficient to support parents with their journey to work. Guardian Angels Catholic Primary School does not offer nursery provision, but this will be available for parents in the amalgamated St Anne's Catholic Primary School.

6. Consultation Process and Engagement with Community

- I also feel that many of our parents have not been given sufficient guidance about where and how to make a proper protest about these plans
- The decision to merge the two schools has been rushed through without any notice given to Guardian Angels parishioners; I say this because most people did not know of this proposal. To close the school after 150 years with less than six months' notice is an insult to the people of the parish.
- Most of the parents who have children at the School have not been informed formally that the School is to close. Most information seems to come by hearsay.
- Most of all I feel that people in Tower Hamlets feel that it is a lost cause to make any protest about anything in this Borough because the fact of the matter is that the decision has already been made and this opportunity is only a token gesture to make people think that their opinion really matters whereas in actual fact no-one is really interested at all.

Council Response

The Schools, RC Diocese and Local Authority has engaged in extensive consultation with parents and the local community as follows : A letter was sent to all parents from the Director of Education in July 2019; letter from governors to parents following the governing body decision to consult; Consultation documents explaining position on Monday, 4 November release inviting feedback; parents meetings for school based consultation 13/20 November 2019; Coffee mornings 27/11/19 at Guardian Angels and 28 November 2019 at St Anne's; Local Authority Open Information Sessions at the PDC on the Primary Review 11 December 2019, morning and evening sessions; Cabinet papers published 3 January 2020 on LA to decide whether to publish statutory notices; Statutory notices published February 2020 in and around the school buildings; Letters to parents 6 February 2020 to invite feedback on the statutory notices

When the Local Authority undertakes consultations of this kind it is required to explain what is being planned However, it does not mean that the final decision on its plans have been pre-determined. The consultation invites respondents to put forward ideas or proposals that could enable the Local Authority to consider a different course of action.

Feedback from Staff consultation meetings (30/1/20 and 27/2/20) at Guardian Angels

- Some staff members were upset that "no one" had asked how they were feeling about the changes; that whilst extensive consultation and consideration had been given to parents and children affected-the staff felt they had been forgotten. They had worked very hard to maintain stability for the children through this turbulent period, and some acknowledgement of the anxiety they were feeling would have been appreciated.

- Some members of non-teaching staff felt that rather than a full restructure of both schools, that Guardian Angels should have had “first chance” for redundancy
- One member of staff said that the new governors are St Anne’s governors, don’t know the school, and have made decisions about potential reorganisation for the full restructure of both schools without involving Guardian Angels staff
- Staff felt that there would be very few Guardian Angels pupils that will transfer to St Anne’s as they are not practising Catholics and attend Guardian Angels as a local school
- One member of staff said that if they were forced to move to St Anne’s, and the pupil numbers were not sustainable, will St Anne’s need to restructure again, and any redundancy offer at that time would have reduced under Tower Rewards.

Council Response

Along with the RC Diocese, Local Authority (LA) officers apologised for the apparent lack of concern to the staff at Guardian Angels and committed to ensuring a greater presence within the process would be presented going forward. It acknowledges that it is a very anxious time for staff and thanked them for their continuing efforts to ensure the children at Guardian Angels continue to progress, despite uncertainties.

The LA and Diocese support the potential restructuring approach and explained to staff that it is the LA’s duty to try and retain as many staff as possible in any restructure for continuity in education for the children. Whilst it understood concerns of staff who may wish to receive redundancy – retention of skills was the key consideration.

It is anticipated that numbers will increase at St Anne’s, under the Primary Review reorganisation plans, and that the school will be sustainable.

Conclusion

Through analysis of the feedback received during the informal consultation and the statutory consultation period, the Council is able to draw some clear recognition from the consultees that Guardian Angels School has a loyal support within the community and is well regarded. No feasible alternatives to the proposals were uncovered during the consultation. The fall in pupil rolls (only one child expressed a first preference for the Guardian Angels School for September 2020), an unrecoverable financial deficit, and a fall in educational standards indicates that the amalgamation with St Anne’s is in the best educational interests for pupils at Guardian Angels.

Report Prepared on 6th March 2020

Equality Analysis (EA)

Section 1 – General Information (Aims and Objectives)

See Appendix A

Current decision rating

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 St Anne's and Guardian Angels

This Equalities Impact Assessment concerns the proposal to amalgamate Guardian Angels and St. Anne's Primary Schools, whereby Guardian Angels would close and its pupils would transfer to St Anne's, 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; it values the important role that schools have in increasing the life chances of its 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 school 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 several 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.

St Anne's Primary School has been included in the review of primary school places owing to falling rolls over the last four years, meaning lower numbers have joined the school. However, strong leadership and governance, coupled with good financial management means that the school has remained financially viable. Guardian Angels has been supported by the headteacher from St Anne's since Spring 2019, following the resignation of the headteacher and Chair of Governors. Guardian Angels has a budget deficit of around £300,000 and would be unable to replay any loan owing to falling numbers which has created financial instability. In view of this, it was agreed that Guardian Angels would also be brought into the review. The review aims to 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 at Guardian Angels and St Anne's is in partnership with the Roman Catholic Diocese of Westminster 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.
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 regard to improved educational outcomes for all Guardian Angels and St Anne's 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: Terry Bryan
(service head)

Date signed off: 6 March 2020
(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 between 4th November 2019 and 13th December 2019 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 September 2019, 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 Autumn Term 2019, and shared this information with parents and staff, as well as circulating a letter about the review to all parents. A consultation document, agreed with the local authority and the Roman Catholic diocese of Westminster, was circulated via email, paper versions and placed on the school websites. Open Information Sessions in the morning and evening were held at the Professional Development Centre in Bethnal Green on 11th December 2019. Following the decision of Cabinet to progress to statutory consultation, statutory notices were published in February 2020, as well as letters being sent to parents on 6th February 2020 to invite feedback on the statutory notice.

The following meetings have been held:

<u>Guardian Angels</u>

Staff meetings have been held regularly and they met with trade union representatives on 13th November 2019
Parent meetings were held on 13th and 20th November 2019. A coffee meeting was held at the school on 28th November.
Children have discussed the proposal in assemblies and in their classes

<u>St. Anne's</u>

Staff meetings have been held regularly and they met with trade union representatives on 14th November 2019
Parent meetings were held on 14th and 20th November 2019. A coffee meeting was held at the school on 27th November .
Children have discussed the proposal in assemblies and in their classes

Other Evidence

Ofsted reports
Pupil projections
School census data of Guardian Angels and St Anne's and London Borough of Tower Hamlets
Demographic data held on staff and pupils at Guardian Angels and St Anne's

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 the 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.

Equality Groups	**Impact** What impact will the proposal have on specific groups of service users or staff?			**Reason(s)** • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making
	Positive	**Neutral**	**Negative**	
Protected characteristics				
Age	X			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 number of pupils affected, as the 29 pupils in year 6 at Guardian Angels and 35 at St Anne's will have moved on to secondary school. Children in Year 2 preparing for SATs will be able to take the tests at their current school in a familiar environment. 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 Guardian Angels pupils who are currently at a school which

Ofsted judged to "Require Improvement" in September 2018, dropping from "Good". Ofsted, the regulatory body and sole arbiter of quality, identified that "Pupils' progress remains inconsistent across the school" and asked for an external review of governance to be undertaken. Conversely, St Anne's is graded "Good" as "Teachers provide well-structured lessons that help pupils make good progress".

18% of pupils at St Anne's achieve at a higher standard in reading, writing and maths, as do a similar percentage of children at Guardian Angels: 15%. The progress score for both schools is average in all areas, except St Anne's is "Above Average" for Writing. Combining staff and pupils from both schools should enhance the current offer at St Anne's, as staff will bring with them additional skills and share best practice.

Both schools have been experiencing a decline in pupil numbers from 2015 onwards, although St Anne's has been impacted less as numbers have increased since 2017. St Anne's received almost triple the amount of first choice applications in 2019 than Guardian Angels did. This means that, currently, reception and year 1 pupils at Guardian Angels are in the same class, despite significant teaching and curriculum differences between the EYFS and KS1, which is not ideal.

School	PAN	Total applications to reception				
		2015	2016	2017	2018	2019
St Anne's	50	78	75	49	57	57
Guardian Angels	30	74	88	76	60	34

School	PAN	First Choice Applications				
		2015	2016	2017	2018	2019
St Anne's	50	Unavailable	31	21	26	34
Guardian Angels	30	Unavailable	29	20	15	13

St Anne's also provides nursery provision for children aged 2 upwards, thereby allowing parents with younger children to access a nursery place at their child's school, rather than going elsewhere, including funded places for the most disadvantaged 2 year olds, as well as 30 hours a week for working parents.

				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. Owing to a sizeable budget deficit, the extracurricular offer at Guardian Angels has been reduced. St Anne's has a robust after school club offer which, for this academic year, includes Drama, Choir, Zumba and Science, Home Learning and Irish Dancing, Science and Karate, Chess and Sports. Pupils at Guardian Angels will benefit from access to this, as will their parents as the clubs are either free or low-cost, thereby reducing childcare costs. An extended school day is also beneficial for working parents. The impact on staff, who will also join together to form one staffing structure, will depend on the new structure, but the majority of staff is likely to be the same. Any process will be agreed by LBTH and unions. During the informal consultation, parents at both schools identified that joining the two schools would lead to increased staffing levels and other resources, sustainable finances and increased potential for school improvement. They also expressed hope that amalgamation would increase the range of specialist skills their children would have access to, owing to the possibility of a wider range of curriculum experts on staff, thereby reducing the inconsistencies in teaching at Guardian Angels, as identified by Ofsted. Indeed, the current support offered by the headteacher at St Anne's has led to improvements in teaching at Guardian Angels. Staff fed back positive reasons to support amalgamation, as they have concerns that continuous falling numbers would lead to job losses, but acknowledged that amalgamation, coupled with a new staffing structure, may also result in changes.
Disability	X			There are 4 pupils on roll with identified Special Educational Needs/Disabilities (SEND) at Guardian Angels who have an Education, Health and Care Plan (EHCP) and 22 pupils receiving SEN support but none are in receipt of SEND transport. At St Anne's, there are 6 children with identified SEND who have an EHCP and 68 children in receipt of SEN support. 12 of these children are currently in year 6, so will have transitioned to secondary school by the time this proposal, is approved, takes effect. One child at St Anne's is in receipt of SEND transport. As their journey to school will remain the same, this transport will remain unaffected by this proposal. 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. The new school will need to ensure that it continues its robust, inclusive approach to supporting children with SEND, as St Anne's currently does, which was identified by Ofsted at their last inspection: *"Pupils who have special educational needs or disability are very well supported. Relationships with parents are strong and they are included in their children's learning."*

				In order to make sure any unknown special needs are picked up early, there are strong processes in place at St Anne's. SENCos work closely within the senior leadership team and in discussion with teachers and teaching assistants in school to identify children who have SEND. They use a number of additional indicators of special educational needs: • The analysis of whole school and individual tracking data, termly whole school assessments and individual assessments of pupils as necessary • The following up of teacher concerns and ongoing professional discussion • Termly pupil progress meetings with class teachers, members of SLT and SENCos • Following up parental concerns • Tracking individual pupil progress over time • Information from previous schools on transfer • Information from other services Therefore, regular assessment and monitoring procedures, including the review of termly assessments, will continue throughout a children's time at school to look out for any special needs that may develop later. This should particularly benefit the children currently at Guardian Angels, as 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 particularly at St Anne's. Currently, some pupils with SEMH needs attend specialist provision at St Anne's, which Guardian Angels could not provide and are driven to and from their sessions by school staff. St Anne's is also an accessible school, and in a good state of repair with enough empty space to be able to accommodate children from Guardian Angels. Any required additional capital works will be assessed and provided. 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 St Anne's will be offered by the Parent and Family Support Service. During the informal consultation period, parents also identified that joining the schools would lead to increased play space at St Anne's. The playground was extended and revamped by the Diocese in September 2018. It is unclear whether those parents have children with SEND, but increased access to more space will benefit all children. All children from Guardian Angels, including those with SEND, may have to travel further to school, and

<table>
<tr><td></td><td></td><td></td><td></td><td>therefore may be eligible for a Local Authority travel grant. However, governors are exploring all travel options in conjunction with the local authority, should the two schools join.</td></tr>
<tr><td>Sex</td><td></td><td>X</td><td></td><td>Currently, at Guardian Angels, there are more girls than boys, and vice versa at St Anne's. Therefore, joining the two schools will ensure there is a more equal gender breakdown. Work is already underway to ensure that pupils meet and can make friendships before the amalgamation, if it occurs, through football matches and class visits. All pupils, irrespective of gender, will also benefit from the improved educational outcomes that should be achieved through joining the two schools.

<table>
<tr><th>School</th><th>F</th><th>M</th></tr>
<tr><td>Guardian Angels</td><td>108</td><td>78</td></tr>
<tr><td>St Anne's</td><td>125</td><td>146</td></tr>
</table>

The staff gender breakdown is weighted heavily towards women at both schools, meaning there will be more of an adverse impact, if there are due to be redundancies with the new staffing structure, on females. However, this is purely because more women than men are employed, as is the case in most primary school provision in this borough and elsewhere. The majority of staff is expected to be the same and change management support is being planned in the event of the two schools joining.

<table>
<tr><th>School</th><th>Female</th><th>Male</th></tr>
<tr><td>Guardian Angels</td><td>26</td><td>4</td></tr>
<tr><td>St Anne's</td><td>46</td><td>4</td></tr>
</table>
</td></tr>
<tr><td>Gender reassignment</td><td></td><td>X</td><td></td><td>No impact identified.</td></tr>
<tr><td>Marriage or civil partnership</td><td></td><td>X</td><td></td><td>No impact identified.</td></tr>
<tr><td>Religion or belief</td><td></td><td>X</td><td></td><td>Both Guardian Angels and St Anne's are Roman Catholic schools. Approximately 50% of pupils at both schools identify as Catholic. Therefore, the religious provision children will receive will not change.

Catholic school intake is currently around 8% of intake across all schools, although there is capacity for 11%, and nearly all LBTH Catholic schools currently accept non-Catholic children owing to vacancies. The proposed amalgamation would alter the capacity to 10%, which would still be above the current needed number. Without non-Catholic children at Catholic schools, a number of faith schools in Tower Hamlets would not be financially viable. However, the current plan for amalgamation enables Guardian Angels children to have the</td></tr>
</table>

				option to continue in Catholic provision, although parents are able to opt for a non-denominational school should they prefer. Parents recognised during the informal consultation that joining the two schools would protect quality Catholic education in the borough. Amalgamation should lead to more equality of opportunity for all pupils, both Catholic and non-Catholic. Guardian Angels pupils will have the additional opportunity of studying philosophy for children, as well as RE, should they move to St Anne's. Philosophy for Children offers a way to open up children's learning through enquiry and the exploration of ideas. Children learn that their ideas have value, and that the ideas of other children have value too, thereby helping to promote community cohesion. During the formal consultation period, it was suggested that, by closing Guardian Angels, there would be a lack of primary school places for Catholics in the borough in the future. The closure of Guardian Angels should not deprive future children of a local catholic provision as there will still be the option for parents to apply for the nearby St Agnes RC School where Catholic children would have priority. Population trends have also identified that demographic changes in the Borough are seeing a significant pupil population shift. This means the number of places at schools in the west of the borough will need to be reduced and the number of places in the east of the borough will need to be increased to meet demand in the east and ensure schools in the west are financially sustainable.
Race		X		Guardian Angels and St Anne's have a similar pupil demographic in terms of ethnicity, as evidenced below (data from school census 2018, which is the last validated data currently available). **Ethnicity** / **Guardian Angels** / **St Anne's** **Any Other Asian Background** 3 2 **Any Other Black Background** 10 5 **Any Other Ethnic Group** 3 14 **Any Other Mixed Background** 27 19 **Any Other White Background** 13 38 **Bangladeshi** 5 12 **Black - Any Other Black African Background** 29 40 **Black - Somali** 0 2 **Black Caribbean** 12 15 **Chinese** 2 1

Indian	**7**	**0**
Information Not Yet Obtained	**9**	**10**
Pakistani	**0**	**0**
Refused	**0**	**2**
Vietnamese	**2**	**2**
White - British	**59**	**82**
White - Irish	**0**	**2**
White and Asian	**1**	**4**
White and Black African	**0**	**4**
White and Black Caribbean	**4**	**17**

Joining the schools will not cause any significant changes to the pupil demographic of the new school, with White British children still the largest ethnicity. Both schools have 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. All pupils, irrespective of ethnicity, will also benefit from the improved educational outcomes that should be achieved through joining the two schools.

Joining the two schools with a new staffing structure may have more of an impact on White British staff, as more staff from this ethnicity are employed. However, the ethnicity of staff would still reflect the demographic of pupils.

Ethnicity	Guardian Angels	St Anne's
Any Other White Background	1	2
Bangladeshi	1	1
Black - African	1	0
Black and Any Other Ethnic Group	1	1
Black Caribbean	7	2
Indian	0	1
Information Not Yet Obtained	7	6

				<table><tr><td>Other Mixed background</td><td>0</td><td>1</td></tr><tr><td>White - British</td><td>7</td><td>25</td></tr><tr><td>White - English</td><td>2</td><td>3</td></tr><tr><td>White- European</td><td>0</td><td>3</td></tr><tr><td>White - Irish</td><td>2</td><td>4</td></tr><tr><td>White and Black Caribbean</td><td>1</td><td>0</td></tr><tr><td>White and Asian</td><td>0</td><td>1</td></tr></table>
Sexual orientation		X		No impact identified. No data on sexual orientation collected.
Pregnancy or maternity		X		No impact identified. No data collected.
Other				
Socio-economic	X			Guardian Angels and St Anne's pupils share a similar socio-economic background, with approximately 47% of pupils at St Anne's eligible for Free School Meals, compared to the slightly higher proportion of 49% at Guardian Angels. In addition to the afterschool clubs at St Anne's, a breakfast club is also run by the charity Magic Breakfast. Every child attending St Anne's, which will include any Guardian Angels pupils who move, has access to a healthy breakfast to start their school day so that they can make the most of their learning. Breakfast is free and children can arrive any time between 8.00am and 8.45am and choose from a variety of cereals, porridge, bagels, juice and milk. Bagels are also available for all children free of charge in the playground before school. As parents expressed during the informal consultation, joining the two schools would lead to enhanced extracurricular opportunities, such as trips to museums, and extended provision, which greatly benefits working parents. Nursery provision for children aged 2 upwards would also provide funded places for the 40% most disadvantaged two year olds, as well as 30 funded hours for 3 and 4 year olds with working parents and 15 universal hours for all 3 and 4 year olds.
Parents/Carers		X		As previously mentioned, the majority of parents who responded to the informal 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 increased journey to school and the location of St Anne's.

The decision about a new uniform is being undertaken by the governing bodies, which may choose to offer financial assistance should the decision be taken to amalgamate the two schools.

St Anne's, unlike other Catholic schools in the borough, has the space for all Guardian Angels' pupils if required. This is not the case for other schools, which would mean needing to keep two buildings open, leading therefore to higher premises and management costs. The location of St Anne's was perceived to be in a less safe place than Guardian Angels by some parents, despite it being down a quiet residential street. They have been reassured upon visiting the site. The Whitechapel area does have more people and therefore is at more risk of ASB and crime. However, it also has more focused resources to deal with any issues, such as THEOs.

The local authority and the diocese will consider a range of options for ensuring that the Guardian Angels site remains of benefit to the Christian community if the decision to join the two schools is taken.

The travel distance to St Anne's will be longer for most Guardian Angels' pupils. An analysis of the distance to school from the home address of Guardian Angels' pupils:

Reception to Year 2		
Distance to school	**Guardian Angels**	**St Anne's**
Less than 2 miles	50	26
Greater than 2 miles	5	29

Year 3 - Year 5		
Distance to school	**Guardian Angels**	**St Anne's**
Less than 3 miles	80	72
Greater than 3 miles	4	12

Under the LA's current Travel Assistance Policy, 41 pupils would be eligible for travel assistance. Representations made during the formal consultation period suggested that some parents would not be able to

				take their child/ren to and from school if they moved from Guardian Angels to St Anne's, especially if they had children at other schools/provision. The Local Authority and Diocese are cognisant of this issue and are working with the governing bodies of the two schools to review possible travel arrangements.

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.

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	

Your action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress

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.

Appendix A

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 *Protected Characteristics.* It is recommended that the use of the policy be suspended until further work or analysis is performed.	**Suspend – Further Work Required**	**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 *Protected Characteristics.* However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	**Further (specialist) advice should be taken**	**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 *Action Planning* section of this document.	**Proceed pending agreement of mitigating action**	**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 *Protected Characteristics* and no further actions are recommended at this stage.	**Proceed with implementation**	**Green:**

Appendix 5

Report on HR Organisational change process and support to be provided to school staff

The organisational change procedures underpinning the consultation about St Anne's and Guardian Angels School are the Tower Hamlets Organisational Change Process. Agreed with unions in 2014, and confirmed as still agreed by Tower Hamlets Educational Partnership (THEP) and the Trades Unions.

In paragraph 2.2 the aims of the procedure are set out.

This procedure is intended:

- *To take account of the school's statutory duty to provide for the educational needs of all pupils in line with the National Curriculum;*
- *To minimise the impact of situations involving re-organisations and or staff reductions;*
- *To ensure that organisational change takes place as effectively as possible and avoids unnecessary disruption;*
- *To ensure staff reductions are reached fairly and in accordance with employment law and statutory entitlements; and*
- *To ensure that consultation with staff and the trade unions is commenced at the earliest possible opportunity.*

In September 2019 when Guardian Angels and St Anne's governing bodies began to consider whether amalgamation would be a good way forward it was clear that both schools were likely to need staffing restructures.

Historically, amalgamations in Tower Hamlets have always involved equal status for staff if school staffing structures are likely to be affected, regardless of which school (or schools) is closing. The consultation document, agreed by governors, the LA and Diocese, and published on November 8th, therefore included the following paragraphs.

> ***What will happen to our Headteacher?***
>
> *Sheila Mouna is an excellent Executive Headteacher for both our schools and has been essential in establishing the partnership between the two schools. The Governing Bodies from Guardian Angels and St. Anne's Schools agree that the headteacher post for the new school is, in effect, not 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 merged school. A single primary school would bring both schools together to become one community, which we believe will be the best for the children and their education.*

What will it mean for the staff?

A staffing structure will need to be developed as part of the planning if a decision to amalgamate the schools is taken. In both schools, staffing changes already need to be made because of falling numbers of children.

The exact structure for the future cannot be clear until we know whether the schools are amalgamating and the numbers of children and therefore, the numbers of staff required.

If numbers at either school continue to fall, or children do not move to the amalgamated school, this could lead to further staff losses. Staffing structures for September 2020 will be clarified once numbers of children are known, and will, initially, be based on the staff structure required to support the numbers of children from each school.

As part of the consultation process, governors will work with the Local Authority, staff, and their unions, and an HR consultant to determine the best ways to manage any changes needed. The Local Authority, Diocese and governors are committed to avoiding compulsory redundancy.

Consultation meetings for staff will be held during the Autumn Term and throughout any agreed change processes. Amalgamation provides greater protection for staff because more posts will be retained than would be the case if one school closed without being part of an amalgamation.

This was the process discussed with Trade Unions Representatives at both schools. (At Guardian Angels on 13th Nov and at St Anne's on 14th Nov). The same process was described in response to questions at consultation meetings in the Autumn Term. All staff were provided with a copy of the consultation document. No staff or unions raised any concerns about the process. They were very clear that they expected the process to be completed as quickly as possible, and that they were anxious to know whether they had job security.

Unfortunately, the time scales for Cabinet reaching a decision on the amalgamation, achieved through the closure of Guardian Angels and expansion of St Anne's School, changed during the Christmas holidays, with a proposed decision date of April 2020. This would have meant completion of staffing processes by May half term would be impossible and caused great concern for staff. The Local Authority consequently reviewed its processes and the decision will now be taken at Cabinet on March 25th, following statutory consultation from 5th Feb-4th March 2020.

As part of expediting the HR processes in a fair and timely manner the HR consultant has helped draw up a time table and Helen Jenner and Sheila Mouna have held a series of meetings with unions to agree the timetable. The teachers' unions, GMB and Unison have agreed the revised timetable, which allowed for a longer informal consultation on the proposed structure and process to be followed to be shared with staff before Cabinet reach a decision on the proposed amalgamation, and a shorter formal consultation period, immediately after the decision has been reached, so that decisions are made quickly to reduce staff anxiety.

It is now apparent that during the staff meetings held by the LA and Diocese, at staff requests, different information was been given to the two staff teams on the process that should be followed. The Headteacher, HR consultant and Independent Consultant were not at these meetings. The Diocese proposed at the St Anne's meeting that, as Guardian Angels may be closing, all the staff there should be made

redundant. This proposal was not included in the informal consultation period, nor was it addressed in the statutory consultation notices.

Whilst making all Guardian Angels staff redundant could have been an approach, it was not the one agreed at the start of the process for three main reasons

1. Both schools would have needed to consider staffing re-structures if the amalgamation was not happening.
2. There was a desire to support children at Guardian Angels through the transition by having some staff move with them.
3. Staff at Guardian Angels School bring with them expertise that would benefit both schools.
4. This would have increased the likely number of redundancies and staff at the two schools involved in the amalgamation would have been treated inequitably.

It may have been possible to change to a different process, but this would probably have required revisiting the early consultation, or trying to meet again with unions for them to agree a completely new process, and then putting this to the staff.

It was decided that it was important to make sure that staff at both schools had the same information, so the original process has been adhered to. After some discussion, it was agreed to remain with the model previously consulted on for three main reasons-

1. The proposed organisational change model gives equity between the staff at the two schools.

2. If all staff at Guardian Angels were made redundant this would not be in keeping with the principle of reducing redundancies.

3. To change the organisational change model at this stage would require a revisiting of Tower Hamlets agreed processes, and possibly a rerunning of the informal consultation, causing even greater delay and anxiety.

As mentioned previously, there are also clear benefits for children by combining staffing, as the children are benefitting from staff appointed from the expertise pool across the two schools.

In meetings so far, the unions have been pleased with arrangements proposed to ensure decisions for staff are expedited by May half term, with the new school shadow structure available for informal consultation from February 26th. A number of staff at both schools have expressed an interest in early retirement or voluntary redundancy and there are also staff at both schools who would like to stay and join the newly amalgamated school.

A letter was sent to all staff, with a copy of the agreed timetable, following the Steering Group meeting on Thursday 13th Feb. The letter and timetable are attached.

Once Cabinet have reached a decision additional HR support will be made available for the schools, so that one to one meetings can be held quickly, to support staff and ensure that any requests for voluntary redundancy, or early retirement can be considered, to reduce the need for competitive processes and compulsory redundancies. During the one to one meetings, which will be offered to every member of staff at both schools, staff wishes and concerns will be considered. There

will also be the opportunity for staff to raise any additional support or training they think they might need to support them with changes.

Both the Catholic Diocese and Tower Hamlets have agreed that they will provide a supportive process for any staff interested in redeployment at other schools.

As the Unions agreed to early consultation on the change process, staff have been able to see the proposed structures, timescales, job descriptions and a draft job matching list. Additional support has enabled Initial 121 meetings to have been held with a number of staff to provide more detail on their options and answer questions, more are to be arranged. Staff have been invited to request estimates for voluntary severance and early retirement. Counselling support is being arranged for staff who which to access this support and staff have been advised that redeployment may also be an option for them.

Formal consultation will finish in early May, after which decisions will be made on Early Retirement/Voluntary Redundancy requests and any selection interviews will take place. This will allow for any staff matching processes to be completed in time to allow appeals processes and comply with statutory and contractual notice periods.

Although staff are understandably still anxious, the tighter timescales and early consultation have reduced their concerns.

Joint staff training days have already been put in the diary to allow the staff from the two schools to work together and build the new staff team.

6th March 2020

Appendix 6

Plans/Options for both the St Anne's and Guardian Angels School sites, following the schools amalgamation

The proposal to amalgamate St Anne's and Guardian Angels Catholic Primary Schools, will involve expanding St Anne's to 2 forms of entry (420 places) and closing Guardian Angels.

It will be possible, through internal alterations, to provide 5 of the 7 additional classrooms they would need to meet the additional capacity. The 2 remaining classrooms required would be provided by constructing a new 2 classroom block with toilets. The majority of the works should be completed by the start of the academic term in September 2020, to allow the school to take the additional pupils. The estimated cost of the works is £1.2m.

Both the St Anne's site and most of the Guardian Angels sites are owned by the Diocese of Westminster. The ownership of the remainder of the Guardian Angels site was transferred to the Council following the demise of the Inner London Education Authority, with the intention that this would be transferred to the Diocese, but this has not yet taken place. It has, therefore, been agreed with the Diocese to consider using this part of the Guardian Angels site to fund the works required at St Anne's.

The sale of any land used by a school is subject to the agreement of the Secretary of State for Education, and any income from the sale must be reinvested. As this outcome of this process will not be known until after the works to expand St Anne's are required, it is proposed to use s106 developer's contribution for education projects to fund the works. If the sale of the land at Guardian Angels is agreed, the income could then be used to fund other school basic need projects.

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Appendix 7

Summary Analysis of the Current Financial Position at Guardian Angels and St Anne's Schools.

The financial position of the two schools at the end of the 2018-19 financial year was a deficit of £160k for Guardian Angels and a surplus of £181k for St Anne's.

Guardian Angels provided a three-year financial projection agreed by the Governing Body at the start of the 2019-20 financial year. This revealed a continuing in year deficit of £195,605 and £222,330 for 2020-21 and 2021-22 respectively. St Anne's did not complete a three year projection for these future years.

The latest, Quarter 3, Forecast Outturn is set out in the table together with an analysis of future action.

School	2019-20 Forecast Outturn £	Future Status	Revenue Balance at 31 August 2020	Licensed Deficit Approval	Residual Budget Share 1 September 2020	2021-22 Transitional Funding
Guardian Angels	Deficit 228,624	Closing	Reverts to LBTH	LDA required for closure period to minimise deficit.	Reverts to newly amalgamated school.	N/A
St Anne's	Surplus 121,088	Continuing as expanded school.	Remains with school	N/A	Remains with school.	Attracts transitional support to guarantee 85% of former combined lump sums.

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Cabinet 25 March 2020	
Report of: Debbie Jones, Corporate Director, Children's Services	**Classification:** Unrestricted
Report on the outcome of public representations received in response to the statutory proposal to amalgamate Smithy and Redlands Primary Schools.	

Lead Member	**Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People**
Originating Officer(s)	Terry Bryan, Service Head (Pupil Access and School Sufficiency)
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	21 February 2020
Reason for Key Decision	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.
Strategic Plan Priority / Outcome	**Children and young people are protected so they get the best start in life and can realise their potential**

Executive Summary

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 for the amalgamation (merger) of Redlands and Smithy Street Primary Schools. This would create a single three form entry school and require the closure of Smithy Street School.

It recommends for the Mayor in Cabinet to consider a decision on whether or not to formally proceed with plans for the schools amalgamation that would take effect from the 1st September 2020. Smithy Street would therefore officially close on 31st August 2020.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the report and supporting documentation, particularly the statutory notice at Appendix 2; the comments and objections raised by the two respondents at Appendix 3 and the Equalities Assessment at Appendix 4.

2. Agree to proceed with plans for the amalgamation (merger) of Redlands and Smithy Street Schools to take effect from the 1st September 2020 and meaning that Smithy Street would therefore officially close on 31st August 2020 and Redlands would expand to accommodate the displaced pupils from 31st August 2020.

3. Authorise the Corporate Director Children's to agree any such variations to the relevant PFI Agreements as are necessary to allow for the completion of the amalgamation

1 REASONS FOR THE DECISIONS

1.1 The recommendation is made in order to determine the Council's response to the statutory notice on the proposal for the amalgamation of Smithy Street and Redlands Primary Schools.

1.2 The amalgamation would be achieved through the closure of Smithy Street School with all children able to attend the newly combined school at the site. Redlands School and Smithy Street Schools both currently have an intake of 2 forms of entry (60 children each). It is proposed for the combined school to be renamed Stepney Park Primary and it would have 3 forms of entry (90 children), reducing the intake across the two schools by 30 pupils.

1.3 The size of the new school would be a closer match to the current community needs and will bring together the resources and staff expertise across the two schools. There will be fewer surplus places and the Schools' financial resources can therefore be maximised.

1.4 The proposal to combine the schools has been put forward after the Local Authority (LA) and the schools governing bodies considered possible alternatives through the recent review of its primary school organisation. Given the lack of pupils applying and the increasing financial pressures facing both schools this proposal is the only option being presented to the Mayor in Cabinet

1.5 In line with the Department for Education guidance (November 2019) "Opening and Closing Maintained Schools" informal consultation has been undertaken, and statutory a notice inviting representation has been published.

1.6 This report provides feedback on the representations received following the publication of Statutory Notice on 5th February 2020.

2 ALTERNATIVE OPTIONS

2.1 The Mayor could decide not to agree to the recommendation for the schools

amalgamation. In which case the schools would continue as separate institutions and seek to find alternative ways to deal with the future resourcing challenges that would be presented by a decline in their pupil numbers.

2.2 The Mayor could decide to delay his decision on the schools amalgamation. However, this would mean the amalgamation taking place later than the proposed date of August 2020, by which time both schools financial position would be less advantageous. Officers are concerned that it would be very difficult for both these schools to sustain a rounded education that meets their children's academic, social and emotional needs and, consequently, any delay would not be in the best interests of quality educational provision. Evidence from other projects shows that delaying change processes in schools is unsettling for children, staff and parents, and leads to schools facing rapidly falling roles and struggling to maintain morale and staffing.

3 DETAILS OF THE REPORT

3.1 The Council has a statutory duty to ensure that it provides sufficient school places. Decisions on how to achieve this are taken at local level, based on forecast pupil numbers across the planning areas (PAs) in a local authority. These PAs are groups of schools, often (but not exclusively) in a similar geographic area, reflecting patterns of provision. Department for Education 'School Place Planning Guidance (2018)':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/789602/School_Place_Planning_2018_Technical_Guidance.pdf

3.2 In Tower Hamlets the planning areas for primary schools are the same as the LA's primary school admission catchment areas. A summary of the pupil projections for the borough together with the Stepney Planning (catchment) Area are included as **Appendix 1**.

3.3 In order to fulfil its statutory responsibility the LA regularly reviews its provision, pupil forecast numbers and school applications and census data. This ensures that supply of school places remains appropriate to meet the level of demand and also that the LA is able to take steps to avoid too great a surplus in any particular area. Too many surplus places tie up scarce resources in under-utilised school premises or give rise to inefficient small classes or schools.

3.4 There has been significant and rapid demographic change in Tower Hamlets, which has led to a sudden fall in children applying for reception places in the West of the Borough, causing a high number of vacancies in some schools. The LA has taken a proactive approach to this developing trend, including conducting a Review of Primary School Places. Progress on the review has been regularly reported to Cabinet.

3.5 There has been a drop-in applications across all schools. Both Smithy Street and Redlands Schools have seen the number of reception applicants fall. In reviewing provision the school governing bodies and Local Authority consider that four forms of entry are no longer required across the two schools. Reducing either school to one form of entry would reduce its long term

financial security. The two schools work closely together and back on to each other, separated only by a boundary wall. Amalgamating the schools would significantly reduce costs and provide an enhanced site and premises for the children.

3.6 The amalgamation would draw on the strengths of both schools and closer working has already enhanced the curriculum offer for the school community. The Headteacher at Redlands School plans to retire in December 2020. The current financial position of both schools is relatively strong and any staff changes that there may be in September 2020 will be managed through natural wastage.

3.7 The proposed new admissions arrangements for the amalgamated school have been agreed with the existing school governing bodies. The main entrance to the school will be on the Smithy Street side, because the majority of children in the schools come from the South. An entrance for children will still be available from Redmans Road at the start and end of the school day.

3.8 During September and October 2019 an informal consultation was undertaken at both schools, and this has been used to highlight and address issues that need mitigation to support successful amalgamation. Parents' meetings and coffee mornings were held in both schools. Staff, children and parents have been invited to visit each other's' schools. The consultation document and response analysis are available on both school websites.

3.9 The majority of parents and staff in both schools were in favour of the amalgamation. Some questions were raised and the schools have communicated regularly with parents, staff and children to address these.

3.10 <u>Publication of the Statutory Notice</u>

A report on the outcome of the informal consultation was presented to the Mayor in Cabinet on the 29th January 2020. The Mayor agreed to proceed to the next stage of the consultation, which would begin the four week 'statutory representation period' and require the publication of a statutory notice.

The statutory notice (**Appendix 2**) was published on the 5th February 2020. It was completed using the applicable Department for Education (DfE) prescribed alterations template and guidance. The proposal was not related to any other proposal. All statutory requirements were carried out regarding the consultation.

Notification of the publication of the statutory notice was advertised widely, in line with DfE guidance. The permanent proposal for the amalgamation of Smithy Street School and Redlands School through the closure of Smithy Street School and the expansion of Redlands School was posted publically outside the schools and on the schools and Council websites on the 5th February. It was also published in East London Advertiser Newspaper on the 20th February. All parents received a hard copy of the complete notice, and other stakeholders were signposted to the schools and Council websites.

3.11 Responses to the Statutory Notice

By the formal close of the statutory notice period, two written responses were received from persons who identified themselves as:

- Parent(s) of a Redlands pupil
- Local headteacher

The two responses can be viewed here:

https://www.towerhamlets.gov.uk/lgnl/council_and_democracy/consultations/Proposal-to-merge-RedlandsandSmithyStreet.aspx

One of the respondents was in favour of the schools amalgamation and one was opposed.

The responses to the proposal covered the following areas:

1. Reasons for Amalgamation – Headship and concerns over the Ofsted performance of Smithy Street School
2. Impact on the community – Extra Curricular and After School Provision and School Entrances

A summary analysis of the two responses, including feedback from school staff, is included at **Appendix 3**. The Council response is included in the analysis and presented here again as follows:

Council response to representations following the Statutory Notice

Both Redlands and Smithy Street Schools have not been able to fill reception places in recent years, leading to budgetary challenges. Neither school wishes to reduce by half a form of entry, or to become a one form entry school. The amalgamation will create a three form entry school, reducing the intake across the two schools by 30 pupils, a closer match to community needs. The amalgamation will bring together the resources and staff expertise across the two schools. There will be fewer vacancies in the school and financial resources will therefore be maximised.

The proposal will enable the two school communities to become a single community. During the course of consultations the current governors have agreed that the single unity community would be best recognised through changing the name of the newly amalgamated school to Stepney Park Primary School. The Temporary Governing Body and existing governing bodies will consider this name change following appropriate processes, if the amalgamation proposal is agreed.

In September 2019, Ofsted introduced a new inspection framework. Smithy Street was the first Tower Hamlets primary school to be inspected under this new framework and was judged to require improvement, having previously been an outstanding school. In fact, 97% of the previously outstanding primary schools inspected in London during the initial period of new framework were given a lower Ofsted rating. Smithy Street was among the 27% whose Ofsted rating was lowered to requiring improvement, despite having performed above both national and the local authority averages in the

combined measure (reading, writing and maths) for the past three years at the end of KS2. Smithy Street three year average is 76% compared to LA at 71% and national at 64%.

Since its Ofsted inspection Smithy Street has been working with the Tower Hamlets Education Partnership (THEP) to ensure that the areas identified for improvement are being addressed. The headteacher, and leaders in the school, have made rapid improvements where they were needed. The leaders and staff of both Smithy and Redlands schools are working together to plan for the best outcomes and to ensure that the quality of education will be good for all pupils. THEP and the LA have confidence in the headteacher at Smithy Street and her ability to lead the new school moving forward, ensuring high standards are maintained for all pupils.

The newly amalgamated school will enable greater opportunity for families to be provided with a range of extra-curricular / after school activities and ensure value for money. There is no plan at this stage for the cost of current activities to increase or for provision to be reduced. Nursery provision will continue to be offered, with places in line with becoming a three form entry school.

The admissions arrangements for the amalgamated school have been agreed with the existing school governing bodies. The main entrance to the school will be in Smithy Street, because the majority of children in the schools come from the South. However, an entrance will still be available for families wishing to enter from Redmans Road at the start and end of the school day.

This is a strong proposal that is recommended to be agreed by the Mayor Cabinet.

4 EQUALITIES IMPLICATIONS

4.1 When making decisions the Council must act reasonably and rationally. It must take into account all relevant information and disregard all irrelevant information and consult those affected, taking into account their views before final decisions are made. It must also comply with its legal duties, including relating to equalities.

4.2 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").

4.3 An Equalities Assessment has been conducted by the LA and is attached at **Appendix 4**. It has been updated in view of the responses to the statutory notice and the representations. This must be considered in detail when the Cabinet considers the matters above, as part of its decision on whether the two schools should amalgamate.

4.4 Governors and the LA have considered carefully whether changes may affect particular groups disproportionately. They have worked with Trade Unions to ensure planning for any staff changes is in line with agreed policies and therefore fair and equitable.

4.5 The equalities assessment has found that there are no obvious equalities issues arising from this proposal, either for staff, parents or children.

5 OTHER STATUTORY IMPLICATIONS

(i) Managing the Impact of the Amalgamation on School Staff

The LA and School Governing Bodies are working together to support the schools staff through this change. A report on the planned HR Organisational change process and meetings already held with the staff and their unions as well as the support being provided is attached as **Appendix 5**. A formal staff consultation will only take place once the final decision has been made on the schools amalgamation. However, the financial position of both schools is strong and any staff changes for September 2020 will be managed through natural wastage.

(ii) Best Value Implications

The Local Authority has a duty to ensure that governors are fulfilling their duties and that value for public money is achieved, whilst standards are maintained. They must ensure that admissions policies are equitable and fair, but also that schools do not fall into financial deficit so that they are unable to offer a quality education. With falling rolls meaning that there are nearly 600 surplus reception places across the Borough it is inevitable that some very difficult decisions will have to be made.

The proposal is an integral part of the Council's Primary School Review Strategy. It will support the quality of educational opportunity for the children, providing access to additional resources and space, and pooling the significant expertise across both schools.

The proposal does not have any significant mainstream revenue or capital implications for the Council. Minor capital investment will be needed to create a safe entrance and to remove the wall that separates the schools.
When a school closures its finances (and any surplus or deficit) is returned to the LA. In the case of this amalgamation the Statutory Notice has made clear that any remaining balances from the closing school (Smithy Street) would be transferred to Redlands School on the last business day of its operation.

Closure of Smithy Street School will release the annual lump sum element (£135,428) for the school from the Delegated School's Budget, (at a sliding rate over 2 years). This money reduces the pressure on the DSG that is caused by having a large number of smaller schools, and provides better value for money across the school estate.

(iii) Environmental (including air quality)

There are no environmental issues arising from this proposal.

(iv) Risk Management

If these recommendations are agreed, continuation of the schools amalgamation process will be carefully managed and evaluated in line with statutory guidance and taking account the views of stakeholders in order to

reduce and mitigate risks. It will be particularly important to ensure an effective transition of pupils to minimise any impact. The LA is working with Smithy Street and Redlands schools to support them in mitigating this risk. The provision for children with Special Educational Needs will not be affected by this proposal

It is proposed to amalgamate the two schools from September 2020. Delaying change processes in schools is unsettling for children, staff and parents, and leads to schools facing rapidly falling roles and struggling to maintain morale and staffing.

The Redlands School site is part of the council's private financial initiatives (PFI) contract that was used previously to fund school-building projects. This contract will need to remain in place following the schools amalgamation, but it will not extend to the part of the site that is currently Smithy School. Further detail about the PFI arrangements and the modifications to be made to enable the sites to function as one School following amalgamation is provided as **Appendix 6**.

(v) Safeguarding

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

(vi) Data Protection / Privacy Impact Assessment.

The proposals presented in this report have followed a full public consultation. All responses received through these mechanisms or made directly to Council officers or members have been included in the analysis of the feedback received. These responses have only been used to assess the community's view of the proposals and not for any other purpose.

The Council will handle information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 2018 and is the data controller for the purposes of the Data Protection Act 2018. For more information the privacy notice for Pupil Services can be accessed here.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 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 5/12th 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 (£135,428).

6.2 In 2021-22 transitional arrangements will apply that guarantee Stepney Park 85% of the former combined lump sums (lump sum plus £94,800). 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.

6.3 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.

6.4 The Statutory Proposal to amalgamate states that the Smithy Street financial balance will be transferred to the newly amalgamated school.

6.5 As Redlands is already in deficit its governing body will be required to apply for A Licensed Deficit Agreement.

6.6 The building modifications required to amalgamate the two schools are set out in Appendix 6 and need to be contained within the capital funding streams available for the development of the school estate.

6.7 Any legal costs associated with the changes to PFI arrangements will be a charge to the General Fund.

6.8 As the PFI charge to the Council is primarily based upon the square meterage of the school buildings, which is not changing, this will not increase.

7 COMMENTS OF LEGAL SERVICES

7.1 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 and the statutory guidance – Opening and closing maintained schools, have been followed to enable a decision to be taken in respect of whether Smithy Street should close.

7.2 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.

7.3 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, together with the associated guidance, has been followed in respect of the proposal to expand Redlands.

7.4 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 to close Smithy Street School, and to expand Redlands to accommodate the displaced pupils, with effect from the 31st August 2020. Cabinet must take the representations made conscientiously into account in taking a decision about whether to close the school.

7.5 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 Smithy Street 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.

7.6 The Mayor in Cabinet 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.

7.7 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.

Employment considerations

7.8 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

7.9 The impact of TUPE provisions may need to be considered later depending upon the final proposals including decisions about amalgamation.

PFI Considerations

7.10 The Council is contractually committed to the PFI arrangements at Redlands. However, Smithy school is not a PFI site. Therefore, some amendment to the PFI agreement will be required such that either the facilities management services under the PFI agreement are provided to the whole amalgamated site or to none. In the event that it is none, alternative provision will need to be sourced and there may well be termination costs relating to the PFI FM services.

7.11 The works detailed in the necessary report appear to be relatively minor. However, the site is owned by the PFI financiers who have the right to determine who performs works on their site. Therefore, the PFI contractor (Tower Hamlets Schools Limited) will need to be engaged to perform any such works on the Redlands site.

Equality considerations

7.12 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.

Linked Reports, Appendices and Background Documents

Linked Report

- 30th October Cabinet Report on Planning for School Places 2019 /20 - Review and Recommendations

Appendices

Appendix 1	LA Pupil Projections 2018-2028 (overall borough and Stepney catchment area)
Appendix 2	Statutory Notice (issued on the 5th February 2020)
Appendix 3	A summary analysis of the responses to the statutory notice
Appendix 4	Equalities Assessment (updated following statutory notice responses)
Appendix 5	Report on HR Organisational change process and support to be provided to school staff
Appendix 6	PFI arrangements and the modifications to be made to enable the sites to function as one school following amalgamation
Appendix 7	Summary analysis on the current financial position of both schools

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

- NONE

Officer contact details for documents:

N/A

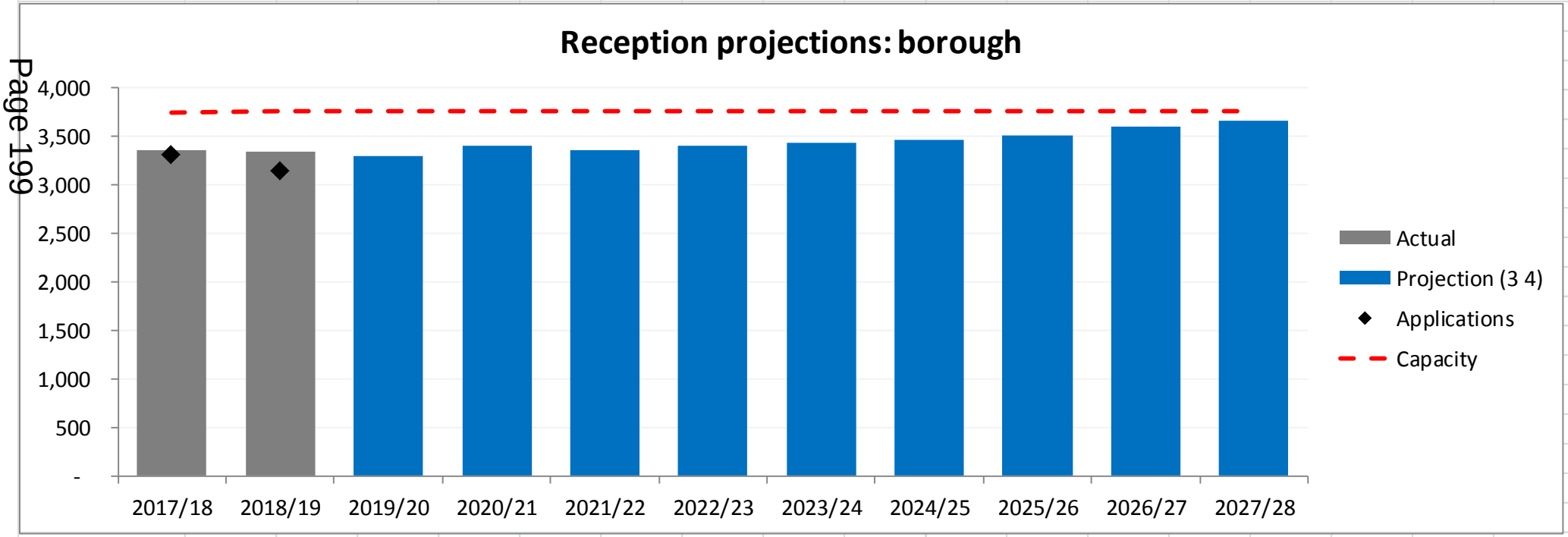
Appendix 1

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
Actual		3,353	3,340									
Projection (3 4)				3,299	3,403	3,364	3,398	3,436	3,469	3,512	3,606	3,658
Applications		3,305	3,136									
Capacity		3,740	3,766	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761	3,761
Variance (3 4)	**Pupils**	387	426	462	358	397	363	325	292	249	155	103
	FE	12.9	14.2	15.4	11.9	13.2	12.1	10.8	9.7	8.3	5.2	3.4
	%	10%	11%	12%	10%	11%	10%	9%	8%	7%	4%	3%



Planning Area 1

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
Actual		756	730									
Projection				727	753	716	712	703	696	692	698	699
Capacity		840	840	840	840	840	840	840	840	840	840	840
Variance	**Pupils**	84	110	113	87	124	128	137	144	148	142	141
	FE	*2.8*	*3.7*	*3.8*	*2.9*	*4.1*	*4.3*	*4.6*	*4.8*	*4.9*	*4.7*	*4.7*
	%	*10%*	*13%*	*13%*	*10%*	*15%*	*15%*	*16%*	*17%*	*18%*	*17%*	*17%*

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.

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Appendix 2

Statutory Proposal to amalgamate Smithy Street and Redlands Primary Schools

Proposal to combine Redlands Primary School and Smithy Street Primary School from 1 September 2020.

On 29 January 2020 Tower Hamlets Cabinet approved the recommendation to publish a Statutory Notice on the proposal to amalgamate (combine) Redlands Primary School with Smithy Street School.

The proposal will have the effect of combining Redlands Primary School and Smithy Street Primary School in order to provide a combined Primary School. Upon final approval in Cabinet in March 2020, Governors intend reviewing the name of Redlands School to become Stepney Park Primary School from September 1st 2020. No pupils will be displaced and all the pupils attending the schools at the time of implementation would continue to be educated in the current school buildings. The current Smithy Street School entrance will provide the main entrance to the new school, and would be the point of measurement for distances for new applicants for the 2020/21 academic year. Children with siblings at Redlands or Smithy Street Schools would be given priority for admissions to the amalgamated school.

Part 1 Smithy Street School

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Tower Hamlets Council, Tower Hamlets Town Hall, Mulberry Place intends to discontinue Smithy Street School on 31 August 2020. The financial balance at Smithy Street School will transfer to Redlands School on the last business day for Smithy Street School (28th August 2020). The balances will form part of the budget for the amalgamated school.

Part 2 Redlands Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Tower Hamlets Council intends to make the following prescribed change to Redlands Primary School to extend the provision at Redlands Primary School to accommodate Smithy Street pupils with an annual intake of 90 pupils.

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 schools proposed to be amalgamated: (inc DFE number)

Redlands Primary School, Redmans Rd, Stepney, London E1 3AQ

Smithy Street Primary School, Smithy St, Stepney Green, London E1 3BW

2. Implementation

Date on which it is proposed to amalgamate Redland and Smithy Street Schools:

1 September 2020

It is proposed to implement the amalgamation as follows:

Redlands Primary School will expand to 3 Forms of Entry from 1 Sep 2020

Smithy Street Primary School will close from 31st August 2020.

All children attending Redlands and Smithy Street Schools will be offered a place at Redlands School from 1st September 2020.

3. Reason for amalgamation.

The proposal arises due to a fall in pupil numbers and the associated impact on the educational and financial viability of Redlands and Smithy Street Schools. The amalgamation is proposed to ensure the stability of a single 3 form entry (90 places) school, rather than 2 schools competing for children and becoming financially unstable.

A six school week period of public consultation, including meetings with staff, governors, and parents, along with other interested parties has been undertaken from 9th September 2019 to 18th October 2019. The consultation documents and responses can be viewed on the school websites:

http://www.redlands.towerhamlets.sch.uk/amalgamation.html

http://www.smithystreet.org.uk/amalgamation.html

4. Pupil numbers and admissions

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

Redlands School is a co-educational mainstream community school for pupils aged 3 to 11. The school has a Published Admission Number (PAN) of 60 for each year group, giving a 5-11 capacity of 420 children. As at October 2019 the school had 384 pupils on roll, of which 47 were reception age.

Smithy Street School is a co-educational mainstream community school for pupils aged 3 to 11. The school has a Published Admission Number (PAN) of 60 for each year group, giving a 5-11 capacity of 420 children. As at October 2019 the school had 380 pupils on roll, 53 of whom were reception age.

5. Displaced pupils

Provision has been made to accommodate all pupils from both schools at Redlands School, no children will be displaced.

6. Impact on the community

The local community will not be significantly affected. In order to mark the changes and to bring the school communities together, if the proposal goes ahead, Redland School governors will consider changing the school name to Stepney Park Primary School from September 1st 2020.

7. Rural Primary Schools

Not applicable

8. Balance of denominational provision

The amalgamation of these two schools will not affect the balance of denominational provision in the Borough

9. Maintained nursery schools

The amalgamated school will offer nursery provision for all current nursery pupils at Redlands and Smithy Street Schools.

10. Sixth form provision

Not applicable

11. Special Educational Needs provision

Redland and Smithy Schools are inclusive schools they not provide educational provision recognised by the local authority as being reserved for children with special educational needs.

Redlands School has 10 students with Education Health Care Plans or Statements, and Smithy Street School has 18. Their needs will continue to be met in the amalgamated school.

12. Travel

Redlands and Smithy Street Schools back on to each other. Although the Smithy Street entrance will be used for calculating admissions (the majority of children currently live South of the schools), an entrance to the school from the Redmans Road will be maintained so that children's travel distances will not be affected.

13. Finances

The Smithy Street School financial balances will be transferred on the Smithy Street School's last business day (28th August 2020) to the newly amalgamated school as part of the school's budget from 1st September 2020.

14. 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

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

Closing date for responses is 4th March 2020.
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-March 2020. The website address is: https://www.towerhamlets.gov.uk/Home.aspx

A summary analysis of the representations received in response to the Statutory Proposal to amalgamate Redlands Primary School and Smithy Street Primary School from 1 September 2020

Consultation Response Analysis

London Borough of Tower Hamlets (LBTH) consulted the following stakeholders and interested parties directly to inform them of the publication of this statutory proposal:

- ✓ Secretary of State
- ✓ Parents, Carers and Pupils of Redlands and Smithy Street
- ✓ Staff at Redlands and Smithy Street
- ✓ Governors of all LBTH schools
- ✓ Diocese of Westminster (Roman Catholic)
- ✓ London Diocesan Board for Schools
- ✓ LBTH Admissions Forum
- ✓ Children and Young Peoples Voluntary Sector Forum
- ✓ Headteachers of all LBTH schools
- ✓ Local MPs
- ✓ All LBTH councillors
- ✓ All neighbouring boroughs local authorities
- ✓ Parents Carers Forum
- ✓ Parent Champions
- ✓ Young People Forum
- ✓ Somali Community Association
- ✓ Collective of Bangladeshi Governors
- ✓ East London NEU
- ✓ Council of Mosques
- ✓ Published on LBTH website / social media accounts
- ✓ East London Advertiser

By the formal close of the statutory notice representation period, the following written responses were received:

Total number of responses	Agree with proposal	Do not agree with proposal
2	1	1

Respondents identified themselves as:

- Parents of Redlands pupil
- Local Headteacher

Within the two written responses received, there were four issues raised, within two broad themes:

1. **Reason for Amalgamation, Headship and concerns over the Ofsted performance of Smithy Street School**

    - I think the proposal to amalgamate Smithy and Redlands Primary Schools is the right one in the circumstances the LA finds itself with lower pupil numbers. The community will not be affected too much and there will be consistency in staff and ethos as the two schools work closely anyway.
    - The final and most important point, since the parent consultation, Smithy had an Ofsted inspection where it was rated as 'Required Improvement'. This is a huge drop, from its previous 'Outstanding' rating. Redlands is a 'Good' school as rated on their previous inspection. I understand Edith the current head of Smithy will remain the Head for the new Stepney Park School as Ann will be resigning. In light of the new inspection, what measures have been put into place to ensure that the head is working towards maintaining the high standards we have received at Redlands and has the right decision been made to let her carry on. How are we as parent meant to monitor the school progress and not expect a drop of standard from a Good school to joining with one that 'Requires Improvement?'

    Council Response

    Both Redlands and Smithy Street Schools have not been able to fill reception places in recent years, leading to budgetary challenges. Neither school wishes to reduce by half a form of entry, or to become a one form entry school. The amalgamation will create a 3 form entry school, reducing the intake across the two schools by 30 pupils, a closer match to community needs. The amalgamation of the two schools will bring together the resources and staff expertise across the two schools. There will be fewer vacancies in the school and financial resources will therefore be maximised.

    The proposal will bring together the two school communities to become a single community. During the course of consultations the current governors have agreed that the single unity community would be best recognised through changing the name of the newly amalgamated school to Stepney Park Primary School. The Temporary Governing Body and existing governing bodies will consider this name change following appropriate processes if the amalgamation proposal is agreed.

    In September 2019, Ofsted introduced a new inspection framework. Smithy Street was the first Tower Hamlets primary school to be inspected under this new framework and was judged to require improvement, having previously been an outstanding school. In fact, 97% of the previously outstanding primary schools inspected in London during the initial period of new framework were given a lower Ofsted rating. Smithy Street was among the 27% whose Ofsted rating was lowered to requiring improvement, despite having performed above both national and the local authority averages in the combined measure (reading, writing and maths) for the past three years at the end of KS2. Smithy Street three year average is 76% compared to LA at 71% and national at 64%.

    Since its Ofsted inspection Smithy Street has been working with the Tower Hamlets Education Partnership (THEP) to ensure that the areas identified for improvement are being addressed. The headteacher, and leaders in the school, have made rapid improvements where they were needed. The leaders and staff of both Smithy and Redlands schools are working together to plan for the best outcomes and to ensure that the quality of education will be good for all pupils. THEP and the LA have confidence in the headteacher at Smithy Street and her ability to lead the new school moving forward, ensuring high standards are maintained for all pupils.

2. Impact on the community – Extra Curricular and After School Provision and School Entrances

- During the consultation, I made a proposal that none of the afterschool and extracurricular activities that Redlands currently provides is hindered in relation to times, prices, quantity and quality. We working parents are grateful to Redlands for providing such facilities at the price which they provide it at. There is nothing on any of the papers to say that this will be adhered to. Can you tell us who we will need to speak to or find a guarantee that this will not change?

- I also mentioned in the parental consultation that Redlands parents would still like the main entrance of the school to be at Redlands. The final statutory notice, tell us that the main entrance will be at the Smithy site. Will this be the only entrance or will the current Redlands entrance also be accommodated. Changing the entrance to Smithy Street, will make it difficult for Redlands parents that come from the other side of the area. It will add at least an addition five minutes to our journey, which is quite a lot for those of us who drop our children off before we go to work. Also with the large influx of children, will it be safe to have all the children enter through the one narrow road on Smithy Street?

Council Response

The newly amalgamated school will enable greater opportunity for families to be provided with a range of extra-curricular / after school activities and ensure value for money. There is no plan at this stage for the cost of current activities to increase or for provision to be reduced. Nursery provision will continue to be offered, with places in line with becoming a 3 form entry school.

The admissions arrangements for the amalgamated school has been agreed with the existing school governing bodies. The main entrance to the school will be in Smithy Street, because the majority of children in the schools come from the South. However, an entrance will still be available for families wishing to enter from Redmans Road at the start and end of the school day.

Conclusion

Through analysis of the feedback received during the informal consultation and the statutory consultation period, the Council is able to draw some clear recognition from the consultees that the majority of parents and staff responding at both Redlands and Smithy Street are in favour of the proposals; working together towards a shared future has been a strong theme throughout. No feasible alternatives to the proposals were uncovered during the consultation period. The fall in pupil rolls in the west of the borough is the main driver in these proposals to ensure a financially sustainable future in the combined school and provide the best educational outcomes for Redlands and Smithy Street pupils.

6 March 2020

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Equality Analysis (EA)

Section 1 – General Information (Aims and Objectives)

See Appendix A

Current decision rating

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; it values the important role that schools have in increasing the life chances of its 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 school 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. The review aims to 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.
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 regarding 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: Terry Bryan
(service head)

Date signed off: 6th March 2020
(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 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 30th and 3rd October 2019
Parents on 24th and 25th September 2019
Children discussed the proposal in assemblies held on 23rd and 30th September

Redlands:

Staff on 7th October and 9th October
Parents on 24th and 25th September 2019
Children discussed the proposal in assemblies held on 30th September and 8th 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

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 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.

Equality Groups	**Impact** What impact will the proposal have on specific groups of service users or staff?			**Reason(s)** • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making
	Positive	**Neutral**	**Negative**	
Protected characteristics				
Age	X			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. 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 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". 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. In the formal consultation period, the issue of Ofsted grades and suitable leadership was raised. As the head of Redlands will be leaving having resigned, the current head of Smithy Smith will become the Head for the new Stepney Park School if the proposal is approved. Parents asked for clarity around measures that have been put into place to ensure there is not a subsequent drop of standard for the existing Redlands pupils who will be joined by a school requiring improvement. In September 2019, Ofsted introduced a new inspection framework. Smithy Street was the first primary school Tower Hamlets to be inspected under this new framework and was judged to "require improvement" having previously been an outstanding school. In fact, 97% of the previously outstanding primary schools inspected in London during the initial period of new framework 'dropped' in their previous Ofsted judgement. Smithy Street was among the 27% that fell into the category of requiring improvement. In Key Stage 1 in 2019, 78% of pupils at Smithy Street achieved the expected standard at the end of Yr2. This is 3% above the national average. In Key Stage 2 in 2019, outcomes in reading at the end of year 6 were above the national average at both the expected (76% compared to 73%) and higher standard (28% compared to 27%). Progress in reading from KS1 to KS2 is above average compared to schools nationally. Smithy Street has performed above both national and the local authority averages in the combined measure (reading, writing and maths) for the past three years at the end of KS2. Smithy Street three-year average is 76% compared to LA at 71% and national at 64%. Although pupil outcomes for reading are strong, the inspection team found some inconsistencies in the school, particularly in the way the school taught phonics in Reception and year 1. Since the inspection, the leaders at

				school have made changes and the teaching of phonics and systems and procedures put in place are now robust. Since its Ofsted inspection Smithy Street has been working with the Tower Hamlets Education Partnership (THEP) to ensure that the areas identified for improvement are being addressed. The headteacher and leaders at Smithy Street School are now working with the leaders at Redlands to ensure that the quality of education will be good for all pupils in amalgamated school. 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. Representations received during the formal consultation process asked for reassurance that the Redlands' offer would continue. There is no plan at this stage for the cost of current activities to increase or for provision to be reduced. 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 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.
Disability	X			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 particularly "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.

				The new school will have a robust, inclusive approach to supporting children with SEND, and teach children with SEND alongside their peers, planning lessons to cater for the needs of all children. 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. 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. 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. 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.
Sex		X		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. More females than males are employed at both schools, as is the case with most primary schools in the borough. However, as no staff members will face redundancy, and staff at both schools have expressed they

<table>
<tr><td></td><td></td><td></td><td></td><td>are enjoying working closely with one another, there is no negative impact from the proposal to amalgamate.</td></tr>
<tr><td>Gender reassignment</td><td></td><td>X</td><td></td><td>No impact identified.</td></tr>
<tr><td>Marriage or civil partnership</td><td></td><td>X</td><td></td><td>No impact identified.</td></tr>
<tr><td>Religion or belief</td><td></td><td>X</td><td></td><td>No impact identified - information on religion is not collected as neither school are faith provisions, but instead are non-denominational.</td></tr>
<tr><td>Race</td><td></td><td>X</td><td></td><td>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 currently)

<table>
<tr><th>Ethnicity</th><th>Redlands</th><th>Smithy Street</th></tr>
<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>4</td></tr>
<tr><td>Pakistani</td><td>9</td><td>1</td></tr>
<tr><td>Vietnamese</td><td>3</td><td>0</td></tr>
<tr><td>White - British</td><td>0</td><td>3</td></tr>
<tr><td>White and Asian</td><td>5</td><td>2</td></tr>
<tr><td>White and Black African</td><td>2</td><td>0</td></tr>
<tr><td>Total</td><td>441</td><td>431</td></tr>
</table>

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</td></tr>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>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.

As with pupils, staff have a very similar demographic in terms of ethnicity:

<table>
<tr><th>Ethnicity</th><th>Redlands</th><th>Smithy Street</th></tr>
<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>
</table>

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.</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td></td>
<td>X</td>
<td></td>
<td>No impact identified. No data on sexual orientation collected.</td>
</tr>
<tr>
<td>Pregnancy or</td>
<td></td>
<td>X</td>
<td></td>
<td>No impact identified. No data collected.</td>
</tr>
</table>

maternity				
Other				
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 afterschool clubs, and increase the amount of extra-curricular activities and trips pupils have access to.
Parents/Carers		X		As previously mentioned, most 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 focused 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. Both the Smithy Street entrance and the current Redlands School entrance will be available to families. However, the main entrance will be in Smithy Street.

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.

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	

Your action plan

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress

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.

Appendix A

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 *Protected Characteristics.* It is recommended that the use of the policy be suspended until further work or analysis is performed.	**Suspend – Further Work Required**	**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 *Protected Characteristics.* However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	**Further (specialist) advice should be taken**	**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 *Action Planning s*ection of this document.	**Proceed pending agreement of mitigating action**	**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 *Protected Characteristics* and no further actions are recommended at this stage.	**Proceed with implementation**	**Green:**

Appendix 5

Report on the HR Organisational change process and the support to be provided to staff at Smithy and Redlands schools

The procedure supporting the staff consultation on the amalgamation of Smithy and Redland schools is the 'Tower Hamlets Organisational Change Process'. This was agreed with the Trade Unions in 2014, and confirmed as still agreed by the Tower Hamlets Educational Partnership (THEP) and the Trades Unions in 2019.

This procedure is intended:

- To take account of the school's statutory duty to provide for the educational needs of all pupils in line with the National Curriculum;
- To minimise the impact of situations involving re-organisations and or staff reductions;
- To ensure that organisational change takes place as effectively as possible and avoids unnecessary disruption;
- To ensure staff reductions are reached fairly and in accordance with employment law and statutory entitlements; and
- To ensure that consultation with staff and the trade unions is commenced at the earliest possible opportunity.

Historically, amalgamations in Tower Hamlets have always involved equal status for staff if school staffing structures are likely to be affected, regardless of which school (or schools) is closing. The consultation document, agreed by governors, the LA and Diocese, and published on 10 June 2019, therefore included the following

What will happen to our Headteacher and Staff?

The Headteacher from Redlands School is retiring so the Headteacher from Smithy Street School will become the substantive Headteacher for the amalgamated school.

Once the Headteacher for the amalgamated school has been confirmed, she would put together the new staffing structure for the school.

Due to judicious financial planning it is not envisaged that amalgamation per se will cause any immediate compulsory redundancies.

As far as possible, staffing structure changes will be managed through natural wastage. In the event that numbers of pupils fall further or if funding to the school is further reduced the school budget and levels of staffing will continue to be monitored, reviewed and acted on by the new governing body.

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Appendix 6

Modifications and PFI Arrangements for Redlands and Smithy Schools following Amalgamation

The proposal to amalgamate Redlands and Smithy Street Primary Schools, will involve expanding Redlands to 3 forms of entry (630 places) and closing Smithy Street.

It is proposed that the Smithy Street school building will be the main entrance to the joint site. This will involve enlarging the administrative/reception office, bringing together the Senior Leadership team and removing walls to increase the space available for the Nursery. The Redlands' school building requires only minor works to bring together the Reception classes. Externally the existing boundary wall/outbuildings and fence separating the 2 schools will be removed. The majority of the works should be completed by the start of the academic term in September 2020, to allow the school to take the additional pupils.

The Redlands site is part of the Schools PFI Contract and discussions have taken place with Tower Hamlets Schools Limited and G4S about the proposals. As there only minimal works to the Redlands building and the Facility Management services will not be affected ie. cleaning, Premises Manager and ongoing maintenance, the annual PFI charges will not be affected.

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Appendix 7

Summary Analysis of the Current Financial Position of Redlands and Smithy Schools

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.

The latest, Quarter 3, Forecast Outturn is set out in the table together with an analysis of future action.

School	2019-20 Forecast Outturn £	Future Status	Revenue Balance at Closure/Amalgamation 31 August 2020	Licenced Deficit Approval Impact	Residual Budget at closure/amalgamation 31 August 2020	2021-22 Impact	Comments
Redlands	- 172,309	Expanding School	Remains with school	LDA needed for closure period to minimise final figure	Remains with school	Attracts transitional support to guarantee 85% of former combined lump sums	
Smithy Street	507,793	Closing	Reverts to LBTH	NA	Reverts to newly amalgamated school	NA	The statutory proposal sets out that the closing balance will be transgferred to the new school on 1st September

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Cabinet 25 March 2020	
Report of: Will Tuckley, Chief Executive	**Classification:** Unrestricted
Strategic Plan 2020-23 and business planning for 2020-21	

Lead Member	Executive Mayor
Originating Officer(s)	Adam Boey, Senior Strategy and Policy Manager Afazul Hoque, Head of Corporate Strategy & Policy Thorsten Dreyer, Head of Intelligence & Performance
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	25 February 2020
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	**All**

Executive Summary

This report presents the council's Strategic Plan 2020-23 at Appendix 1 for approval by the Mayor in Cabinet, and outlines the business planning approach for the Plan's delivery in 2020-21.

Executive Summary

This report presents an updated Strategic Plan for 2020-23 which has included information and evidence about the borough, and is a result of the review of all outcomes, actions and measures.

In line with the budget setting process, the Strategic Plan is a rolling three-year plan which is updated annually so that it accurately reflects the council's priorities.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the Strategic Plan for 2020-23 (Appendix 1), including:
    a. revised actions that ensure delivery of outcomes; and
    b. revised measures that allow an understanding of impact;
2. Delegate to the Divisional Director, Strategy Policy and Performance to further develop measures with Cabinet Members and Corporate Directors, in consultation with the Mayor; and
3. Note that Directorates will develop service plans that demonstrate delivery of strategic priorities, including Strategic Plan outcomes, corporate equalities objectives, and the Mayor's Manifesto pledges.

1. REASONS FOR THE DECISION

1.1 The 2020-23 Strategic Plan will be the second iteration of the council's Strategic Plan – further embedding Outcomes Based Accountability (OBA) into LBTH strategic planning and delivery.

1.2 In this second iteration, the Strategic Plan has been updated to consider information such as the council's performance, Borough Profile, Annual Residents Survey, and service data.

1.3 Also refreshed for the 2020-23 Strategic Plan are the high-level actions and measures. This is a normal part of the OBA approach – to review and reflect on progress made.

2. ALTERNATIVE OPTIONS

2.1 The Strategic Plan could remain as it is for 2019. This means the council's planned activities would not be reflective of 2019-20 learning, reflections, new evidence, achievements and progress.

2.2 The Mayor and Cabinet may choose to further amend the Strategic Plan. If the Plan is amended, regard would need to be given to the council's medium term financial plan, as well as any impact arising from the changes.

3. DETAILS OF REPORT

3.1 The Strategic Plan is arranged around three priority areas and a set of 11 corporate outcomes, which were agreed as part of the budget setting process in February 2018.

3.2 In order to support delivery of these priority areas the council will work towards delivering the following outcomes:

Priority 1 - People are aspirational, independent and have equal access to opportunities

1. People access a range of education, training, and employment opportunities.
2. Children and young people are protected so they get the best start in life and can realise their potential.
3. People access joined-up services when they need them and feel healthier and more independent.
4. Residents feel they fairly share the benefits from growth and inequality is tackled.

Priority 2 - A borough that our residents are proud of and love to live in

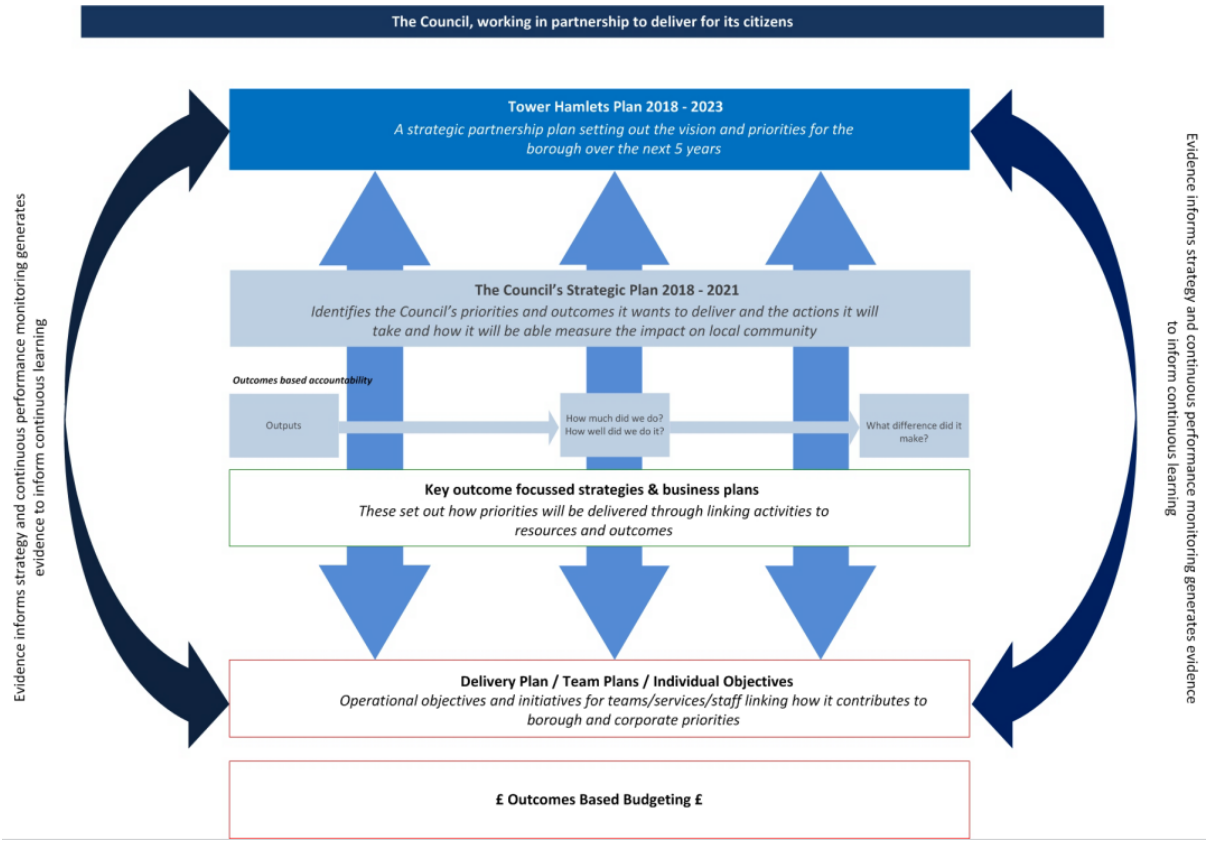
5. People live in a borough that is clean and green.
6. People live in good quality affordable homes and well-designed neighbourhoods.
7. People feel safer in their neighbourhoods and anti-social behaviour is tackled.
8. People feel they are part of a cohesive and vibrant community.

Priority 3 - A dynamic outcomes-based council using digital innovation and partnership working to respond to the changing needs of our borough

9. People say we are open and transparent putting residents at the heart of everything we do.
10. People say we work together across boundaries in a strong and effective partnership to achieve the best outcomes for our residents.
11. People say we continuously seek innovation and strive for excellence to embed a culture of sustainable improvement.

3.3 In 2019-20 LBTH adopted outcomes based accountability, which is an internationally recognised approach that has a proven track record in supporting rapid improvement in delivering outcomes. This required engagement across the council in a collaborative approach to identify the activity needed to make a difference, and how our success will be measured.

3.4 The council's Strategic Plan is the cornerstone for the council's business planning and sets the frame for performance management. The Strategic Plan establishes the 'Golden Thread' that sets requirements for delivery of strategic priorities (outcomes) and will be the basis of business planning across the council:



Development of the Strategic Plan

3.5 The draft Strategic Plan for 2020-23 is informed by information including the council's performance, the Borough Profile and Borough Equality Assessment, the Annual Resident's Survey, and service data.

3.6 High-level activity was reviewed to ensure that listed activity leads to the achievement of short, medium and long-term (strategic) outcomes. These have been updated in the Strategic Plan 2020-23.

3.7 All key performance indicators were reviewed with outcome delivery teams and services. At the time of adopting our new outcome based indicator set, we recognised that some indicators would be proxy indicators until more suitable indicators could be identified. We also recognised that some indicators were new and untested and may need to be refined following a period of bedding in. Throughout the year a number of suggestions were also received from officers and members (Executive and Overview and Scrutiny Committee) for additional or replacement measures. A review of all outcome measures used for public reporting has now been completed. The attached schedule presents the outcome of the review and makes recommendation for each indicator alongside a rationale for the recommendation.

Next steps

3.8 The revised Strategic Plan for 2020-23 will be used for business planning and performance management by revising and strengthening service plans to ensure delivery of strategic priorities and high-level actions for 2020-21. Progress against the Plan will be reported to Cabinet and the Overview and Scrutiny Committee on a quarterly basis.

4. EQUALITIES IMPLICATIONS

4.1 The Strategic Plan has been informed by the Borough Equality Assessment and has a key focus on inequality throughout its outcomes.

4.2 The Plan also includes the council's obligation to publish an annual equality objective as defined by the Public Sector Equality Duty.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

5.1 The Strategic Plan 2020-23 is a core planning document and provides a framework for allocating and directing financial resources to priorities over the next three years.

5.2 In the event that, during the implementation of individual projects and schemes, financial implications arise outside the current budget provision, officers are obliged to seek the appropriate financial approval before further financial commitments are made. This report has no other financial implications.

6. LEGAL COMMENTS

6.1 The Strategic Plan specifies how the council will prioritise delivery of its functions and thus ranges across the council's statutory powers and duties. The proposed priorities are capable of being carried out lawfully and it will be for officers to ensure that this is the case.

6.2 Section 3 of the Local Government Act 1999 requires best value authorities, including the council, to "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". The development of a Strategic Plan, together with its delivery and subsequent monitoring will contribute to the way in which the best value duty can be fulfilled. Monitoring reports to members and actions arising from those reports will help to demonstrate that the council has undertaken activity to satisfy the statutory duty.

6.3 In all aspects of the strategy there are clear implications for persons who have a protected characteristic for the purposes of the Equality Act 2010.

Therefore, not only should an Equality Assessment occur (and potentially a number of them as parts of the strategy are implemented) but a clear strategy on an equalities consultation may be necessary whilst some of the decisions relating to the actions under the strategy are still at a formative stage. This is to ensure that the council informs itself properly of the effects of the decisions on such persons. It will then be in a position to properly comply with the Equality Duties under that act.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1. Draft Strategic Plan 2020-23 (to follow).

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

- NONE

Officer contact details for documents:

Adam Boey, Senior Strategy and Policy Manager (Corporate SP), ext. 4979
Afazul Hoque, Head of Corporate Strategy & Policy, ext. 4636
Thorsten Dreyer, Head of Intelligence & Performance, ext. 2862
Sharon Godman, Divisional Director Strategy, Policy and Performance, ext. 3267

Cabinet 25 March 2020	TOWER HAMLETS
Report of: Ann Sutcliffe – Corporate Director Place	**Classification:** Unrestricted
Climate Emergency Declaration: Tower Hamlets Net Zero Carbon Plan	

Lead Member	**Councillor Rachel Blake, Deputy Mayor Regeneration and Air Quality**
Originating Officer(s)	Abdul Khan
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	To January 2020
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	**People live in a borough that is Clean and Green**

Executive Summary

In response to the March 2019 LBTH Climate Emergency Declaration a Net Zero Carbon plan has been produced, which sets out the intent to deliver the ambitious target of becoming a net zero carbon council by 2025. The Net Zero Carbon plan is a demonstration of progress on the LBTH Climate Emergency declaration and includes actions for costed delivery plans to be produced.

The Net Zero Carbon target in the Climate Emergency declaration relates to LBTH energy use from buildings, external uses (street lighting) and fuel for transport. The analysis is showing that at best and at most sensible expectations, LBTH should be targeting a maximum of a 75% reduction by 2025, with a plan to offset the remaining 25% of residual carbon emissions from buildings and transport. Reducing our CO2 emissions further than the 75% is constrained by the lack of technological options for some of the fleet to move to electric vehicles and the Council will still be utilising gas in a number of the buildings. However, it is recommended that challenging goals continue to be set plans produced to reduce the 25% residual emissions.

The Net Zero Carbon plan is a statement of intent on the LBTH Climate Emergency declaration and will be supplemented by a suite of costed delivery plans drawn up for the Actions.

The Net Zero Carbon plan also includes the recommendations for the Council to use its powers, influence and leadership to put the Borough on the right track to achieve Net Zero Carbon by 2050 (or earlier if possible). The 2050 timeframe follows the

Climate Change Act 2008 target.

Recommendations:

The Mayor in Cabinet is recommended to:

1. To note progress made on the Councils Climate Emergency Declaration

2. Approve the Net Zero Carbon plan and the actions to deliver the Net Zero Carbon ambitions

1 REASONS FOR THE DECISIONS

1.1 To acknowledge progress by the council on delivering the ambitions of the Climate Emergency Declaration for carbon emissions.

1.2 To agree the Net Zero Carbon plan and the draft action plan, including timeframes for departments to undertake costed plans.

2 ALTERNATIVE OPTIONS

2.1 The Council declared a 'Climate Emergency' at Full Council meeting on 20th March 2019. The Council has set ambitious targets to be a net zero carbon council by 2025 and the approval of the Net Zero Carbon plan is essential in demonstrating progress and delivering on the declaration.

2.2 It is considered that there would be significant environmental, public health and reputational damage and risk should the council not agree to the Net Zero Carbon plan in order to deliver the ambition to meet the 2025 target.

3 DETAILS OF THE REPORT

3.1 The Net Zero Carbon plan will replace the Carbon Management Plan as the approach to reduce the carbon emissions of the Council. The Net Zero Carbon plan shows that it is possible to achieve the 2025 timeframe, but that it will require decisive action starting now to reduce direct emissions by 75%. The residual emissions will have to be offset.

Climate Emergency

3.2 The climate emergency declaration noted:

The facts

- LBTH are London's third highest emitter of CO2.
- The evidence is clear - if we don't act quickly then we face extreme consequences.

What we're doing about it

- LBTH are committed to achieving a 60 per cent reduction in carbon dioxide emissions from our own operations by 2020.
- LBTH aim to become a zero-carbon or carbon neutral council by 2025.

Progress to date

3.3 Over the last 12 months the council has demonstrated it's commitment to delivering against it's ambition through a number actions and decisions including:

- Switch to renewable energy supplier – in October 2019 LBTH transferred to a 100% renewable electricity tariff moved all electricity Scottish Power

- The Pensions Committee have actively engaged with the climate change agenda and are looking at revising their investment strategy toward a greener portfolio. The Tower Hamlets pensions fund are on a journey towards decarbonisation of their investments

- Commenced of Sustainable Workplace programme to instil sustainable behaviours for council employees including: promoting resource efficiency (reducing energy use; moving to paperless working); reduction in single use plastics including elimination of plastic cups from buildings; and introduced food waste collection to Mulberry Place to reduce waste being sent to landfill and incineration

- Adoption of Tower Hamlets Transport Strategy which sets out our vision and priorities for travel in Tower Hamlets from 2020 – 2041 through sustainable means of transport

- Commenced of our Liveable Streets programme which aims to improve the look and feel of public spaces in neighbourhoods across the borough and make it easier, safer, and more convenient to get around by foot, bike and public transport

- Commenced of our tree planting programme to deliver over 1000 street trees. This programme will increase carbon capture

- Installation of 300 Electrical Vehicle Charging Points by 2022

- Adopted Local Plan policies that require all new development to achieve net-zero carbon

- Commenced review of Council Assets for Zero Carbon retrofit feasibility and viability studies

- Completed initial feasibility for decarbonisation of Barkantine district heating network

- Undertaking review of design standards for new council development to ensure that requirements align the climate emergency declaration and deliver net-zero carbon objectives

- Commenced review of Tower Hamlets Homes properties for Bio-solar feasibility project

- Continued delivery of carbon reduction projects – Grants programme for schools to deliver carbon reduction measures; grants programme for SME's for energy efficiency measures; Residential boiler and heating efficiency project

- Undertaking review of new civic centre proposals to ensure design is as energy efficient as possible and operating environment and systems are low carbon

- 87% of lamp columns have been replaced with integral LED luminaires. We will continue to roll out the phased programme of LED street lighting upgrades to replace all lamp columns in the Borough.

3.4 In addition to the good work already being delivered it is acknowledged that more needs to be done to achieve the 2025 target. Therefore, a Net Zero Carbon plan has been produced to set out the scale of the ambition and challenge that the Council faces.

Tower Hamlets - Net Zero Carbon plan

3.5 The Net Zero Carbon plan is significant piece of work and demonstrates progress on the LBTH Climate Emergency declaration. Following adoption of the Net Zero Carbon plan the detailed costed delivery plans identified for the Actions will need to be completed by the relevant Council departments.

3.6 The Net Zero Carbon target in the Climate Emergency declaration relates to LBTH energy use from buildings, external uses (street lighting) and fuel for transport. The Sustainable Development Team has worked with Etude (Sustainability Engineers) to identify the complete energy baseline and produce a 'Net Zero Carbon plan'. The scope of the Net Zero Carbon plan is based on the current carbon reporting. The Net Zero Carbon plan provides a set of actions to reduce the council's carbon emissions and aim to achieve net-zero status.

3.7 The report has been drafted with input from the LBTH greenhouse gas reports, CRC energy efficiency schemes, Tower Hamlets Homes data and London Energy Map analysis. The analysis is showing that at best and at most workable expectations, LBTH should be targeting a maximum of a 75% reduction by 2025, with a plan to offset the remaining 25% of residual carbon emissions from buildings and transport. Reducing our CO2 emissions further than the 75% is constrained by the lack of technological options for some of the actions (i.e. moving all of the fleet to electric vehicles; the Council will be utilising gas boilers in a number of the buildings).

3.8 LBTH will need to continue to set challenging goals and produce longer term plans to reduce the 25% residual emissions.

Zero Carbon Borough 2050

3.9 In addition to moving towards Zero Carbon there is also a need for LBTH to use its powers, influence and leadership to put the Borough on the right track to achieve Net Zero Carbon by 2050. The key features of delivering carbon reductions across the borough are:

- All new buildings, from now, are built to be highly energy efficient and use a heat pump as the primary heat source.
- Road transport rapidly converts to electric. Road journeys are reduced.
- Incentives and regulation to significantly reduce commercial, industry and residential emissions.

3.10 In order to deliver the 2050 target major investment in the electric infrastructure in the borough is necessary.

Action Plan

3.11 The action plan to deliver the Council's declaration follows the Committee on Climate Change categories and includes:

- Power – Increase renewable energy generation on council buildings
- Buildings – Retrofit existing buildings to reduce energy demand
- Transport – Accelerate replacement cycle of council's fleet to more sustainable vehicles, including electric, hybrid or other fuel sources as appropriate
- Waste – Target reduction in production of waste and increased recycling rates
- Land – Increase tree planting
- Other sectors – Procurement to take into account carbon emissions of all procured goods and services

Organisational readiness and commitment

3.12 The goals of a Net Zero Council by 2025, and a Net Zero Carbon borough by 2050 are ambitious and the achievement of any ambitious goal requires strong commitment.

3.13 There are three essential cornerstones to achieving the sustainability targets at Tower Hamlets:

- Embed – Goals and targets should be embedded within the organisation's ethos and culture. Strong leadership buy-in and a high-level of employee engagement are crucial.
- Action – Action towards the achievements of goals should be committed and sustained.
- Monitor – Monitoring of progress should be undertaken throughout.

3.14 In order to deliver the zero carbon proposals the report identifies a number of considerations for organisational readiness and commitments. These include identifying an appropriately skilled, knowledgeable and funded resource with responsibility for implementing the Net Zero Carbon plan, including:

- Collect data on energy and CO2 from Council operations, reporting annually
- Develop the Carbon Reduction Action Matrix
- Implicate and involve all services for maximum impact and reach

To ensure the Action Plan is delivered at pace a resource has been commissioned for 6 months to assist officers. This will be reviewed after 5 months to determine what future requirements will be and how may be funded.

4 EQUALITIES IMPLICATIONS

4.1 An Equality Analysis has been undertaken on the Net Zero Carbon plan (see Appendix 2). This found that there are no areas in Net Zero Carbon plan which would adversely impact on any equalities target group. All sections of the community can benefit from the transition to a low carbon Borough.

5 OTHER STATUTORY IMPLICATIONS

5.1 Best Value implications

5.2.1 The Net Zero Carbon plan is proposed to be delivered through a series of projects for buildings, transport and a street lighting. Best value implications will be assessed through the development of the costed delivery plans to reach net-zero carbon for each of the actions proposed.

5.3 Environmental implications

5.3.1 The series of projects proposed within the Net Zero Carbon plan aim to reduce carbon emissions and the impact the Borough has on Climate Change. A number of the projects proposed have the benefit of improving air quality within the Borough as they involve the transition to low carbon electric systems instead of the traditional boiler arrangements, as well as the electrification of the fleet.

5.4 Risk management

5.4.1 A risk assessment has been undertaken and the Risk Register can be found at Appendix 3.

5.5 Crime reduction implications

5.5.1 Not applicable

5.6 Safe guarding

5.6.1 Not applicable

5.6 Data Protection and Privacy

5.6.1 The implementation, monitoring and promotion does not involved handling personally identifiable information in any of the ways listed in the Privacy Impact Assessment (PIA) checklist, either under the list for which PIA is always carried out, nor the list for which a PIA should be considered. It is therefore not considered necessary to carry out a PIA.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications emanating from this report which details the Net Zero Carbon plan in response to the LBTH Climate Emergency Declaration and the Council's approach and actions for delivering it.

6.2 There will be a series of delivery plans following the adoption of the Net Zero Carbon plan. There will be significant revenue and capital financial implications associated with these plans which will be the subject of separate reports.

7 COMMENTS OF LEGAL SERVICES

7.1 The Council has the legal power to undertake the activities described in the Net Zero Carbon plan.

7.2 The Council has the duty to consider how the methodology of procurement of works goods and services and the subject matter of the procurement will improve the economic, social and environmental well-being of the relevant area. This is under the Public Services (Social Value) Act 2012

7.3 The nature of a procurement is the measurement of the relative strengths and weaknesses of the submitted bids. Therefore, it may be compliant with this duty for the Council to consider the least amount of detriment in terms of carbon footprint that the proposed bid will have on the environment as part of the evaluation criteria.

7.4 The Council will also satisfy this duty by comparing the degree of benefit a new solution which is the subject of the new procurement has compared with the solution pre-existing the new procurement in a particular area

7.5 The Council is restricted when deciding the selection criteria which will be used to determine who will be invited to submit a bid. The only criteria against which organisations may be selected are suitability to pursue a professional activity, economic and financial standing and technical and professional ability.

Linked Reports, Appendices and Background Documents

Linked Report

- None

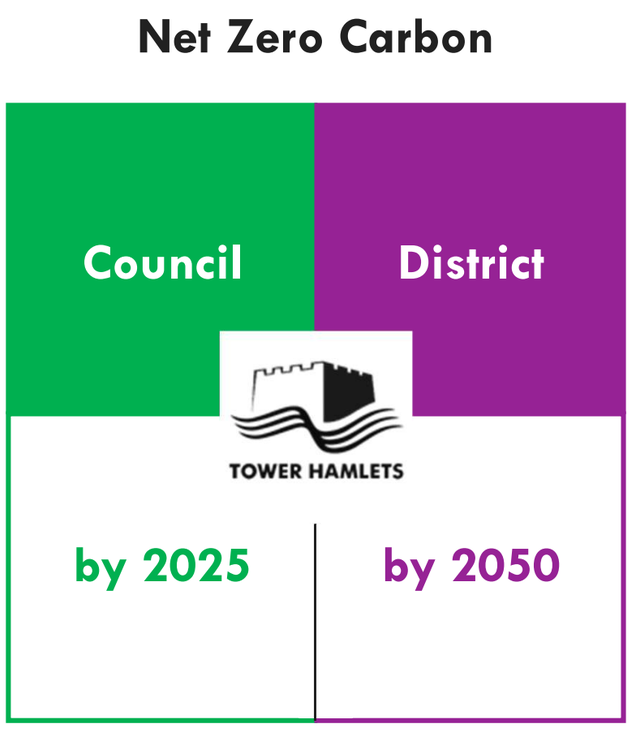
Appendices

1. Tower Hamlets Net Zero Carbon plan
2. Equality Analysis
3. Risk Assessment
4. Tower Hamlets Council Net Zero Carbon - Actions Summary

Officer contact details for documents:

N/A

London Borough of Tower Hamlets



Net Zero Carbon Plan

March 2020 | Rev A

Etude

The science is clear

Climate change is happening and needs to be urgently slowed down to avoid terrible consequences. Business as usual is not an option to solve this crisis.

A Net Zero Carbon Council by 2025

In March 2019, Tower Hamlets Council declared a climate emergency. The Council is now aiming to be Net Zero Carbon by 2025. This report shows that it is possible but that it will require decisive action starting now to reduce direct emissions by 75%. The residual emissions will have to be offset.

A Net Zero Carbon Borough by 2050

This report also recommends that Tower Hamlets Council uses its powers, influence and leadership to put the Borough on the right track to achieve Net Zero Carbon by 2050 (or earlier if possible).

Net Zero Carbon is possible

This report demonstrates that it is technically possible to achieve Net Zero Carbon. This would require decisive strategic decisions from Tower Hamlets Council in 8 key areas shown on the adjacent diagram.

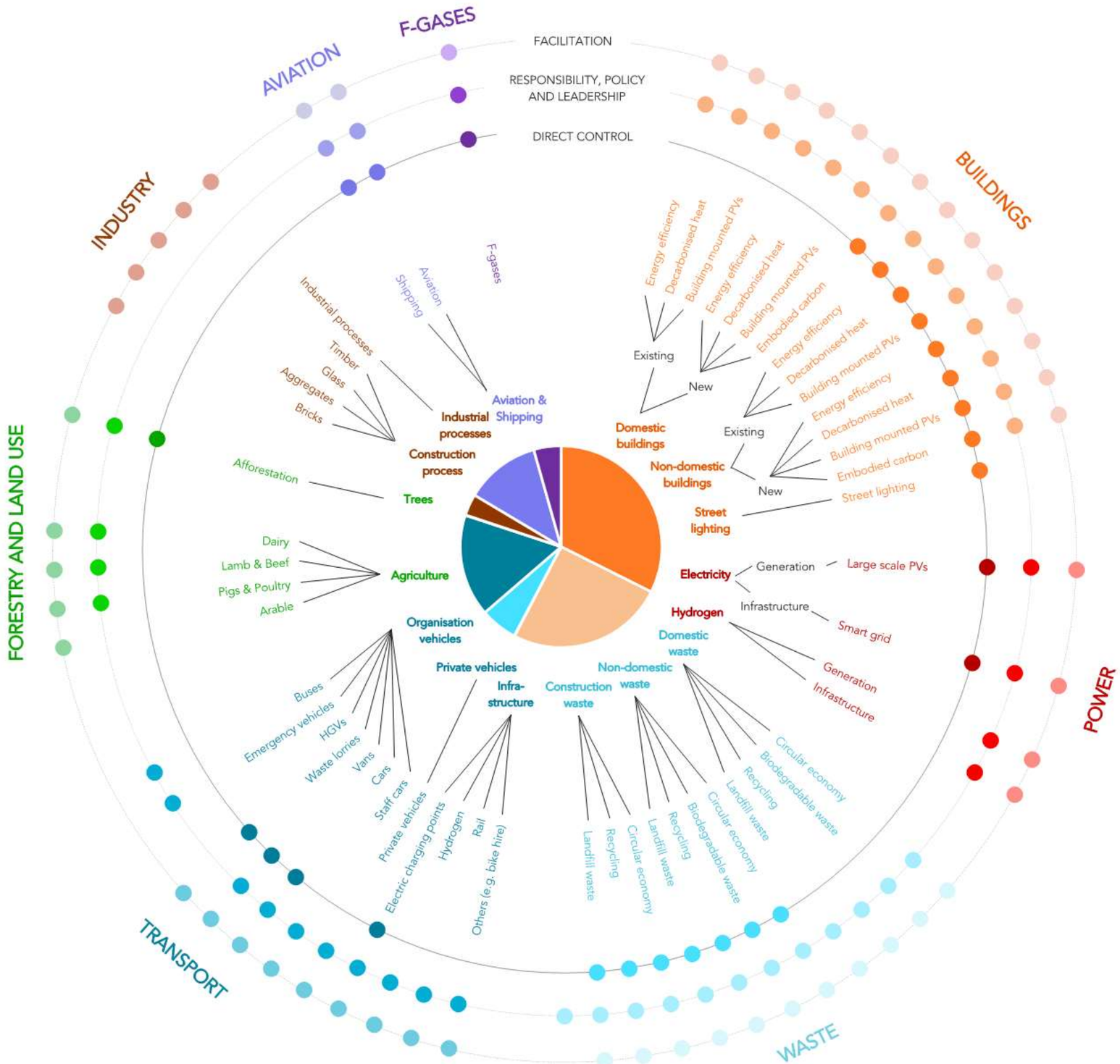
This would also require significant investments, although there is a huge potential to combined them with regular maintenance and replacement cycles.

The Council should also develop an approach to offset the residual emissions. Some solutions (e.g. social housing retrofit, investment in additional renewable energy capacity) are possible in 2025 but not acceptable in the long term. By 2050, residual emissions in the UK will have to be less than 10% of what they are now, leaving only a marginal role for offsetting by increasing plant cover, for example tree planting.

Our approach for real emission reductions

To allow the council to see how to effect emissions this report categorises emissions by use type. This means emissions are assigned based on the ability to affect change.

All calculations show total greenhouse gas emissions (CO_2e) and all reductions refer to this, however for accessibility and simplification we refer to 'carbon' throughout the report. By this we mean carbon dioxide which contributes by far the majority of greenhouse gas emissions in the borough.



Breakdown of borough carbon emissions by use type, showing the categorisation and proportion of emissions from each source, and the control the Council has over each sector.

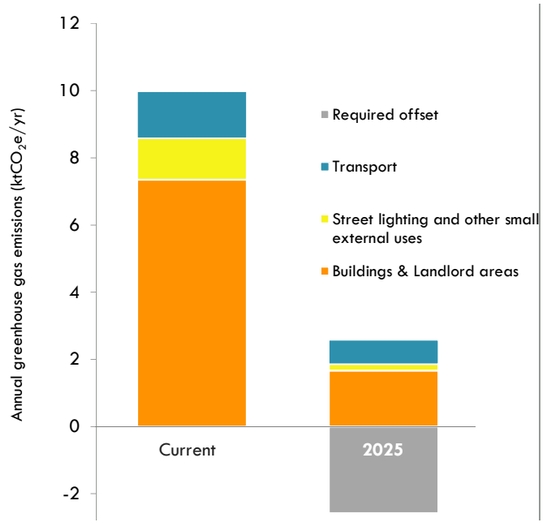
Zero Carbon Tower Hamlets | Executive summary

Net Zero Carbon Council by 2025

The current total carbon emissions under the Council's direct control are 10 $ktCO_2e$/year and are dominated by buildings. External energy use (e.g. street lighting) and transport also represent significant sources of emissions.

There is considerable potential to reduce emissions very significantly by 2025: a target of **75% carbon reduction** should be set, bringing the estimated annual emissions to 2.5 $ktCO_2e$/year.

The residual emissions will need to be offset, and suitable offset mechanisms are discussed in the report.



Total annual carbon emissions from Tower Hamlets Council for the last reported year (2018) and the required emissions in 2025

Key actions include:

Power

Install 20,000 sqm PVs on the Council's non-domestic buildings
Start with the largest roof areas. The targeted installed capacity should be at least 4.2MW.

Renewable power
Ensure that electricity supply to all the Council's assets is on a 100% renewable tariff or Power Purchase Agreement

Buildings

Start retrofitting existing buildings owned and operated by the Council (e.g. Council's offices)
Retrofit heat pumps, use energy management to reduce energy use, improve building energy efficiency: insulation, improved airtightness and better windows, install Mechanical Ventilation with Heat Recovery (MVHR) wherever possible, install PVs. An 80% carbon reduction on-site should be achieved for full retrofit projects, or a plan put in place to achieve this.

Transport

Replace the Council's diesel and petrol cars with electric cars and vans
Accelerate the replacement cycle so that 95% of the Council's cars and vans are electric by 2025

Replace the Council's lorries with cleaner options when they become available
The aim is to have 30% of the Council's lorries as low emissions by 2025.

Install electric charging points for the Council's fleet

Waste

Target a 70% recycling rate for waste from all Council buildings by 2021

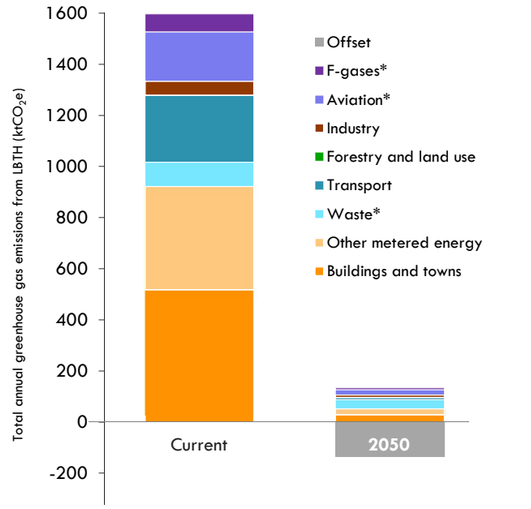
Forestry, land use and agriculture

Change diets
Reduce the meat content and increase vegetarian choices of food served on Council owned premises.

Net Zero Carbon Borough by 2050

The current carbon emissions from the whole borough are 1,600 $ktCO_2e$/year.

The 'Net Zero' report by the Committee on Climate Change articulates what the UK will need to do to achieve Net Zero Carbon by 2050. The London Borough of Tower Hamlets would need to implement these solutions. We estimate that a minimum 90% reduction in carbon emissions should be achieved (ideally lower). The total residual emissions would need to be lower than 150 $ktCO_2e$/year.



Total annual greenhouse gas emissions from the London Borough of Tower Hamlets as a whole LBTH for the last reported year (2018) and the required emissions for Net Zero Carbon in 2050

Key actions include:

Power

Achieve a total PVs capacity across the whole of the borough of 430 MW (equivalent to 1,500,000-1,900,000 sqm)

Buildings

Phase out gas boilers and gas-fired CHP
Stop the installation of any new gas boilers from 2020. Stop the installation of new gas-fired CHP immediately. Switch to low carbon heat (e.g. heat pumps). Gradually phase out gas for heating and cooking in the borough.

Net Zero Carbon new buildings from 2025
Mandate ultra-low levels of energy use in new buildings. This is through setting a kWh/m^2 total energy target, and a space heating demand target in line with Passivhaus (15 kWh/m^2). Buildings should also use low carbon heat and have on-site renewable energy (e.g. PVs).

Major retrofit programme with ambitious energy objectives
90% of existing homes and buildings should have benefited from low energy retrofit by 2050 (by 2030 for Tower Hamlets homes, schools leisure centres). An average heating energy demand of $40kWh/m^2/yr$ should be achieved for retrofit homes. Low carbon heat should replace gas boilers.

Transport

99% carbon reduction from cars and vans
All domestic and light goods mileage should be completed by electric vehicles or equivalent by 2050.

80% carbon reduction from lorries
HGV emissions reduced by 50% through reduced journeys, switch to rail, and developing hydrogen or electric drivetrain technologies.

Reduce air travel
To meet zero carbon ambition the number of flights from the UK should reduce by more than 80% unless alternative technologies can be found.

Waste

Waste reduction and circular economy
64% reduction in emissions from waste in line with 'further ambition' recommendations by the CCC.

Listening to the voices of experts

The Committee on Climate Change

The Committee on Climate Change is an independent, statutory body established under the Climate Change Act 2008. Its purpose is to advise the UK Government and devolved administrations on emissions targets and report to Parliament on progress made in reducing greenhouse gas emissions and preparing for climate change.

The Committee on Climate Change published its report "**Net Zero: The UK's contribution to stopping global warming**" in May 2019. Some of the key recommendations of the report include:

- A Net Zero greenhouse gas emission target is not credible unless policy is ramped up significantly.
- Delivery must progress with much greater urgency.
- Clear leadership is needed, right across Government, with delivery in partnership with businesses and communities.

The National Grid

Each year the National Grid issues its Future Energy Scenarios. Its analysis aligns with the Committee on Climate Change. It concludes that strong policy actions [to wholly decarbonise electricity supply and improve energy efficiency of new and existing homes] must be taken and there is no room for delay.

World Health Organisation

The World Health Organisation published "COP24 special report: health and climate change" in 2018. It states that the severity of the impact of climate change on health is becoming increasingly clear and that the drivers of climate change – principally fossil fuel combustion – pose a heavy burden of disease. The costs of this ill health and disease represent in turn a heavy economic burden. The report states that "*the most recent evidence indicates that the health gains from energy scenarios to meet the Paris climate goals would more than meet the financial cost of mitigation at global level*".

Extinction Rebellion

Extinction Rebellion is a movement that uses non-violent civil disobedience to highlight the urgency of the climate change crisis. Their key demands are:

1. Tell the truth about the climate and ecological emergency
2. Act Now
3. Hold a citizen's assembly on climate and ecological justice

"Delivery of greenhouse gas emission reductions must progress with **far greater urgency**"

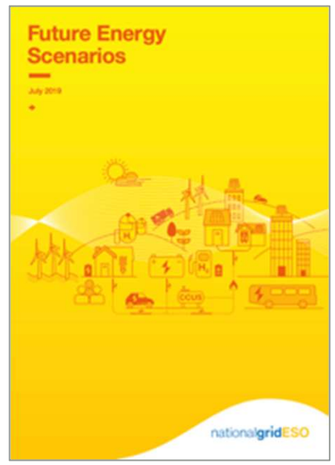
Committee on Climate Change
"Net Zero" Report, 2019

"Economic valuation of **health gains** would tip the balance decisively in favour of more aggressive climate mitigation."

World Health Organisation,
"COP24 special report: health and climate change", 2018

"Reaching net zero carbon emissions by 2050 is **achievable.** However, this requires **immediate action** across all key technologies and policy areas."

National Grid
Future Energy Scenarios, 2019

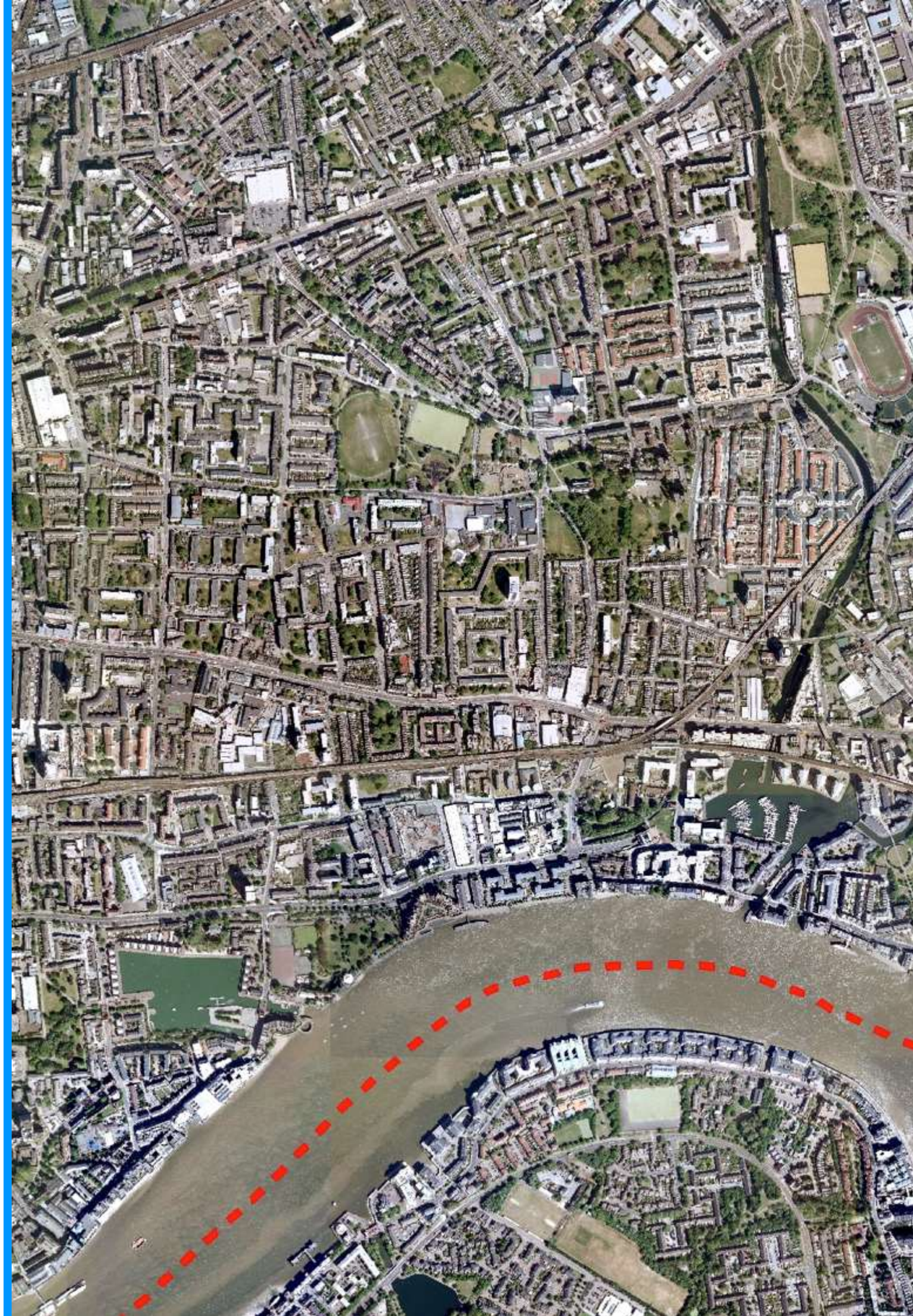


"If we don't take action, the collapse of our civilisations and the extinction of much of the natural world is on the horizon"

David Attenborough
at the UN Climate Summit, Poland, 2018

Where are we now?

- The climate emergency
- Energy and the electricity revolution
- Understanding the Council's emissions
- Understanding the Borough's emissions
- What will happen if no action is taken
- The case for acting now



Etude

The climate emergency and Zero Carbon

The science is clear

Climate change is happening and needs to be urgently slowed down to avoid terrible consequences.

The most recent international negotiations on Climate Change concluded with the Paris Agreement in December 2015. This Agreement reaffirms global ambition to limit temperature rises to below 2°C and binds every country to produce national plans to reduce emissions. The agreement also contains a further collective aspirational goal to reduce emissions in line with keeping the temperature increase to 1.5°C.

The Special Report on Global Warming of 1.5°C (SR15) was published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018. It highlighted the urgency of the situation and the need for decisive action in the next 10 years.

National commitment

In May 2019, the Committee on Climate Change published its 'Net Zero report' and set out the ambitious aim of phasing out carbon emissions in the UK by 2050. The Government adopted the recommendation of this report and the Climate Change Act was amended in June 2019 to reflect this ambition: achieving net zero emissions by 2050.

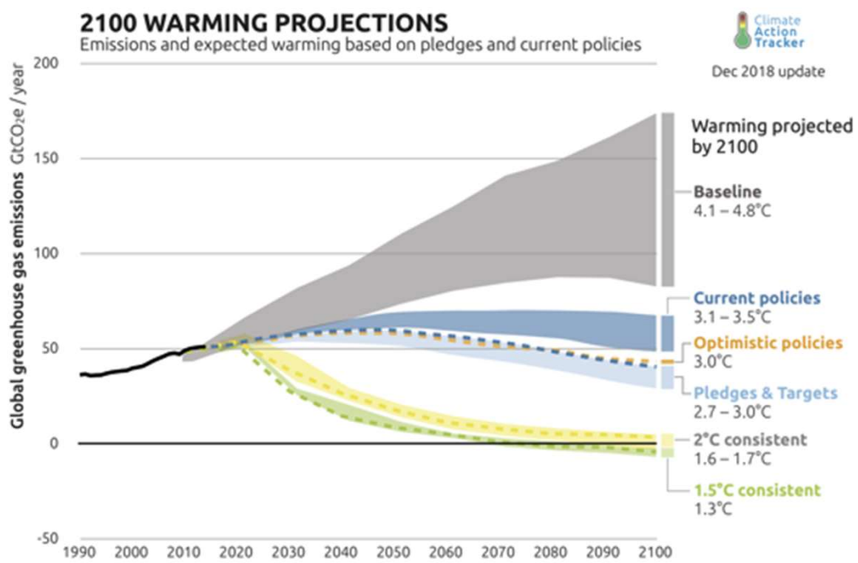
In addition, the Department for Business, Energy and Industrial Strategy (BEIS) has set the Buildings Energy Mission, with the objective of halving the energy use of new buildings by 2030.

Tower Hamlets declaration of climate emergency

In March 2019, Tower Hamlets became one of the first councils in the country to declare a climate emergency. One of the associated commitments is for Tower Hamlets to aim to become a zero carbon or carbon neutral Council by 2025.

Public calls for action

Since October 2018, there has been a surge in civil society's interest and action on climate change. The Schools strike movement started by Greta Thunberg and civil disobedience from Extinction Rebellion are requesting action and truth from those in a position to act.



We have to do everything we can to reduce global warming to less than 1.5°C

Greta Thunberg, the Schools strike movement and Extinction Rebellion are calling for action now

The UK Government has committed in June 2019 to Net Zero emissions by 2050

In March 2019, Tower Hamlets became one of the first councils in the country to declare a climate emergency

Energy and the electricity revolution

The decarbonisation of the grid

Electricity used to have a very high carbon content: more than 1,000 gCO_2e/kWh in the early 1970's. It has become steadily 'greener' since, although it reached a plateau of approximately 500 gCO_2e/kWh during the 2000's. At that time, heating systems using gas such as boilers and especially CHP were seen as environmentally friendly options.

This has now changed completely: the de-commissioning of coal-fired power stations and the rise of renewable energy (particularly wind and solar) have meant the annual average carbon content of electricity is now around 150-200 gCO_2e/kWh and predicted to reduce more in the next decade (see adjacent graph).

The National Grid's Future Energy Scenarios

The National Grid produces a set of future energy scenarios every year. These are used to facilitate the understanding of how the UK's electricity generation mix could develop.

We focused on the two scenarios which can meet (or be close to meeting) the UK climate change targets: the 'Two Degrees' and the 'Community Renewables' scenarios.

As the 'Two Degrees' scenario relies on a large proportion of new nuclear energy plants and as there is a significant degree of uncertainty for new nuclear plant financing, our recommendation is to consider the 'Community Renewables' scenario as the most likely.

This scenario assumes that around 70% of annual electricity demand in 2050 will be met by wind and solar power.

BEIS and HM Treasury projections

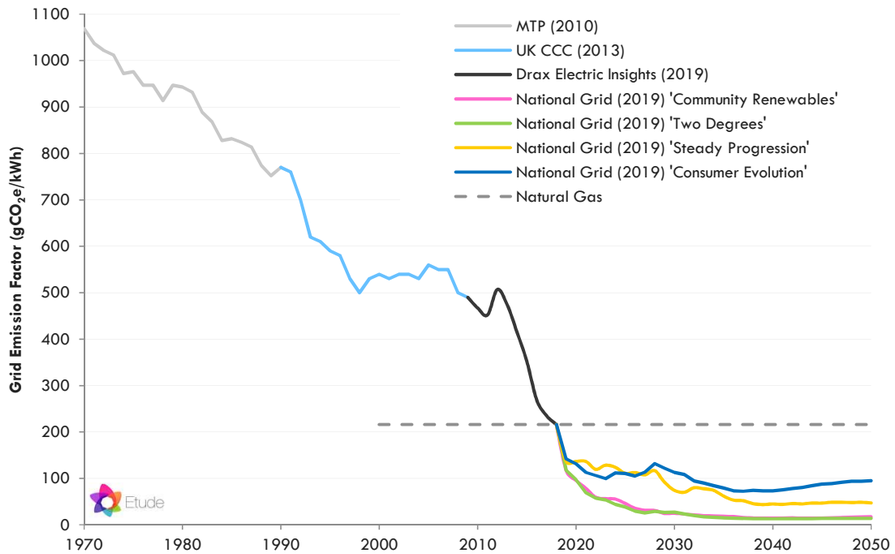
BEIS and HM Treasury have also published their projections for the future carbon content of electricity, which show good agreement with the 'Community Renewables' scenario.

What it means in practice

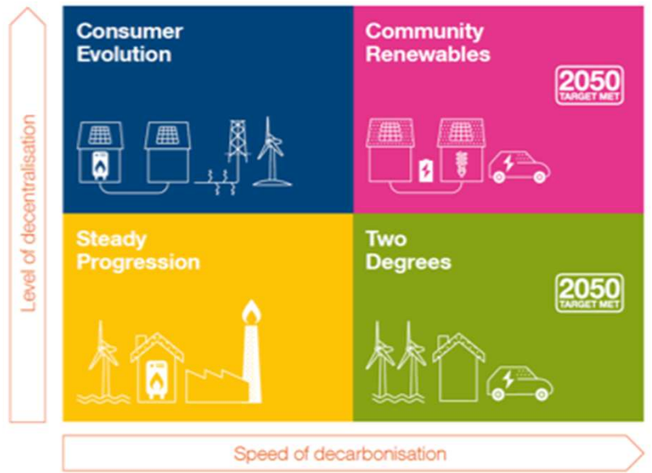
We have used these sources to predict the future carbon content of electricity over the next 30 years, e.g.

136 gCO_2e/kWh in 2020
108 gCO_2e/kWh in 2025
27 gCO_2e/kWh in 2050.

Our calculations have taken into account the changing carbon content of electricity, while gas was assumed constant at 216 gCO_2e/kWh.



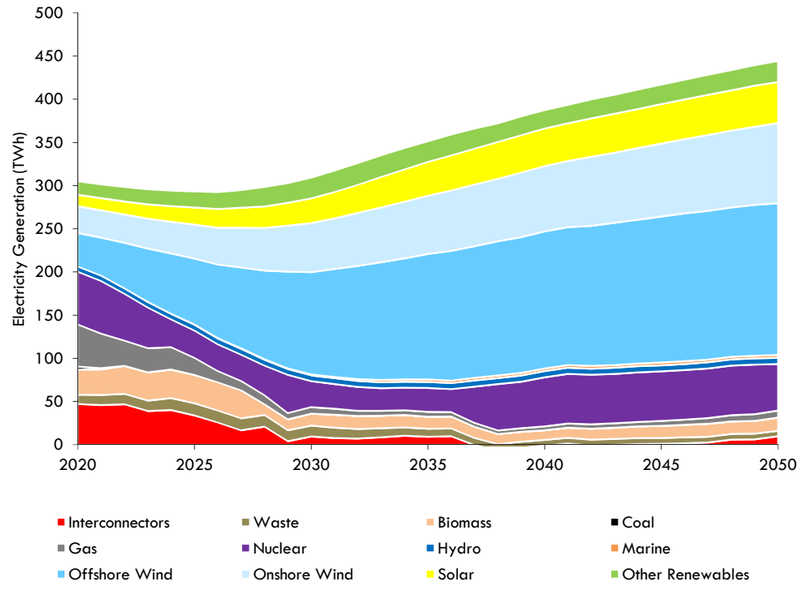
The carbon content of electricity has fallen in the last few years and will continue to decrease. Unfortunately, the carbon content used in Part L 2013 of the Building Regulations has not been updated.



The four National Grid Future Energy Scenarios (© National Grid)

'Consumer Evolution'	**Discounted** Not compliant with avoiding 1.5°C warming
'Steady Progression'	**Discounted** Not compliant with avoiding 1.5°C warming
'Two Degrees'	**Discounted** Relies on nuclear capacity increasing from 9GW in 2018 to 17GW in 2050. Not considered realistic as three of six proposed new nuclear projects have been cancelled, nuclear has consistently failed to attract private investment and electricity prices are higher than those for onshore wind, offshore wind and solar photovoltaics.
'Community Renewables'	**Considered** Etude assume this scenario offers the most plausible 1.5°C compliant UK electricity generation mix pathway. This scenario was developed to achieve the UK's now outdated Climate Change Act target of an 80% reduction in emissions by 2050.

High level assessment of the four National Grid scenarios



Community Renewables: what it means in terms of power generation in the UK over the period 2020-2050: the rise of renewable energy

Council and borough emissions: the Council's power and influence

Direct Council emissions

Tower Hamlets Council's **direct control** emissions only cover the following sources:

1. The buildings the Council occupies (owned or rented)
2. Landlord areas in rented buildings e.g. Tower Hamlets Homes communal lighting, building-based pumping for communal heating
3. The Council's fleet and business travel
4. Street lighting and other external public uses e.g. CCTV, markets, parks.

The Council's ability to influence

The Council has however significant power and influence to be able to affect greenhouse has (GHG) emissions beyond its own operations to the borough as a whole.

Responsibility

These include schools and leisure centres in Tower Hamlets (also including a small number of nurseries) and all dwellings managed by Tower Hamlets Homes (excluding landlord areas).

Policy

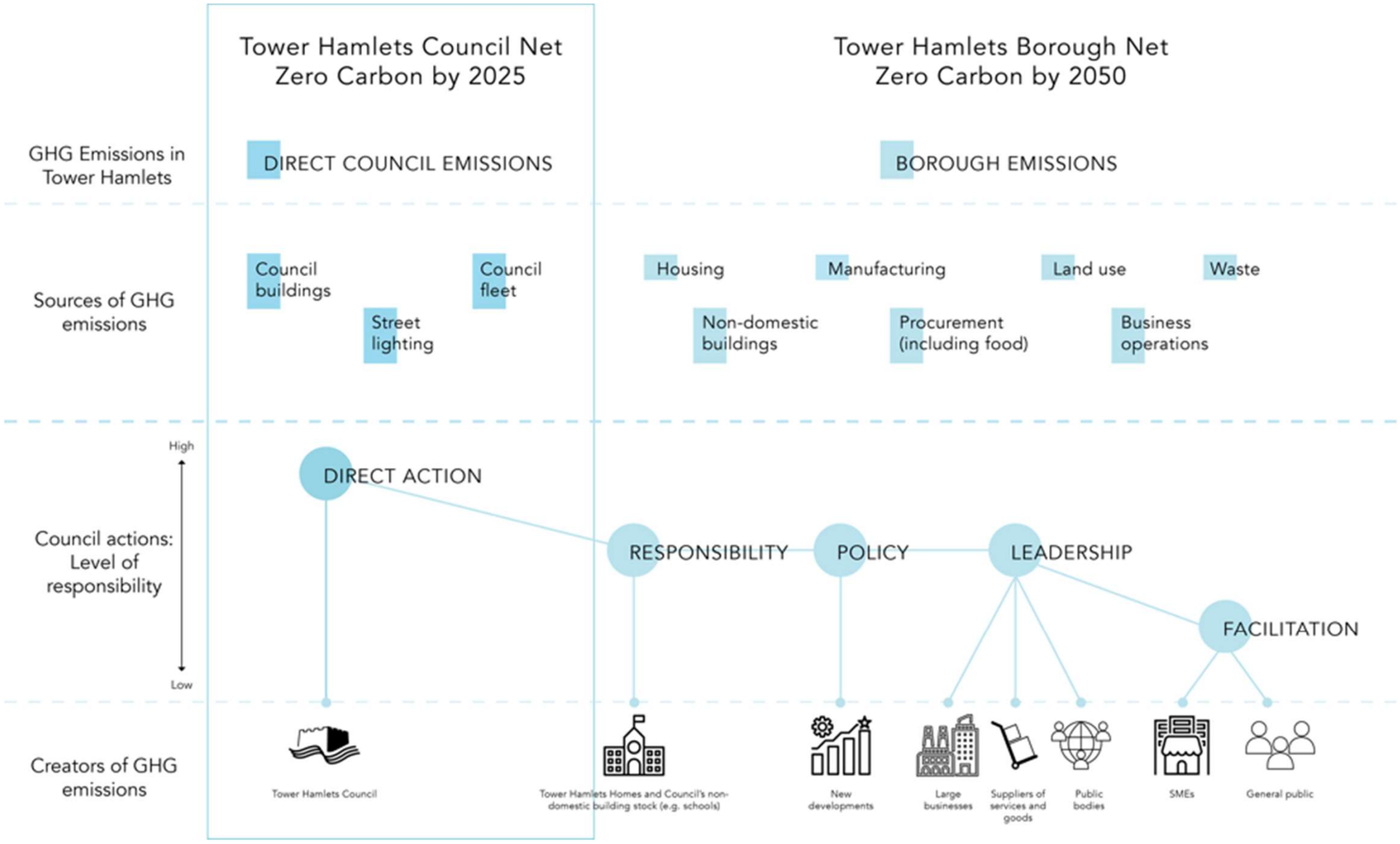
Well crafted policy is a key change driver. It has significant ability to reduce carbon emissions from new developments, limit the destruction of natural habitats and increase nature and biodiversity within the borough.

Leadership

Tower Hamlets Council is in a position of leadership. It holds great power to drive change through the procurement processes it is involved in, through activities it will and will not allow to take place within its jurisdiction, and through partnerships with other key players in the borough, such as Canary Wharf, Queen Mary University, TfL and the NHS.

Facilitation

The public and local businesses look to Tower Hamlets for leadership and guidance. The Council could become a trusted advisor and leader in the climate crisis through the provision of support to the public and businesses in reducing their carbon footprint and engendering more sustainable and ethical behaviour.



A breakdown of the influence the Council has over sources of emissions in the borough. Note: diagram not to scale

Understanding the Council's direct emissions, and those under its responsibility

Direct emissions are dominated by buildings

Buildings owned and/or occupied by the Council represent the majority of its direct control emissions, followed by emissions from external areas and from landlord areas (e.g. staircase lighting, presumably mostly in housing blocks).

After buildings, the Council's vehicle fleet is the largest source of direct emissions; the majority from lorries.

Emissions under the Council's responsibility are significant and need to be addressed

Emissions from Tower Hamlet Homes are more than three times higher than the total of those directly controlled by the Council from buildings and transport. There are approximately 11,500 THH dwellings. They are mainly EPC D-rated (42%) and E-rated (32%). No THH energy consumption data is available, therefore it was estimated using the Ofgem national average. It should be noted that EPCs are a poor indicator of actual energy consumption.

Schools and leisure centres also represent a significant source of emissions. Schools are spread over 73 sites, with 11 responsible for over 50% of emissions.

Emissions are reported by user, inline with the CCC

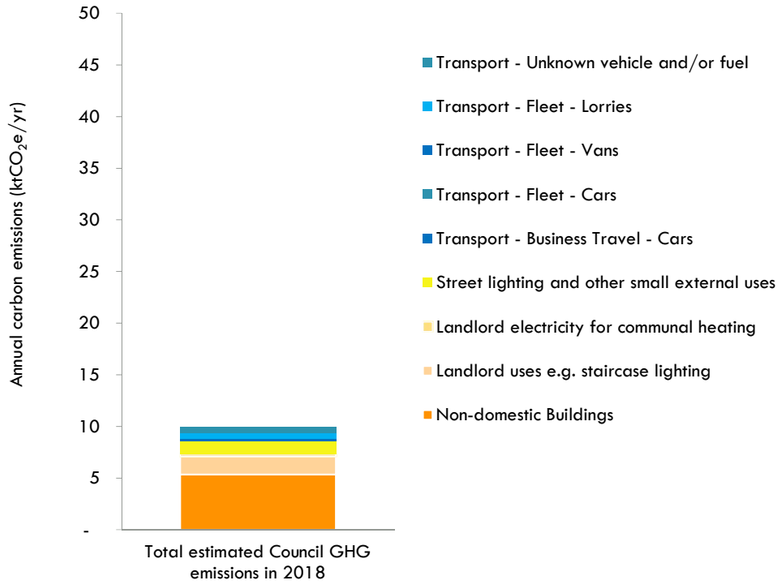
The Green House Gas reporting protocol defines a methodology for organisations to report emissions arising from their activity. It defines a convention to ensure that emissions are not double counted by different organisations, and identifies responsibility based on the root **source** of emissions.

Here we have taken a different approach, reporting the carbon emissions that the Council is responsible for based on **use**. This gives a more robust strategy to target reducing emissions, and is in line with the Committee on Climate Change approach to national emissions reporting.

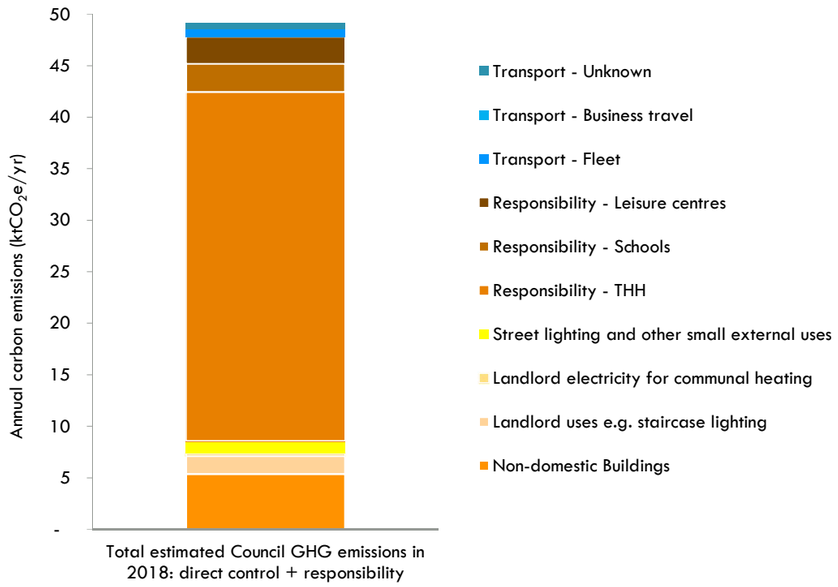
The Council can influence further savings in the borough

The Council's direct greenhouse gas emissions account for only 1% of the Borough's emissions, and 3% when also accounting for those under its responsibility e.g. emissions from THH, schools and leisure centres.

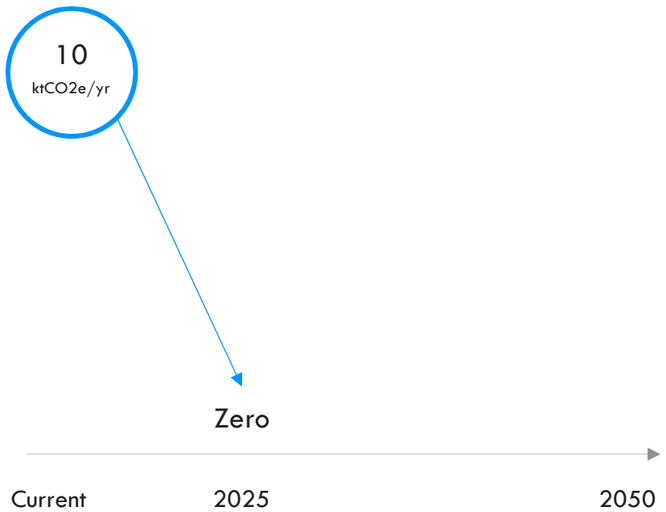
However, the Council also has some influence over a proportion of Borough-wide emissions for example through planning and transport policy, waste collection policy, and stakeholder engagement.



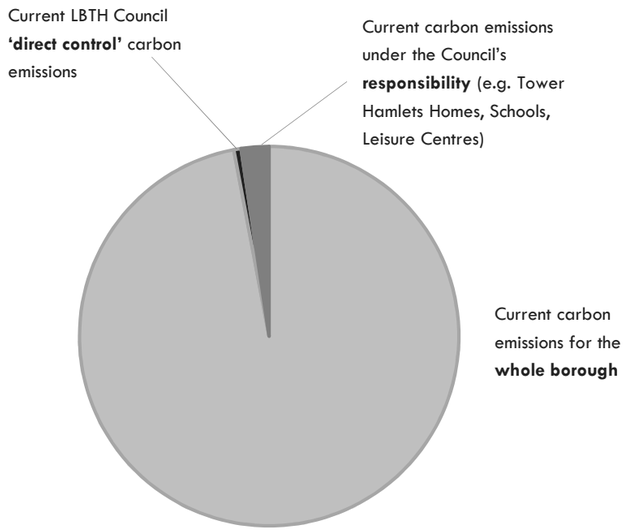
*The Council's '**direct control**' carbon emissions are dominated by buildings; emissions from landlord areas represent a non-negligible part*



*Emissions under the Council's '**direct control**' and '**responsibility**' (including those from Tower Hamlets Homes, schools and leisure centres) are much more significant than those under its direct control only. They need to be addressed as well.*



The target is for the Council's 'direct control' emissions to achieve Net Zero Carbon by 2025



The Council's own emissions and those under its responsibility represent approximately 3% of the total Borough emissions

Council's direct emissions | Closing the Carbon Gap

Carbon gap analysis

The Council's emissions are already expected to reduce between now and 2025 due to a combination of factors

- **Management of assets** e.g. disposal / moving out of inefficient buildings, in particular Mulberry Place and the associated move towards a lower carbon new Town Hall. The Council may dispose / move out of other buildings but we have currently only accounted for Mulberry Place.
- **Carbon policy measures** from the Council (e.g. retrofitting, energy management, and tree planting) and from Government, as well as **market-driven changes** (e.g. uptake of electric vehicles). This is estimated to lead to a 10% reduction in building's carbon emissions by 2025, and a 30% reduction in emissions from cars and 10% from vans (by switching to EVs and hybrid vehicles).
- **Decarbonisation of the electricity grid:** as the carbon content of every unit of electricity used continues to decrease, emissions associated with electricity will reduce without any action from the Council.

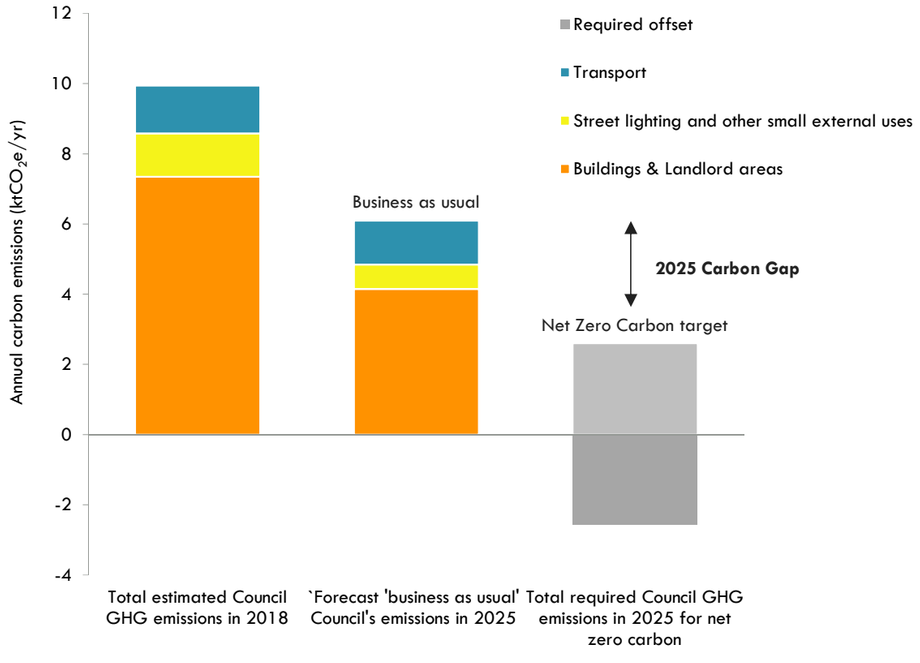
The Council can and must do more, and faster

Overall, under the current **"business as usual"** trajectory, it is estimated that by 2025 the Council's direct control emissions would be approximately 40% lower than currently.

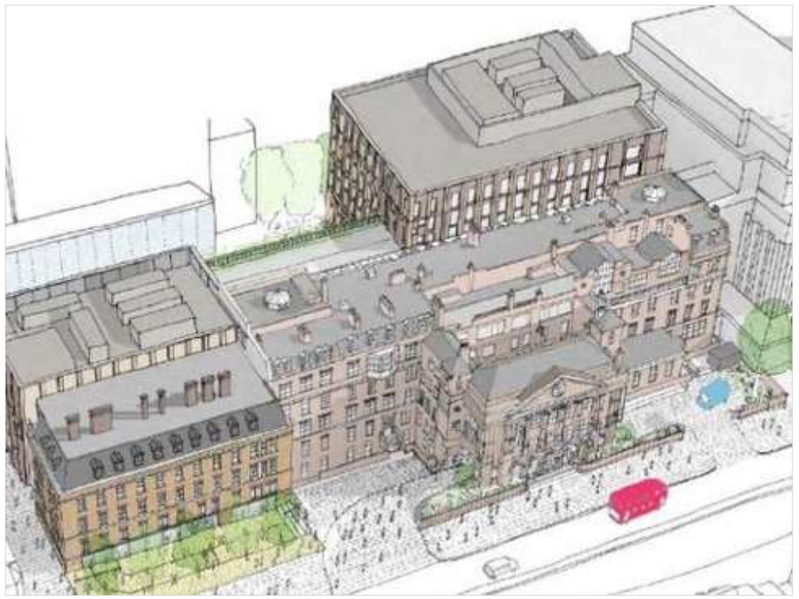
Unfortunately, this is **more than twice higher than what they need to be** if the Council is to achieve a 75% carbon reduction and offset the residual emissions in order for the Council to be zero carbon by 2025.

Actions required to deliver this objective are provided in this report.

This analysis focuses on the Council's direct control emissions. When also accounting for emissions under the Council's responsibility (e.g. Tower Hamlets Homes, leisure centres and and schools), the gap would significantly increase.



*The carbon gap by 2025: estimated **direct control** emissions accounting for current carbon policy, stock management, and electricity grid decarbonisation will be lower than current emissions… but not low enough.*



Switching Town Hall from Mulberry Place to the new Town Hall is a large part of the expected reduction by 2025 (based on planning stage carbon predictions for the new Town Hall) (© AHMM)

Understanding greenhouse gas emissions from the borough as a whole

Whole borough greenhouse gas emissions

The emissions for the borough as a whole are estimated to represent approximately 1,600 $ktCO_2e/yr$. The size of the challenge to reduce greenhouse gas emissions is clearly shown. Although emissions are already forecast to reduce (see 'business as usual' bar), this drop is almost entirely due to decarbonisation of electricity. As the rate of national grid decarbonisation slows in the late 2020's the borough emissions are shown to level unless more actions are taken.

Emissions are categorised by sector in a similar way to national reporting by the CCC

The categories used are the same as those used by the Committee on Climate Change for national reporting. The building sector has been split between known building emissions, and unknown additional metered energy, mainly electricity.

Emissions are dominated by buildings and commercial electricity use

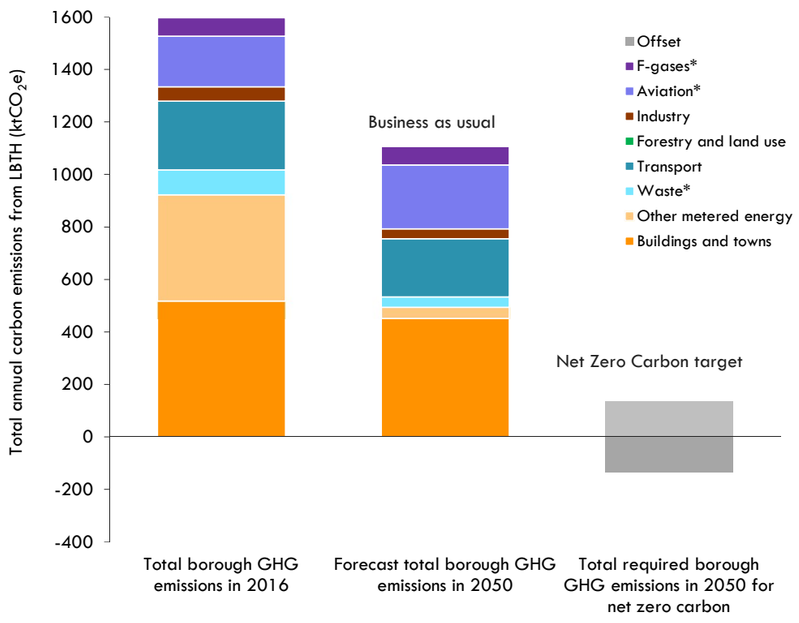
Current emissions are dominated by **heating in buildings**, and **electricity use**. As the carbon content of electricity reduces the importance of **reducing heating demand, switching to low carbon heat** (for example heat pumps) and **electrifying transport** become increasingly important.

The contribution from road transport has been calculated on a per capita basis from the total London emissions.

The contribution from aviation has been calculated on a per capita basis from the total national emissions.

There is a big gap between business as usual and what is required for Net Zero Carbon by 2050

With the introduction by LBTH of required improvements over Part L at planning, the London Plan for larger developments (minimum 35% reduction over Part L + offset payments), the Ultra Low Emission Zone (ULEZ), and changes to the electricity grid there are already drivers for reducing emissions. However including an estimate of the effect of these changes in forecasting shows a considerable shortfall when compared to a zero carbon target. A step change in ambition and action is required.



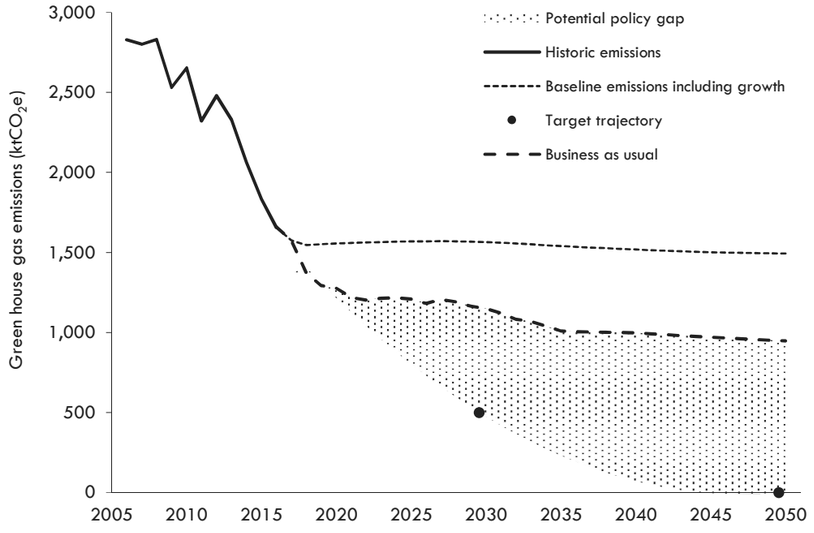
Latest reported emissions (2016) and forecast 2050 emissions based on a business as usual scenario with no major changes in policy. Emissions are currently set to reduce by 30% over the next 30 years, but are significantly higher than could be offset and so higher than what is required for net zero carbon. A net zero carbon scenario is shown for comparison.

Etude carbon emissions forecast

Etude have developed a tool to forecast local emissions based on bottom up analysis for buildings and transport to show what effect current policy and potential policy changes for each building or vehicle type could have on the total emissions.

The bottom up analysis has been calibrated using building stock information from MHCLG housing stock, EPCs, DECs, and VOA information[1]. Reduction from other categories is estimated using the national CCC 'core' reduction estimates and local considerations[2].

The estimates for buildings can be compared to the total electricity use from BEIS subnational metered data. Etude estimates that over three quarters of electrical consumption in Tower Hamlets is likely to be from uses not related to buildings. This is significantly larger than other London boroughs and therefore may be linked to intensive commercial office use such as server rooms. The estimated split has been shown as 'Other metered energy'.



Historic and forecast business as usual greenhouse gas emissions from the London Borough of Tower Hamlets between 2005 and 2050 showing a target trajectory for Zero Carbon in line with a 1.5C warming scenario. There is a large gap between the reduction likely due to the current rate of change and trajectory, and what is required to achieve Net Zero.

The large additional electrical consumption metered in Tower Hamlets is likely to be from server rooms and trading floors in Canary Wharf. These are not reported on building Display Energy Certificates (DECs). Image courtesy Green Cooling

1. MHCLG, Ministry of Housing Communities and Local Government; EPCs, Energy Performance Certificate database gives building attributes such as floor area and a modelled energy consumption; DECs, Display Energy Certificates give actual metered energy consumption for a sample of non-domestic buildings; VOA, Valuation Office Agency issue a periodic database of non-domestic buildings and energy consumption.

2. Net Zero: The UK's contribution to stopping global warming (2019) Committee on Climate Change

The case for acting (now)

The rate of change

The climate is warming. Sea level rises, the reduction of ice sheets and warming of oceans are happening at a rate faster than IPCC predictions, and projections have consistently underestimated the rate of climate change in each of their major reports since 1990. Urgent action must be taken now.

Co-benefits

Many of the solutions proposed for reducing carbon emissions in Tower Hamlets have a positive effect on other important issues. For example:

- **Improved air quality** – phasing out of petrol and diesel powered vehicles on our roads and gas boilers in our buildings will reduce local air pollution. This will result in improved health of the population, a reduction in avoidable premature deaths and savings for the NHS.
- **Fuel poverty / housing health / equality** – improving the energy efficiency of homes also reduces fuel poverty, reduces inequality and improves health.
- **Job creation** – commitment to climate change mitigation and adaptation will create new and sustainable jobs.
- **Green infrastructure / biodiversity** – Preserving green space and creating more woodlands and wetlands not only acts as a significant carbon sink, it also creates habitat for animals, birds and insects, and valuable leisure amenity for people.

The solution is not to offset carbon

To achieve the global reduction in greenhouse gas emissions required to limit global temperature rises to 1.5˚C, it is not enough to simply offset emissions of one area by reducing them somewhere else. Where it is possible to reduce greenhouse gas emissions locally or nationally this must be done.

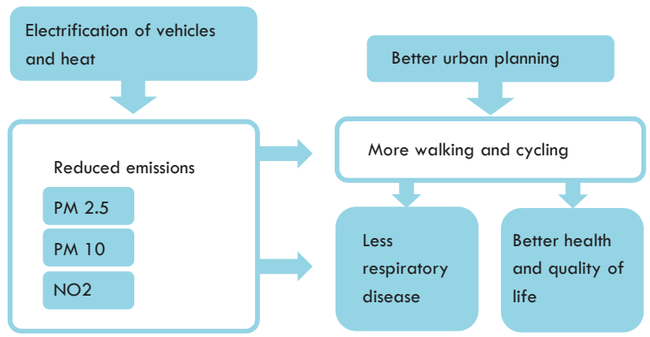
Carbon offsetting, done well, can play an important **short term** role by funding land restoration, tree planting, energy efficiency measures and additional renewable energy capacity. However the **focus should be on eliminating reliance on fossil fuels and reducing emissions in the first place**.

Carbon Capture and Storage may also have a place for mopping up unavoidable emissions from very hard to treat sectors such as certain industry niches. However the technology is unproven, expensive and must not be relied upon to justify business as usual.

Poor air quality from the combustion of fossil fuels has a big impact on human health.

The Royal College of Physicians estimates that 40,000 premature deaths are caused by air pollution in the UK.

Public Health England estimates that between 2017 and 2035 there will be 2.5 million air pollution related diseases costing the NHS £18 billion to treat.

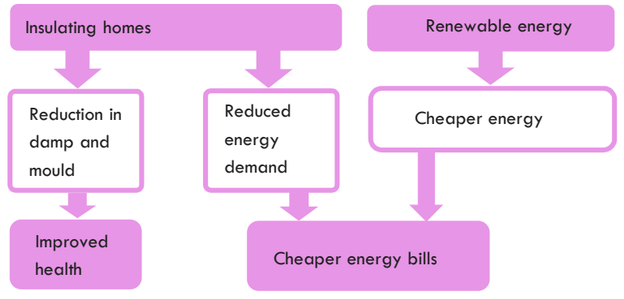


Health benefits of improving local air quality by reducing emissions

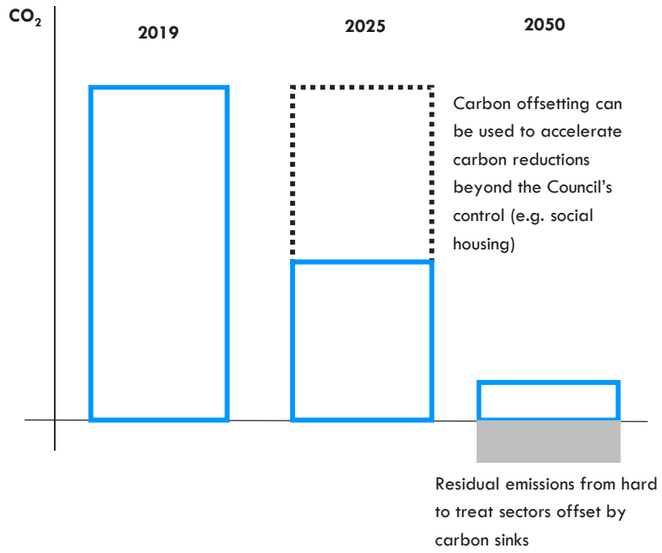
Fuel poverty affects 1 in 10 households in the UK. Solutions to fuel poverty, can also be solutions to climate change.

Insulating homes – improving the insulation and airtightness of existing homes reduces the amount of energy required to keep them warm, thereby reducing fuel costs and CO_2 emissions at the same time.

Renewable energy – Renewable energy has decreased in cost year on year and is predicted to continue to decrease.



Fuel poverty benefits of reducing emissions



The role of offset changes over time. Initially it can be used to fund projects for carbon reduction that might otherwise not have taken place. By 2040 to 2050 the only offsetting possible will be actual additional carbon reduction.

"I am firmly of the view that the next 18 months will decide our ability to keep climate change to survivable levels and to restore nature to the equilibrium we need for our survival. "

HRH Prince Charles

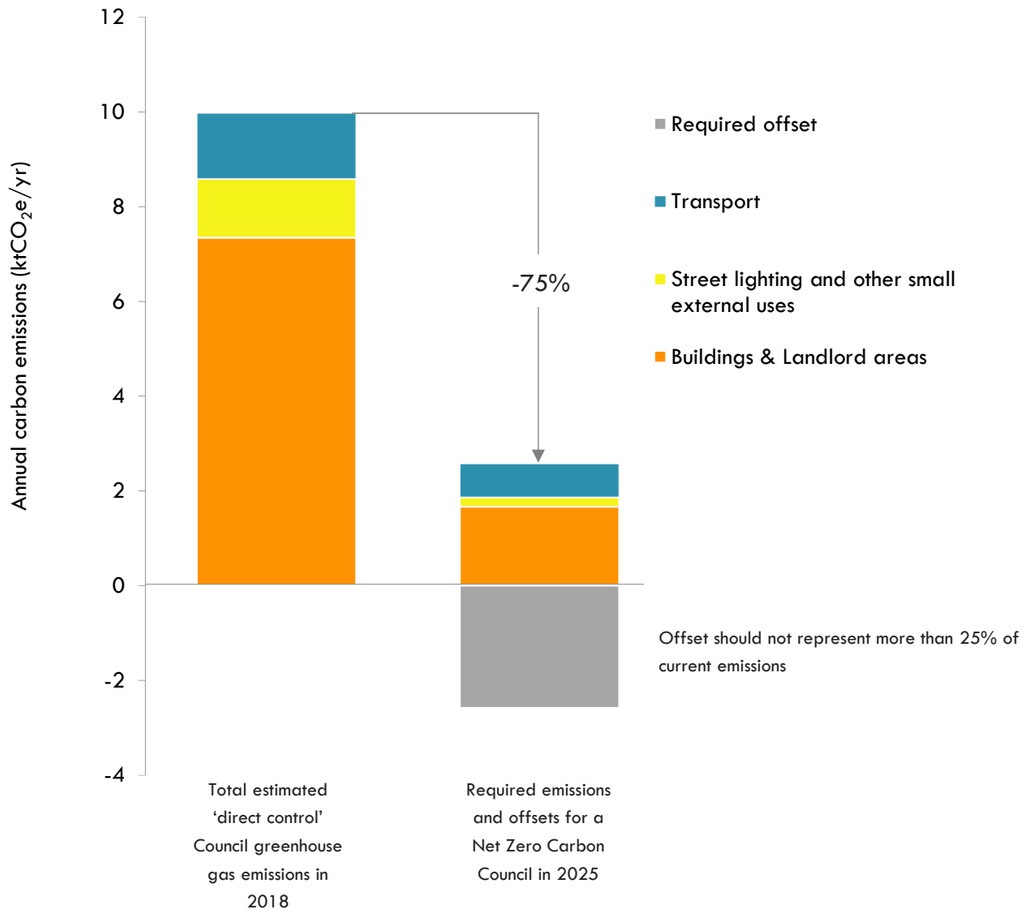
"Confidence is very high that the window of opportunity – the period when significant change can be made, for limiting climate change within tolerable boundaries – is rapidly narrowing."

IPCC's Special Report on Climate Change and Land

Becoming a Zero Carbon Council by 2025

- A closer look at the Council's direct emissions
- Decarbonising non-domestic Council buildings
- The electrification of the fleet
- Action plan

Etude



A closer look at the Council's direct emissions

A detailed understanding is required

A detailed assessment is important in order to identify priority actions and opportunities. We have used granular data as much as possible (e.g. metered energy use reported by CRC reports, mileage).

Non-domestic buildings

The largest emitters are the Council's Town Halls and offices. Emissions from landlord areas are also significant, but spread over a large number of sites. While there are over 500 sites, 13 buildings are responsible for over 50% of these emissions.

Of the known floor area, just over 75% is heated by gas.

Energy benchmarking indicates the potential for significant energy and carbon savings

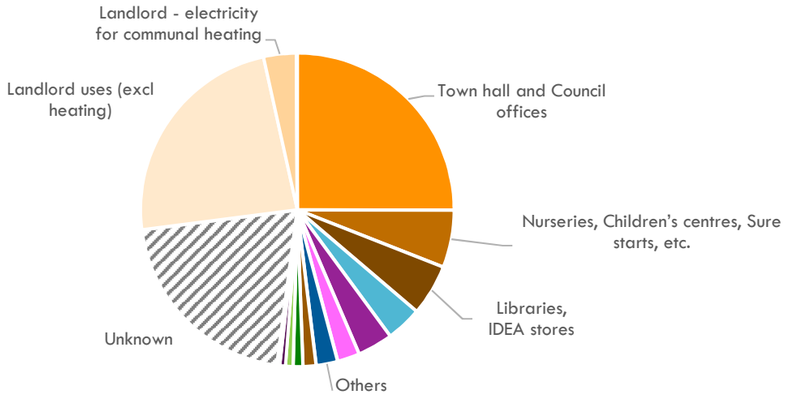
Where possible, average energy consumption was estimated for the main Council building types. For the majority, this indicates high energy consumption compared to CIBSE benchmarks, i.e. the potential for significant energy consumption savings. This is taken into account in the recommended actions.

Transport: Council's fleet and business travel

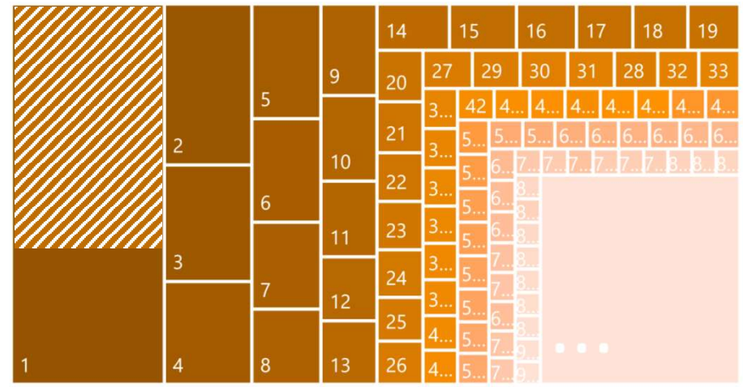
Transport emissions are from the Council's fleet, in particular its lorries which are mostly on diesel. There is only one hybrid and no electric cars. A large proportion have unknown vehicle type and fuel.

Current renewable energy generation

There is currently no known renewable energy generation (e.g. solar photovoltaics) on the Council's buildings.

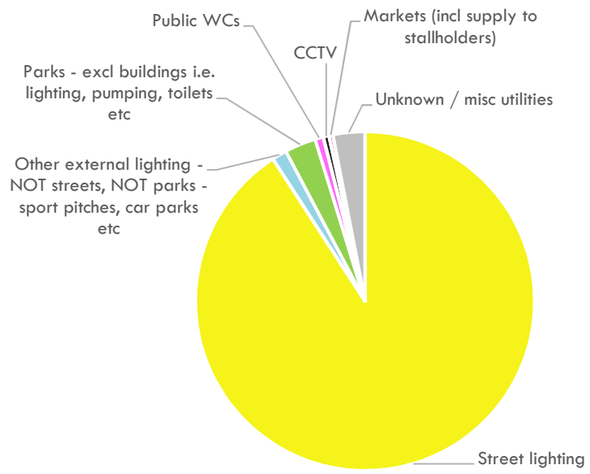


Current breakdown of the Council's non-domestic building-based emissions.
*The total in 2018 is estimated at **7.3 ktCO2e/year**.*
(please note that Tower Hamlets Homes, schools and leisure centres are not 'direct control' emissions. They are covered in the following section.

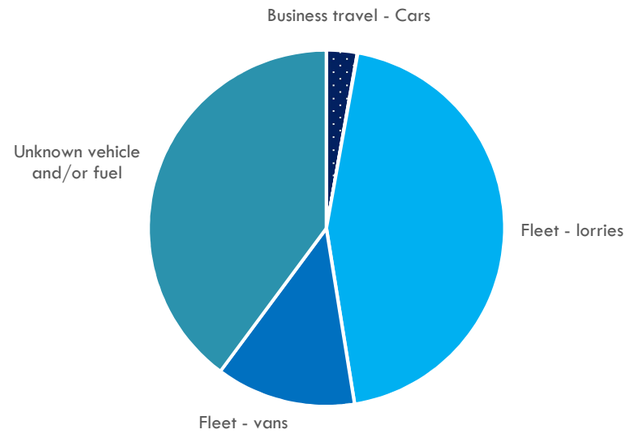


1 = Mulberry Place Town Hall – expected to reduce once it is replaced by the new Town Hall (the resulting expected reduction is shown as hashed area on the graph); 2 = John Onslow House; 3 = Albert Jacobs House; 4 = Jack Dash House

Proportional representation of carbon emissions from non-domestic buildings (each block is one site, except the lighter, bottom left block which groups several hundreds of the smaller ones); 13 buildings cover over 50% of building emissions; they include the Town Hall and many Idea stores / libraries



Current breakdown of the Council's emissions from external uses.
*The total in 2018 is estimated at **1.2 ktCO2e/year**.*
They are dominated by street lighting.



Current breakdown of transport emissions per vehicle type.
*The total in 2018 is estimated at **1.4 ktCO2e/year**.*
They are dominated by those from lorries, both due to miles travelled and type of fuel used

Decarbonisation of non-domestic buildings and other stationary uses

Target: 80% on-site carbon reduction by 2025

At this initial estimate stage, we recommend targeting a 80% on-site carbon reduction from buildings and external energy uses by 2025. This is considered the maximum realistic on-site saving. With further grid decarbonisation, this would be equivalent to 90% on-site reduction by 2050.

Improving the energy efficiency of existing buildings

Benchmarking indicates a significant saving potential through energy management and efficiency. We recommend a target of **50% reduction in energy consumption**, in line with the BEIS energy mission, to be achieved by 2025 for Council buildings, street lighting and most other stationery sources.

This should be achieved by improving the building fabric (insulation, airtightness), its services (ventilation, lighting, energy management) and, crucially, switching away from gas heating towards low carbon heat (e.g. heat pumps).

Phasing out gas use

The majority of buildings should switch to a low carbon supply. Crucially, we have assumed that **95% of gas-heated buildings** will switch to a heat pump system by 2025.

Buildings currently served by district heating schemes (assumed to be on gas) should change to a low-carbon heat supply, whether Council-led or in partnership with energy suppliers, e.g. with TfL to utilise waste heat from the tube, with Canary Wharf occupiers to utilise heat from servers.

Installing PVs

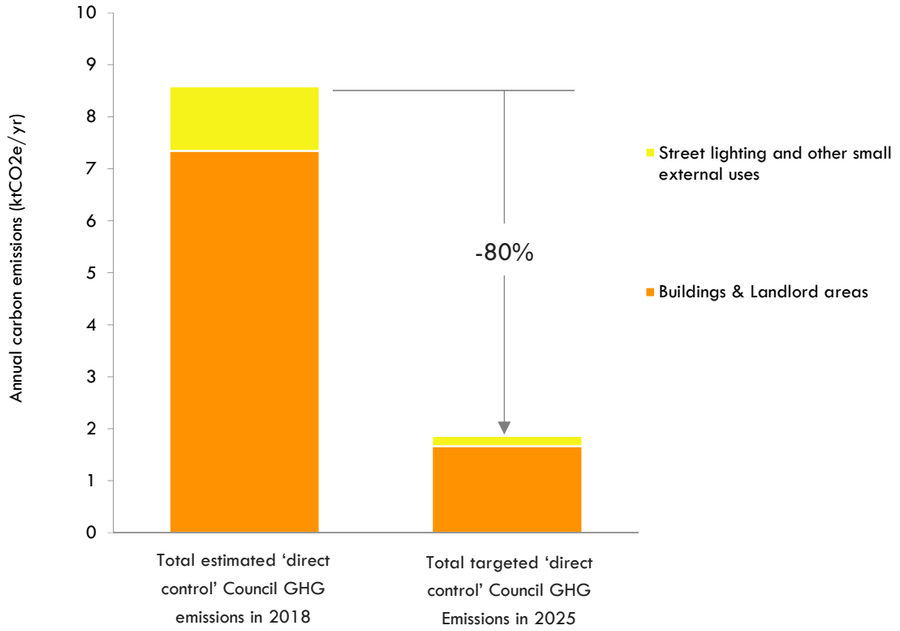
High-efficiency PVs should be installed on the Council's buildings. As an indication, installing PVs on 25% of the roof areas would represent 20,000 sqm or PVs, or 4.2MW. All roofs should be investigated, but the large ones first. In addition, approx. 20,000sqm PVs (or 4.2MW) should be installed over external areas (e.g. car parks or markets.

Standards for new buildings

All new buildings should be Net Zero Carbon buildings.

Different approaches for different building types

For smaller and simpler buildings such as community centres, landlord areas etc, the Council could develop standard carbon reduction packages of measures to be deployed.



Estimated strategy to 2025 decarbonisation of Council buildings and other stationery uses (direct control emissions)

Gas boilers

Heat pumps

Low carbon heat – We have assumed that 95% of the Council buildings will switching to heat pumps by 2025

PVs on all large Council buildings' roofs – for example, the transport / depot sites have significant roof areas, and potentially car park areas, which lend themselves well to large PV installations: Vehicle Testing Station, Blackwall (left); Car Pound (middle); Toby Lane depot (right).

Case study | IDEA Stores

Two representative buildings

The Idea Stores selected as case studies are located in different types of building of different ages; for example, Cubitt Town Library is in a Grade II Listed Building, whereas Bow Idea Store is located in the ground floor of John Onslow House, a 4-storey office building of relatively modern brick construction (1990s). Both were selected as, in principle, all existing buildings will need significant refurbishment to achieve a zero carbon borough. This may include recently completed buildings.

Each building counts

Establishing a **whole building retrofit plan** for each Idea Store that identifies the key changes required is recommended. This would include improvements to the building fabric for all buildings, as reducing heating energy use is a primary aim. **The greatest improvement in carbon emissions will come from changing the heating system to low carbon heat sources** (heat pumps). For these to be cost effective in operation, **it is also important that the building fabric performs well, and air leakage is low**.

In some cases, some flexibility and innovation may be needed to ensure that Heritage buildings can be preserved as functioning spaces in a Net Zero Carbon Borough.

Three initial surveys – an Infrared Thermography (IRT or thermal image) survey to identify the main deficits in insulation, an Airtightness test and a structural survey to establish whether the roof can be used for Photovoltaics – will form the foundation of the plan for each building.

Investment in Council buildings is required

These refurbishments can be carried out over an extended period of time, but will be a challenging requirement for an already financially constrained service. Additional funding for upgrading buildings is required.

To give an idea of the scale of investment required,

- Cubbit Town Library would require an investment of £200k-£410k
- Bow Idea Store would require an investment of £200k-£1M

Cubitt Town Library

Cubitt Town Library - 650m²	
Triple glazing where Heritage concerns allow – secondary glazing otherwise	£130-250/m² GIFA
Thermal imaging survey and airtightness test to check insulation and air leakage and carry out repairs/remedial works where needed.	Imaging survey – low cost Remedial works - cost dependent on scope
Add insulation to all walls and insulation overlay on floor. External wall insulation where possible and internally elsewhere.	Walls – £70-100/m² GIFA depending on specifications and finish level
Insulate the roof internally	Approx. £10/m² GIFA
Upgrade the lighting throughout to LED	£20-£120/m² GIFA depending on whether relamping only or new light systems
Replace the existing boiler with a low carbon heat pump	£80-£150/m² GIFA depending on heat demand and on need for wider system upgrades (e.g. radiators).
Total	**£330 to £630/m² GIFA (indicative)**

Cubitt Town Library - list of suggested changes to improve carbon performance

Bow IDEA Store

Bow Idea Store – 1000m²	
Review the existing cooling system in the entire building and upgrade to a heat recovery based system with centralised time and temperature control. Install/improve heat recovery in mechanical ventilation systems	£25-30/m² GIFA for new AHU and controls £40-50/m² GIFA for new high efficiency chiller £150-200/m² GIFA for new fan coils and ventilation ducting
Replace the existing boiler with a low carbon heat pump or – preferably - integrate with the mechanical system	£100-120/m² GIFA – savings available by avoiding new chiller costs (see above)
Triple glazing to the single glazed curtain wall	£200-500/m² GIFA (depending on extent of curtain walling)
Upgrade the lighting throughout to LED	£20-£120/m² GIFA depending on whether relamping only or new light systems
Carry out a thermal image survey to check insulation and air leakage and carry out repairs/remedial works where needed	Imaging survey – low cost Remedial works - cost dependent on scope
Totals	**£200 to +£1000/m² GIFA (indicative) depending on scope**

Bow IDEA Store – list of suggested changes to improve carbon performance (Total building area is 5500m²)

Case study | IDEA Stores

Scope for improvement

The 'best practice' benchmark energy performance for library buildings in the UK is around 30% better than Cubitt Town Library and 60% better than the Bow Idea Store. This shows that there is significant room for improvement in terms of energy use reduction. As a guideline, the target should be to approximately halve the energy consumption in each building in order to achieve the overall target of an 80% on site carbon reduction.

Cubitt Town Library

From a brief initial visual survey, key building features include:

- Solid wall construction with single glazing
- Gas fired boiler – fairly recently changed from oil
- Natural ventilation
- Old fluorescent lighting throughout

The priorities for carbon reduction therefore include:

- Focus on fabric – improve insulation, airtightness and ventilation strategy
- Replace the lighting as part of routine maintenance work
- Change the existing boiler to a heat pump within 10 years

Bow Idea Store

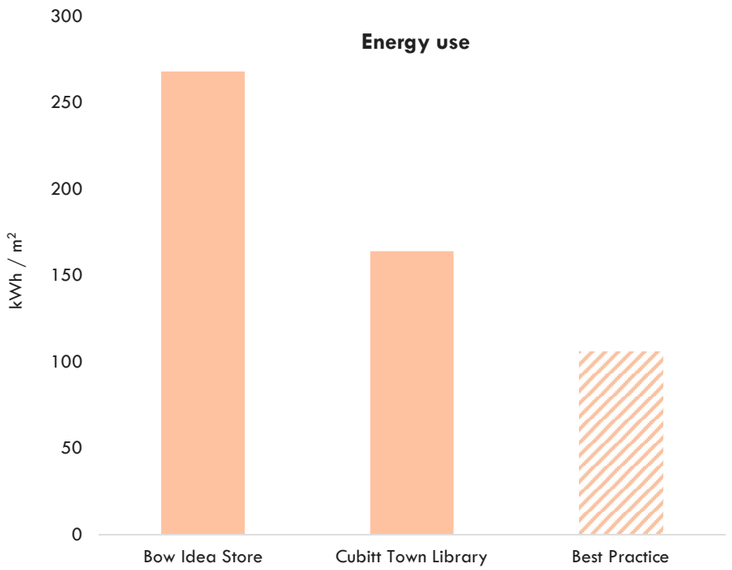
From a brief initial visual survey, key building features include:

- Substantial single glazed curtain walling
- Mechanical ventilation
- Mechanical cooling. From the air conditioning inspection report (dated 2017), there are/have been some issues with the system controls
- The current electrical consumption at Bow is high. Other Idea Stores do not have a similar profile, so it is probable that the air conditioning system and direct electric heating are the principal reasons

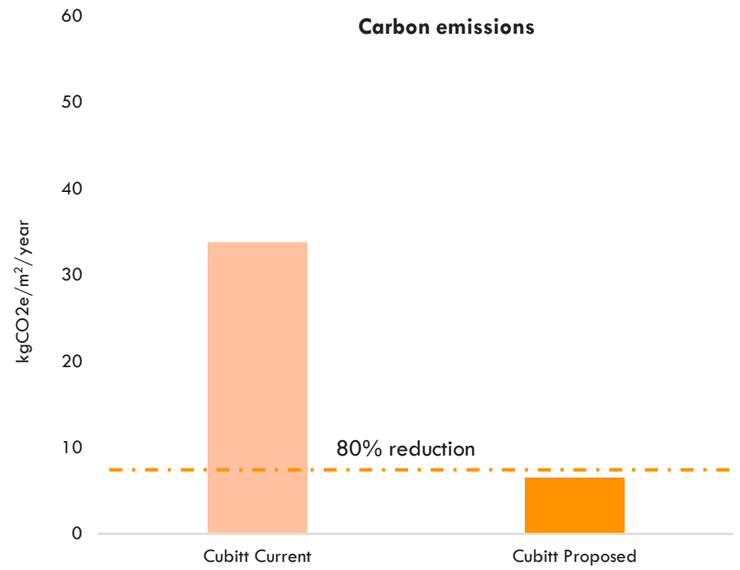
The priorities for carbon reduction therefore include:

- Replacement windows with triple glazing and a draft lobby
- Review mechanical services to ensure air handling units for mechanical ventilation have heat recovery and review heating/cooling controls
- Complete lighting overhaul to include LED fittings
- Review building insulation – is there any cavity wall insulation? Retrofit full fill cavity wall injection and improve airtightness.

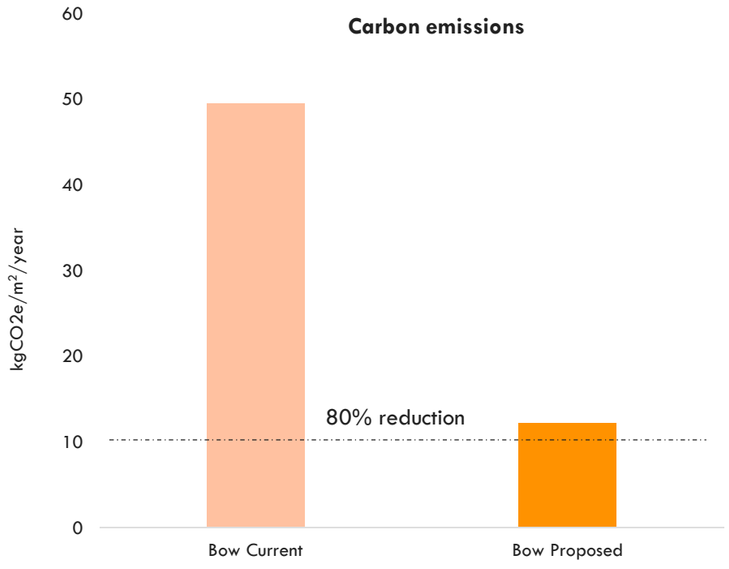
Jon Onslow House is one of the highest carbon emission buildings in the Tower Hamlets portfolio. Therefore, although some issues could be addressed for the Idea Store in isolation, a comprehensive review of the whole building may give a much better overall emissions reduction.



*Current **energy consumption** of Bow IDEA stores and Cubitt Town Library vs best UK practice*



*Current **CO_2 emissions** vs what the proposed actions can achieve at Cubitt Town Library*



*Current **CO_2 emissions** vs what the proposed actions can achieve at the Bow IDEA store*

Diagram showing the cost involved and the energy savings possible (© Investment Property Forum, 2017. Costing Energy Efficiency Improvements in Existing Buildings, Currie & Brown)

Electrification of the Council's fleet

Target: a 50% carbon reduction by 2025
a 85% carbon reduction by 2030

These are recommended targets for the Council's fleet and business travel vehicles, at this initial estimate stage. Electrification of transport will not only bring significant carbon savings, but also important co-benefits including air quality, noise, and reduced contribution to the urban heat island.

Electric vehicles

Electric vehicles use 80-90% less energy than those powered by fossil fuels, due to the efficiency of electric motors and their ability to brake regeneratively. A typical electric vehicle charged in the UK currently produces around 32-43g CO_2 per km; for a typical electric car this would reduce to just 13-17g CO_2 per km by 2030 and 4-5g CO_2 per km by 2050, thanks for further decarbonisation of electricity. This compares to an EU average of 121g CO_2 per km for petrol and diesel cars sold in 2018.

It is recommended that the Council procures **pure electric vehicles rather than hybrid vehicles**. Where pure electric vehicles are not yet available it may be better to wait rather than to purchase hybrid vehicles, which are mechanically more complex and expected to be made obsolete by advances in battery technology in the next few years.

Accelerating the natural replacement cycle

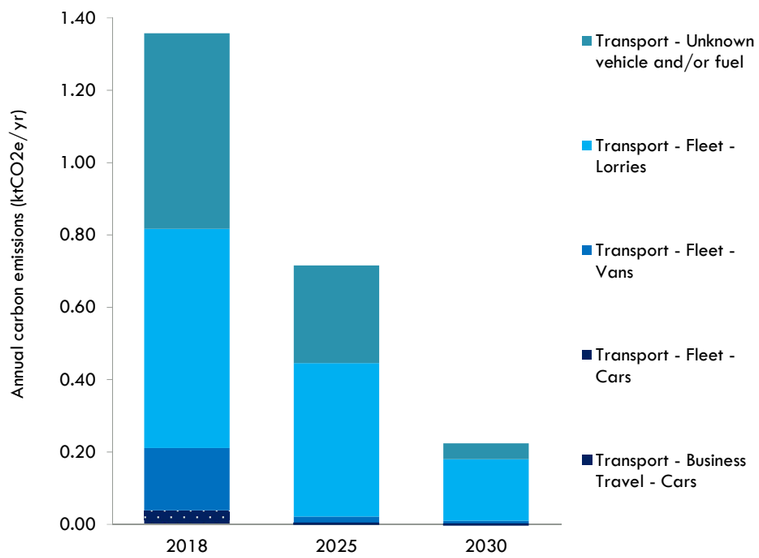
Cars and vans. All cars and van trips should be made by electric vehicles by 2025, leading to 90% reduction in emissions. We have assumed that the normal replacement cycle is 7 years. To limit wastage it is important that **the Council immediately stop purchasing petrol and diesel vehicles** where viable electric alternatives are available

Lorries. We recommend engaging with manufacturers early; this could be done in partnership with other councils to send strong signals to the market and stimulate product development. A 30% reduction in carbon emissions by 2025, and a 70% reduction by 2030 are the recommended target.

Fleet management should prioritise the of electric vehicles use over the others.

Charging infrastructure

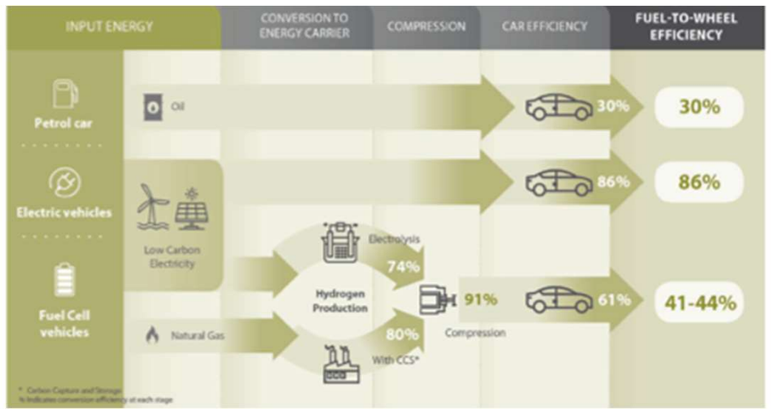
The Council should develop a strategy with UKPN and other stakeholders to identify the most appropriate locations and types of charger. It is recommended that a combination of slow (3kW) and fast (7-22kW) chargers be installed.



Carbon pathway for 2018-2025-2030 showing decarbonisation of the Council's fleet and business vehicles

Image of current latest commercially available electric car © Nissan

An electric vehicle charging point integrated with a lamp post on a UK street. Chargers that do not offer debit/credit card payment should be avoided if possible, as these may be phased out by legislation.



Efficiency of battery electric vehicles vs combustion engine and hydrogen vehicles © Committee on Climate Change

Residual emissions

Quantifying the residual emissions

We have estimated that the Council will have to reduce its direct control emissions by 75% by 2025, down to approximately 2.5ktCO2e/year. These residual emissions will have to be offset for Tower Hamlets Council to be 'Net Zero Carbon'.

Residual emission allowance

The Committee on Climate Change indicates that in a net zero scenario, **residual emissions in 2050 should be no more than 3% of current emissions across the UK**. Over 80% of residual emissions in 2050 are forecast to occur in the aviation, agriculture, industry and waste sectors.

This means that acceptable residual emissions in other sectors such as buildings and transport within Tower Hamlets are almost zero.

Strategies to address residual emissions

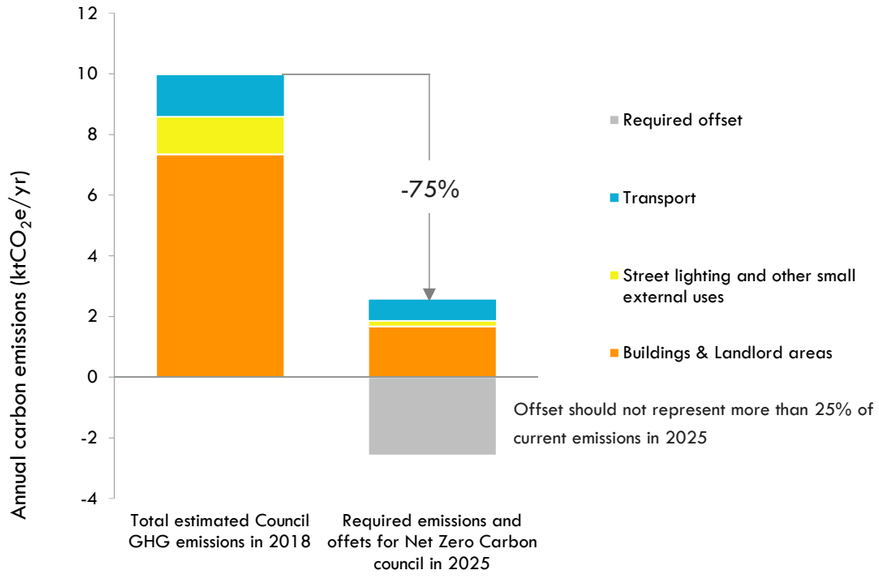
Forestation offers the only practical strategy to remove atmospheric carbon. Total potential is very limited, therefore emissions must be reduced as much as possible first. In Tower hamlets the total potential tree planting will only make up a very minor fraction of the offset requirement, therefore trading with other local authorities will be required.

Housing Retrofit in Tower Hamlets to fit heat pumps and improve building fabric efficiency can reduce emissions and fuel poverty, while improving air quality. It cannot reduce atmospheric carbon however.

Solar Panels fitted to buildings in Tower Hamlets use sites that have already been developed to provide cheap and clean electricity that is essential to power heat pumps and electric cars. It also cannot reduce atmospheric carbon.

Renewable Energy funded by LBTH but installed on greenfield sites outside of the borough contributes toward decarbonisation of the electricity grid. It also cannot reduce atmospheric carbon.

Carbon Capture and Storage (CCS). Drax power station is amongst a handful of Bioenergy with Carbon Capture and Storage pilot projects worldwide, which the CCC view as an essential technology. It is currently capturing just 1 tonne of CO_2 per day however, so is not a viable option at present.



*LBTH Council's residual **'direct control'** emissions and required offsets in 2025*

DRAX Power Station is operating a Bioenergy with Carbon Capture and Storage pilot project, capturing just 1 tonne of CO_2 per day.

Recommended Strategy	2020 - 2030	2030 - 2040	2040 - 2050
Reforestation or afforestation	✓	✓	✓
Housing retrofit in Tower Hamlets	✓	✓	✗
Solar photovoltaic panels in Tower Hamlets	✓	✓	✗
Renewable energy outside of LBTH	✓	✗	✗

Potential strategies to offset residual emissions in LBTH and whether they should be used in the short term, medium term and/or long term

Reforestation and afforestation are currently the only commercially available options for removing carbon emissions from the atmosphere.

Becoming a Net Zero Carbon Council by 2025 | Action plan (1/2)

Acting now

This page summarises the actions recommended in the following areas. The Committee and Climate Change categories have been used to ensure consistency with the national 'Net Zero Carbon' plan.

Power
Buildings
Transport

Power

Install approximately 20,000 sqm PVs on the Council's non-domestic buildings Start with the largest roof areas. The targeted installed capacity should be at least 4.2MW.	*Sustainable Development team to develop costed solar PV programme by August 2020*
Renewable power Ensure that electricity supply to all the Council's assets is on a 100% renewable tariff or Power Purchase Agreement.	*Already in place. Energy services team to undertake an on-going review of utility contracts (including gas) required*

Buildings

Start retrofitting existing buildings owned and operated by the Council (e.g. Council's offices) • Improve building energy efficiency: insulation, improved airtightness and better windows • Install Mechanical Ventilation with Heat Recovery (MVHR) wherever possible • Retrofit heat pumps • Use energy management to reduce energy use • Install PVs An 80% carbon reduction on-site should be achieved on average.	*Technical Services to develop costed retrofit plan for the top 15 carbon emitters by May 2020. Indicative costs for two case study buildings have been included in this report.*
Set best practice energy standards of new buildings built or acquired by the Council. This should be consistent with BEIS energy mission to halve energy use in new buildings. Passivhaus or equivalent should be considered and an assessment against Net Zero Carbon should be required.	*Housing and regeneration team to set new standards by March 2020. Every new development to require a Zero Carbon Plan.*
Commit to Net Zero Carbon for the new Town Hall Review the design and energy strategy with the aim of improving the building fabric and installing additional renewable energy.	*Whitechapel Civic Centre team to prepare Zero Carbon Plan for the Town Hall by March 2020.*
Complete the replacement of all inefficient street and car park lighting with efficient LEDs and improve controls to save energy	*Highways to review LED roll-out by May 2020 and accelerate if required to meet 2025 target.*
Work with UKPN to prepare tomorrow's electricity grid in Tower Hamlets (grid reinforcement) The London Borough of Tower Hamlets should work with UKPN to ensure there is a plan in place for grid reinforcement to enable the shift to zero carbon (e.g. more decentralised renewable energy, electrification of transport, wider heat pump uptake).	*Planning and infrastructure team to organise Net Zero Carbon meeting with UKPN by March 2020.*

Transport

Replace the Council's diesel and petrol cars with electric cars Accelerate the replacement cycle so that 95% of Council cars are electric by 2025	*Transport Services Unit to prepare costed car replacement plan by June 2020.*
Replace the Council's diesel and petrol vans with electric vans Accelerate the replacement cycle so that 95% of Council vans are electric by 2025	*Transport Services Unit to prepare costed van replacement plan by June 2020.*
Install electric charging points for the Council's fleet The service could be extended at Council's buildings and carparks for staff. This should include evaluation of charging points on non council land such as Housing Estates.	*Technical Services Unit to propose costed plan for installation of EV charging points by August 2020.*
Start the replacement of the Council's lorries with low emission alternatives as soon as they are available 30% of Council lorries should be low emission by 2025	*Transport Services Unit to undertake analysis of current available options by June 2020.*
Electrify all remaining vehicles Consider the electrification of the Council's remaining vehicles (e.g. diggers, lawn mowers)	*Transport Services Unit to complete costed feasibility study by June 2020.*

Becoming a Net Zero Carbon Council by 2025 | Action plan (2/2)

Acting now

This page summarises the actions recommended in the following areas. The Committee and Climate Change categories have been used to ensure consistency with the national 'Net Zero Carbon' plan.

Waste
Forestry, land use and agriculture
Other sectors
Organisational readiness and commitment

Waste

Conduct a waste inventory to understand better where Council waste comes from, so that a recycling target for waste from all Council buildings by 2021 can be set Once this is understood, explore ways to minimise the waste generated, look for alternatives for any non-recyclable waste.	*Waste team to tender for external expertise to undertake waste inventory by October 2020.*
Introduce food waste bins in all office areas Achieving a target of zero organic waste to landfill by 2025 will require a behavioural shift in the way we do things. Food waste bins should be collected daily and placed in a centralised location ready for collection.	*Facilities management & Waste team to review feasibility by April 2020.*
Target exemplary levels of recycling of waste materials from Council construction projects A minimum target of 95% should be set and the proportion of energy recovery should be minimized over time.	*Housing and regeneration team to set new waste requirements by March 2020.*
Grow waste and circular economy awareness Take responsibility for knowing where the waste from the borough is going, and what happens to it.	*The Council's waste strategy covers the circular economy and should be used.*

Forestry, land use and agriculture

Tree planting schemes Increase tree planting on Council owned land and parks; carry out surveys to establish where trees can be planted. It is not possible to plant enough trees to meaningfully offset total emissions, so as many trees as possible should be planted.	*Programme to plant 1,000 new street trees (by 2021) is under way. Community tree planting projects to commence in 2020.*

Other sectors

Procurement of goods and services Procurement and Sustainable Development Team to review councils procurement policies and tender documentation by May 2020 to ensure carbon emission requirements are incorporated as part of all relevant new contracts.	*Procurement and Sustainable Development Team to review councils procurement policies and tender documentation by May 2020 to ensure carbon emission requirements are incorporated as part of all relevant new contracts.*
Base refrigerant selection in cooling systems used by the Council on a principle of 'lowest available Global Warming Potential (GWP) refrigerant'.	*Technical Services have information available to review .*

Organisational readiness and commitment

Create and resource a Zero Carbon team The team, part of the Sustainable Development Team, will have responsibility for implementing the Zero Carbon Roadmap, collect and monitor CO_2 emissions data.	*Sustainable Development Team to make proposal for overall ownership, leadership and delivery of Zero Carbon target by February 2020. Where necessary and internal climate change taskforce will be set up with the responsibility to accelerate change.*
Collect data on energy and CO_2 from Council operations, reporting annually	*Zero Carbon Team to undertake assessment in October 2020.*
Develop the Carbon Reduction Action Matrix Implicate and involve all services for maximum impact and reach. Adjust the Matrix of actions developed by Etude.	*Zero Carbon Team to update Carbon Reduction Action Matrix by March 2020.*
Create internal policies on waste, procurement and travel that are aligned with overall 2050 objectives Internal policies guide Council staff on targets for waste, procurement and travel and give weight to initiatives developed.	*Each team (Waste, Procurement, Transport) to update their policies to refer to Zero Carbon*

Decarbonisation of buildings: the importance of energy management

The important role of energy management

In order to achieve this ambitious Net Zero Carbon target it is crucial to understand current energy use consistently and track its evolution over time.

This is essential to provide a real estimate of the savings, the impact of changes and budget required. **Our estimate of current emissions is based on energy consumption from the CRC[1] reports which is twice that in the NI 185[2] and GHG reports.**

The Council should put in place a robust energy management system as the **foundation of its journey to zero carbon**. Based on our analysis of current energy data and reporting procedures, this should include:

1. Reviewing the list of buildings / sites and their annual consumption, and update it if required e.g. redundant sites, mis-allocated uses, missing floor areas, etc.
2. Floor areas must be included to allow benchmarking
3. Attributing a unique ID to each site, alongside its address and postcode, to avoid ambiguity and mis-allocation.
4. Reviewing metering provision and frequency of meter readings: except on the very small sites, this should be monthly, and with half-hourly meters on the large sites.

The energy management system should be linked with asset management, so that carbon decisions are informed by the future life of the asset, and take into account the impact of changes in building use.

Once current energy use and emissions are known with more certainty, we recommend the carbon action plan should be expressed in absolute terms as a carbon budget (e.g. tonnes of CO_2 until 2025, tonnes of CO_2 per year) rather than the current approach using relative (%) targets.

Dedicated resources

This will require **additional resources** (staff, training and soft/hardware).

Depending on the type of sites, this would best be carried out by site teams or centrally, but there should in any case be some analysis and support by the central team.

[1] *Carbon Reduction Commitment (CRC)*

[2] *Under National Indicator NI 185, local authorities are required to calculate the carbon emissions of their buildings and services on a yearly basis and report the results to DEFRA.*

COUNCIL EMISSIONS - BUILDINGS AND STATIONARY USES.

Unique site ID	Site name	Address	Postcode	Main building use
				i.e. town hall, library, community centre, landlord areas etc
TOTAL FOR THE COUNCIL				

Annual electricity consumption				on site PV generation - unless the net effect is already accounted in the site's meter reading					NET annual electricity consumption					Annual gas consumption				
kWh	actual or estimated	period covered	% reduction from previous year	yes / no	kWh	actual or estimated	period covered	expected output	% difference with expected output	kWh	actual or estimated	period covered	% reduction from previous year	kWh	actual or estimated	period covered	% reduction from previous year
meter #1					meter #1									meter #1			
meter #2					meter #2									meter #2			
meter #					meter #									meter #			
total					total					NET site total				total			

Annual carbon emissions		2025 carbon target	Carbon gap to target	Council level of carbon emissions
CO2/yr	% reduction from previous year	tnCO2/yr	tnCO2/yr	i.e. direct control OR responsible

DEC		Asset management plans	Comments	Individual/ organisation responsible for carbon reporting & management
rating	date	planned for change of use OR to be refurbished OR rented out OR to be demolished and redevelo-ped OR smaller planned works	e.g alternative addresses ownership	

Site description
- Unique site ID
- Site / building name
- Address and postcode
- Building use or end use (e.g. exter-nal lighting)

Annual energy consumption per fuel
- Unique meter references
- Annual total, breakdown per meter, actual or estimated
- % change from previous year
- On-site PV generation, net effect on metered electricity consumption, and comparison with expected output

Carbon emissions
- Annual carbon emissions for the site
- 2025 target for this site
- Remaining gap to carbon target
- % change from previous year
- Council's ownership of these emissions i.e. direct control, or under responsibility

Carbon emissions
- DEC rating & date
- Individual / party responsible for the site's carbon management and reporting
- Other comments ...
- Future plans e.g. retrofit, use change, disposal ... >> links to asset management system

Illustration of possible system for energy and carbon reporting and management: ideally the system would be online and as automated as possible in order to avoid errors from manual entries; it should allow the Council's carbon lead to track overall progress and to look into individual sites, with links to the responsible parties for each site and with the asset management team; it should cover all sites, both under the Council's direct control and under its responsibility. The level of information illustrated here is higher than in the current reporting systems: essentially, it combines the information provided in the NI-185 sheets and CRC reports. The experience of creating this zero carbon roadmap suggests this level of information is required for effective carbon management.

Becoming a Net Zero Carbon Council by 2025 | Optimising cost

A clear trajectory

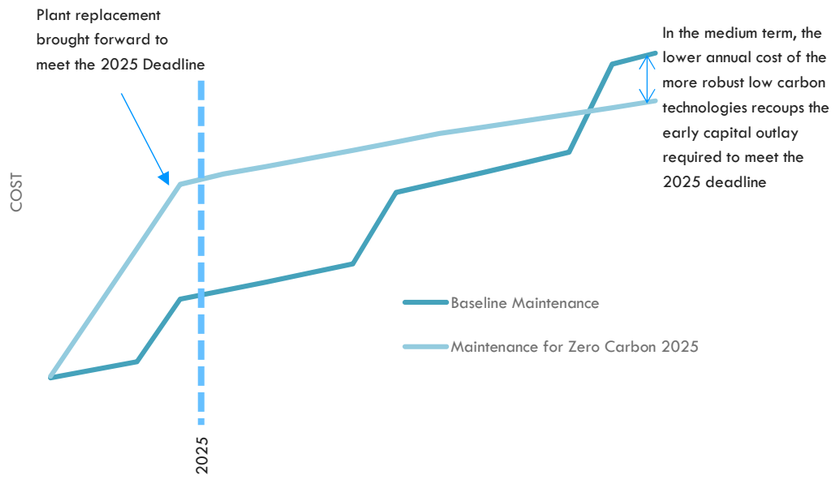
To minimise the capital cost of achieving net zero carbon it is important that a strategic approach is adopted which builds on the opportunities presented by estate and asset management events. These might include:

- **Reduce** - reduction in estate size through agile working implementation delivering estate, energy and carbon savings together with improved productivity.
- **Renew** - investment in new estate and disposal / redevelopment of poor quality estate. These events present a major opportunity to achieve net zero carbon standards. It should be noted that improved performance is not a given though and will depend on the quality of design, construction and commissioning. Also, the embodied carbon impact of the development should be considered and minimised.
- **Improve** - investment to improve the quality of existing assets (e.g. replacing aged cladding or heating system) presents a very significant opportunity to make significant performance gains for little additional cost.
- **Enhance** – significant savings can be achieved by addressing backlog maintenance and through enhanced management regimes with improved monitoring of performance and building setup

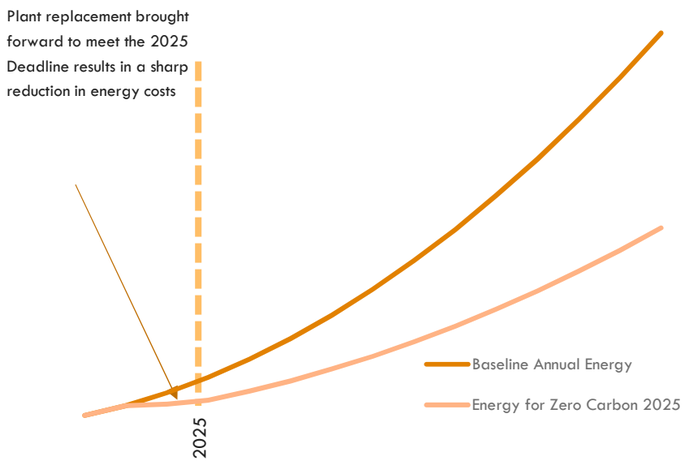
A costed plan is required that covers each Council asset, prioritising those with the greatest impact and where there is a significant improvement opportunity, for example large buildings with poor performance and those with forthcoming investment. Research has shown that, where refurbishment is already planned, additional investment of just £50/m^2 can achieve very carbon savings of over 400 $kgCO_2/m^2$ over 15 years together with significant savings in running costs compared to 'like-for-like' renewals.

For large poorly performing assets that are to be retained, consideration should be given to bringing forward planned investment cycles to energy and carbon secure savings and improved building performance. Programmes such as London RE:FIT can help to enable such investments by guaranteeing the associated energy savings that underpin the investment case.

A costed investment plan should detail the timetable for improving the standard and management of existing assets, together with clear specifications and standards for new assets including buildings, vehicles or IT systems. This approach will leverage existing council expenditure to help deliver a substantial part of the necessary investment.



Cumulative operating costs – 15 years



Cumulative energy costs – 15 years

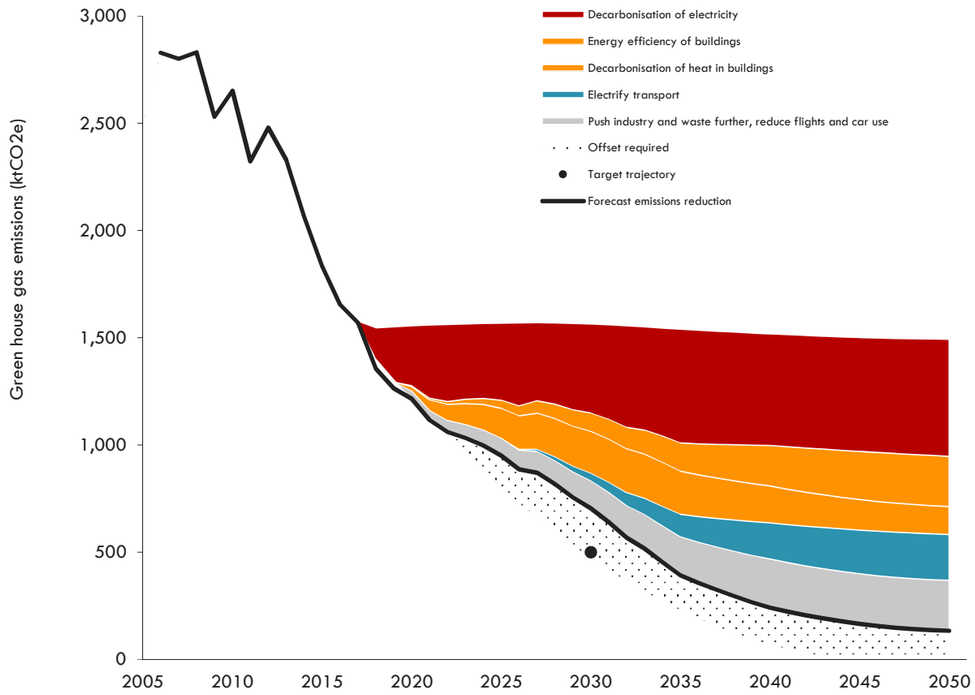
Item	Planned work	Improvement opportunity
Monitoring	Limited / none other than visual inspection	IRT survey to identify improvement opportunities Install energy monitoring and targeting system to larger buildings
External envelope	None / cosmetic redecorations	Sealing eaves and install draught stripping to doors Increase loft insulation Additional insulation to cavity walls
Windows	Replace end of life single glazing with new double glazed units	Replace single with high performance glazing (triple)
Mechanical Ventilation	Replace end of life AHU fans with similar system	Install best in class AHU fans and add run-around coil Clean and repair ductwork
Lighting	Replace T5 bulbs like for like	Use LED lamps for all replacements and add daylight and presence controls in all rooms
Air conditioning	Inspection and servicing of terminal units and replacement of any that are faulty	Install new EC drives in terminal units Replace refrigerant to one with GWP Add new controls to check performance and calibration
Heating	Inspection / balancing of radiators and service to boiler Replace boiler with new more efficient plant	Install ASHP rather than new gas boiler Review radiators sizes, increase only were needed (or use FCU's for heating also) and add TRVs where absent Change circulating pumps
Renewable Energy	None	Install PV array

Improving the ambition of the planned works represents a fantastic opportunity to minimise costs

Phasing out carbon emissions in Tower Hamlets by 2050

- A comprehensive set of actions
- Timeline: a long and ambitious journey
- LBTH Zero Carbon pathway
- Decarbonisation of domestic buildings
- Case study: a typical existing block of flats
- Focus on policy
- Focus on procurement

Etude



A comprehensive set of actions

Wide-ranging actions

This diagram illustrates the key areas of actions for reducing carbon emissions in Tower Hamlets towards:

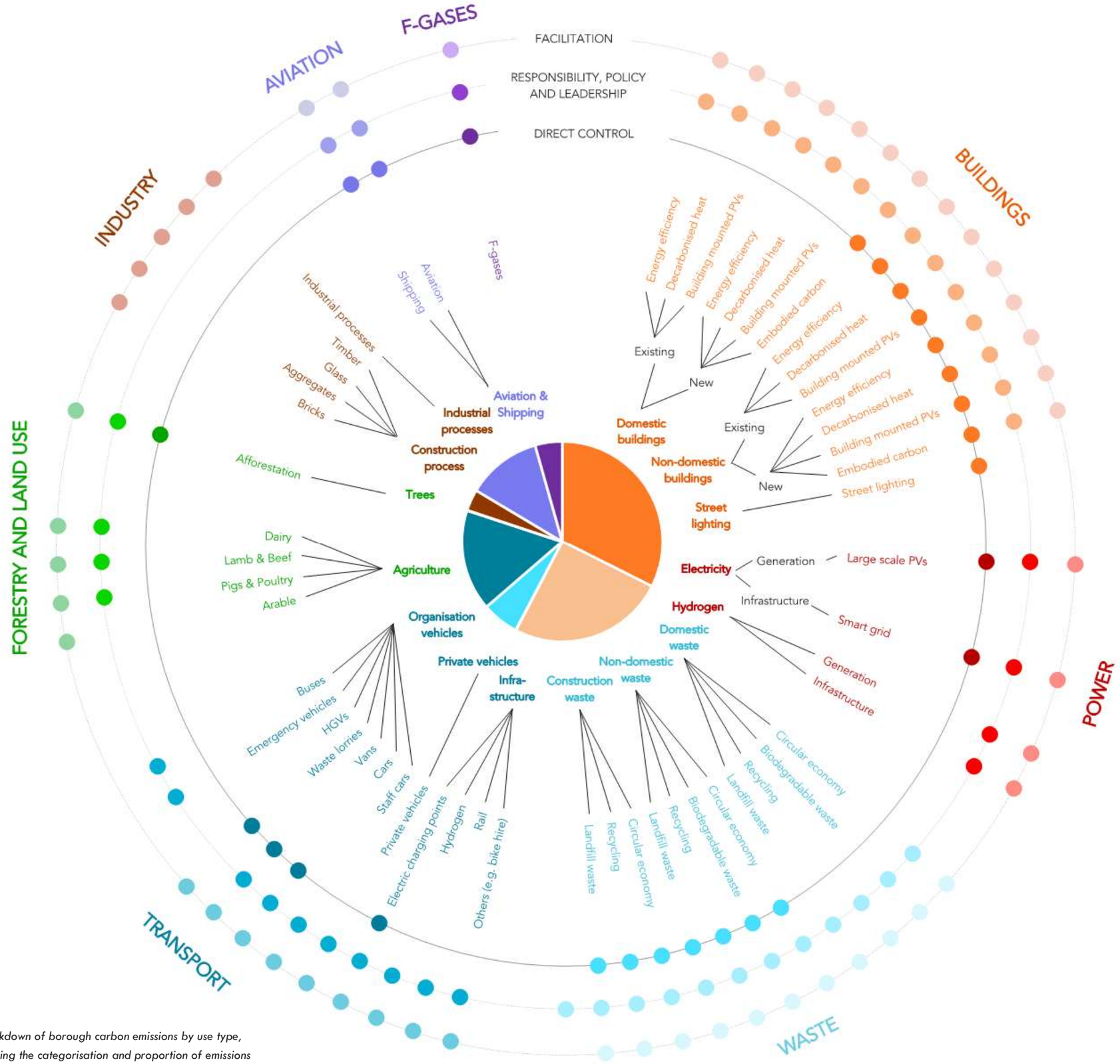
1. A Net Zero Carbon Council by 2025
2. A Net Zero Carbon Borough by 2050

Actions are required in all key sectors:

- **Buildings**
- **Power**
- **Waste**
- **Transport**
- **Forestry and land use**
- **Industry**
- **Aviation**
- **F-gases**

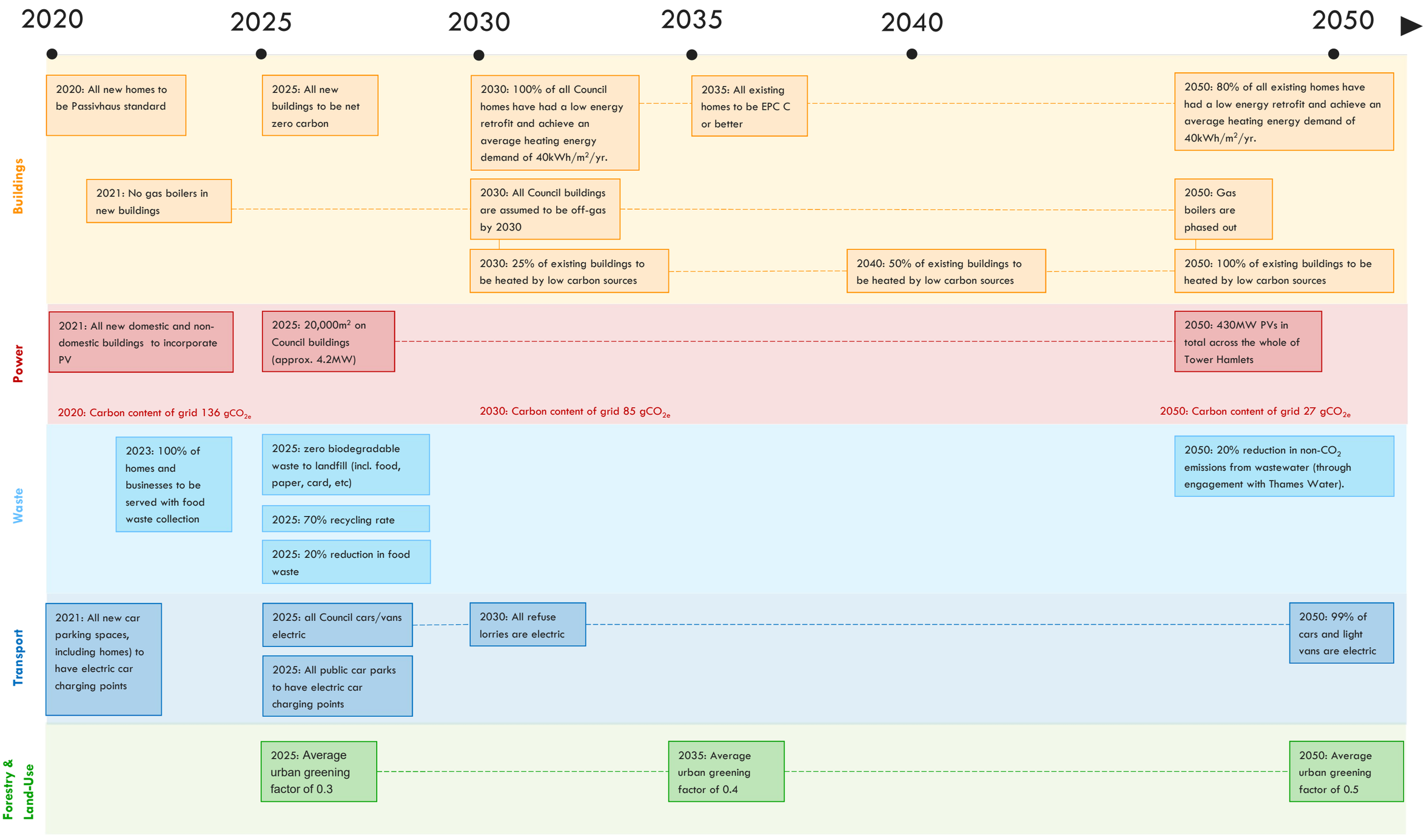
Actions can be split up between in different categories, depending on the scale of control Council has over the emissions:

- **Direct Council control** (e.g. Council's offices)
- **Responsibility** (e.g. Tower Hamlets Homes, Schools), **Policy** (e.g. local plan) and **Leadership** (e.g. engagement with local businesses and organisations)
- **Facilitation** (e.g. engagement with the public).



Breakdown of borough carbon emissions by use type, showing the categorisation and proportion of emissions from each source, and the control the Council has over each sector.

Timeline | A long and ambitious journey



Zero Carbon Pathway for the London Borough of Tower Hamlets

Achieving Net Zero Carbon by 2050

We have used the Etude tool for estimating future Borough emissions and to estimate what changes are required to move towards a net Zero Carbon borough. The tool shows that radical changes to all sectors are required. In the borough this includes Net Zero Carbon new buildings, existing building stock energy efficiency, switch from gas heating to low carbon heat and the electrification of transport.

The cumulative emission reductions demonstrate that near zero carbon emissions are possible, and these can be feasibly offset by carbon reduction projects. However, it is likely that these projects will not be possible within the borough, and will have to be achieved elsewhere. Other local authorities are likely to have the same issue, and this is something that it makes sense to assume may be dealt with at a national level.

Key features of a zero carbon future

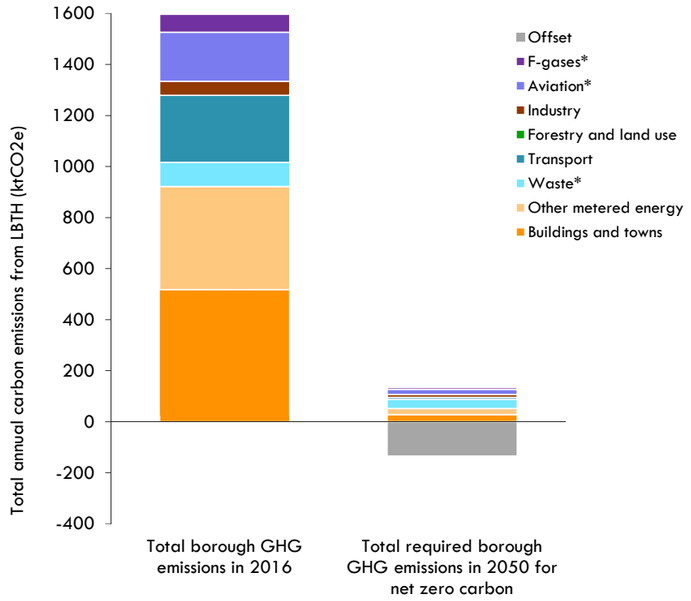
A summary of the assumptions used in the forecast is given. The key features of this scenario are:

- All new buildings, from now, are built to be highly energy efficient and use a heat pump as the primary heat source.
- Road transport rapidly converts to electric. Road journeys are reduced.
- Incentives and regulation result in a significant reduction in commercial, industry and aviation emissions.

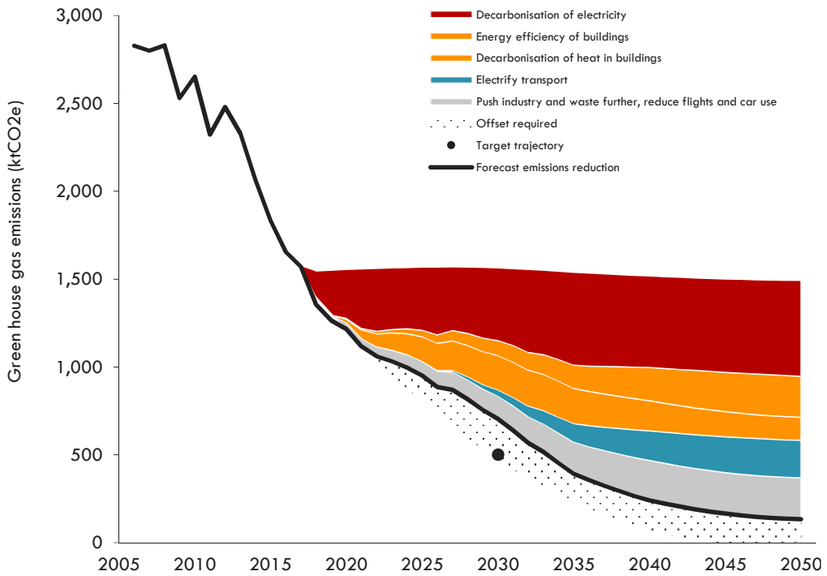
The first two changes mean major investment in the electric infrastructure in the borough is necessary,

Acting quickly and achieving Net Zero Carbon earlier than 2050?

It is possible to achieve Net Zero Carbon earlier than 2050 but it is very challenging. We would recommend identifying credible solutions to achieve Net Zero Carbon by 2050 with a minimal amount of offset first and also accelerate any actions which can be accelerated, while taking the time required to deliver others.



*Latest reported emissions (2016) and forecast 2050 emissions based on a scenario where carbon emissions reduction is prioritised in policy, by businesses and by national government. The breakdown matches the categories used by the CCC. Emissions would need to reduce by **90%** over the next 30 years.*



Historic and forecast emissions for LBTH from 2005 to 2050. Showing contribution of main sectors to overall reduction.

1. Net Zero: The UK's contribution to stopping global warming (2019) Committee on Climate Change

Category	*Major assumptions for change used for net zero carbon forecast*
Decarbonisation of electricity	Carbon content of electricity falls rapidly in line with Government projections. Carbon content of electricity is 0.085 $kgCO_{2e}$/kWh in 2030 and 0.030 $kgCO_{2e}$/kWh in 2050.
Residential building energy efficiency	All new homes built after 2020 achieve Passivhaus or an equivalent standard. 15kWh/m^2/yr heating energy demand achieved on average.
	90% of existing homes have a complete low energy retrofit by 2050 (by 2030 for Council homes). Homes achieve an average heating energy demand of 40kWh/m^2/yr.
	2% of existing buildings are demolished and replaced with new build by 2050. This is approximately 2,000 homes over the whole period.
	Electrical efficiency of appliances continues to improve but is offset by increased use. A net 20% improvement is achieved between 2020 and 2050.
Non-residential building energy efficiency	Commercial gas consumption reduces by 90% through replacing gas heating with heat pumps or equivalent, and energy efficiency measures.
	Electrical consumption increases by 10% net as a consequence, however the majority of the increase from electrification is offset by improved efficiency and use of commercial heat pumps.
	Full retrofit of Council buildings to achieve a heating demand of 40kWh/m^2/yr and net zero carbon through the switch to low carbon heating (heat pump) and solar PV installation.
	All Council owned non-domestic properties are refurbished on change of lease. Achieve 50% carbon emission reductions.
Building heating	Gas boilers are phased out by 2035. Residual 1% of buildings use gas. (All Council buildings are assumed to be off gas by 2030).
	All building heating is provided by a heat pump, or an equivalent low carbon technology (for example hydrogen fuel cell, or waste industrial heat). No buildings are heated by on-site combustion.
Electrification of transport	10% reduction in in car use through switch to walking and cycling.
	Department for Transport emissions forecast for London is used and modified to adopt the CCC further ambition. Equivalent to 99% of domestic and light goods mileage completed by electric vehicles or equivalent by 2050. (All Council vehicles are electric by 2030). Electric vehicles achieve an average efficiency of 30kWh/100miles.
	HGV emissions reduce by 80% through reduced journeys, change in manufacturing patterns, switch to rail, and developing hydrogen or electric drivetrain technologies.
Reducing waste	62% reduction in emissions from waste in line with 'further ambition' recommendations by CCC[1].
Industrial efficiency	80% reduction in industrial emissions through efficiency or changes in the sector. This is comparable to the 'Further ambition' recommendations by CCC[1].
Aviation	**88% reduction in emissions**. Personal air travel is reduced, particularly long haul and regular flight, efficiency improves. This deviates from national aviation growth projections which show a 1% increase in emissions. Aviation emissions are calculated from LBTH's population as a proportion of total UK emissions.
Forestry & land use	Significant tree planting in the borough has a very small but important impact. LBTH would need further reductions in emissions from forestry in other local authorities, potentially through a future national trading scheme.
F-gases	EU targets for F-gas reductions are kept as UK law and CCC further ambition scenario is met.

Key assumptions used for zero carbon forecast.

Decarbonisation of domestic emissions : Tower Hamlets Homes

Target: achieving an 85% carbon reduction by 2030 for Tower Hamlets Homes

Tower Hamlets Homes (THH) dwellings represent the majority of emissions under the Council's responsibility, and are therefore a crucial part of achieving significant carbon reductions. There are approximately 11,500 dwellings managed by Tower Hamlets Homes. The majority of them have an EPC energy rating of D (42%) and E (32%) – although EPC ratings are not a reliable indicator of actual energy use.

Standards for new homes

All new homes should be zero carbon (regulated and unregulated), following Passivhaus or equivalent standards, and supplied from a low-carbon heat source e.g. heat pump.

Retrofit of existing homes

The principles are similar to those recommended for non-domestic buildings i.e. a combination of low carbon heat, fabric and systems efficiency, and PVs.

Because of residential demand profile a low-carbon heat supply is even more important than in non-domestic buildings, and will require liaising with utilities and a careful selection of systems and contract arrangements to ensure sufficient capacity and acceptable heat costs for residents. Direct electric heating is generally not recommended except in the most efficient dwellings with minimal thermal demand.

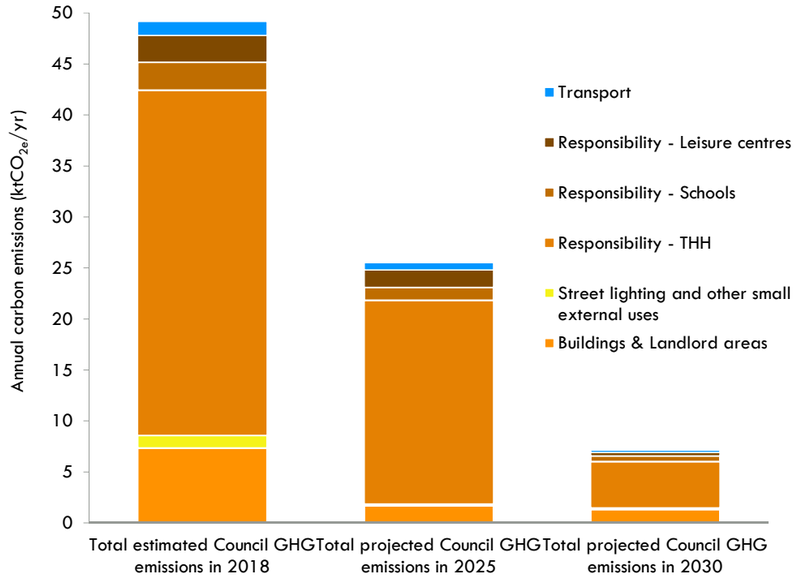
Retrofit: building up quality and capacity

Supply chain capacity and skills will be crucial to reduce emissions and avoid unintended consequences. The Council should use the lessons of existing schemes (e.g. ECO, RE:FIT) and review recent initiatives such as the Retrofit Academy and TrustMark, potentially with the view to develop its own system of trusted suppliers. We would recommend partnering with other London Boroughs engaged on a zero carbon pathway e.g. Haringey Council.

This will also help the Council to develop expertise and a supply chain which will benefit later housing associations, landlords and residents.

Engaging with residents

Deep retrofit offers significant opportunities for co-benefits, such as improved health and comfort for residents, which could help engage them with the Council's Zero carbon efforts.



Carbon emissions in 2018 (actual), 2025 (target) and 2030 (target) showing rapid decarbonisation of Schools, Leisure Centres and THH Homes, alongside Council's direct control emissions. As transport emissions from larger vehicles will take longer to decarbonise, these have also been assumed to reduce post-2025.

Addressing the issue of energy data from homes

The Council should work with THH and seek ways to improve its understanding of energy consumption in homes, without giving rise to privacy concerns. For example, at the very minimum, a service could be put in place for residents to voluntarily give access to their energy consumption. This could be incentivised (e.g. vouchers for energy saving measures, access to energy saving advice), and potentially reported by postcode / block without identifying individual homes.

2020 *Setting the overall programme*

2020 ***Phase 1:*** *priority & pilot dwellings e.g. 250 units/yr*

2021 ***Phase 2:*** *delivery lessons from Phase 1 e.g. 500 units/yr*

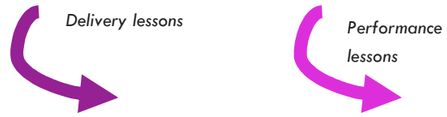
2023 ***Phase 3:*** *performance lessons from Phase 1 and delivery lessons from Phase 2, feeding into increased programme e.g. 1000 units/yr*

2025 ***Phase 4:*** *performance lessons from Phase 2 and delivery lessons from Phase 3, feeding into peak programme e.g. 2000 units/yr*

2028 ***Phase 5:*** *ramping down, starting to allocate resources and expertise to domestic retrofit wider in the Borough e.g. 1000 units/yr*

2030 ***Phase 6:*** *minimal number , allowing completion and evaluation before end 2030 e.g. 500 units/yr*

- ✓ ***Retrofit & evaluation of 11,500 homes***
- ✓ ***Expertise and supply chain ready to benefit the wider Borough***



Programming and scaling up: a total of 11,500 homes will need to be retrofitted. The programme should be phased in order to allow the gathering of lessons and the development of a trusted supply chain, while responding to the challenging timescale of deep retrofit by 2030.

Case study | A typical existing block of flats

A representative building

The block of flats shown opposite is typical of residential accommodation in Tower Hamlets. A typical building is four storeys high, with a pitched roof. Floors are expected to be concrete, or suspended timber for smaller properties. Walls are typically masonry with a cavity. Buildings are generally heated with gas boilers or electric heating.

Retrofit required

Four core strategies must be pursued to achieve net zero carbon within this type of building:

1. **Fabric retrofit**, usually achieved through external wall and roof insulation, floor insulation, airtightness works, high performance windows and mechanical ventilation with heat recovery.

   Estimated cost per flat: £11,000 - £19,500

2. **Low carbon heating**, the most suitable technology is likely to be either individual water source heat pumps in each apartment, with an ambient temperature ground water loop supplying them, or an air source heat pump. Where inefficient communal heat distribution systems exist, they should be replaced.

   Estimated cost per flat: £1,500-£7,000

3. **Energy efficient services**, appliances and lighting have quickly become more energy efficient due to energy efficiency regulations.

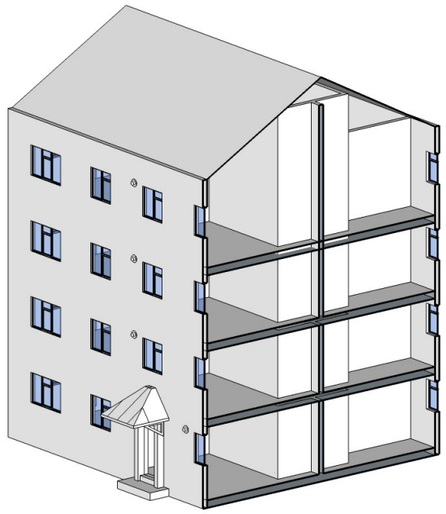
   Estimated cost per flat: Generally low

4. **Solar photovoltaics (PVs)**, installed to best practices they can provide more than enough electricity to achieve net zero energy consumption for low and mid rise buildings with good levels of fabric efficiency that are heated by heat pumps. Financial benefits for tenants can be maximised by the landlord submetering tenants and connecting the PV system to the landlord supply, so it can be used by all tenants within the building.

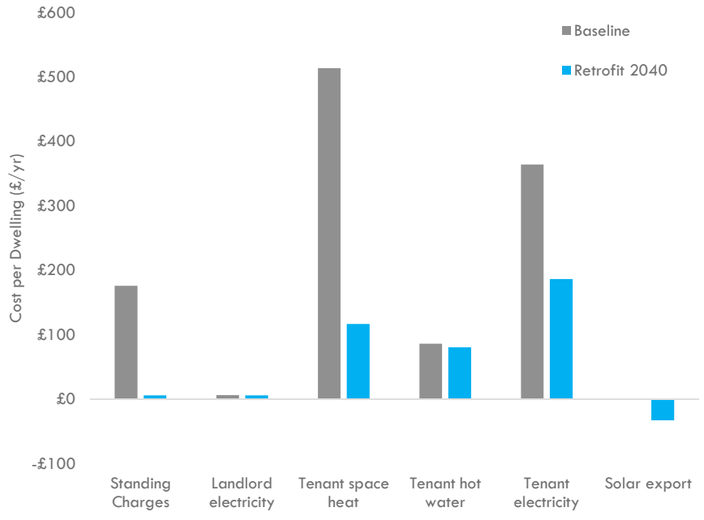
   Estimated cost per flat: £2,500 + submetering cost

Reduced energy bills

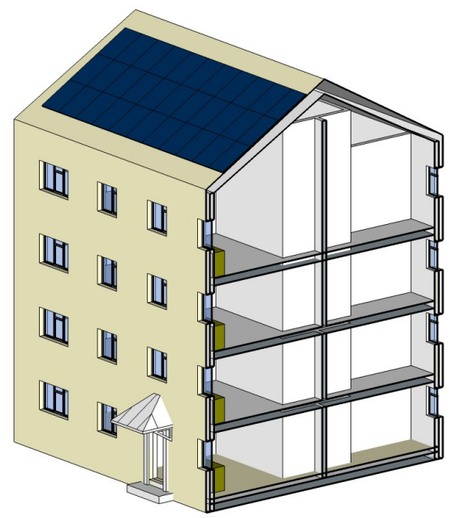
These changes would not only dramatically reduce carbon emissions but also significantly reduce energy bills.



*Baseline block of flats: Gas boilers or electric heating, little insulation, single or poor double glazing, poor airtightness and uncontrolled ventilation through gaps in the building fabric. Space heat demand of around **160kWh/m²/year.***



Bar chart showing estimated energy costs for a dwelling in this apartment building now and in 2040, assuming a best practice retrofit takes place.



*Retrofitted to achieve net zero carbon: Heat pumps, 150+mm of continuous insulation to floors, walls and roof, very good double or triple glazing, excellent levels of airtightness and mechanical ventilation with heat recovery. Full-size photovoltaic array fitted with high efficiency modules and microinverters. Space heat demand of around **40kWh/m²/year. Net producer of clean energy.***

Housing blocks in Tower Hamlets already include significant PV installations

The domestic housing stock in Tower Hamlets

Parity Projects CROHM tool

As part of this study Parity Projects have been commissioned to carry out a stock assessment of the homes in Tower Hamlets using their CROHM Area tool. This analyses SAP, EPC and LBTH data to give a breakdown of housing stock and to help with costing and planning retrofit measures at scale.

Currently low data quality

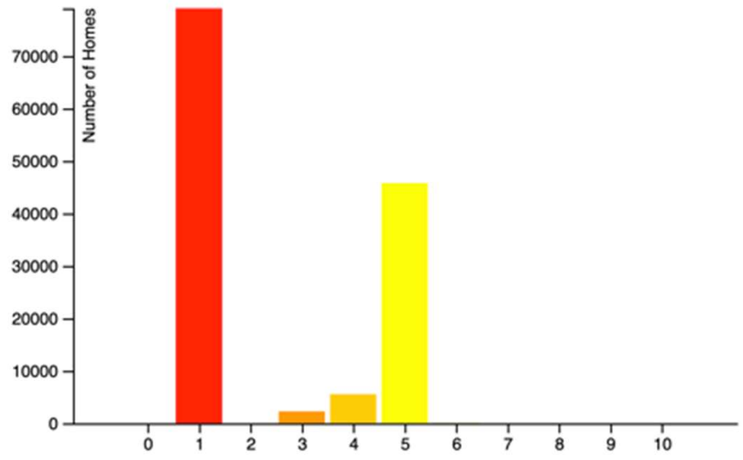
The database is in its infancy, and it appears that only the available EPC information has been used to give information about the stock. This means the confidence in the data is currently low and some assumptions and cloning have been used to populate data for all the properties.

However, the tool provides a central database that LBTH can now look to improve to give them clear oversight of the energy and carbon profile of their portfolio. The assumptions can be revised as surveys and other intelligence-gathering improve the accuracy of data, and tracked using CROHM's in-built data quality management tool.

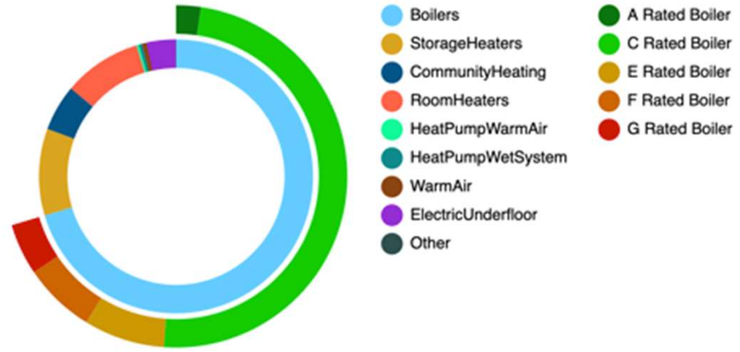
Improving the stock assessment

Improving the stock assessment requires providing more data on housing to Parity Projects for integrating with the tool. This could be from work carried out by LBTH, the GLA, or by private landlords based on incentives provided by LBTH. Examples include:

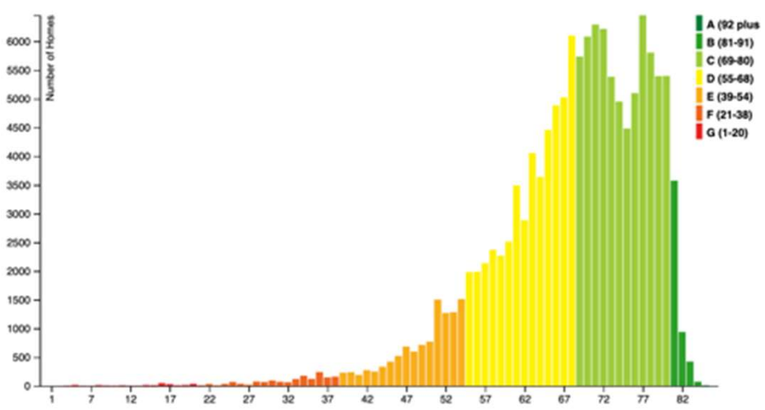
- Importing any data held by Tower Hamlets Homes for their properties.
- Requesting data from Registered Social Landlords in the borough.
- Carrying out home energy surveys for parts of the borough due to energy bill aggregation schemes, or fabric improvements through ECO for example.



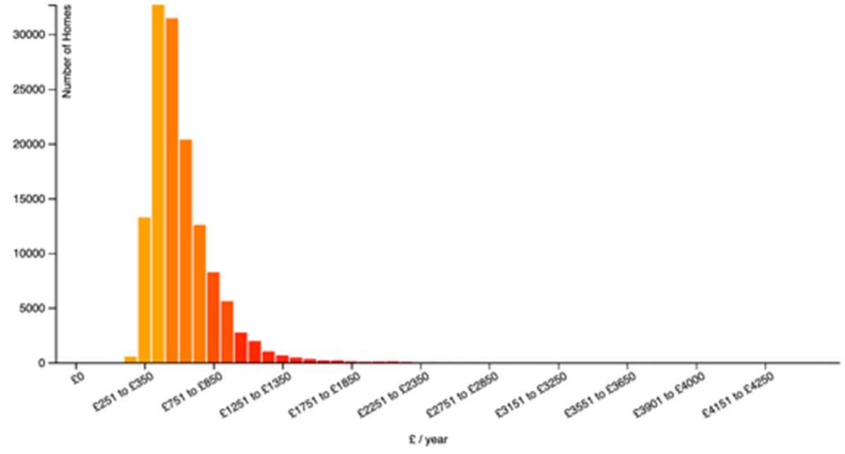
Current combined data confidence for all homes in the CROHM Area tool for Tower Hamlets. 1 is the lowest confidence in data, 10 is highest. ***Almost 2/3 or homes are at the lowest data quality level.*** *To improve this requires the quality of surveys of existing homes typically carried out for EPCs to be improved, or for LBTH to pass any data they may hold on properties to Parity. Image © Parity Projects CROHM Area.*



Estimated breakdown of housing by heating type for Tower Hamlets from CROHM Area tool. This data should be used with caution due to the confidence in the data at this time, but demonstrates the capability of the tool. This graph shows that 19.2% of gas boilers are older than an EPC C rating and so could be due upgrading.



Estimated distribution of housing by EPC band for Tower Hamlets from CROHM Area tool. This data should be used with caution due to the confidence in the data at this time, but demonstrates the capability of the tool.



Estimated distribution of housing by annual fuel bills for Tower Hamlets from CROHM Area tool. This data should be used with caution due to the confidence in the data at this time, but demonstrates the capability of the tool.

Focus on policy

The power of policy

Policy is critical to deliver Net Zero Carbon. The potential for policy to cause significant change within the borough cannot be understated . New policies should be bold and reflect the urgency of the changes that we need to see to avert catastrophic climate change.

Net Zero carbon new buildings

LBTH would have to go further than the draft London Plan if Net Zero carbon new buildings are to be required by the Tower Hamlets Local Plan. These buildings must have ultra-low levels of total energy use and space heating demand, have low carbon heating system and maximised on-site renewable energy.

Viability assessments are undertaken on any new planning policies. It is important that the Council's consultants who undertake these viability assessments use the latest and most up to date costs, and account for projected cost reductions associated with more energy efficient buildings and low or zero carbon technologies as economies of scale take effect. The cost of not taking action should also be considered

Existing buildings
Every major retrofit which does not significantly reduce a building's carbon emissions should be seen as missed opportunity. Planning policy should prevent this.

Low carbon heat
Phasing out all uses of gas between now and 2050 is critical if LBTH is to achieve Net Zero Carbon. This change must start as soon as possible and planning policy should prevent the installation of any new gas heating system: gas boilers and gas CHP.

Electrification of transport
Planning policy should include a vision for electrical infrastructure and transport in the borough.

Waste
New developments must be designed to meet increasing collection and recycling requirements.

Nature and Biodiversity
The Greater London Authority's urban greening factor could be used to ensure that individual sites contribute to the overall 'greening' of the borough.

The Towel Hamlets Draft local plan

Comment on Environmental Impact Assessment (EIAs)

All major developments that require an Environmental Impact Assessment must include an assessment of greenhouse gas emissions and the implications of climate change. The guidance from the Institute of Environmental Management and Assessment (IEMA) '*Assessing Greenhouse Gas Emissions and Evaluating Their Significance*' (2017), states the following:

'***All GHG emissions will contribute to climate change and thus might be considered significant, irrespective of whether this is an increase or decrease in emissions***.'

Mitigation measures should therefore go beyond normal practice, and will need to be secured within any given planning consent. Particular attention should be made to ensuring emission reduction measures are integrated and delivered through the construction and operation phases.

- For construction impacts it is noted that there will be monitoring and measuring, but LBTH will require reductions.
- For operational impacts, the EIA should set out how the scheme will be net zero carbon on-site in 2050 as required by the Climate Change Act 2008 (as amended).

All assessments of GHG emissions should be done quantitatively and any use of professional judgement to assess significance should be fully justified. Reference in the ES should be made to whether the national, regional and local policy requirements in relation to energy and GHG are satisfied by the Proposed Development. The latest UK Climate Projections (Currently UKCP18) should be used to inform any such assessment..

Power

Set a formal target for solar capacity in Tower Hamlets to at least 430 MW by 2050

Buildings

Introduce planning requirements for all future housing in line with Zero Carbon target This should be consistent with the recommendations of the CCC report on the future of housing (i.e space heating demand < 15-20 kWh/m^2.yr). Passivhaus or equivalent should be considered and an assessment against Net Zero Carbon should be required.
Introduce planning requirements for all new non-domestic buildings in line with Zero Carbon target. This should be consistent with BEIS energy mission to halve energy use in new buildings. Passivhaus or equivalent should be considered and an assessment against Net Zero Carbon should be required.
Use policy intervention to prevent the installation of any new fossil fuel heating system (e.g. gas boilers) from 2020
Use policy intervention to prevent the installation of any gas-fired CHP system from 2019

Transport

Include **electrical charging infrastructure** in strategic plan

Waste

Target a 70% recycling rate for waste from all buildings by 2025. The CCC has advised central government that to meet our targets of achieving zero carbon by 2050, a recycling rate of 70% of all solid municipal waste must be achieved by 2025.
Target zero biodegradable waste to landfill by 2025 As recommended by the CCC to the UK Government in May 2019.
Introduce new planning requirements for domestic waste storage and collection
Introduce planning requirements for construction waste on new-build projects
Introduce a food waste collection scheme for businesses

Forestry, land use and agriculture

Set minimum standards for green spaces in new developments.
Increase tree planting

Others

Implement Planning policies restricting use of F-gases by discouraging air conditioning and prioritizing lower GWP refrigerants.

List of recommended changes to Policy

Focus on procurement

The power of procurement

Perhaps the biggest opportunity Tower Hamlets has to influence greenhouse gas emissions and sustainability performance in the private sector is through the products it buys and the services it procures.

According to the Council's Procurement Strategy 2016-2019, the Council spends £340 million a year, across 3,500 different suppliers. 20% of these suppliers are locally based.

A focus on procurement therefore not only potentially supports a reduction in emissions from the Council's activities, but also a reduction in emissions from the borough as a whole.

Co-benefits of sustainable procurement

It is the Council's responsibility as a consumer and community leader to procure its goods and services responsibly, and work with suppliers to improve the sustainability of their operations and supply chains.

Sustainable procurement is a powerful driver for delivering improved economic, environmental and social outcomes.

In doing so, some of the co-benefits that can be achieved are:

- Create markets for new services and products
- Reduce waste and improve resource efficiency
- Enhance image and reputation in the community

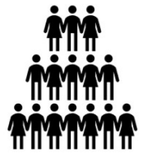
Tower Hamlet's Procurement Strategy 2016-2019

The existing Procurement Strategy (2016-2019) sets out the vision, strategic objectives and a working implantation and delivery plan. A large part of the delivery plan is the implementation of the Stakeholder Engagement Plan.

Sustainability is given a brief mention in the document. Life cycle, whole life costing and carbon emissions are not mentioned.

As this plan comes to the end of its life and is being replaced, **we recommend that sustainability, carbon emissions and whole life costing are discussed more in depth in the new procurement strategy**. Further recommendations are discussed on the right.

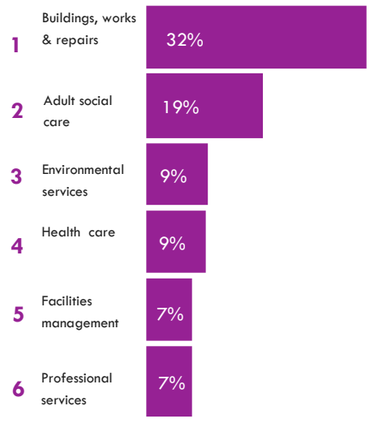
£340 million spent in 2018-19



3,500 suppliers

20% of suppliers are local

Top areas of spend, % of total



Key spending facts for Tower Hamlets

Targets to work with suppliers towards

- ✓ 100% zero carbon energy purchased
- ✓ Key suppliers demonstrate continual improvement in sustainability
- ✓ All suppliers use low emission transport for LBTH business and report emissions to LBTH
- ✓ Buildings that host services run by suppliers (e.g. adult social care centres) to have low carbon retrofits. Emissions reported to LBTH.
- ✓ Food procured by the Council is high welfare, local and sourced from environmentally responsible farms.
- ✓ Work with all suppliers to reduced packaging and improve its recyclability.
- ✓ Create policies that materials must be assessed based on whole life carbon, be responsibly sourced (BES 6001, ISO 14001, FSC etc)

Sustainability targets in procurement

Actions to support sustainable procurement

1. Strengthen sustainable procurement policies

Create specific policies that are targeted at embodied carbon, whole life costing, recyclability and repairability

2. Benchmark, monitor and improve*

Identify high sustainability impact suppliers.

Set targets.

Carry out regular sustainability audits.

3. Supplier engagement

Engage with key suppliers to help them improve their sustainability performance. Suppliers will recognise they must continually improve their sustainability performance to keep the business.

Include senior management involvement, map supply chains , run supply chain improvement programmes and offer incentives.

4. Trial and innovation

Encourage trial and innovation in order to find ways of doing things differently.

*Tools for supporting Sustainable Procurement

GHG Protocols - The GHG Protocol Corporate Value Chain helps companies identify GHG reduction opportunities, track performance and engage suppliers at a corporate level. The GHG Protocol Product Standard helps a company meet the same objectives at a product level.

Government Buying Standards (GBS) – contain a set of mandatory and best practice criteria across a variety of key sustainability issues.

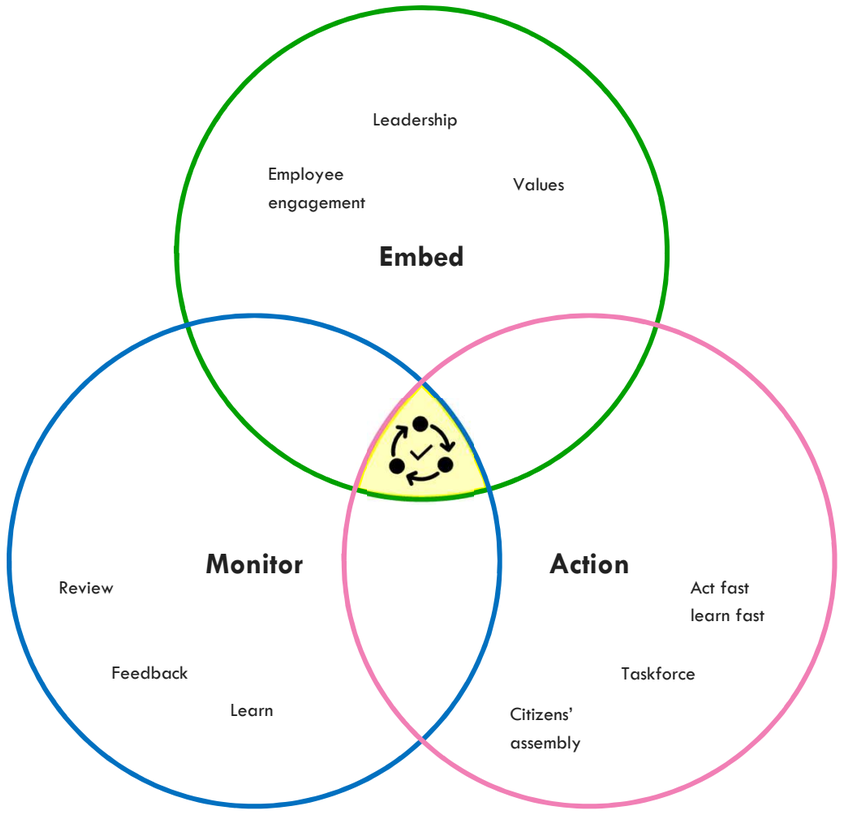
The Flexible Framework Tool - self-assessment package which allows organisations to measure, monitor and improve how they procure.

ISO 20400: Sustainable Procurement (2017) – An international standard for sustainable procurement, designed for all types and sizes of organisation.

List of recommended criteria for procurement

Stepping up actions & Next steps

- Organisational changes
- Key stakeholders
- A Zero Carbon plan blueprint



Etude

Organisational change

A new regenerative culture

The goals of a Net Zero Council by 2025, and a Net Zero Carbon borough by 2050 are ambitious. The achievement of any ambitious goal requires strong commitment.

We believe there are three essential cornerstones to achieving the sustainability targets at Tower Hamlets.

Embed – Goals and targets should be embedded within the organisation's ethos and culture. Strong leadership buy-in and a high-level of employee engagement are crucial.

Action – Action towards the achievements of goals should be committed and sustained.

Monitor – Monitoring of progress should be undertaken throughout.

The figure opposite illustrates how each of these elements are required in order to achieve results that are meaningful, informed and impactful.

Agility and flexibility

We are responding to a global challenge as yet unprecedented. We are learning as local, national and global communities. The journey towards our goal of climate stability and the restoration of balance to the natural world is unchartered. We can outline a path ahead but we will need to be flexible and adaptable in order to be able to change direction if it becomes apparent that is the best thing to do.

Tower Hamlets will need to create organisational agility in order to be able to respond to the obstacles, challenges and failures encountered on the way to success.

Sharing and learning

We are all in this together. Seeking to learn from others and sharing lessons learned in this process of change will be necessary and extremely useful.

Setting up carbon reduction communities, bringing together other local authorities in London, nationally and internationally for inspiration and learning are all significant opportunities.

Embed

- Align Tower Hamlets mission and vision with climate and sustainability goals.
- How much status and importance is sustainability given within the Council? What proportion of the budget it allocated? How many people are actively working on it? Does this reflect the importance of the issue?
- Define clear, descriptive goals - What? How? Why?
- Help foster a shift in values of each employee through enhanced training on sustainability and environmental issues. This will automatically lead to higher employee engagement.
- Assign responsibility for goals.
- Align role descriptions with goals.

Action

- Create a taskforce
- Assign budgets
- Identify steps towards goals and take early action.
- Implement early test-beds and trials.
- Be open to failure, learn quickly and try again.
- Organise a citizen's assembly

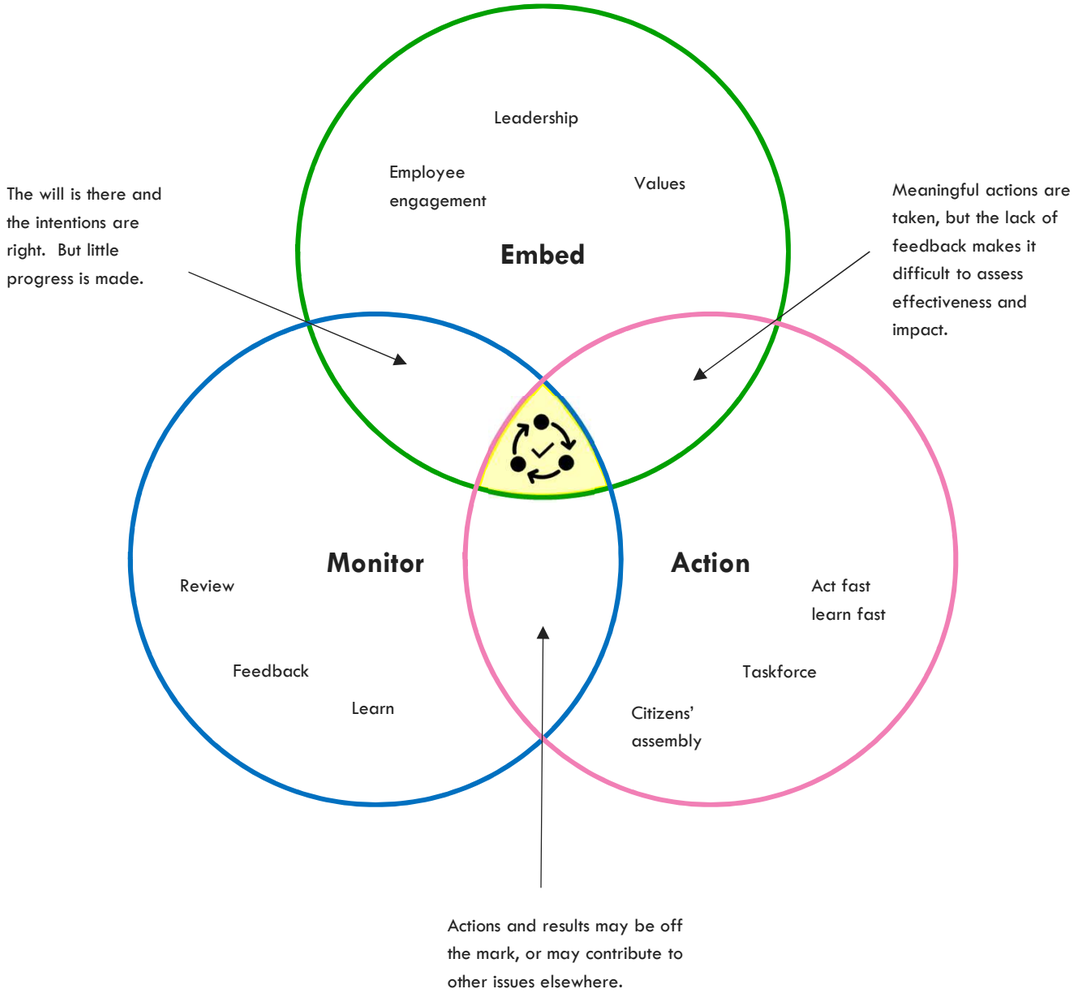
Monitor

- Monitoring – data helps inform decisions, actions and design. Prioritise early data collection on energy use and CO_2 emissions of existing building stock and transport fleet.
- Encourage setting up feedback loop. Learn from own lessons.

Embed : Action : Monitor

Each element is key to Tower Hamlet's success in its climate change goals.

Actions are targeted and aligned with Tower Hamlets goals and values, achieving emission reduction and other targets. Actions are informed by a monitoring and feedback process, learning from past successes and failures.



Engaging with key stakeholders

Engagement is key

Engaging with stakeholders will be crucial to build acceptance of the Zero Carbon plan, and therefore help deliver it effectively. Solutions and lessons learned can be shared with others and opportunities for joint initiatives identified, with significant cost and time efficiencies. Finally, key stakeholders should be encouraged to develop their own plan, towards a Net Zero Carbon borough.

Mapping the stakeholders towards Net Zero Carbon

A stakeholder mapping exercise should be carried out. The adjacent figure is just starting point of key parties, listed here due to their expected share in the borough's total emissions, their potential influence, their existing commitments to tackle climate change, their public visibility, how much they will be affected by the plan, and their interest in co-benefits such as air quality and reducing fuel poverty.

In particular, the Council should start engaging on Net Zero Carbon with:

- The public
- Large energy users e.g. Housing associations; Queen Mary University; NHS; Canary Wharf
- Other London Boroughs targeting zero carbon

Engagement should include, at the very least, the Council's usual channels of consultation and communication.

In addition, we recommend creating a **citizens' assembly** as a way to examine solutions, build consensus and visibly demonstrate the Council's commitment to engage the whole Borough on the zero carbon transformation.

Internal stakeholder engagement – putting carbon at the core of Council decisions

The net zero carbon objective cuts across all areas of the Council's activities and objectives including air quality, asset management, highways, planning, green spaces etc. **Sharing information and taking carbon impacts into account in all decisions, policies and activities is therefore essential.** We recommend mapping areas of overlap and impacts, and a review of internal resources and decision-making processes.

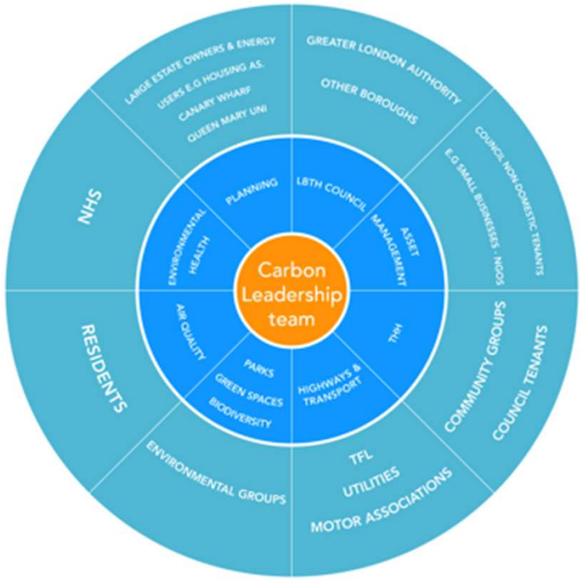
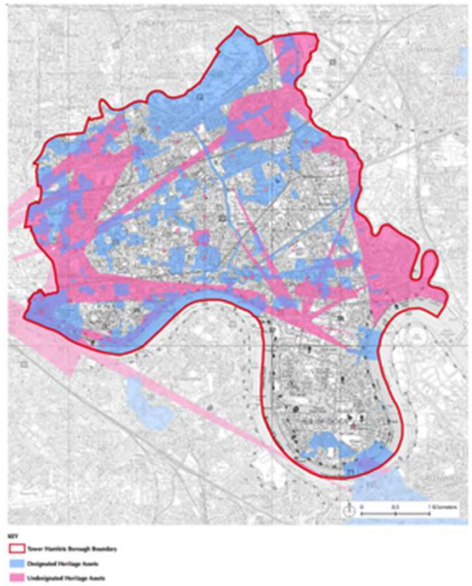


Illustration of key internal and external stakeholders: the net zero carbon target should be at the centre of policy and decision making across the Council's department, as it cuts across all areas. The various Council departments will also provide useful links with external stakeholders



Heritage assets in the Borough (2016 map): Engaging early with the heritage community is really important to build their buy-in, benefit from their expertise and resources, minimise the detrimental effects and maximise the benefits of carbon reduction measures,

- *Be open about the possible **visual effects** of low-carbon retrofit (e.g. air source heat pump, PV panels, external insulation, new / secondary glazing)*
- *Develop **context-specific** solutions*
- *Maximise **co-benefits** e.g. better maintenance; fabric repairs; future-proofing against the effects of climate change (e.g. strong winds and rains)*
- *The benefits of minimising new **embodied carbon** expenditure by retaining and prolonging the useful life of our existing stock should be acknowledged*

It is crucial to engage with the public

The Council should engage with stakeholders such as Canary Wharf, who have significant resources, buildings and land assets, are responsible for high carbon emissions, have the capacity to reach and influence numerous other parties, and already have set themselves ambitious carbon targets

Changing together

The world will only meet this challenge if everyone acts. For the Tower Hamlets to meet its part of the global ambition, local people and businesses need to establish what they can do themselves and take action, beginning immediately, to implement change.

The 4 key pillars of every strategy should be to **quantify** current emissions, to **set headline objectives** in line with regional and national objectives, to translate the targets into clear, **deliverable actions** and to consider how to **influence** others to act.

Developing a common language

The specific actions required will be widely varied depending on the nature of the business or organisation. However there are some common elements that everyone and every organisation should use as a framework in order for priorities to be clear and ultimately so that progress is measurable. Separating current emissions into the sectors set out by the Committee for Climate Change makes it easier to fit the specific plan for one organisation into the National action framework. Understanding precisely for each sector the difference between direct control emissions and influence is also very useful.

Quantifying greenhouse gas emissions

The first concern is to establish, with as much clarity and detail as possible, what the starting point is. Priorities for action, where the greatest improvement may be achieved most expeditiously, quickly become clear by having a thorough audit of the current emissions.

Setting headline objectives and concrete actions

Breaking the overall objective (Net Zero) down, both in time as a set of milestones and within any organisation as a set of headline objectives and deliverable actions is a vital exercise if ambitions are to be turned into real progress. The strategy should also recognise that change will happen over time but that steady progress is necessary.

Influencing

Most organisations have influence over emissions that are outside their direct control, as Landlords to individuals or smaller businesses, as exemplars to peer businesses and staff members and as networkers, interacting with partner organisations and especially with suppliers.

A common language	1. Quantify emissions	2. Set headline objectives	3. Define concrete actions	4. Consider influence
	Start with an assessment of the current baseline emissions	Headline objectives should articulate the 2050 destination	Actions should be clearly defined and include a timescale or schedule	Procurement and engagement can greatly increase the effect of the plan
Power	*Example:* *Establish current renewable energy generation capacity*	*Example:* *Set renewable energy generation capacity target for 2050*	*Example:* *Install Xm² of PVs on the roof of building A by the end of 2022*	*Example:* *Favour suppliers with a commitment to renewable energy*
Buildings	*Examples:* *Record current gas, electricity and other fuel usage* *Categorise existing heating systems by fuel type, location and energy use* *Analyse building stock*	*Examples:* *Set carbon reduction (on-site) for all buildings or a typical building* *Set year for phasing out of gas heating*	*Example:* *Switch gas boiler to heat pump in building B by 2024*	*Example:* *Liaise with landlord regarding energy efficiency of rented properties*
Transport	*Example:* *Prepare schedule of current fleet with fuel/mileage per year and expected replacement/lease termination dates*	*Example:* *No more petrol or diesel cars by 2030*	*Example:* *Accelerate the replacement cycle and replace 12 vans per year by electric vehicles from 2020*	*Example:* *Change private car allowance to incentive use of electric cars by staff*
Waste	*Example:* *Quantify current waste production by waste stream and recycling rates*	*Example:* *No more food waste by 2025*	*Example:* *Start food waste collection in all offices in 2020*	*Example:* *Explain to staff why food waste is being collected separately*
Industry	*Example:* *Estimate current emissions by fuel and by process*	*Example:* *Achieve a 80% reduction in industrial emissions*	*Example:* *Review energy supply to process Z with a view of changing its energy source by 2025*	
Aviation	*Example:* *Audit of current 'air miles' for staff (and goods if possible)*	*Example:* *X% reduction in air miles travelled by staff and goods*	*Example:* *Invest in good quality video conferencing equipment for main meeting rooms in 2022*	*Example:* *Favour airlines with a commitment to reduce their carbon emissions*
Forestry & land use	*Example:* *Audit current land uses by category*	*Example:* *Y number of trees to be planted*	*Example:* *Run a staff tree planting initiative in 2023*	*Example:* *Liaise with Woodland Trust*
F-gases	*Example:* *Audit of current refrigeration equipment*	*Example:* *No refrigerant with a Global Warming Potential of more than X by 2025*	*Example:* *Set design standards for new buildings and equipment.*	

Equality Analysis (EA)

Financial Year
2019/20

See Appendix A

Current decision rating

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)

LBTH Net Zero Carbon Plan
In response to the LBTH Climate Emergency Declaration the sustainable development team have produced a Net Zero Carbon Plan which sets out the intent to deliver the ambitious target of becoming a net zero carbon council by 2025. The Net Zero Carbon Plan is a demonstration of progress on the LBTH Climate Emergency declaration and includes a number of actions for costed delivery plans to be produced.

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)
There is nothing in the Net Zero Carbon Plan which would adversely impact on any equalities target group. All sections of the community can benefit from reduced carbon emissions.

Name: Abdul J Khan
(signed off by)

Date signed off:
(approved)

Service area:
Strategy, Regeneration & Sustainability

Team name:
Sustainable Development Team

Service manager:
Karen Swift

Name and role of the officer completing the EA:
Jonathan Taylor, Sustainable Development Team Leader

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 science is clear Climate change is happening and needs to be urgently slowed down to avoid terrible consequences. The most recent international negotiations on Climate change concluded with the Paris Agreement in December 2015. This Agreement reaffirms global ambition to limit temperature rises to below 2°C and binds every country to produce national

plans to reduce emissions. The agreement also contains a further collective aspirational goal to reduce emissions in line with keeping the temperature increase to 1.5°C.
The Special Report on Global Warming of 1.5°C (SR15) was published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018. It highlighted the urgency of the situation and the need for decisive action in the next 10 years.

National commitment - In May 2019, the Committee on Climate Change published its 'Net Zero report' and set out the ambitious aim of phasing out carbon emissions in the UK by 2050. The Government adopted the recommendation of this report and the Climate Change Act was amended in June 2019 to reflect this ambition: achieving net zero emissions by 2050. In addition, the Department for Business, Energy and Industrial Strategy (BEIS) has set the Buildings Energy Mission, with the objective of halving the energy use of new buildings by 2030.

Tower Hamlets declaration of climate emergency In March 2019, Tower Hamlets became one of the first councils in the country to declare a climate emergency. One of the associated commitments is for Tower Hamlets to aim to become a zero carbon or carbon neutral Council by 2025.

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? Eg- 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 What impact will the proposal have on specific groups of service users or staff?	Reason(s) • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making Please also how the proposal with promote the three One Tower Hamlets objectives? -Reducing inequalities -Ensuring strong community cohesion -Strengthening community leadership
Race	Positive	No racial group will suffer adverse impacts from the proposals in the Net Zero Carbon Plan. Tackling climate change through reducing emissions has the potential to benefit groups vulnerable to heat and air pollution.
Disability	Positive	Tackling climate change through reducing emissions has the potential to benefit groups vulnerable to heat and air pollution.
Gender	No differential impact	No impact.
Gender Reassignment	No differential impact	No impact.
Sexual Orientation	No differential impact	No impact.
Religion or Belief	Positive	No impact.
Age	Positive	Tackling climate change through reducing emissions has the potential to benefit groups vulnerable to heat and air pollution.
Marriage and Civil Partnerships.	No differential impact	No impact.
Pregnancy and Maternity	Positive	Tackling climate change through reducing emissions has the potential to benefit groups vulnerable to heat and air pollution.
Other Socio-economic	No differential impact	No Impact

Carers		

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.

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?

The proposed Zero Carbon Team will consider equalities issues at least annually to assess whether there is a need for further improvement.

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:

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

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
Example 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 2010 Start consultations Jan 2010 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	

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress

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 *Protected Characteristics.* It is recommended that the use of the policy be suspended until further work or analysis is performed.	**Suspend – Further Work Required**	**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 *Protected Characteristics.* However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	**Further (specialist) advice should be taken**	**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 *Action Planning* section of this document.	**Proceed pending agreement of mitigating action**	**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 *Protected Characteristics* and no further actions are recommended at this stage.	**Proceed with implementation**	**Green:**

Appendix 3

Net Zero Carbon Plan Risk Register

Risk	Likelihood	Impact	Score	Mitigation strategy
Due to lack of resources and/or buy-in from partners, there is a risk that many or most of the actions go undelivered, resulting in a failure to deliver on the climate emergency declaration and consequent reputational damage	1	3	3	The actions have been drawn up to provide a framework on how we can reduce our current CO2 emissions. The costed delivery plans are programmed to follow. Monitoring infrastructure is proposed to be in place through a specific zero carbon team
Due to lack of suitable opportunities occurring to deliver the savings following the costed delivery plans, there is a risk that a higher carbon offsetting requirement will be needed above the anticipated 25%	3	1	3	It is quite likely that project scope and opportunities will have to be flexible through the delivery of the carbon reduction projects. There may well be situations where schemes take longer to deliver and carbon offsetting amounts will need to be assessed per project. Any adverse publicity around missed targets can be countered by positive stories around targets achieved. The end result will be net-zero.

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Becoming a zero carbon council by 2025: an action plan

TOWER HAMLETS

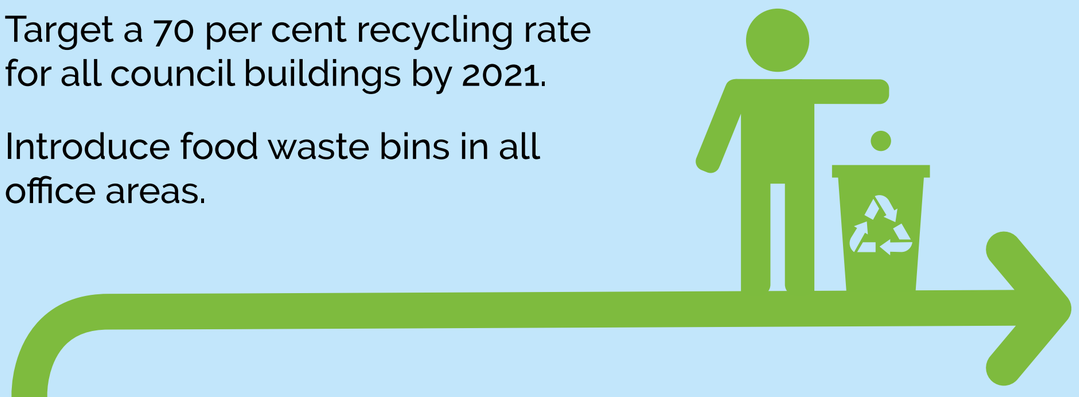
Residual emissions
Research suggests the council can reduce its emissions by 75 per cent by 2025, which means there is a remaining 25 per cent that will need to be off set to reach net zero.

Strategies for offsetting include:
- Forestation in partnership with other local authorities.
- Retrofitting of housing stock.
- Expansion of solar panels on council buildings and elsewhere.
- Invest in renewable energy outside the borough.

Waste
Conduct a full inventory to understand where our waste comes from.

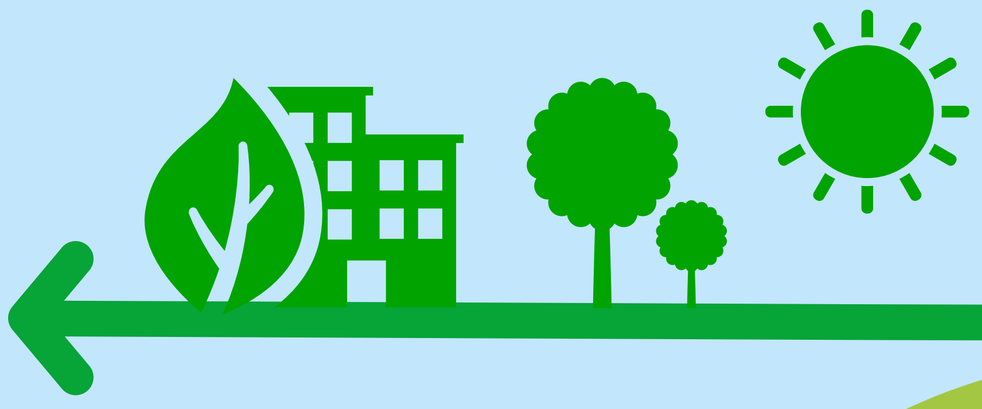
Target a 70 per cent recycling rate for all council buildings by 2021.

Introduce food waste bins in all office areas.



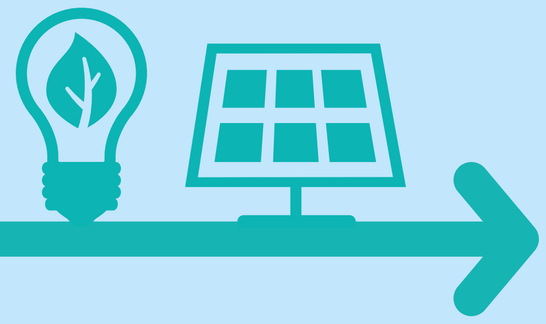
Power
We need to install extensive solar panelling on the roofs of council buildings.

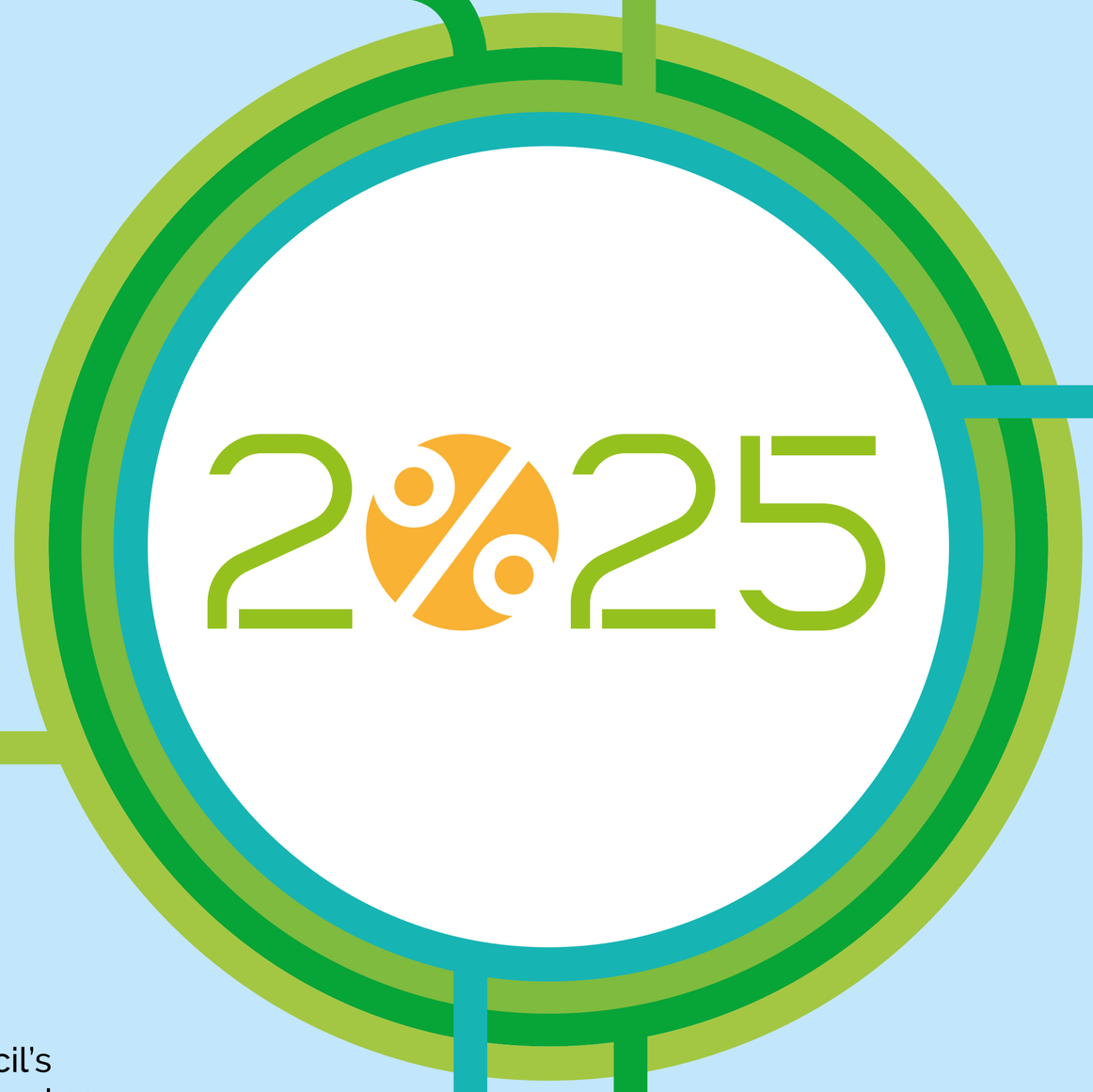
The energy supply to all council assets should be on a 100 per cent renewable tariff or power purchase agreement.



Food and forestry
Increase tree planting on council-owned land and parks.

Reduce the meat content and increase vegetarian food choices in council premises.

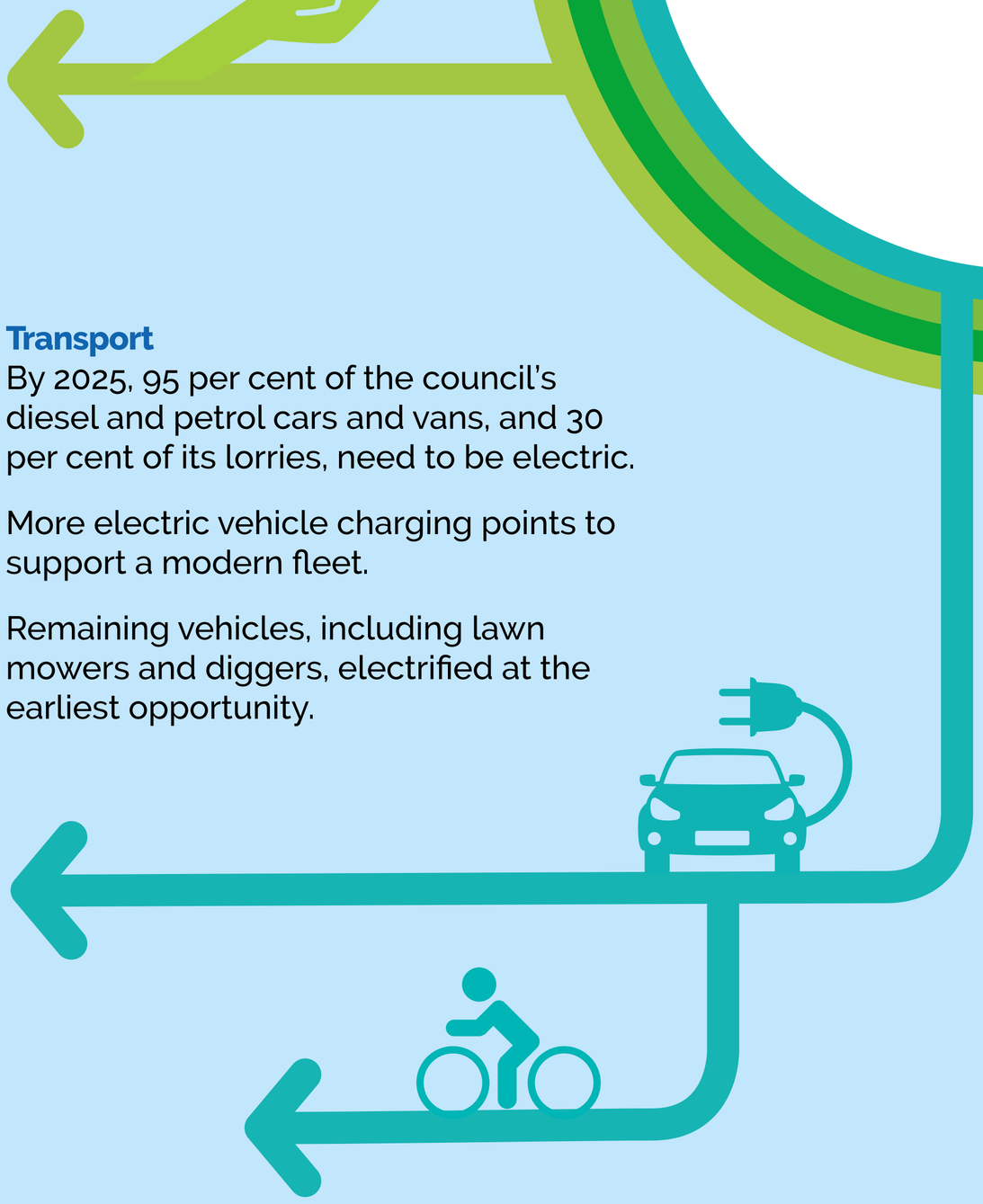




Transport
By 2025, 95 per cent of the council's diesel and petrol cars and vans, and 30 per cent of its lorries, need to be electric.

More electric vehicle charging points to support a modern fleet.

Remaining vehicles, including lawn mowers and diggers, electrified at the earliest opportunity.

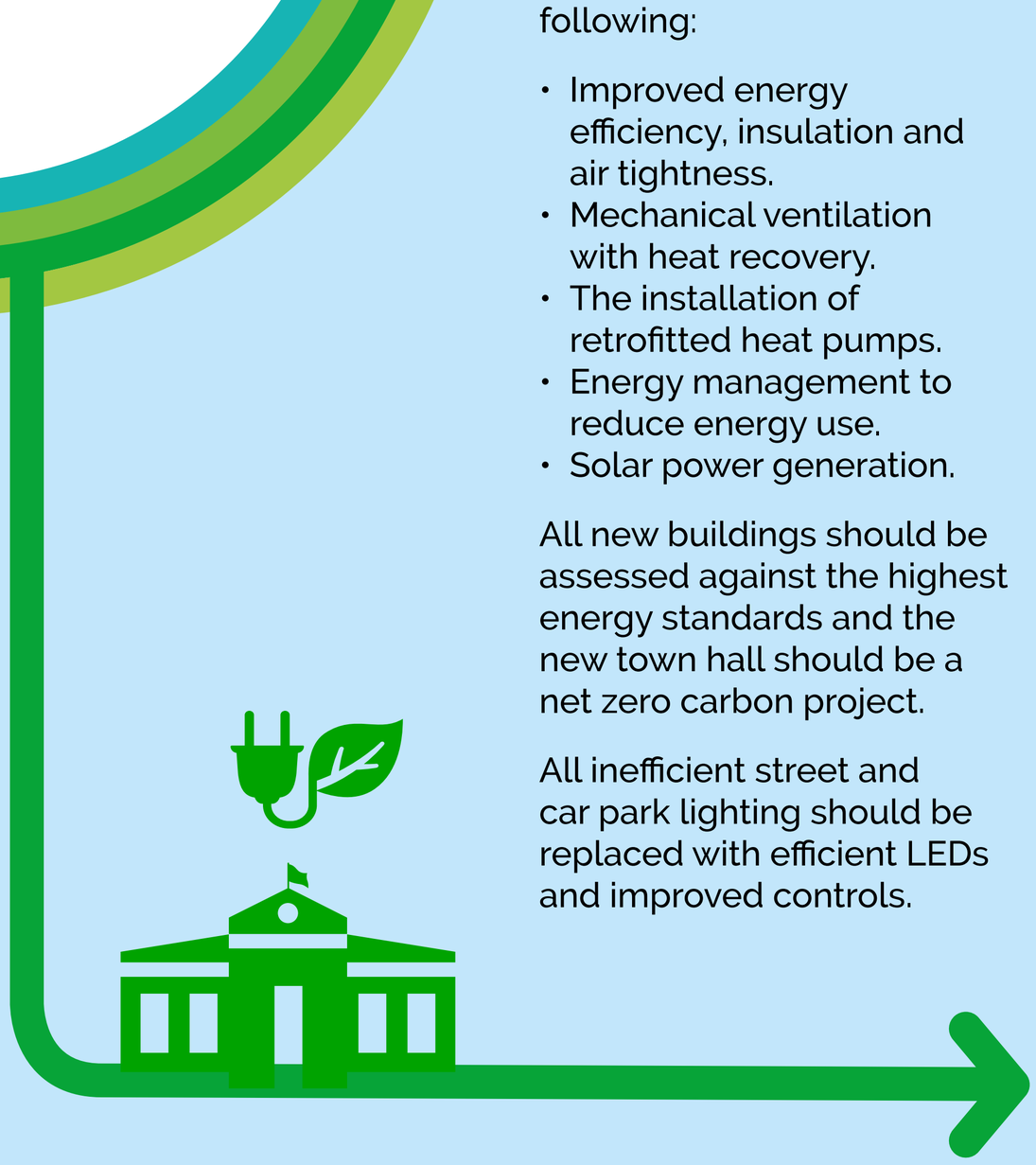


Buildings
Council buildings will need to be retrofitted to achieve the following:

- Improved energy efficiency, insulation and air tightness.
- Mechanical ventilation with heat recovery.
- The installation of retrofitted heat pumps.
- Energy management to reduce energy use.
- Solar power generation.

All new buildings should be assessed against the highest energy standards and the new town hall should be a net zero carbon project.

All inefficient street and car park lighting should be replaced with efficient LEDs and improved controls.



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Cabinet 25 March 2020	TOWER HAMLETS
Report of: Ann Sutcliffe, Corporate Director, Place	**Classification:** Unrestricted
Affordable Self-Build on Council Owned Land - Policy and Guidance Document	

Lead Members	**Councillor Sirajul Islam, Statutory Deputy Mayor and Cabinet Member for Housing; and Councillor Rachel Blake, Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty**
Originating Officer(s)	Mark Slowikowski, Strategy and Policy, Place
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	29/10/2019
Reason for Key Decision	Significant impact
Strategic Plan Priority / Outcome	**All**

Executive Summary

The Mayor has committed to support up to 50 self-build homes over the period 2018-22. To facilitate this, officers have produced a self-build policy and separate guidance document.

The Self-Build policy sets out the Council's formal position on key aspects of the self-build delivery process and the guidance document assists the borough's self-builders in navigating the self-build system; particularly the self-build register.

Both documents have been subject to consultation with members of the Self-Build Forum and the wider public. At the same time, the first tranche of self-build sites were notified to forum members and the public.

RECOMMENDATION

The Mayor in Cabinet is recommended to approve:

1. The final Self-Build policy and guidance documents.

2. The sites at Lark Row and Christian Street to be put forward for marketing under the initial self-build programme.

1. REASONS FOR THE DECISIONS

1.1 Both documents, and a range of explanatory papers supporting the policy, were considered at divisional, corporate and lead member level as part of the pre-consultation approval stage in August 2019.

1.2 The formal consultation period ran for just over 6-weeks between Wednesday 16th October and Sunday 30th November 2019. Appendix 4 contains details of the consultation exercise.

1.3 The final versions of the Self-Build Policy and the Self-Build Guidance are appended to this report as Appendix 1 and 2, respectively. They include a number of amendments made as a result of the consultation exercise. These are summarised in Sections 3.3 to 3.15, below.

2. ALTERNATIVE OPTIONS

2.1 Not implementing a self-build policy may result in failure to deliver on the Mayoral commitment on self-build housing and disaffect the self-build community in the borough. Potentially, there could also be a breach of statutory duty in relation to the provisions of the Housing and Planning Act 2016 and the Self-build and Custom Housebuilding Act 2015. A recent planning inspectorate appeal in Leicestershire (25 June 2019) has upheld the requirement of local authorities to comply with this legislation.

2.2 Consideration has been given to an alternative purchasing option by prospective self-builders. Instead of disposing of the land by outright sale, the Council could grant the self-builder a long lease at a ground rent of between 4-6% of the land value, subject to a periodic review based on CPI. However, this option this does not accord with the Council's Property Procedures for Disposals and Lettings 2019.

2.3 A further alternative option considered was for the Council to enter into a shared equity arrangement with the self-builder with the Council providing an additional "affordability discount" (of between 20% to 50%) by way of a retained equity stake. The comments provided by the Chief Finance Officer at the pre-consultation stage did not recommend this option.

3. DETAILS OF THE REPORT

Self-Build Policy

3.1 Appendix 1 – the self-build policy sets out the Council's position on self-build housing and covers nine key areas of the self-build process:

1. Introduction
2. Delivery of Affordable Housing
3. Site Information and Pre-Planning Advice
4. Site Evaluation and Disposal
5. Site Marketing, Expressions of Interest and Allocation
6. Consultation

7. Quality Control
8. The Community Infrastructure Levy and VAT
9. Equalities and Diversity

3.2 Each section was explained in more detail in the pre-consultation report.

3.3 Full details of the changes made following the consultation exercise are given in Appendix 4. The following is a summary of the changes made:

3.4 **General Recommendations**

Changes have been made to the policy so that we avoid the strict yes/no criteria as not to overly restrict proposals coming forward.

3.5 **Individual Self-Builders**

The policy and guidance clarifies the circumstances whereby individual self-builders can bid for a site. This was a key question raised at the Self-Build Forum on the 16th October 2019.

3.6 **Affordability**

We have explained in more detail the rationale behind the £90k household income cap for prospective bidders; through reference to set criteria for London shared ownership.

3.7 The policy makes clear the Council's aspirations for 100% affordable rented homes while clarifying that tenure and the number of affordable units proposed will be assessed by applying weighted criteria within the bid scoring methodology.

3.8 The policy states the safeguards the Council will take to ensure that what is proposed in the bid and subsequent planning application is then delivered.

3.9 **Borough Residents**

The requirement for bidders to have lived/worked in the borough for a minimum of 3 years is more clearly communicated as an ***aspiration*** of the Council and assessed within the bid scoring methodology.

3.10 **Rented properties**

The policy has been strengthened to make it clear that the Affordable Self-Build Programme is a site disposal programme and that the Council will not take any role in the future management or maintenance of self-build properties.

3.11 **Self-Build Guidance**

The self-build guidance document (Appendix 2) is intended to inform aspiring self-builders on key stages of the self-build process especially the operation of the self-build register.

3.12 **Available support**

The guidance document has been amended to make it clear that the Community Housing Fund, which has funding available to 2023, provides grant for both capital and revenue funding for groups to develop their ideas and deliver proposals.

3.13 **Proposed Self-Build Sites**

Appendix 3 contains details of the proposed sites. It is recommended that one of the larger and one of the smaller sites are put forward for the initial self-build programme. The two sites that officers are recommending to be released as the first tranche are Lark Row in E2 and Christian Street in E1.

3.14 Following the consultation exercise, the information provided to aspiring self-builders on the sites has been improved to include full due diligence information for each site as and when they are released for bidding.

Indicative Timeline

3.15 The indicative timeline for implementation of the policy, guidance and launch of the sites is outlined below:

Action	Date
Cabinet Approval	25 March 2020
Launch of Policy, Guidance and release of first Tranche Sites	April 2020
Bid Submission Deadline	June 2020
Notification of Award of site	September 2020

3.16 Subject to Cabinet approval, the policy and guidance documents will be reviewed upon completion of the first tranche of sites disposed to self-builders, to ensure any lessons learnt from the initial disposal are captured.

4. EQUALITIES IMPLICATIONS

4.1 An Equality Analysis Quality Assurance Checklist (EAQAC) has been undertaken and did not identify any negative impacts across the nine plus one protected characteristics. The EAQAC is appended to this report as Appendix 5.

5. OTHER STATUTORY IMPLICATIONS

5.1 This report seeks approval for the introduction of a new policy in compliance with the Right to Build requirement of the Housing and Planning Act 2016. The policy is state aid compliant and fulfils existing obligations in relation to best value and achieving best consideration in the disposal or Council owned land.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This report seeks approval of this policy and guidance documents. There are no financial implications directly emanating from this decision.

6.2 The report also seeks approval to put forward and market two sites at Lark Row and Christian Street for which there are financial considerations.

6.3 These sites are two of eight plots of land identified that the Council wishes to consider as part of a self-build/ co-housing pilot and these are detailed in Appendix 3. As outlined in that Appendix the Council has received £75,000 of GLA funding in order to carry out due diligence on these sites.

6.4 To reflect the additional duties falling on local authorities as a result of the need to establish and maintain the self-build register, New Burdens funding has been allocated to councils. A total of £90,000 will be allocated to local authorities over the period 2016/17 to 2019/20, of which £10,000 has been spent to date leaving a balance of £80,000. In addition, a total sum of just over £86,000 of Community Housing Funding has been received by the Council which is available for work undertaken in relation to this area.

6.5 The disposal of this land for self-build housing may not represent the best financial consideration for this land, with a larger rental or capital receipt available should other options be pursued, although this has not formed part of this report.

6.6 Financial consideration is not the only factor in determining this decision, with a mayoral recognition that there is a requirement for land to be made available for the self-build market within the Borough. Council legislation allows for a reduced consideration as long as there is an improvement in the well-being of the area as a result and that the financial loss not greater than £2m.

6.7 In order to minimise any loss and maximise return within the self-build market, the Self Build Policy proposes that Council-owned land identified for disposal will be subject to a closed bidding process, with bids being evaluated against the criteria of: value for money, community benefit, deliverability, design innovation and energy efficiency with land being sold to the highest scoring bidder.

6.8 Appendices to the policy set out a percentage cap on future sales and rental levels, should the winning bid result in land being disposed of at lower than the market value. This would essentially be the difference between the value of the completed development, and the development costs (including the reduced offer for the land), expressed as a percentage.

6.9 Any disposal policy will need to weigh up the benefits of sites being developed by a third party against the sales receipts that will accrue to the Council. As sites are considered for disposal and marketed, appropriate accounting treatment of the assets may need to be applied if the relevant criteria are met. Any capital receipts accruing from the sale of the site will be fully usable to support capital expenditure incurred by the Council.

7. COMMENTS OF LEGAL SERVICES

7.1 The report seeks views on various options to drive affordable housing in the Borough, each of which would necessitate a disposal of land held in the Housing Revenue Account.

7.2 Disposal of housing land is governed by the Housing Act 1985 (the "1985 Act"). Section 32 of the 1985 Act provides that a local authority may not dispose of any housing land held by them without the consent of the Secretary of State. In order to facilitate disposals, the Secretary of State has issued a series of general consents (the "General Housing Consent 2013") which provide such consent in limited circumstances. The circumstances, to the extent they are relevant to this paper, are:

7.2.1 Under para A3.1.1, where the disposal is for a consideration equal to the market value of the property, save for this does not apply where, the disposal is to a body in which the local authority owns an interest ; and

7.2.2 Under para A3.2, where the land is vacant. "Vacant" for these purposes means land on which no dwelling-houses have been built, or where they have been built, they have been demolished or are no longer capable or human habitation and are due to be demolished. Should this apply, the Council has the power to sell the land at any price it determines.

7.3 Wherever the Council has the power to exercise discretion on the price for which it sells land, it must be cognisant of its role as the guardian and trustee of public assets. As such, it must act reasonably and take into account all material information when forming a decision. This is likely to include an expert valuation of the land, together with other policies and statutory guidance.

7.4 The report goes on to explain the duties imposed on local authorities by the Self-build and Custom Housebuilding Act 2015 (the "2015 Act"). It should be noted that the legislation does not require the Council to depart from the position under the 1985 Act or the General Housing Consent, and nor does it permit the Council to do so. Rather, the 2015 Act requires the Council to have regard to the demand on the register of those wishing to build their own home on a serviced plot when exercising its functions, including its disposal function.

7.5 The Council has a wide general power of competence under Section 1 of the Localism Act 2011 to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power. The Council can therefore rely on this power in due course to agree to any specific proposal for a Self-Build type scheme, subject to consideration by the Mayor in Cabinet of all relevant considerations which will need to be set out in any future report to Cabinet to agree any final proposal.

7.6 The Council is obliged as a best value authority under section 3 of the Local Government Act 1999 to "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'. The information within the report suggests that the proposed disposal will secure the objectives set out in the 1999 Act.

7.7 The Council is required when exercising its functions to comply with the duty set out in section 149 of the Equality Act 2010, namely to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between those who share a protected characteristic and those who do not,

and foster good relations between those who share a protected characteristic and those who do not. The information within the report suggests the proposed disposals will help to secure these objectives.

7.8 Section 2 in Appendix 1 as stated at 3.2 of this report sets out how the Council will ensure that it achieves “affordability in perpetuity” i.e. through the use of restrictive covenants on the sale of land for self–build projects, reinforced by S.106 planning consents.

7.1 The Council may want to consider the possibility of entering into pre-emption rights or negotiating Buyback provisions in the event of failure to build or on subsequent resale.

Linked Reports, Appendices and Background Documents

Linked Reports

- None

Appendices:

Appendix 1 – Self Build Policy
Appendix 2 – Self Build Guidance
Appendix 3 – List of Proposed Self-Build Site under Consideration
Appendix 4 – Consultation Report
Appendix 5 – Equality Assessment Quality Assurance Checklist

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

- None.

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Tower Hamlets
Affordable Self-Build Policy
On Council Owned land 2019-2022

FINAL DRAFT

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1. Introduction
2. Delivery of Affordable Housing
3. Site Information and Pre application Advice
4. Site Evaluation and Disposal
5. Site Marketing, Expressions of Interest and Allocation
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7. Quality Control
8. The Community Infrastructure Levy and VAT
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1. Introduction

1.1 This document sets out the Council's policy on self-build housing on Council owned land and a number of areas associated with the self-build process. In terms of scope, this policy applies to Council owned land within both the General Fund and Housing Revenue Account.

1.2 The Council is committed to supporting self-build housing. The Mayor included a pledge in the Labour Party manifesto for the May 2018 local elections to help facilitate up to 50 self-build homes over the next 4 years:

We will support self-build schemes with residents who want to build their own homes, supporting up to 50 self-build homes over the next four years[1]*.*

1.3 A self-build guidance document has also been produced that explains how the Council will support residents who want to build their own homes in the borough and explains the operation of the self-build register.

2. Delivery of Affordable Housing

2.1 The Council will seek to deliver affordable housing in perpetuity on all Council owned sites provided for self-build. To achieve this, the Council will apply weighted criteria within the bid scoring methodology to prioritise:

1. Households earning lower than the upper income cap for Shared Ownership in London (currently £90,000 per household). This will be assessed through the submission of an allocations policy and financial model as part of the initial bid and with household income assessed at the point of planning and before the lease is completed.
2. Applications containing allocation policies for residents whose income is closer to the average household income in the borough.

[1] Tower Hamlets Manifesto 2018 (Labour)

3. Bid submissions from community led groups or organisation unless the site in question is only appropriate to accommodate a single dwelling unit (see 2.3 for details). All Council owned land sold for self-build will therefore follow one of the following two routes:

Community Led Self-Build – The Council will grant a long lease to a community led organisation on individual or multi-unit sites.

Individual Self Build – The Council will grant a long lease to an individual on single unit sites

2.2 The Council will prioritise self-build proposals that include the provision of affordable rented homes over affordable ownership schemes. In each case the homes will be owned and managed by the bidding group or organisation and may include secure tenancies or cooperative tenures. This preference will be reflected in the bid scoring methodology.

2.3 The Council will also prioritise proposals that optimise the density of housing on Council land, in line with planning policy. Bids will be scored on the number of homes (units) proposed in relation to planning advice on the best use of the land at the time of submission. It is the Council's expectation that for the majority of sites, this will exclude individual bidders as most sites will be capable of accommodating more than 1 home (unit).

2.4 Affordability in perpetuity will be achieved by including a number of "affordability covenants" in leases that:

- Restrict the permitted use of the land to the provision of community led self-build housing.
- Restrict the future sale or rent of the self-build homes by requiring a resale price cap to reflect any reduction in value of the land sold for self-build, equivalent to a proportion of the prevailing open market value relative to the initial discounted gross development value.
- Contain a definition of community led self-build, including the requirement that self-build homes must be occupied by individuals who are members of community led groups and that future occupants live in the homes on the same basis.
- Requiring community led groups and individual self-builders to have in place clear allocation policies for the discounted sale or letting of self-build homes in line with agree income brackets and caps.

2.5 These affordability covenants will be reinforced by a S106 agreement applied to the planning consent that:

- Prescribes the permitted use of the land for Self-Build only.
- Applies resale price caps to the sale of the homes.
- Requires clear allocation policies for initial and future sale or letting of self-build homes.

3. Site Information and Pre-Application Advice

3.1 The Council will provide general planning guidance for sites considered suitable for self-build. This may involve producing a planning statement for sites as part

of the disposal pack and information on the availability of pre-application advice.

3.2 The planning statement will provide self-builders with a summary of the Council's policy requirements and design considerations.

3.3 Applicants that are successful in applying to self-build on Council owned land will also have access to professional advice through the Tower Hamlets planning pre-application advice service.

3.4 Information on the Council's pre-application advice service can be found here: Tower Hamlets planning pre-application advice. The Tower Hamlets Self-Build Guidance document contains advice on the assistance, including funding support, available to aspiring self-builders.

4. Site Evaluation and Disposal

4.1 All Council owned land proposed for disposal to self-builders will be considered by the Council's capital governance structure and evaluated against the following criteria:

- Value for money (including how the site has been optimised for housing and the quantum of affordable dwelling units).
- Community benefit (including local connection and level/type of affordability proposed).
- Deliverability.
- Design Innovation
- Energy Efficiency

4.2 The disposal of the land for self-build will be by way of a grant of a long lease (250+ years) with a reversionary interest to the Council. The disposal will also be subject to planning permission and the availability of finance to the self-builder.

4.3 The land will be sold to the highest scoring bidder assessed against the criteria set out in 4.1 submitting closed bids to the Council. Bids will be assessed according to the following methodology: 80% quality; 20% price.

4.4 For self-build by a community led organisation, the Council will enter into an agreement to lease upon the selection of the preferred community led organisation. Once planning permission has been granted, the Council will grant a head lease to the community led organisation.

4.5 For single unit self-build sites (see 2.3 for details), the Council will enter into an agreement to lease upon the selection of the preferred individual. Once planning permission has been granted, the Council will grant a lease to the individual self-builder.

4.6 The Council will put in place appropriate restrictive covenants in the agreement to lease, the head lease and individual lease documents to ensure affordability in perpetuity.

4.7 Self-builders will also be required to incorporate these covenants into future leases and any rental agreements for the self-built homes.

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5. Site Marketing, Expressions of Interest and Allocation

5.1 Sites that have been approved for sale by the Cabinet will be marketed through the Council's self-build web site: https://www.towerhamlets.gov.uk/lgnl/housing/Self_build

5.2 The Council will also publicise/market available self-build sites on the GLA small sites portal.

5.3 Expressions of Interest from prospective self-builders registered with the Council must be submitted using a **standard pro-forma**. Bidders will be asked to follow the guidance provided when completing the pro-forma. **– [Pro forma and guidance to follow].**

6. Consultation

6.1 The Council will employ a 3-stage consultation process in relation to the evaluation and disposal of sites for community-led self-build:

Stage 1 – Site Investigation and evaluation
Stage 2 – Pre-sale consultation
Stage 3 – Planning application consultation

6.2 **Stage 1** - The Council will inform all residents living within a 10 metre boundary of any site being investigated.

6.3 **Stage 2** - Where the Council intends to dispose of its land for self-build housing, it will carry out a consultation with neighbouring residents before bidding on the site is opened and the sale is put to the Cabinet for approval.

6.4 The resident consultation process will be managed by the Housing Regeneration Team, with each consultation managed on a bespoke basis to include:

- Involvement of local residents and TRAs.
- Involvement of co-housing groups and self-builders.
- Involvement of Ward Councillors.

6.5 **Stage 3** – Once a planning application has been submitted it will follow the usual planning process and consultation will be as set out in the *Tower Hamlets Statement of Community Involvement* which details how and when the Council will consult with local communities.

7. Quality Control

7.1 The Council wishes to see innovative and well-designed self-build housing, and requires that all self-build projects comply with the Council's design requirements and planning policies, including any pre-application advice, design codes and wheelchair requirements. Additionally, self-builders will be required to comply with all statutory undertakers' requirements.

7.2 Once planning permission has been secured, any self-build project must be designed and built in accordance with the current Building Regulations and associated legislation. Self-Builders who are building on Council owned land will be required to use the Council's Building Control team at each stage of the design and construction process.

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8. Community Infrastructure Levy and VAT

8.1 The Community Infrastructure Levy or CIL is a transparent and fair way of ensuring that new developments contribute to the provision of essential local facilities such as roads, education, recreation and public transport.

8.2 All new dwellings are liable for the levy but self-builders can apply for an exemption. This exemption has to be claimed before building work commences and proof of residency and use as a sole or main home is required within 6 months of completion. If this form, or the documentary evidence is not supplied, the whole amount of the levy becomes payable. This is also the case where the dwelling is no longer the self-builder's main home or the dwelling is rented out within 3 years of completion.

8.3 As a self-builder, you have to apply for the exemption before commencing work by submitting the following forms:

- Form 7: Self Build Exemption Claim Form Part 1
- Form 1: Assumption of Liability
- Form 6: Commencement Notice

Within 6 months of completion you must also send to us the following form and documentation or the Council will clawback the CIL liability:

- Form 7: Self Build Exemption Claim Form Part 2

Documentary evidence:

- Title deed of property (with YOUR name on it)
- Compliance certificate (Building Regs completion certificate)
- Council tax certificate

Plus two of the following (with the bidders name and address on it):

- Utility bill
- Bank statement
- Electoral Roll Registration

Plus one of the following documents:

- Approved claim from HMRC VAT refunds for DIY housebuilders
- Specialist Custom Build Warranty
- Proof of approved self/custom build mortgage

8.4 Please Note – The Council will clawback CIL if you sell or let the property within 3 years of completion.

8.5 Because new build construction is exempt from VAT, self-builders can reclaim VAT on qualifying building works. The following web pages provide you with more details on reclaiming VAT.

www.gov.uk/vat-building-new-home/overview
http:/ www.selfbuildportal.org.uk/vat

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9. Equalities and Diversity

9.1 The Council is committed to delivering quality services to all and will respond positively to the needs and expectations of all users of the self-build service. We are committed to eliminating discrimination on any grounds including:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Socio-economic…

9.2 This is derived from our respect for every individual. This policy applies equally to everyone who applies to go on, or is on the self-build register or who accesses any part of our self-build service.

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Tower Hamlets
Self-Build Guidance 2019-2022

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1. **Introduction and Definitions**
2. **The Self-Build and Custom Housebuilding Register**
3. **How do I Get on the Register**
4. **How the Council Uses the Register**
5. **Next Steps after Registration**
6. **Data Protection (GDPR) and Removal From the Register**
7. **The TH Self Build Forum**
8. **Further Advice and Information**

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1. Introduction and Definitions

1.1 In 2016 the Government introduced the *Right to Build* with the aim of increasing the supply of homes. Under the Housing and Planning Act 2016, the Council must keep a register of individuals and groups who want to build their own home and must give suitable development permission to enough serviced plots available to meet the demand on the register.

1.2 The term self-build covers both self-build and custom-build housing. These terms are defined below:

1.3 **Self-build housing** is where individuals or groups of individuals directly organise the design and construction of their own homes. This covers a wide range of projects including traditional DIY self-build, to projects where self-builders employ someone to build their homes, or a groups of people build their own homes together.

1.4 You will be actively involved in acquiring land, getting planning permission, designing, building you home. You could do all the work yourself, but it is more usual to commission an architect to design the building, and commission a builder to build it.

1.5 **Custom build housing** is where you work with a developer as an individual or a group to help deliver your own home. The developer may help to find a plot, manage the construction and arrange the finance for your new home. This is more of a hands-off approach but homes can be tailored to meet individual requirements with different levels of customisation.

1.6 **Community-led housing** is where people and communities play a leading role in addressing their own housing needs. It has many overlaps with group self-build and custom-build, but also considers the long-term ownership or management of housing, and seeks to ensure that any benefits (such as affordability) are legally protected in perpetuity.

1.7 **Affordable Housing is** housing that is provided at no more than 80% of the open market value at the time of sale or renting the home. Under this programme however, it is the Council's aspiration to deliver affordability in line with average incomes in the Borough. More information on this is provided in the Affordable Self-Build Policy document.

2. The Self-Build and Custom Housebuilding Register

2.1 The Council is required by law[1] to keep a register of people who are looking for land in the borough to build houses or flats and live in them as their main home.

2.2 The Council will principally use the register as a means of determining the demand for self-build housing in the borough. The level of demand is established by reference to the number of entries added to the Council's register during a base period (12 months).

2.3 It is not a requirement to be registered on the Self-Build Register to bid for a site through this Programme, though it will help prospective bidders to keep informed of news about the Programme and future site releases.

3. How do I get on the Register?

3.1 The only way to register for a self-build home is on the internet. To register, you need to visit the Council's web page/site on self-build housing which can be found at:

https://www.towerhamlets.gov.uk/lgnl/housing/Self_build

3.2 The register is in 2 parts:

Part 1 is for individuals and associations who have a local connection to Tower Hamlets and can demonstrate access to sufficient resource to purchase the land required to build homes.

To be registered on **Part 1** of the register you must meet the following eligibility criteria:

- Be over 18 years old.
- Be a British citizen, a national of an EEA state or Switzerland.
- Be *seeking* to build a home as a sole or main residence. **Part 2** is for anyone else who meets the age and nationality requirements set out below, but either does not have a local connection to Tower Hamlets or cannot demonstrate access to sufficient resource to purchase the land required to build homes.

You must also meet the following **local eligibility conditions:**

[1] These duties are set out in two Acts of Parliament – **The Housing and Planning Act 2016** and the **Self-build and Custom Housebuilding Act 2015**. In addition the **Self-build and Custom Housebuilding Regulations 2016** set out how the register should be administered. This includes the eligibility requirements for joining the register.

- Have a local connection by living and/or working in the borough for a continuous period of at least 3 years and be living/working in the borough when you apply to go on the register*.

(*Note: if you are a member of the armed services you may be exempt from this requirement).

AND

3.3 You can demonstrate access to sufficient resource to purchase the land required to build a self-build home/s. If you are registering as part of an association, ALL members of the association must meet these criteria to join part 1 of the register.

3.4 If you do not meet the local eligibility conditions, but do meet the other criteria (age, nationality, sole or main residence) you will join part 2 of the register. However, entries to part 2 of the register do not contribute towards demand (ie. the number of serviced plots that the council is required to grant development permission for).

3.5 Individuals and groups without a local connection to Tower Hamlets (or with a proportion of members without a connection within their group) will still be eligible to bid for sites through the Affordable Self-Build Programme, however proposals will likely be scored down on the *community benefit* criteria, which includes criteria for local connection

4. How the Council Uses the Register

4.1 By registering, you are assisting the Council to determine the demand for self-build housing in the borough. At this stage you are not making any commitment to build your own home.

4.2 In registering your application, the Council is **not** committing to provide a serviced plot of land for you to build on. Registration does not guarantee that a suitable plot will be identified, or become available within any given "base period". Each base period runs from 31 October to 30 October every year. At the end of each base period, the council has 3 years in which to grant development permission to a sufficient number of serviced plots to satisfy the demand (ie. the number entries to part 1 of the register) for that particular base period.

4.3 The council will monitor the number of individuals and associations/groups on the register alongside the number of development permissions granted.

4.4 The Council may choose to publish progress updates on its website from time to time, setting out how many people have been accepted onto the register in a given period, how many development permissions granted.

5. Next Steps after Registration

5.1 The Council has up to 28 days to confirm that you are eligible and have been entered onto the register. If you are registered, we will write to you to let you know within the 28 days.

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5.2 If your application is not eligible we will write to you to explain the reasons within 28 days of determining the application.

5.3 If the application is from an association, we will only write to the lead contact of the association as identified in the application.

5.4 The Council may contact you occasionally for information to update the register and provide you with information on the availability of self-build land. It is your responsibility to inform the Council of any change of circumstances, address or contact details. If for any reason we cannot contact you, your entry will be removed from the register.

6. Data Protection (GDPR) and Removal From the Register

6.1 By applying for a place on the self-build register you agree that the council can use the data you provide to understand demand for self and custom build within Tower Hamlets.

6.2 We will not pass identifiable data from the register onto anyone outside the Council without your written consent or, in the case of groups, the person who registered the details.

6.3 The register will not be a public document, but the Council may publish 'headline' data from it, e.g. the number of people on the register by area of residence.

6.4 If you want to be removed from the register, please e-mail the Council **[e-mail address to follow]** with your request. We may also contact you from time to time to check whether you want to remain on the register. If we cannot contact you using the details we hold we will remove your name from the register.

7. The TH Self-Build Forum

7.1 If we consider that an individual or member of any association is no longer eligible for entry on the register, we will contact you in writing within 28 days of our decision to let you know. We will provide the reasons for our decision and details of the appeals process.

7.2 Since May 2017 the Council has been facilitating a Self-Build Forum which has been held at the Town Hall with Cabinet members attending. The forum has been the principle way in which the Council has communicated with aspiring self-builders in the borough.

7.3 All applicants on the register are invited and on average 25 people have been attending these meetings. In May 2017, it was agreed with the forum that the Council would seek to identify suitable sites on Council owned land for consideration for self-build.

7.4 In addition, the Council may encourage Private Registered Providers and owners of private land in the borough to attend the forum to bring forward sites to facilitate wider self-build provision.

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7.5 Through the forum, the Council will continue to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build.

8. Further Advice and Information

The following information is provided by way of reference and guidance only. The Council does not accept any responsibility for the content of external sites.

The Mayor of London is making funding available to support community-led housing through the Community Housing Fund.

If you are interested in joining or starting a self-build project, Community Led Housing London are available to guide, mentor, and support groups at an early stage. This might include help thinking through various legal and governance structures, ways to develop the homes, accessing funding and finance and long-term management.

Groups can also apply for funding to commission business plans, architectural designs, development appraisals or legal advice to secure a site, as well as setting up and training costs.

Find out more at https://www.communityledhousing.london/our-support/groups/

Mayor of London: making small sites available to small builders

The Self-Build Portal www.selfbuildportal.org.uk/
provides a wide range of information on self-build and custom housebuilding. It is produced by the National Custom and Self-Build Association (NaCSBA).

NaCSBA has also assembled an online toolkit to provide further information on and highlight examples of self-build and custom housebuilding from the UK and Europe. The toolkit can be found at http://righttobuildtoolkit.org.uk/#

There is a range of information including self-build finance providers and insurers set out on the Build Store website (please note that this is a commercial website and the Council is not responsible for its content). The Government has also prepared a Planning Practice Guidance on Self-build and Custom Housebuilding.

The construction of new build dwellings is not subject to VAT, so self-builders can reclaim their VAT within 3 months of completing the work. Further information should be sought from HMRC.

Legislation – A Reminder

The Self-build and Custom Housebuilding Act 2015 requires each relevant authority to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. The Self-build and Custom Housebuilding (Register) Regulations 2016 made under the Act provides guidance on designing and administration of the Register. The Housing and Planning Act 2016 sets out the duties local planning authorities are required to meet regarding self-build and custom housebuilding.

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APPENDIX 3 – SELF-BUILD SITES UNDER CONSIDERATION

1. SELF-BUILD SITES

1.1 Following an ongoing internal review of its land and a recent survey by Urban R&D, officers have identified 8 potential self-build sites. Identification of these sites came in response to the mayoral pledge to help facilitate up to 50 units of self-build.

1.2 In January 2019, LBTH received a grant of £75k from the GLA as part of its Small Sites Programme. This funding will cover the cost of due dilligence surveys on all of the 8 sites.

1.3 After undertaking a number of site surveys and receiving planning input from the LPA, officers will select 2 sites to commence further consultation on and actively consider for disposal in line with the Borough's emerging self-build policy. Future sites will similarly come forward in groups of two.

2. GLA SMALL SITES PROGRAMME

2.1 Through supporting public landowners to undertake due diligence and site identification work, the small sites programme aims to provide a streamlined service for public sector landowners and has two interrelated aims:

1) to bring small publicly owned sites forward for residential-led development; and

2) to invigorate new and emerging "sources of supply" including small developers, small housing assoications and community-led groups.

Taking sites through the programme

2.2 It is expected that sites taken through the programme will be marketed with a good level of reliable due diligence in place, in order to remove uncertainty for bidders and achieve more credible offers for landowners.

2.3 Sites will be marketed with clear, standardised contractual terms which have been developed specifically for the programme to provide a proportionate level of control, with simplicity and efficiency in mind.

2.4 This is exemplified by the standard long leasehold subject to planning and

finance model, meaning the site is retained by the landowner until development has commenced. It also provides the landowner with continuing influence over the land and thus minimises risk.

2.5 Landowners may choose from a set of standard contracts and have the ability to include covenants limiting the use of the site to affordable and/or community-led housing, for example. In the case of LBTH, strict covenants will be placed on the lease as set out in the policy.

3. SITES UNDER CONSIDERATION

3.1 The 8 sites listed below are currently being considered for future disposal for self-build. Funding has been received by the GLA to undertake due diligence on each of the sites to better determine their suitability for housing.

Site Location	**Ward**
1) Smythe Street, E14 0HD	Poplar
2) Pigott Street, E14 7DN	Mile End
3) Lark Row, E2 9JA	St Peter's
4) Christian Street, E1 1AY	Whitechapel
5) Land adjacent to 251-257 Brick Lane, E2 7ED	Weavers
6) 82 Mile End Road, E1 3AR	Stepney Green
7) Land behind Greaves Cottages, Coltman St, E14 7LN	St Dunstan's
8) Dora Street, E14 7TP	Mile End

Consultation

3.2 195 letters were sent to residents living in close proximity to the 8 sites listed above. The letter informed residents that the site has been identified as having the potential to provide a small number of additional affordbale homes and site investigations will be taking place to determine suitability.

3.3 To date officers have received 11 responses to the letters relating to the 8 sites. 6 responses detailed concern over any potential development; 3 responses were neutral and requested to be kept in form of progress; and 2 responses were positive. The most vociferous opposition to site 7 with residents citing loss of car parking and rights of lights issues..

3.4 Following completion of site investigations and DLT & CLT approval for the self-build policy, a period of consultation will begin with neighbouring residents prior to seeking a cabinet decision. Consultation will be co-led with Community Led Housing London. Cognisant of the resources required to deliver effective consultation, it is felt that a maximum of two sites will be consulted on and therefore considered for disposal at any one time.

Due DIlligence

3.5 Survey reports have been completed for 5 of the 8 sites and we're expecting the reports for the final three sites to be completed by the end of August. From the due diligence that has been completed to date, planners have raised concern over a few of the sites. Namely, Dora St, the land behind Greaves Cottages and Mile End Road. Their concern predominantly focuses on the loss of open space, and owing to the size of the proposed developments little could be offered in terms of better quality reprovision within the immediate area. In the case of Mile End Road, concern was focused on the proximity of the site to a listed building to the east and the east-facing residential windows, along with the busy commercial location of the site.

3.6 In light of this, officers anticipate that the first two sites to be consulted on will be (provided planning endorsement and no adverse results from remaining due diligence):

- Lark Row (2019)
- Christian Street (2019)

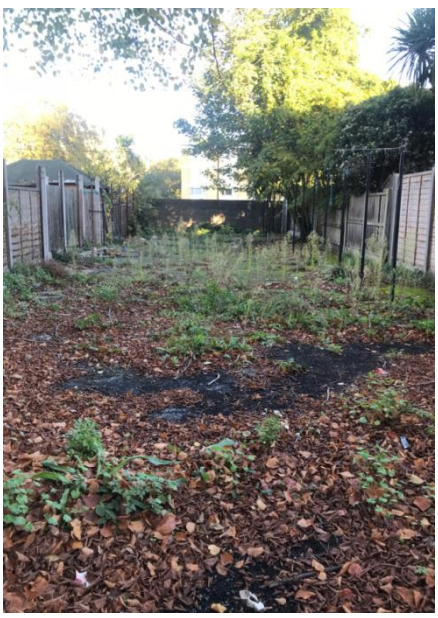
The following two sites will follow in 2020:

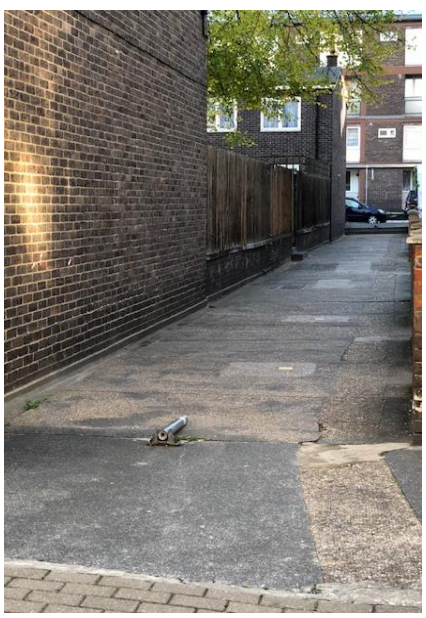
- Smythe Street (2020)
- Pigott Street (2020)

3.7 Site images and locations of the four sites above have been appended to this document.

Site 1

Location: Smythe Street, E14 0HD
Ward: Poplar





Planning Summary:

Taking into account the likely separation distances necessary and the preferred orientation of a proposed building, it is considered that the site could possibly accommodate 1 or 2 units, depending on unit mix, within one building block that has a footprint comparable with a single regularly sized 3 or 4 bedroom house. A 3rd unit seems difficult to achieve, mindful of the need to avoid single aspect units or units within narrow frontages.

Due Dilligence Summary:

The site is currently a vacant and publicly accessible plot of land with overgrown with shrubs and a mature tree present to the southern border. The Site was previously developed as housing which was demolished between 1950 and 1962, therefore Made Ground is anticipated to be present. Identified potential off-site sources of contamination include railway sidings, electric substations, historic timber works, laundry/dry cleaners and a fire station. Given the position of these sources relative to the site

Site 2

Location: Pigott Street, E14 7DN
Ward: Mile End

Planning Summary:

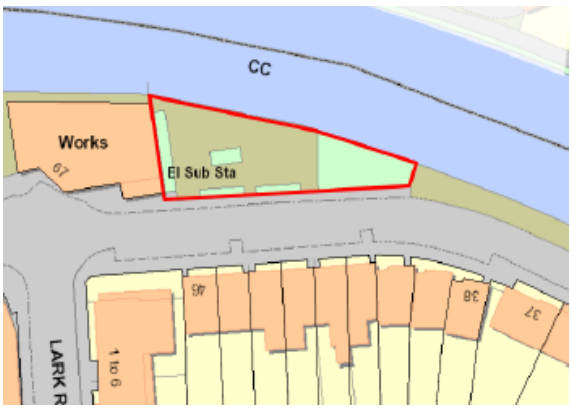
Pending – to be completed by end of August.

Due Dilligence Summary:

Pending – to be completed by end of August.

Site 3

Location: Lark Row, E2 9JA
Ward: St Peter's



Planning Summary:

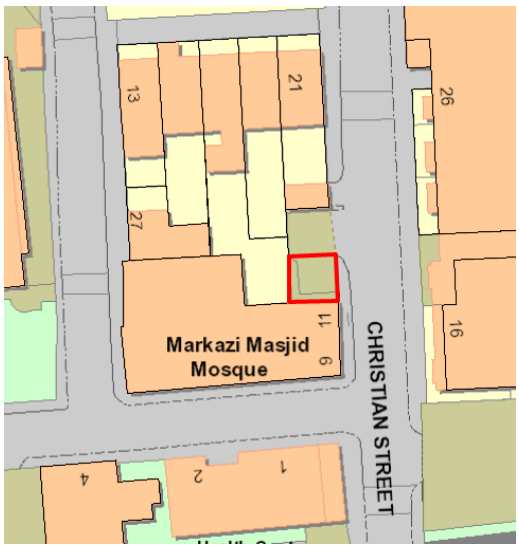
The site was left as a vacant, undeveloped plot of land following the construction of the Wellington Estate to the south. Subsequently the site was prone to being used for informal dumping and car parking, and was generally detrimental to the visual amenity of the locality. The Council is the landowner of the site and created a temporary park, as a regeneration project, by introducing planters and shrubbery. This site is not formally designated or protected as parks or open space land, and the Parks and Open Spaces team have no objections to the pre-application. Therefore the land could potentially be developed, subject to agreement with the landowner and compliance with all other policy considerations.

Due Dilligence Summary:

Pending – to be completed by end of August.

Site 4

Location: Christian Street, E1 1AY
Ward: Whitechapel



Planning Summary:

Previously approved scheme consisted of a 3 storey building with a rear dormer in the pitched roof. This provided a commercial unit at ground floor and residential accommodation over the first, second and loft floors. However the previous proposal appears to have taken up a greater footprint than the proposed site area. In light of the above, it is considered that the site could potentially accommodate 1 or 2 residential units, depending on unit types.

Due Dilligence Summary:

The Site was previously developed as a sugar refinery and later redeveloped into terraced housing by 1916, therefore Made Ground is anticipated to be present and potential contamination related to the Sites previous industrial use may be present. Based on the current data, there are no known pre-19th century heritage assets located within the Site itself. However, there are 158 non-designated heritage assets recorded within 500m of the Site.

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Appendix 4

Affordable Self-Build Consultation Report

Introduction

From 1 April 2016 the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a number of obligations on all relevant authorities. These include:

To keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to build their own homes in the authority's area and to have regard to those registers in carrying out their planning, housing, land disposal and regeneration functions. Local authorities are also required to publicise its register and give suitable development permissions in respect of enough serviced plots to meet the demand.

Since the legislation was enacted the council has been maintaining a self-build register in line with the requirements and has been developing a policy approach to support a self/custom build programme.

On the 16th October, the council launched its Draft Affordable Self-Build Policy and Guidance documents, and at the same time embarked on a 6 week long consultation process that concluded on the 30th November 2019. A dedicated web page was also set up in conjunction with the launch of the policy to capture the views of residents and other stakeholders with an interest in self-build.

The purpose of this report is to provide Members with information on the consultation process adopted to inform prospective self-builders of:-

a) The Policy and Guidance
b) The indicative programme
c) The nature of the first sites to be released

The report also summarises the feedback received to date with recommendations on the way forward.

The consultation process

In terms of engagement, a wide spectrum of stakeholders were consulted on the proposals. They included:-

- Applicants on the self-build register
- Neighbouring residents, businesses and organisations to the sites earmarked for disposal
- Tower Hamlets Residents.
- Tower Hamlets Housing Forum
- Social media

Self- Build Register

In accordance with the legal requirements, the council has maintained a self-build register from April 2016. At the 30th October 2019, there were 235 entries on the list, of which 228 are individuals and 7 are groups.

Self-Build Forum

Since May 2017, the Council has been facilitating a Self-Build forum at the Town Hall to which all applicants on register are invited with Cabinet members attending. Correspondence via applicants on the register and meetings with the forum has been the principal method the council has been communicating with aspiring self-builders in the Borough.

All applicants on the register are invited to attend the Self-Build forum that meets approximately 6 monthly, with an average of 25 people attending each meeting. Through the forum, the council continues to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build.

On the 16th October 2019, council officers presented the draft policy and guidance to the forum. 35 people attended the meeting and the following provides a synopsis of the key themes arising from the meeting:-

Affordable Self Build Publication

As part of the consultation process, a brochure was produced in October 2019 and delivered to residents, businesses, Housing Associations and other organisations within the vicinity of the identified sites that outlined the main elements of the policy and guidance, an indicative process and time timetable for delivery, and the fist sites to be advertised. Audiences were provided with information on where to view policy details and invited to comment on line via the council website by 30th November 2019.

Consultation Open day

The Brochure outlined above invited interested stakeholders to attend an event at the Whitechapel Ideas Store on the 9th November 2019 that was facilitated by council officers and a representative from Community Led Housing London.

Approximately 100 visitors attended, with the good mix of residents across the borough. Through the various conversations officers were engaged in with attendees and the information captured on the day, the following summarises the general views conveyed:

- Visitors were most interest in the site on Lark Row.
- People were prompted to attend the event because of concern about development in their area although most people were supportive of the programme.
- A number of industry professionals attended the event who wanted to offer their services.

On line consultation survey

Running in tandem throughout the consultation period was an online survey that sought to capture wider views on the proposals, the responses to which are provided as an Appendix to this report.

Tower Hamlets Housing Forum (THHF) Executive

On the 27th November 2019, Officers attended the THHF Executive meeting to brief the main Registered Providers operating in the borough on the proposals. Representatives from 11 of the social housing providers were in attendance.

Social Media

The Communications Team circulated details of the consultation process via the twitter platform. Although comments arising from this medium are not captured by the Communications Team prospective respondents were advised to complete the on-line survey to relay specific comments. We are also aware from officer feedback at the consultation events that some visitors attended as a direct result of being have informed through twitter feeds.

Summary of responses

The following information summarises the headline responses from each of the consultation activities. Detailed information on the results are appended found in the Appendix to this report.

Consultation survey:

Number of responses:

- Consultation survey: 27 individual responses
- Self-Build Forum: 35 attendees
- Consultation open event: Approx. 75 attendees

Consultation survey questions (27 responses)

- 74% of respondents were individuals, while 26% were responding on behalf of an organisation, group or business.
- 70% of respondents have been interested in self-build for some time, while 19% had no prior interest.

- 74% of respondents either live or work in Tower Hamlets.
- Respondents came from a broad mix of current tenures – 30% private renting, 22% social renting and 15% owner with mortgage.
- 93% of respondents were either supportive or very supportive of the draft Self-Build Policy.
- 89% of respondents were either supportive or very supportive of the draft Self-Build Policy Guidance.
- 89% of respondents were either supportive or very supportive of the proposed sites.

Consultation open event

- The consultation was primarily attended by interested individuals living in Tower Hamlets who are new to self-build and wanting to know more
- A considerable number of attendees did have some prior knowledge of self-build housing and wanted to know more about the proposed programme.
-

In addition to the specific questions within the survey, open questions and conversations held at the Forum and open event, the following issues, questions and clarifications were often raised :-

Individual self-builders

The majority of respondents to the consultation were individuals with either some or no prior knowledge of self-build housing, as opposed to pre-existing housing groups. Respondents consistently questioned whether and how individuals would be able to bid for sites released through this programme and what support was available to individual bidders. Concerns on this topic centred around having to compete with larger groups and the lack of opportunity for individuals to develop on their own

Affordability (income cap, viability, tenure, example bids/routes)

A number of questions were raised in relation to the way the policy and guidance refer to affordability. While there were responses both for and against the 90k household income cap (and recommendations for both a higher and lower cap), respondents consistently requested clarity on how bids were going to be assessed in relation to this cap and also to the Council's aspiration for affordable rent.

Concerns were also raised as to the viability of providing 100% affordable units on the proposed sites. Respondents asked whether a mix of tenures, including private sale to cross subsidise affordable tenures, would be accepted.

Borough residents

Some respondents criticised the proposal's requirement that self-builders must have lived or worked within the borough for at least three years. A common response was

that housing groups are often defined demographically (by age, sexuality or socioeconomic status) rather than geographically, with their community members coming from across London. Younger private renters who may have lived more transiently in different boroughs within a short time frame also felt disadvantaged by this aspect of the policy.

Available support

Respondents questioned how realistic it is for an individual or group to deliver a self-build scheme. Questions covered a range of issues including how to form a group, funding a bid (architects and other fees) and financing the development.

Rented properties

Some respondents questioned how rental properties would be owned and managed in a self-build scheme. Respondents asked whether the Council would take a role in the management and maintenance of rental properties.

Community benefit

Greater explanation of how community benefit would be assessed was requested. In addition it was suggested that 'local connection' make up a part of the assessment criteria for bids

Sites (capacity and info)

The Lark Row site attracted the most interest during the course of the consultation, though all attracted some interest. Respondents requested that further information from the due diligence be provided at the time the sites are released

Recommendations

As a general recommendation, any requirement the Council wishes to make of bids/bidders (such as the provision of affordability and specific tenure, or the residence/workplace of bidders) should be treated as a weighted criteria within the bid scoring methodology. Strict yes/no criteria should be avoided so as not to overly restrict proposals coming forward that meet the majority of the Council's aspirations but miss out/score less highly on one or two.

Individual self-builders

The policy and guidance should clarify under what circumstances individual self-builders would be able to bid for a site. As already stated, individuals would be eligible to bid for sites that could only accommodate a single unit. Clarity could therefore be given as to how the optimum capacity of each site will be determined, possibly through planning advice at the time of submission.

Affordability

Clarity is required to justify the 90k household income cap for prospective bidders (through reference to set criteria for London shared ownership) and how this will be assessed.

With regard to affordable rented, it would be worth making the distinction between the Councils *aspirations* (100% affordable rented) while clarifying that tenure and amount of affordable units proposed will be assessed as weighted criteria against these and other criteria within the bid scoring methodology.

Confirmation is also required as to what safeguards the Council will take to ensure that what is proposed in the bid and subsequent planning application is then delivered. This could be done through contractual arrangements within the lease to the preferred bidder not to transfer full ownership until certain conditions are met and the development is complete.

Borough residents

As with affordability, it is recommended that the requirement for bidders to have lived/worked in the borough for a minimum of 3 years is communicated as an *aspiration* of the Council and assessed as weighted criteria within the bid scoring methodology. This would ensure flexibility if, for example, a bidding group met all other criteria but consisted of a proportion of borough residents and a proportion of wider London residents.

Available support

The guidance document should make explicit reference to the Community Housing Fund which is secured to 2023 to grant both capital and revenue funding for groups to develop their ideas and deliver proposals. Links should also be made to Community Led Housing London (also supported until 2023) with an explanation of the kinds of support available.

Rented properties

Clarity should be given that the Affordable Self-Build Programme is a site disposal programme and that the Council will not take any role in the future management or maintenance of self-build properties. Where rented tenures are proposed, it would be the leading community led organisation (or partnering organisations such as a Registered Provider) that would rent units to individual members. There are various options for this, such as through a secure/shorthold tenancy arrangement or the establishment of a housing cooperative.

Sites

Clarity to be provided that full due diligence information will be made available for each site as and when they are released for bidding.

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	1. **Affordable Self-Build Policy on Council Owned land 2019 – 2022** 2. **Self-Build Guidance 2019 - 2022**
Directorate / Service	**Place Directorate**
Lead Officer	**Tracey St Hill**
Signed Off By **9th December 2019**	**Karen Swift, Divisional Director Strategy, Regeneration and Sustainability**
Summary – to be completed at the end of completing the QA (using Appendix A) (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)	**Proceed with implementation** Based on the findings of the QA checklist, a full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposed policy and the policy has low relevance to equalities. The criterion for eligibility to join the Self-Build register has been carefully considered to ensure that no protected group is adversely impacted. The criterion set for eligibility was originally set out in the *Self-build and Custom Housebuilding Act* (2015); in terms of minimum age requirement, nationality and the requirement that applicants build a home for their own occupation. The local connection requirement arises from the *Self-build and Custom Housebuilding Regulations* (2016) (Regulation 5) which permits local authorities to introduce a local connection. The Council has adopted a local connection clause for who have lived and worked in the Borough for the last three years (and continue to do so). In doing so, this will ensure that the policy meets the housing needs of local residents and the local workforce; having a positive impact on those who have a local

	connection to the Borough regardless of any protected group which they identify with. The upper income cap limit of £90,000 per household mirrors that set by the Mayor of London/GLA's Shared Ownership Scheme which, like the self/custom build initiative is also an intermediate affordable product. This demonstrates that consideration has been given to create parity between the Council's policy and that of the Mayor of London/GLA and broadens the Council's range of affordable housing products available to residents.

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)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	**Yes**	The Council is required by law to keep a register of people who are looking for land in the Borough to build houses or flats and live in them as their main home. These duties are set out in two Acts of Parliament, the *Housing and Planning Act* (2016) and the *Self-build and Custom Housebuilding Act* (2015). In addition, the *Self-build and Custom Housebuilding Regulations* (2016) set out how the register should be administered. This includes the eligibility requirements for joining the register (Regulation 4). The register is in 2 parts: **Part 1** is for individuals and associations **who have a local connection to Tower Hamlets and can demonstrate access to sufficient resource to purchase the land required to build homes.** **Part 2** is for anyone else who meets the age and nationality

			requirements set out below, **but either does not have a local connection to Tower Hamlets or cannot demonstrate access to sufficient resource to purchase the land required to build homes.** **To be registered on Part 1 of the register, individuals and associations must meet the following eligibility criteria**: • Be over 18 years old. • Be a British citizen, a national of an EEA state or Switzerland. • Be seeking to build a home as a sole or main residence. In addition, the Council has set a 'local connection'(as per Regulation 5 of the *Self-build and Custom Housebuilding Regulations 2016*) which must also be met: ➢ Have a local connection by living and/or working in the borough for a continuous period of at least 3 years and be living/working in the borough when you apply to go on the register*. (***Note:** a member of the armed services may be exempt from this requirement*). **AND** ➢ Be able to demonstrate access to sufficient resource to purchase the land required to build a self-build home/s. If registering as part of an association, ALL members of the association must meet these criteria to join part 1 of the register. Where the local eligibility conditions are not met, but the other criterion is, (age, nationality, sole or main residence),

			individuals and associations will join part 2 of the register. However, entries to part 2 of the register do not contribute towards demand (i.e. the number of serviced plots that the Council is required to grant development permission for). The Council is seeking the delivery of affordable housing in perpetuity on all Council owned sites provided for self-build. To achieve this, the Council will apply the following measures: 1. An upper income cap of £90,000 per household for accepting any bids under this policy. 2. A weighting system in the bid scoring methodology that prioritises applications containing allocation policies for residents whose income is closer to the average household income in the borough. Or proposals from community based organisations or individuals whose income is closer to the average household income in the borough. 3. A requirement that all Council owned land sold for self-build will follow one of the following two routes: • **Community Led Self-Build** – The Council will grant a long lease to a community led organisation on individual or multi-unit sites. • **Individual Self Build** – The Council will grant a long lease to individuals on single unit sites. The Council will prioritise self-build proposals that include the provision of affordable rented homes over affordable ownership schemes. This preference will be reflected in the bid scoring methodology. The Council will also prioritise proposals that optimise the density of housing on Council land, in line with planning

			policy. The Mayor has committed to support up to 50 self-build homes over the period 2018-22. To facilitate this, officers have produced self-build policy and a guidance document. Not implementing a self-build policy may result in failure to deliver on the Mayoral commitment on self-build housing and disaffect the self-build community in the borough. Potentially, there could also be a breach of statutory duty in relation to the provisions of the *Housing and Planning Act* (2016) and the *Self-build and Custom Housebuilding Act* (2015). The policy document sets out the Council's formal position on key aspects of the self-build delivery process and the guidance document is there to assist the Borough's self-builders navigate the self-build system; particularly the self-build register.
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 policy will benefit all residents and those working in the Borough, **regardless of any protected characteristic they may identify with**, who have had a local connection by living and/or working in the Borough for a continuous period of at least 3 years and who continue to live/work in the Borough. It extends the Council's Intermediate Housing product offer to residents and increases housing options for households whose income is below £90,000 pa.
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	**Yes**	➢ Data collected from the Council's Self-Build Register ➢ Feedback from the Self-Build Forum sessions ➢ Feedback from the public open meting ➢ Information obtained on line as part of the consultation process. ➢ Feedback from staff ➢

	Is there sufficient evidence of local/regional/national research that can inform the analysis?		Existing research into community led housing has found that providing a vehicle for community led groups or individuals to develop their own homes empowers communities to thrive and supports the development of sustainable communities. By promoting the development of affordable self-build housing in perpetuity ensures homes are being made available for people who would otherwise struggle financially to buy a home on the open market and would not necessarily have access to social housing. This then forces them into the private rented sector where they are likely to be less secure. The self-build programme provides secure of tenure in a housing environment where high rental costs and short term tenancies create instability for many families on median incomes in the borough and key workers who are have to seek housing outside the borough where many of them may have grown up.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	**Yes**	Since May 2017, the Council has been facilitating a Self-Build Forum which has been held at the Town Hall with Cabinet members attending. The forum has been the principle way in which the Council has communicated with aspiring self-builders in the Borough. All applicants on the register are invited to attend the Self-Build forum and on average 25 people have been attending these meetings. Through the forum, the Council continues to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build. The Council has also been working closely with the GLA who have provided a resource from 'Community Led Housing London'. This organisation supports community led groups to navigate the development process and provide access to funding to facilitate getting schemes off the ground.

c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	**Yes**	The council has been servicing a self-build forum that meets approximately 6 monthly for people interested in self-build. In the lead up to the Policy and Guidance document being drafted, comments arising from those meetings have helped inform the Policy. Details of the policy and guidance have been presented to the Self-build forum. In addition, a public open day was held on Saturday 9th November at the Idea Store in Whitechapel, where anyone interested in self-build could speak to council officers and learn more about how the Affordable Self-Build Programme will work. The information has also been presented to other social housing providers via the Tower Hamlets Housing Forum. A web page has been developed dedicated to self-build where prospective self-builders and other interested stakeholders are invited to comment on the proposals. Formal Consultation with Stakeholders with regard to the Council's policy and guidance commenced in October 2019 and ran until Saturday 30th November 2019. A total of 27 responses were received. In addition, a brochure was produced in October 2019 and delivered to residents, businesses, Housing Associations and other organisations within the vicinity of the identified sites that outlined the main elements of the policy and guidance, an indicative process and time timetable for delivery, and the fist sites to be advertised. Audiences were provided with information on where to view policy details and invited to

			comment on line via the council website by 30th November. The Brochure outlined above invited interested stakeholders to attend an event at the Whitechapel Ideas Store on the 9th November 2019 which was facilitated by council officers and a representative from Community Led Housing London. Approximately 100 visitors attended, with a good mix of residents from across the Borough. The Communications Team circulated details of the consultation process via the twitter platform. Although comments arising from this medium are not captured by the Communications Team, prospective respondents were advised to complete the on-line survey to relay specific comments. We are also aware from officer feedback at the consultation events that some visitors attended as a direct result of being have informed through twitter feeds.
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?		27 responses were received to the online survey. In terms of the current tenure of their home, the highest group of respondents (29.63%) lived in private rented accommodation. The second highest group, 25.93%, classified themselves as living in "other" forms of accommodation that fell outside of renting or owning outright or shared ownership categories. This supports the assertion that the self-build programme can provide a means by which people living in less secure forms of housing, many of which fall into the groups of the 9 protected characteristics, can potentially have access to a more affordable and secure home.
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?		There is no disproportionate or negative impact on any protected group as a result of this policy and guidance. The criterion for eligibility is provided in Government legislation and the Council have included a 'local connection' criterion as it is permitted to. The policy and guidance does not favour

			one protected group over another and is intended to focus on the housing needs of all local residents and local workforce with an established connection to the Borough. The upper income cap provided in the policy mirrors that of the GLA/Mayor of London's Shared Ownership Scheme which provides a further affordable housing option for local residents and the local workforce.
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	Yes	The Council is planning to release the council owned sites for affordable self-build housing during 2020. Four sites across the Borough have been identified and initial due diligence undertaken on the sites to assess their suitability for housing. Neighbouring residents were notified of the Council's interest in developing this land for housing in March and July 2019. Following the conclusion of the consultation period, a report will be submitted to Cabinet for approval of the policy and the sites earmarked for disposal in the latter part of 2019/20. The programme will be officially launched In the first quarter of 2020/21 when the bidding for the first round of sites will commence. Due diligence information will be made available to prospective self-builders once the sites are open for bidding. The program will run and be monitored throughout 2020 into 2020/2021.
b	Have alternative options been explored	Yes	Not implementing a self-build policy may result in failure to deliver on the Mayoral commitment on self-build housing and disaffect the self-build community in the Borough. Potentially, there could also be a breach of statutory duty in relation to the provisions of the Housing and Planning Act 2016 and the Self-build and Custom Housebuilding Act 2015.

5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	Equality monitoring will be included as part of the registration process to provide insight into which protected groups are using the registration service. This requirement to provide this information is optional on the part of the applicant
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	Equality monitoring data will be reviewed on a regular basis to ascertain who is accessing the registration scheme and which schemes are eventually delivered.
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	

Appendix A
Equality Assessment Criteria

Decision	**Action**	**Risk**
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.	**Proceed with implementation**	**Green:**

Cabinet 25 March 2020	TOWER HAMLETS
Report of: Neville Murton – Corporate Director, Resources	**Classification:** Unrestricted
Contracts Forward Plan – Quarter Four (FY2019-2020)	

Lead Member	**Councillor Candida Ronald, Cabinet Member for Resources & the Voluntary Sector**
Originating Officer(s)	Zamil Ahmed – Head of Procurement
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	
Reason for Key Decision	Significant Financial Expenditure and Significant Impact on two or more wards
Community Plan Theme	**A fair and prosperous community**

EXECUTIVE SUMMARY

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. Only contracts which have not previously been reported are included in this report.

Recommendations:

Mayor in Cabinet is recommended to:

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. Confirm that the remaining contracts set out in Appendix 1 can proceed to contract award after tender

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

4. Review the procurement forward plan 2020-2022 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle

1. REASONS FOR THE DECISIONS

1.1 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 four of the current financial Year.

2. ALTERNATIVE OPTIONS

2.1 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.

3. DETAILS OF THE REPORT

3.1 Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documentations 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.

3.2 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.

3.3 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.

3.4 This report provides the forward plan for quarter three 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.

3.5 Additionally, the report also includes a Procurement Forward Plan 2019-2022 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.

3.6 Appendix 1 details the new contracts which are planned during the period Q4 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.

3.7 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.

3.8 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.

3.9 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 Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to procurement.

3.10 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 Strategic Procurement Board; contracts require approval of the Board before proceeding.

4. EQUALITIES IMPLICATIONS

4.1 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 Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

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,

Best Value Implications

5.2 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 undertaking such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.

5.3 Contracts listed in Appendix 1 are all subject to the Council's Tollgate process which involves a detailed assessment by Procurement Review Panel and Strategic Procurement Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice

Sustainable Action for Greener Environment

5.4 Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process.

Risk Management

5.5 Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

Efficiency Statement

5.6 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.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This is a quarterly update report on the Council's contract forward plan for 2019-20 which details the list of contracts that are due for renewal in the next 3-6 months (Appendix 1).

6.2 There are 12 specific contracts detailed in Appendix 1 with a cumulative annual value of £13m approx. and total contract value of £74m. The cost of these contracts must be contained within available approved budgets and it

will be the budget holders' responsibility to ensure that. Budget Holders will also need to be mindful of the MTFS saving on contracts where efficiencies are required.

6.3 Contracts reference **R5598 - IT Support Services** and **R5666 - Cloud based Secure Network Service (iWAN)-Internet Network** will require the appropriate approval to increase the Capital budget for ICT Transformation by £3m, funded from the ICT Reserve or other capital resources.

7. COMMENTS OF LEGAL SERVICES

7.1 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.

7.2 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.

7.3 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. 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.

7.4 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

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – new contracts planned: Q4 of the Financial Year and beyond.
- Appendix 2 - Procurement Forward Plan 2020 -2022

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

- NONE

Officer contact details for documents:

- N/A

Appendix 1 – New contracts planned: Q4 of the Financial Year and beyond.

Contract Ref & Title	**R5598 IT Support Services**		
Procurement Category:	Corporate Services	Funding:	IT Transformation
Invitation to Tender ☐ Contract Signature ☐	01/04/2020	Contract Duration and Extensions:	April 2020 to March 2023
Value P/A:	£1M (year 1) £0.8M (year 2) £0.6M (year 3)	Value Total:	£2,400,000
Reviewed by Competition Board ☐	18/02/2020	☐London Living Wage ☐New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non-Statutory:	Non-Statutory		

Contract Summary

To provide a source of resource and support for the IT Transformation Programme and beyond to IT transition from Agilisys in 2021.

Scope of Contract

SOCITM resources, commissioned via the BLOOM Framework, have been used to design and build new infrastructure, successfully rollout new network switches, Wi-Fi and large screens in Council buildings, and have migrated many of our 100s of on-premise servers to cloud to improve resilience, enable smarter working and prepare ground for the move to the new Town hall. Work remains on Unix and legacy applications that require update. The team have successfully migrated 50 Smarter Working and IT Client users to laptops with Windows 10 and Office 365. Workspace is a delivery platform to replace the legacy VDI allowing users to connect from any device using the internet. The current mix of resources are needed to rollout the rest of the devices to all Council users. Many of the users have several line of business applications and some of these are old and need upgrading. This is proving to be a challenge especially when combined with other upcoming projects in transformation. These projects include: Office365 and workspace rollout, application delivery, cloud migration, recycling of devices, decommissioning of legacy infrastructure and many more. Additionally, Microsoft standard support for Windows 7 will end at mid-January 2020, so the Council will need to procure this for one year and fast track the programme to complete roll out and decommission all infrastructure (VDI, MaaS360, Enterprise Vault) by January 2021 to meet 2021-22 IT savings target of £500k in addition to the £200k next year.

Currently, the design team consists of Socitm consultants, whereas the delivery team consists of a mixture of permanent staff, seconded staff, agency, university placement students and Socitm consultants to keep costs to minimum and allow for skills transfer. Socitm consultants will lead on application delivery, cloud migration, recycling of devices decommissioning of legacy infrastructure and then support on IT transition of the rest of services (IT service desk, hosted and cloud services, network services etc) from Agilisys in 2021 to either council or to multiple vendors. Also replace Agilisys for ad hoc PM and technical services post Agilisys from April 2021 through to March 2022 as an alternative source for short term highly skilled one-off technical projects. The current Bloom Annual spend is £850K p.a.

Contracting Approach

The market for this service is limited so this will be done through G-Cloud. The Framework is designed to obviate a repeat use of the Bloom Framework, currently providing this service at an enhanced rate of cost plus 5%. This 5% uplift is legitimate but can be avoided through LBTH securing its own facility to draw off these services.

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 and volunteer opportunities.

Contract Ref & Title	**R5660 IT Future Sourcing 2021**		
Procurement Category:	Corporate Services	Funding:	General Fund
Invitation to Tender ☐ Contract Signature ☐	July 2020	Contract Duration and Extensions:	3 plus 2 years
Value P/A:	£3m	Value Total:	£15m
Reviewed by Competition Board ☐	11/02/2020	☐London Living Wage ☐New Procurement ☐Collaboration ☒ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

In April 2019 the Council insourced application management, contract management, project management and telephony; extending all other IT services delivered via the partnership to 31t March 2021. While we work to absorb the insourced services, planning has now commenced for the future sourcing of our cloud, connectivity and user support services. Procurement will be tendered in the following lots/service towers:

1. Cloud Services Provider for Microsoft Azure
2. External physical internet connectivity
3. Internal physical network
4. IT Service Desk and SIAM tooling

In order to finalise the scope of this procurement we are undertaking pre-market engagement, via a webinar and informal meetings, for suppliers listed on the relevant Crown Commercial Services frameworks: Technology services 2, Network Services 2 and G Cloud (Digital Marketplace).

Contracting Approach

Pre-market engagement is currently taking place to finalise the scope and specifications for the contracts. Information was supplied to all organisations on Crown Commercial Services frameworks Technology Services 2 and Network Services 2. Over 40 organisations participated in a webinar and completed a feedback survey, proving comments on contract scope, key requirements, transition timelines and new innovations/technology that could be utilised to deliver the contracts in an efficient and cost-effective way. A number of informal supplier meetings will be held to further gather feedback from the market and ensure the final specifications provide value for money for the Council whilst remaining viable for suppliers.

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, volunteer opportunities. The tender evaluation criteria will consist of a 5% weighting allocated to the Social Value Matrix intended to secure community benefits during the life of the contract.

Contract Ref & Title	**R5666 Cloud based Secure Network Service (iWAN)-Internet Network**		
Procurement Category:	Corporate Services	Funding:	IT Transformation
Invitation to Tender ☒ Contract Signature ☐	May 2020	Contract Duration and Extensions:	3 plus 2 years
Value P/A:	£200,000	Value Total:	£600,000
Reviewed by Competition Board ☐	11/02/2020	☐London Living Wage ☐New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

The council has traditionally had 2 main data centres and network hubs (Mulberry Place and Albert Jacobs House) and then with outsourcing to Agilisys in 2012 two further 2 data centres and network hubs Welyn Garden City & PowerGateway were added. Council has been moving away from on premise data centres to cloud in preparation for end of Agilisys contract in March 2021 and move to Town Hall in 2022. Most of council's network sites (70 plus e.g. children centre, one stop shops, day centres, parking depot, idea stores, registrars) connect to one or more of the 4 buildings through BT leased lines, CCTV fibre lines etc. The future is about each of the council sites going to internet directly. With migration to cloud and rollout of O365 and one drive this will be possible.

The Council's current network security approach using port locking, Complex MPLS network technology for WAN and based on an assumption of physical security with a central data centre is no longer a suitable way to secure the Council's network connectivity to IT services. As the components of the Council's IT services become more distributed, the cost and complexity of the current network security approach are rising, flexibility is limited, performance is both variable and unquantified, security assurance due to potential introduction of non-secure devices, storage and applications is limited and as a result change is needed. The IT team have reviewed appropriate network security models and tools and have established the following fundamental requirements:

(i) Zero trust Architecture where all networks as assumed to be untrusted with encryption applied from end point device all the way to applications. The connections from device to application are controlled on a per user basis.

(ii) Software defined architecture where all components of the service apart from the endpoints are delivered in the cloud and not dependent on any physical security appliances and the behaviour of the network from the Council's standpoint is purely defined by software configuration.

(iii) Strong capability for monitoring performance, applications being used, network activity.

(iv) Optimise performance of connectivity to Office 365 and Microsoft Azure services.

Contracting Approach

To procure the required services for ZPA licences, implementation support and ongoing product support via the G-Cloud 10 framework. The proposed technical service is currently unique in the marketplace and is the best fit for the Council's current and emerging needs for the next 3 years. Circa 4700 licences, support, implementation and service for Z-Scaler Private access for a 3-year contract term

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. The tender evaluation criteria will consist of a 5% weighting allocated to the Social Value Matrix intended to secure community benefits during the life of the contract.

Contract Ref & Title	**AHS5128 Dellow Hostel**		
Procurement Category:	Health and Social Care	Funding Source:	Integrated Commissioning - Ageing Well Budget.
Invitation to Tender ☐ Contract Signature ☒	01/07/2020	Contract Duration and Extensions:	5 years (3 years plus one plus one)
Value P/A:	£457,528.15	Value Total:	£2,287,640.75
Reviewed by Competition Board ☐	18/02/2020	☐London Living Wage ☐New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

Approval is being sought to proceed to extend the contract for the Dellow Centre Hostel - a single adult's accommodation-based support service. The service provides 58 bed spaces and wraparound support. The landlord is Providence Row Charity and the support provider is Providence Row Housing Association.

The scheme forms an integral part of the Vulnerable Adults Homelessness Pathway which aims to ensure that people are actively supported to change behaviour, raise aspirations and gain meaningful occupation so that they are able to move into independent living. The Contract was subject to a procurement exercise and awarded in 2017 years following an approval by Cabinet on 26/07/2016. The contract was tendered and awarded with a term of 5 years, 3 years as initial term with the option to extend for a further 2 years (1+1) in in line with the procurement strategy and tollgate procedure. However, due to an administrative error the cabinet report was not clear relating to the extension period. Following legal advice Cabinet approval is sought to clarify that the original 2-year extension period is part of the original approval.

Contracting Approach

An open procedure was carried out for the award of the services with Providence Row Housing Association being the appointed contractor. It is intended that following the extension of 2 years the Council will re-procure the services through a public tender exercise subject to the Landlord agreement, and through the 3+1+1 there is also the option of doing this after one year.

Community Benefits

Reducing Homelessness, substance misuse, and anti-social behaviour.

Contract Ref & Title	**CS5649 Kemp Masterplan Improvement Programme – Design Element**		
Procurement Category:	Construction & FM	Funding:	S106
Invitation to Tender ☒ Contract Signature ☐	13/01/2020	Contract Duration and Extensions:	2 years
Value P/A:	£125,000	Value Total:	£250,000
Reviewed by Competition Board ☒	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

Tower Hamlets Council wishes to appoint a landscape led design team to take the project through detailed design to implementation and completion (Royal Institute of British Architects stages 3 – 7). This is to include all required services (e.g. Quantity Surveyor, Mechanical & Electrical services, Structural Engineer, Construction Design Management (and any other specialist advisors needed). It is expected that the lead designer will be a landscape architect. The detailed design will be based on the research, consultation and design carried out to produce the King Edward Memorial Park Masterplan as well as taking into consideration consultation and views expressed since that time.

It is expected that the design team will:

- Carry out consultation with stakeholders and residents and produce a report of that consultation;
- Prepare design options based on consultation
- Prepare outline cost plan based on preferred option
- Produce pretender cost plan and support any value engineering exercises as required
- Produce detailed drawings and specifications for tender
- Support tendering process and provide quantity surveyor services to evaluate tenders
- Manage construction process on site
- Provide Construction Design Management Services
- Provide Contract Administration Services

Contracting Approach
Tower Hamlets Council wishes to tender for a landscape led design team to take the project through detailed design to implementation and completion (Royal Institute of British Architects stages 3 – 7). This is to include all required services (e.g. Quantity Surveyor, Mechanical & Electrical services, Structural Engineer, Construction Design Management, and any other specialist advisors needed). It is expected that the lead designer will be a landscape architect.

Community Benefits
The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

Contract Ref & Title	**P5658 EA Services for Southern Grove New Build Housing**		
Procurement Category:	Construction & FM	Funding:	Capital Programme
Invitation to Tender ☒ Contract Signature ☐	March 2020	Contract Duration and Extensions:	Est 30 months
Value P/A:	n/a	Value Total:	Est £260,000
Reviewed by Competition Board ☐	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract
There is a requirement to procure professional services for Employers Agent and Cost Consultancy services, fully inclusive of CDM, Party Wall and Clerk of Works services for the Southern Grove housing scheme including 44 new build council homes, 35 homes through the refurbishment and conversion of the Victorian Workhouse and associated on site works.

Contracting Approach
This procurement will be undertaken through an OJEU compliant framework or DPS, based on the council's specification and requirements. The contract terms will include council amendments drafted by legal services.

Community Benefits
The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

Contract Ref & Title	**P5664 Ashington House – Design Team & Associated Services**		
Procurement Category:	Construction & FM	Funding:	Capital Programme
Invitation to Tender ☒ Contract Signature ☐	March 2020	Contract Duration and Extensions:	Est 36 months
Value P/A:	n/a	Value Total:	Est £275,000
Reviewed by Competition Board ☐	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non-	Non-Statutory		

Statutory:	

Scope of Contract
There is a requirement to procure design services and associated technical consultants for the regeneration of Ashington House. The block is a part seven-storey and part six-storey apartment building, comprising 31 flats and 14 maisonettes situated in the Collingwood Estate. The site also includes 46-48 Somerford Street, built as part of the same development, comprising two adjacent buildings, one of which is a detached house, the other a pair of semi- detached houses. Capacity studies have indicated that demolition of Ashington House and redevelopment on the existing footprint could deliver between 70 and 90 units. If the Project were to be extended to include the three homes of Somerford Street, one can expect the number of additional homes to increase further.

Contracting Approach
This procurement will be undertaken through an OJEU compliant framework or DPS, based on the council's specification and requirements. The contract terms will include council amendments drafted by legal services.

Community Benefits
The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

Contract Ref & Title	**P5661 Construction of New Homes at 71-77 Heylyn Square**		
Procurement Category:	Construction & FM	Funding:	Capital Resources
Invitation to Tender ☒ Contract Signature ☐	March 2020	Contract Duration and Extensions:	Est 27 months
Value P/A:	n/a	Value Total:	Est £11.71 million
Reviewed by Competition Board ☐	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract
There is a requirement to procure the main construction contract for the provision of new council homes at Heylyn Square. Planning approval was obtained in October 2019 to demolish the existing building and construct an 8-storey residential block to provide 33 homes for affordable rent, and a ground floor retail unit with associated external works. Two of the larger properties are designated as wheelchair accessible.

Contracting Approach
This procurement will be undertaken through an OJEU compliant framework, or the councils own DPS for construction works if appropriate. A mini competition will be issued, open to all relevant suppliers, based on the council's design, specification and employers' requirements. The contract terms will be the JCT 2016 Design & Build Contract with council amendments drafted by legal services.

Community Benefits
The procurement will seek community benefits from the build contractor through a requirement for them to submit a social value proposal. Benefits will include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities.

Contract Ref & Title	**P5656 EA Services for Clichy Estate Regeneration Scheme**		
Procurement Category:	Construction & FM	Funding:	Capital Programme
Invitation to Tender ☒ Contract Signature ☐	March 2020	Contract Duration and Extensions:	Est 84 months
Value P/A:	n/a	Value Total:	Est £450,000
Reviewed by Competition Board ☐	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

There is a requirement to procure professional services for Employers Agent and Cost Consultancy services, fully inclusive of CDM, Party Wall and Clerk of Works services for the Clichy Estate regeneration scheme. The proposed development will comprise approximately 450 units. The full scope of the EA appointment will be determined once the results of the resident ballot scheduled to take place between 10th February and 4th March is known.

Contracting Approach

This procurement will be undertaken through an OJEU compliant framework or DPS, based on the council's specification and requirements. The contract terms will include council amendments drafted by legal services.

Community Benefits

The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

Contract Ref & Title	**P5663 Ashington House – Employers Agent, Cost Consultancy & Associated Services**		
Procurement Category:	Construction & FM	Funding:	Capital Programme
Invitation to Tender ☒ Contract Signature ☐	March 2020	Contract Duration and Extensions:	Est 36 months
Value P/A:	n/a	Value Total:	Est £300,000
Reviewed by Competition Board ☐	18/02/2020	☒London Living Wage ☒New Procurement ☐Collaboration ☐ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract

There is a requirement to procure professional services for Employers Agent and Cost Consultancy services, fully inclusive of CDM, Party Wall and Clerk of Works services for the regeneration of Ashington House. The block is a part seven-storey and part six-storey apartment building, comprising 31 flats and 14 maisonettes situated in the Collingwood Estate. The site also includes 46-48 Somerford Street, built as part of the same development, comprising two adjacent buildings, one of which is a detached house, the other a pair of semi-detached houses. Capacity studies have indicated that demolition of Ashington House and redevelopment on the existing footprint could deliver between 70 and 90 units. If the Project were to be extended to include the three homes of Somerford Street, one can expect the number of additional homes to increase further.

Contracting Approach

This procurement will be undertaken through an OJEU compliant framework or DPS, based on the council's specification and requirements. The contract terms will include council amendments drafted by legal

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Community Benefits
The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

Contract Ref & Title	**R5667 Energy - Natural Gas & Grid Electricity**		
Procurement Category:	Corporate Services	Funding:	General fund for corporate sites. HRA for THH sites. Third party clients are responsible for their own bills.
Invitation to Tender ☒ Contract Signature ☐	May 2020	Contract Duration and Extensions:	12 months + 12 months + 12 months
Value P/A:	£12m	Value Total:	£39m
Reviewed by Competition Board ☐	18/02/2020	☐London Living Wage ☐New Procurement ☐Collaboration ☒ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract
The current energy contracts (natural gas and grid electricity) expire on the 31st March 2021 for the THH and third party clients and 30th September 2021 for the corporate sites respectively. They cover the borough estate, housing, schools, colleges and third-party clients. The annual contract value is +/- £12m. Because of the current volatility of the energy markets a twelve-month contract is currently more economically advantageous than being tied into a longer term.

Volume aggregation provides financial benefits, providing access to lowest quoted prices available at specific trading times and through creating a demand profile that is attractive to energy suppliers and therefore lower in cost. Substantial research, detailed analysis and assessment of the entire public sector energy spend through the Pan Government Energy Project and though the London Energy Project demonstrated that FLEX contracts delivered best value for the public purse.

LBTH currently purchase through the Government Procurement Service - Crown Commercial Services (CCS) and the corporate estate through an independent broker. The CCS frameworks have favourable terms and conditions and are fully compliant with procurement regulations and their fees and charges are transparent and competitive.

The London Energy Project provide benchmarking data to allow a confidence in the aggregated, flexible method of procurement. For 2015 - 2019 the results indicate that over all the contracts the achieve price was graded (on the raw energy only) as being of 'Good Performance', which means the execution of the strategy meets expectation. The achieved price is between the target price and the target price + 5%.

There is no hope that the cost of energy will reduce in the near future, consequently the only way to reduce the end price is to reduce consumption. It is recommended that all sites are now transferred to CCS. In the longer-term energy procurement will fall in line with the Carbon Zero Road Mapping Project and will be looking at carbon neutral generation and offsetting with partners. Details of this project will be available once the partnership has been formed and it has been approved by the necessary governance panel.

CCS offer green certified electricity supplies but as yet this is not available for natural gas on the scale we require. This method of purchase is recommended by the London Energy Project and the Association of Borough Treasurers.

Contracting Approach
It is advised that LBTH continue with using the Crown Commercial Services frameworks RM6011 - Supply of Energy & Ancillary Services

Community Benefits
Bulk purchase enables clients to achieve a favourable unit price on a framework which is robustly controlled.

Contract Ref & Title	**P5662 - Storage and Removal Services**		
Procurement Category:	Corporate Services	Funding:	Revenue
Invitation to Tender ☐ Contract Signature ☐	July 2020	Contract Duration and Extensions:	4 years
Value P/A:	£300,000	Value Total:	£1,200,000
Reviewed by Competition Board ☐	11/02/2020	☒London Living Wage ☐New Procurement ☐Collaboration ☒ Re-procurement of existing Contract	
Statutory/Non Statutory:	Non-Statutory		

Scope of Contract
The Council currently engages a number of storage and removal providers to meet its statutory obligation of removing and storing belongings of those homeless in accordance with its statutory duties under Regulation S211 of the 1996 Housing Act, and in accordance with the provisions of the Letting Policy. The service is also used as part of the Council's incentive scheme for assisting those downsizing to a smaller accommodation in the removal and delivery of their belongings to their new property and for office moves between council offices.

This service will also be used for the disposal of items that are no longer required or surplus to Council's requirement; preference will be given to the re-use of such items within the community or donated to charity based projects either in the UK or as part of an overseas aid scheme. The contract will ensure that disposal firms comply with WEEE Regulation 2013.

Contracting Approach
The advert will be published in OJEU 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 Pre - Qualification Questionnaire (PQQ).
The Framework Agreement will be with a number of service providers across the following lots:
Lot 1 – Removal Service (Office and Homeless)
Lot 2 – Removal Services (Under Occupied)
Lot 3 – Storage Services (Office and Household items)
Lot 4 – Disposal Services (Office and Household items)

Community Benefits
The procurement will seek community benefits from the supplier through a requirement for them to submit a social value proposal. Benefits may include apprenticeships, work experience placements, promoting job fairs and offering graduate placements and / or administrative job opportunities together with other community related benefits.

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