

Meeting of the

# CABINET

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Wednesday, 7 July 2010 at 5.30 p.m.

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## AGENDA – SECTION ONE

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### VENUE

**Ecology Centre, Grove Road, off Haverfield Road, London E3 5TW**

(Location, directions and transport links detailed on next page)

#### Members:

Councillor Helal Abbas (Chair)	– (Leader of the Council)
Councillor Joshua Peck (Vice-Chair)	– (Deputy Leader of the Council)
Councillor Shahed Ali	– (Lead Member, Environment)
Councillor David Edgar	– (Lead Member, Resources)
Councillor Marc Francis	– (Lead Member, Housing, Heritage and Planning)
Councillor Sirajul Islam	– (Lead Member, Regeneration and Employment)
Councillor Denise Jones	– (Lead Member, Culture and Creative Industries)
Councillor Shiria Khatun	– (Lead Member, Children's Services)
Councillor Rachael Saunders	– (Lead Member, Health and Wellbeing)
Councillor Abdal Ullah	– (Lead Member, Community Safety)

**[Note: The quorum for this body is 3 Members].**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

Angus Taylor, Democratic Services,

Tel: 020 7364 4333, E-mail: [angus.taylor@towerhamlets.gov.uk](mailto:angus.taylor@towerhamlets.gov.uk)

# LONDON BOROUGH OF TOWER HAMLETS

## CABINET

WEDNESDAY, 7 JULY 2010

5.30 p.m.

### Ecology Centre - location map, directions and transport links

#### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

#### 2. DECLARATIONS OF INTEREST

PAGE  
NUMBER  
3 - 4

WARD(S)  
AFFECTED

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 Chief Executive.

#### 3. UNRESTRICTED MINUTES

5 - 30

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Cabinet held on 9<sup>th</sup> June 2010.

#### 4. DEPUTATIONS & PETITIONS

To receive any deputations or petitions.

#### 5. OVERVIEW & SCRUTINY COMMITTEE

##### 5.1 Chair's advice of Key Issues or Questions in relation to Unrestricted Business to be considered

To receive any advice of key issues in relation to the unrestricted business of the meeting of the Overview and Scrutiny Committee held on 6<sup>th</sup> July 2010.

	<b>PAGE NUMBER</b>	<b>WARD(S) AFFECTED</b>
<b>5.2 Any Unrestricted Decisions "Called in" by the Overview &amp; Scrutiny Committee</b>		
(Under provisions of Article 6 Para 6.02 V of the Constitution).		
Nil items.		
<b>UNRESTRICTED REPORTS FOR CONSIDERATION</b>		
<b>6. A GREAT PLACE TO LIVE</b>		
<b>6.1 Idea Store Strategy Action Plan Update - Idea Store Metro Watney Market and One Stop Shop (CAB 010/101)</b>	<b>31 - 58</b>	<b>All Wards;</b>
<b>6.2 Council Housing Finance Reform Prospectus - Implications for Tower Hamlets and Proposed Response (CAB 011/101)</b>	<b>59 - 74</b>	<b>All Wards;</b>
<b>7. A PROSPEROUS COMMUNITY</b>		
<b>7.1 Contracts Forward Plan (CAB 012/101)</b>	<b>75 - 86</b>	<b>All Wards;</b>
<b>7.2 Children, Schools and Families Capital Programme (CAB 013/101)</b>	<b>87 - 104</b>	<b>All Wards;</b>
<b>8. A SAFE AND SUPPORTIVE COMMUNITY</b>		
Nil items.		
<b>9. A HEALTHY COMMUNITY</b>		
Nil items.		
<b>10. ONE TOWER HAMLETS</b>		
<b>10.1 Single Equality Framework 2010/11 (CAB 014/101)</b>	<b>105 - 134</b>	<b>All Wards;</b>
<b>10.2 2010/11 In Year Budget Savings (CAB 015/101) - To Follow</b>		<b>All Wards;</b>
<b>10.3 Petitions Scheme (CAB 016/101)</b>	<b>135 - 156</b>	<b>All Wards;</b>
<b>11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT</b>		
To consider any other unrestricted business that the Chair considers to be urgent.		

**12. UNRESTRICTED REPORTS FOR  
INFORMATION**

Nil items.

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

In view of the contents of the remaining items on the agenda, the Committee is recommended to adopt the following motion:

“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.

**14. EXEMPT / CONFIDENTIAL MINUTES**

**157 - 162**

To confirm as a correct record of the proceedings the exempt / confidential minutes of the ordinary meeting of the Cabinet held on 9<sup>th</sup> June 2010.

**15. OVERVIEW & SCRUTINY COMMITTEE**

**15 .1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.**

To receive any advice of key issues in relation to the exempt/ confidential business of the meeting of the Overview and Scrutiny Committee held on 6<sup>th</sup> July 2010.

**15 .2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

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

Nil items.

**EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

**16. A GREAT PLACE TO LIVE**

Nil items.

**17. A PROSPEROUS COMMUNITY**

Nil items.

**18. A SAFE AND SUPPORTIVE COMMUNITY**

Nil items.

**19. A HEALTHY COMMUNITY**

Nil items.

**20. ONE TOWER HAMLETS**

Nil items.

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

To consider any other exempt/ confidential business that the Chair considers to be urgent.

**22. EXEMPT / CONFIDENTIAL REPORTS FOR  
INFORMATION**

Nil items.

**SCRUTINY PROCESS**

The Overview and Scrutiny Committee, at its meeting on **Tuesday 3<sup>rd</sup> August 2010** may scrutinise provisional decisions made in respect of any of the reports attached, if it is "called in" by **five** or more Councillors except where the decision involves a recommendation to full Council.

The deadline for "Call-in" is: Friday 16<sup>th</sup> July 2010 (5.00 p.m.)

The deadline for Deputations is: Wednesday 28<sup>th</sup> July 2010 (5.00 p.m.)

Councillors wishing to "call-in" a provisional decision, or members of the public wishing to submit a deputation request, should contact: **John Williams**  
**Service Head Democratic Services:**  
**020 7364 4205**



# Agenda Annex

## LOCATION

Ecology Centre – Grove Road, off Haverfield Road, London E3 5TW.

Directions from Mile End Tube station (Zone 2, Hammersmith & City, District & Central Lines):

Turn left out of the station and cross over Bow Road. Turning right into Grove Road, the Ecology Centre is located on the left hand side of Grove Road (heading towards Roman Road) and is approximately a 7 minute walk.

Buses – 277 and D6 stop outside the venue.

Car parking is very limited in the area and the local streets operate a resident's parking permit system until 5.30pm (check road signs for full details) and are regularly patrolled by traffic wardens.







# Agenda Item 2

## DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

### Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

**What constitutes a prejudicial interest?** - Please refer to paragraph 6 of the adopted Code of Conduct.

**Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-**

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 9 JUNE 2010**

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

**Members Present:**

Councillor Helal Abbas (Chair)	(Leader of the Council)
Councillor Shahed Ali	(Lead Member, Environment)
Councillor David Edgar	(Lead Member, Resources)
Councillor Marc Francis	(Lead Member, Housing, Heritage and Planning)
Councillor Sirajul Islam	(Lead Member, Regeneration and Employment)
Councillor Denise Jones	(Lead Member, Culture and Creative Industries)
Councillor Shiria Khatun	(Lead Member, Children's Services)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Rachael Saunders	(Lead Member, Health and Wellbeing)
Councillor Abdal Ullah	(Lead Member, Community Safety)

**Other Councillors Present:**

Councillor Stephanie Eaton	(Leader, Liberal Democrat Group)
Councillor Judith Gardiner	
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)

**Others Present:**

**Officers Present:**

Mohammed Ahad	– (Scrutiny Policy Officer, Scrutiny & Equalities, Chief Executive's)
Isobel Cattermole	– (Acting Corporate Director, Children, Schools & Families)
Kevan Collins	– (Chief Executive)
Colin Cormack	– (Service Head Housing Options, Development & Renewal)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Jim Elliott	– (Lettings Policy Advisor, Development & Renewal)
Isabella Freeman	– (Assistant Chief Executive [Legal Services])
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)

Afazul Hoque	– (Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
Lorraine Johnson	– (Communications Officer, Corporate Communications, Chief Executive's)
Paul Leeson	– (Finance Manager, Development & Renewal)
Firuz Miah	– (Future Jobs Fund Placement, Democratic Services, Chief Executive's)
Chris Naylor	– (Corporate Director, Resources)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
Chris Saunders	– (Interim Political Advisor to the Labour Group)
Takki Sulaiman	– (Service Head Communications, Chief Executive's)
Helen Taylor	– (Acting Corporate Director Adults Health & Wellbeing)
Paul Thorogood	– (Senior Accountant, Development & Renewal)
Matthew Vaughan	– (Political Advisor to the Conservative Group)
James Walsh	– (Housing Regeneration Officer, Development & Renewal)
Chris Worby	– (Interim Service Head, Regeneration, Development & Renewal)
Angus Taylor	– (Executive Team Leader, Democratic Services, Chief Executive's)

### **COUNCILLOR H. ABBAS (CHAIR) IN THE CHAIR**

The Chair opened the meeting by:

- Introducing himself, and welcoming all those present to the first Cabinet meeting of the new Council Year and also the new Labour Administration.
- Advising that the current Cabinet would be in place until the election of an Executive Mayor in October 2010.
- Commenting that there were difficult times ahead for the Council, as the agenda item on the Government announcement of in year spending cuts indicated, and it remained to be seen how this would impact on the authority.
- Expressing his aspiration that Cabinet meetings should be as accessible and transparent as possible. Accordingly he had asked for arrangements to be made for the forthcoming Cabinet meetings prior to the Mayoral election to be held in the Community with a view to promoting resident attendance and engagement.

#### **1. APOLOGIES FOR ABSENCE**

The clerk advised that no apologies for absence had been received.

## 2. DECLARATIONS OF INTEREST

**Councillor S. Ali** declared a personal interest in Agenda Item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate and Councillor Ali had been a member of the Authority's Strategic Development Committee when the application for planning consent associated with the regeneration proposals for the Ocean Estate had been considered.

**Councillor D. Jones** declared a personal interest in Agenda item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration of interest was made on the basis that the report contained recommendations relating to the Tower Hamlets Primary Care Trust and Councillor Jones was a non-executive member of the governing body of the Tower Hamlets Primary Care Trust.

**Councillor S. Khatun** declared a personal interest in Agenda Item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate and Councillor Khatun had been a member of the Authority's Strategic Development Committee when the application for planning consent associated with the regeneration proposals for the Ocean Estate had been considered.

**Councillor A. Ullah** declared a personal interest in Agenda item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan's and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan's and Stepney Green Ward.

**Councillor S. Islam** declared a personal interest in Agenda item 6.2 "Lettings Policy and Lettings Plan" (CAB 002/101). The declaration of interest was made on the basis that the report contained recommendations relating to the Authority's Lettings Policy (which determines nominations from the Common Housing Register for properties in the ownership of the Authority (managed by Tower Hamlets Homes)) and Councillor Islam was a tenant of Tower Hamlets Homes and also on the Common Housing Register (also known as the Housing Waiting List).

**Councillor D. Jones** declared a personal interest in Agenda Item 7.1 "Children and Young People's Plan Annual Review 2009-10" (CAB 004/101). The declaration was made on the basis that the report contained recommendations relating to secondary schools in general and Councillor Jones was a member of the governing body of Mulberry Secondary School.

**Councillor D. Jones** declared a personal interest in Agenda Item 7.2 “Establishment of a Children and Families Trust Board for Tower Hamlets” (CAB 005/101). The declaration was made on the basis that the report contained recommendations relating to secondary schools in general and Councillor Jones was a member of the governing body of Mulberry Secondary School.

**Noted.**

### **3. UNRESTRICTED MINUTES**

The Chair **Moved** and it was: -

#### **Resolved**

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 7<sup>th</sup> April 2010 be approved and signed by the Chair, as a correct record of the proceedings.

### **4. DEPUTATIONS & PETITIONS**

The clerk advised that the Assistant Chief Executive had received no requests for deputations or petitions in respect of the business contained in the agenda.

### **5. OVERVIEW & SCRUTINY COMMITTEE**

#### **5.1 Chair's advice of Key Issues or Questions in relation to Unrestricted Business to be considered**

The Chair informed members of the Cabinet that Councillor Jackson, Chair of the Overview and Scrutiny Committee, had **Tabled** a sheet of questions/ comments arising from the deliberations of the Overview and Scrutiny Committee, held on 8<sup>th</sup> June 2010, in respect of the unrestricted business contained in the agenda for consideration, a copy of which would be interleaved with the minutes.

Councillor Jackson, Chair of the Overview and Scrutiny Committee, addressed members of the Cabinet:

- Reporting the election of Councillor R. Ahmed as Vice- Chair of the Overview and Scrutiny Committee for the Municipal Year 2010/11; and the appointment of six Scrutiny Lead Members by the Overview and Scrutiny Committee.
- Reporting consideration and agreement by the Overview and Scrutiny Committee of a scrutiny review on child obesity, including a series of positive recommendations which it was hoped the Cabinet would

consider and endorse, in due course, and the Authority would subsequently implement.

- *Key Issues or Questions (Pre Scrutiny)*  
Briefly outlining the questions/ comments raised by the Overview and Scrutiny Committee, as set out in the tabled paper regarding: -
  - Item 6.1 “Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration”
  - Item 6.2 “Lettings Policy and Lettings Plan”
  - Item 7.1 “Children and Young People's Plan Annual Review 2009-10”
- Expressing the aspiration of joint working over the coming year with the Cabinet Lead Members in relation to a number of scrutiny reviews including that on arrangements for an Executive Mayor.

Councillor Francis, Lead Member Housing, Heritage and Planning, commented that pre-scrutiny questions and comments from the Overview and Scrutiny Committee were invariably constructive and often prompted consideration of the reports contained in the agenda from a different perspective. He therefore considered that it would be helpful for members of the Cabinet to receive all the questions and comments, and not only those relating to their own Lead Member portfolios, as soon as possible prior to the Cabinet meeting. This would allow a greater opportunity to reflect on the matters raised and better inform Cabinet consideration of these agenda items. Accordingly he proposed, for the consideration of members of the Cabinet:

“That the questions and comments of the Overview and Scrutiny Committee be circulated to all members of Cabinet at the earliest opportunity prior to the Cabinet meeting.”

The Chair thanked Councillor Jackson for presenting the contribution of the Overview and Scrutiny Committee, and welcomed the prospect of partnership working in the months ahead. He further emphasised the importance he and the new Cabinet placed on the role of Scrutiny in giving detailed consideration to areas that the Cabinet had not, and also to holding the Cabinet to account for their decisions; and gave an assurance that any concerns or matters raised by the Overview and Scrutiny Committee would be given full consideration. The Chair then **Moved** (taking account of the proposal made by Councillor Francis); and it was: -

### **Resolved**

1. That the questions and comments of the Overview and Scrutiny Committee be noted, and that these be given consideration during the Cabinet deliberation of the items of business to which the questions/ comments related.
2. That the questions and comments of the Overview and Scrutiny Committee be circulated to all members of Cabinet at the earliest opportunity prior to the Cabinet meeting.

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

The Clerk advised that no provisional decisions taken by the Cabinet, at its meeting held on 7<sup>th</sup> April 2010, had been referred back to Cabinet, by the Overview and Scrutiny Committee, for further consideration.

## 6. A GREAT PLACE TO LIVE

### 6.1 Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration (CAB 001/101)

**Councillor S. Ali** declared a personal interest in Agenda Item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate and Councillor Ali had been a member of the Authority's Strategic Development Committee when the application for planning consent associated with the regeneration proposals for the Ocean Estate had been considered.

**Councillor D. Jones** declared a personal interest in Agenda item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration of interest was made on the basis that the report contained recommendations relating to the Tower Hamlets Primary Care Trust and Councillor Jones was a non-executive member of the governing body of the Tower Hamlets Primary Care Trust.

**Councillor S. Khatun** declared a personal interest in Agenda Item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate and Councillor Khatun had been a member of the Authority's Strategic Development Committee when the application for planning consent associated with the regeneration proposals for the Ocean Estate had been considered.

**Councillor A. Ullah** declared a personal interest in Agenda item 6.1 "Ocean New Deal for Communities - Delivery Plan for 2010/11 - Ocean Estate Regeneration" (CAB 001/101). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan's and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan's and Stepney Green Ward.

Ms Odunoye, Service Head Strategy Regeneration and Sustainability, at the request of the Chair, in introducing the report:

- Summarised the key points contained therein, highlighting in particular:



- Agreement by the Department for Communities and Local Government to extend the New Deal for Communities (NDC) Programme for 1 year, and permit the rollover of £5 million of NDC resources into 2010/11, to finalise the regeneration of housing, environment and community facilities. Also, the consequent need for Cabinet approval of revisions to the NDC Delivery Plan and succession strategy previously approved by it.
- The rationale for and need for Cabinet approval of the proposed appropriation of specific land and buildings at the Ocean Estate for planning purposes and subsequent valuation and accounting treatment of these Council freehold interests thereafter.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 8<sup>th</sup> June 2010, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings:

A discussion followed, during which both progress to date towards the delivery of the NDC Programme and the proposals in the report were broadly welcomed, and which focused on the following points:-

- Commented that the revision of the NDC Delivery Plan to reflect its extended life had provided an opportunity to examine progress over the past 12 months and accelerate some of the desired outcomes. The pilot refurbishment programme had been a success, after initial concerns regarding contractor maintenance of the site had been addressed. On a recent site visit, by the Leader of the Council and the Lead Member, it had been apparent that tenants were happy with their newly installed kitchens and bathrooms and this element of the regeneration scheme would now be rolled out to a further 30 households. The Cabinet were keen to carry out the physical regeneration of the estate as quickly as possible, and the rollover of £5 million of resources would be utilised to this end.
- The Officer team was formally thanked for the timely completion of the relevant documentation, for the Ocean Estate regeneration scheme, particularly the legal aspects, before the close of the financial year 2009/10, which had mitigated the risk of losing substantial funding. Ms Odunoye, Service Head Strategy Regeneration and Sustainability, was thanked for her contribution together with Ms B. Daly, Chair of the Ocean TRA.
- That consideration be given to the continued support, financially or by other means, of partner organisations such as the Ocean TRA, which were widely acknowledged to undertake good work in the community. The Lead Member gave an assurance that the Authority would continue to work closely with the Ocean TRA, whose contribution to development and progression of the regeneration scheme had proved invaluable.
- With reference to the Retail Strategy, set out within the 2010/11 NDC Delivery Plan, attached at Appendix A to the report, clarification/assurance was sought and given that retail traders whose business premises were lost as a consequence of demolition under regeneration scheme would be treated with sensitivity, every endeavour made by the Authority to identify alternative retail space for them and also to

- protect their interests in the context of the development of a small anchor store.
- With reference to the Succession and Legacy sections of the 2010/11 NDC Delivery Plan, attached at Appendix A to the report, and concerns relayed to Members in this context, clarification/ assurance was sought and given regarding the level of scrutiny applied to the Community Consortium Against Poverty (CCAP), CCAP performance to date in delivering programme outcomes and the Authority's level of involvement scrutiny and monitoring. Councillor Peck, Deputy Leader of the Council and Vice-Chair, whilst in part assured by Officer assurances, remained concerned and requested that the appropriate Chief Officer provide him with further details regarding the performance monitoring of targets in this regard. Mr Collins, Chief Executive, reported that detailed work was already underway to identify quantifiable evidence of performance against targets, and this would be reported to members of the Cabinet. Councillor Eaton, speaking with the consent of the Cabinet, requested that she also be provided with the information.
  - Clarification/assurance also sought and given regarding:
    - Submission of the NDC Delivery Plan in the context of discontinuation of Government Office for London.
    - Comments of the Chief Financial Officer (paragraph 11.5) relating to certification of the value of appropriated land.
    - Usage of terminology in the Concurrent Report of the Assistant Chief Executive (Legal) lacking in definitive clarity (paragraph 12.2).
    - Whether the new Primary Care Trust surgery at the Harford Street Community Facility (Appendix B Succession Strategy page 10) was included in the fit out or to be undertaken separately.

The Chair **Moved** the recommendations, as set out in the report, and it was: -

### **Resolved**

1. That the 2010/11 New Deal for Communities Delivery Plan, as set out in Appendix A to the report (CAB 001/101), be approved;
2. That the Corporate Director of Development and Renewal, after consultation with the Lead Member Regeneration and Employment, be authorised to finalise the plan, making any appropriate and necessary minor amendments prior to submission to Government Office for London (GOL);
3. That the amendments to the previously agreed succession strategy for the Ocean NDC, as set out in Appendix B of the report (CAB 001/101) and outlined in paragraph 6.1 of the report, be approved;
4. That the appropriation for planning purposes of land and buildings comprising the Council's freehold interest within site E shown on the

Plan attached to the report (CAB 001/101), pursuant to s122 of the Local Government Act 1972 be approved; and

5. That the freehold interest of the site E shown on the Plan attached to the report (CAB 001/101) be appropriated from the Housing Revenue Account to the Council's General Fund and held there for planning purposes.

## 6.2 Lettings Policy and Lettings Plan (CAB 002/101)

**Councillor S. Islam** declared a personal interest in Agenda item 6.2 "Lettings Policy and Lettings Plan" (CAB 002/101). The declaration of interest was made on the basis that the report contained recommendations relating to the Authority's Lettings Policy (which determines nominations from the Common Housing Register for properties in the ownership of the Authority (managed by Tower Hamlets Homes) and Councillor Islam was a tenant of Tower Hamlets Homes and also on the Common Housing Register (also known as the Housing Waiting List).

Mr Cormack, Service Head Housing Options, at the request of the Chair, in introducing the report:

- Summarised the key points contained therein, highlighting in particular:
  - That this was the first report to Members on likely activities under the Authority's allocations policy, following Cabinet agreement of a new Lettings Policy in March 2010. Officers considered it important to indicate early on how the policy was likely to work, rather than report the outcome of monitoring at year end, and risk a pattern of lettings developing which was not congruent with the housing strategy and priorities of the Authority and its partners. These priorities included a new emphasis on reduction of overcrowding without taking away the emphasis on homelessness.
  - The proposed Lettings Plan, informed by the assessment of the likely lettings activity, set out an overall direction for the allocation of the available supply of housing over the coming year to meet statutory obligations and the priorities of the Council and its partners.
  - The Lettings Policy had been agreed in March, subject to final amendments to the quota of lettings to be made available to applicants from Band 3, and this quota was now proposed for agreement.
  - The opportunity of developing the Lettings Plan had been taken to review the Band 1 priority target groups and capture the numbers from the early monitoring of allocations work.
  - There had been no intention on the part of the previous Administration to cap bidding for housing under the Choice Based Lettings system, when the new Lettings Policy had been adopted in March 2010, however this position had not been captured in the agreed policy. It was now proposed that this

omission be mitigated with a small amendment to the current Lettings Policy.

- Addressed the matters raised by the Overview and Scrutiny Committee, held on 8<sup>th</sup> June 2010, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings:

A discussion followed, during which the proposals in the report were broadly welcomed, and which focused on the following points:-

- The Officer team was formally thanked for their contribution in bringing these proposals forward.
- It was emphasised that there had been no intention to introduce restricted bidding for housing, under Choice Based Lettings, when the Lettings Policy had been adopted in March 2010 and the proposal to capture that position with a further review to the Lettings Policy was welcomed.
- Consideration that introduction of a fair and transparent Lettings Policy, whereby applicants for housing could see why others had been prioritised ahead of them, reinforced with effective allocation of social housing, would ensure that community cohesion was no longer undermined, as had been the case historically.
- Councillor Francis, Lead Member Housing Heritage and Planning, considered it appropriate that the annual quota of lettings to be made available under the Lettings Policy for applicants in Band 3 be increased to 5% rather than the 3% recommended in the report. Accordingly he proposed an amendment to the recommendations set out in paragraph 2.2.2 of the report, for the consideration of members of the Cabinet.
- Councillor Peck, Deputy Leader of the Council and Vice-Chair, thanked the Lead Member Housing Heritage and Planning, for identifying that a quota operated for foster carers in relation to housing lettings. He commented that, as a long standing member of the Corporate Parenting Steering Group [charged with protecting the interests of looked after children in Tower Hamlets], he had long been aware of a problem whereby families wishing to provide foster care, but lacking a sufficient number of rooms, were not being prioritised for housing in a way which was delivering the desired outcome. One consequence was that these children were fostered outside the borough and therefore not able to benefit from the good schools and other benefits available to them in Tower Hamlets. He noted that the figures for this Band 1 priority target group, set out at appendix 2 to the Lettings Plan appended to the report, indicated that no foster carer households had received a let in 2009/10, that 8 households needed accommodation with the appropriate number of rooms, but no target had been set for 2010/11. He considered that current arrangements for prioritising applications for housing from foster carer households were not delivering, and setting a target would drive performance in this area with a massive impact for the small number of vulnerable children needing foster care. He also considered it imperative that officers from the 2 directorates responsible for Children and Housing work closely to

ensure that foster carer households understood how they qualified for housing priority and how to make an appropriate bid. Officers acknowledged the need for joint working and intervention action. Accordingly he proposed the following amendment to the recommendations set out in the report:

“That a 2010/2011 target for Band 1 Group B Priority Target Group – foster carers, be set at 8 lets.”

A discussion ensued as to the positives and negatives of setting a minimum target for foster carer households during which the Lead Member Housing Heritage and Planning concurred that the introduction of a target was appropriate as no foster carer households had been housed in 2009/10 despite being a priority target group.

- Clarification/ assurance was sought and given regarding:
  - Whether the Authority was making optimum use of ICT, and provision of information on the internet in particular, to facilitate informed choices and increased control of outcomes by applicants for housing under Choice Based Lettings.
  - Whether the quota for the Band 1 priority target group of care workers had been increased and who made the application for this the individuals needing care or the key worker.

The Chair **Moved** the recommendations set out in the report (taking account of the amendments proposed by Councillor Francis and Councillor Peck); and it was:-

### **Resolved**

1. That it be noted that the impact of the New Lettings Policy will be monitored for 6 months in order to assess whether broad targets are required in 2010/2011;
2. That, subject to resolution 6. below, the Lettings Plan for 2010/2011, as set out in paragraphs 6.12 to 6.28, Appendix 2 of the report (CAB 002/101) and further as part of the Lettings Plan, be agreed;
3. That 5% of annual lettings should be made available to applicants in Band 3 of the new Lettings Policy as set out in paragraph 6.23 of the report (CAB 002/101);
4. That unlimited bidding in the new Lettings Policy be retained with a review in one year's time;
5. That, subject to resolution 6. below, the amended New Lettings Policy, attached to the report (CAB 002/101) as Appendix 1, be agreed; and
6. That a 2010/2011 target for Band 1 Group B Priority Target Group – foster carers, be set at 8 lets.

### **6.3 Implications and recommended response to the Government's prospectus on Council Housing Finance (To Follow) (CAB 003/101)**

The clerk advised that the report had been withdrawn upon the advice of Mr Dalvi, Corporate Director Development and Renewal, as the matter would be progressed by Officers under delegated authority. However a subsequent report might be submitted for future Cabinet consideration.

## 7. A PROSPEROUS COMMUNITY

### 7.1 Children and Young People's Plan Annual Review 2009-10 (CAB 004/101)

**Councillor D. Jones** declared a personal interest in Agenda Item 7.1 "Children and Young People's Plan Annual Review 2009-10" (CAB 004/101). The declaration was made on the basis that the report contained recommendations relating to secondary schools in general and Councillor Jones was a member of the governing body of Mulberry Secondary School.

Ms Cattermole, Acting Corporate Director Children, Schools and Families, at the request of the Chair, in introducing the report:

- Summarised the key points contained therein:
  - Commenting that the 3 year Children and Young People's Plan (CYPP) approved by Cabinet in March 2009 had been refreshed and re-approved by Cabinet in April 2010. The CYPP set out the vision of the Tower Hamlets Partnership for children, young people and families in the borough and therefore determined the programme of activities undertaken by the Council and its partners, as well as setting out key performance indicators for these activities. The Authority had high aspirations for its children and young people and the targets set were consequently challenging.
  - Highlighting key performance achievements:
    - 17 indicators, where end of year data was available, showed improved performance on 2008/9.
    - Reduction of teenage pregnancy was the best performance in London and 3<sup>rd</sup> best nationally.
    - Implementation of the Integrated Pathways Team secured earlier referral to appropriate intervention for children at risk. A recent unannounced Ofsted inspection gave positive feedback on child protection services.
    - Summer 2009 saw achievement of the best ever GCSE results, with improvement at twice the national rate.
    - One of the smallest gaps nationally for academic achievement between pupils eligible for school meals and their peers had been achieved.
    - Extension of the reach of youth provision across the borough with engagement of 50% of young people in youth activities.

- Increased engagement with sports and outdoor activities with 400 teenagers signed up for the Duke of Edinburgh award, double the number in 2008/9.
- Child Poverty levels reduced by 3.4% to 48%, a positive direction of travel.
- Rebuilding and refurbishing schools through a Building Schools for the Future (BSF) programme at a pace second to none: first completed sixth form college, on site in 6 secondary schools with 1<sup>st</sup> secondary school to open at St Paul's Way in January 2011. 31 primary schools had received significant funding to improve.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 8<sup>th</sup> June 2010, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings:

A discussion followed, during which the proposals in the report were broadly welcomed, and which focused on the following points:-

- Ms Cattermole, Acting Corporate Director Children, Schools and Families and her Officer team were formally thanked for their contribution to the achievement of improved performance detailed in the report.
- The improvement in volunteering opportunities was particularly welcomed by the new Lead Member Children's Services.
- Concern was expressed that survey results of young people which indicated that 82% felt safe in their local area was not a reflection of the reality on the ground, as anecdotal evidence received, and experience of lower level violence and intimidation on the door step election campaign belied this. Consideration also that the programme of activities for the Every Child Matters (ECM) theme "Stay Safe" – Priority 1 "Protect children and young people from harm and support them to feel safe and confident in their area and beyond" was inadequate and behind the curve, with the associated targets requiring clarity. Clarification/ assurance was given in relation to the source of the data, the initiatives being undertaken in schools around youth violence and young people's perception of a safe environment, also the targeting of hot spots of youth violence by the joint tasking group (police and safer neighbourhood teams). The Acting Corporate Director undertook to report the detail of this work to members of the Cabinet but advised that Officers were preparing a report on youth violence in the borough for Member consideration in June/ July.
- Concern was expressed that the activities associated with the theme "Local Priorities" – LAPs 5 & 6 – "Establishing additional youth services in the west of LAP 5 continued not to address the needs of the west of the borough", which had suffered historically from lower levels of youth provision, and additional resources were required. Also the joint sessions at Caxton Hall had not been undertaken due to staff absence or leave. Clarification was given as to the rationale for resource allocation in this area, and the Acting Corporate Director undertook to provide members of the Cabinet with an analysis of related spend and activity provision by LAP.

- Clarification/ assurance was sought and given, with reference to extension of youth provision across the borough with engagement reaching 50% of teenagers, as to how this compared with other similar boroughs and what aspirations there were to improve it further. Also as to what measures were being taken to engage young women with youth service provision, given they had been less engaged than young men historically. Another Cabinet member commented that the offer to youth in the borough was now fantastic, having greatly improved over recent years and made particularly attractive with the extended hours provision.
- Clarification/ assurance was sought and given as to specific initiatives undertaken which had led to the reduction in child poverty indicated in the report. The Acting Corporate Director undertook to provide members of the Cabinet with information on the initiatives being undertaken with the Child Poverty Strategy.
- Clarification/ assurance was sought and given, with reference to ECM theme “Make a Positive Contribution” - Priority 2 “Increase community cohesion among our children, young people and their families” as to initiatives to build community cohesion in primary schools with a predominantly Bangladeshi and other BME cohort. The Acting Corporate Director undertook to provide Councillor Islam, Lead Member Regeneration and Employment, with information on the initiatives being undertaken.
- Concern was expressed regarding the adequacy of youth service provision in the Bethnal Green area which appeared not to have seen the uplift of other LAPs. Current provision was limited to the Wessex Centre but there were issues with space and cost that remained unresolved. Clarification/ assurance was given by the Acting Corporate Director.
- Clarification was sought and given, with reference to the priority of reducing child obesity, as to whether the opportunity to engage with parents of reception year children, and disseminate appropriate information to them, was being optimised. The chair requested that Councillor Ali be provided with a copy of the recent scrutiny review report on child obesity.
- Clarification/ assurance was sought and given, with reference to theme “Local Priorities” – LAPs 3&4 – “Increase the variety of and quality of activities at youth clubs making sure that diverse groups of young people are engaged”, as to:
  - The current position with the refurbishment and development of plans for the Haileybury Youth Club.
  - The medium and long term future of the Redcoats Youth Club, and in particular if this temporary arrangement proved to be successful it could be retained. The Acting Corporate Director undertook to provide Councillor Ullah, Lead Member Community Safety with a written response.
- Commented that a large number of young people were attending university but were not being signposted to opportunities to improve employment related skills linked to local and regional labour market opportunities such as the Olympics and Crossrail. Clarification sought



and given in relation to duty of schools to provide this signposting and associated initiatives. The Acting Corporate Director undertook to provide Councillor Saunders, Lead Member Health and Wellbeing with the booklet of information provided to parents.

- Clarification/ assurance was sought and given, regarding plans to meet the future need for improved service provision resulting from a demographic bulge in Mile End East.
- Clarification/ assurance was sought, with reference to theme “Local Priorities” – LAPs 5 & 6 – “Establishing additional youth services in the west of LAP 5 “ as to initiatives to improve youth service provision at the Eleanor Street Travellers’ Site. The Acting Corporate Director undertook to provide Councillor Saunders, Lead Member Health and Wellbeing with a written response/ information.
- Clarification/ assurance was sought and given as to the per capita spend on youth service provision and comparatives with other London boroughs, and nationally. The Acting Corporate Director undertook to provide members of the Cabinet with the detail in writing.

Mr Collins, Chief Executive, informed members of the Cabinet that, following a recent Government announcement which could impact on the future relationship between schools and local authorities, he had met with all head teachers that day. He was pleased to report that they wished to remain in the Tower Hamlets community of schools, and that the matter would now be discussed with school governing bodies, with a view to ensuring that the best facilities possible were provided to young people in Tower Hamlets.

The Chair commented that:

- The amount of work already done to improve provision of services for young people in Tower Hamlets must not be underestimated, and he endorsed the formal thanks of the Lead Member to Ms Cattermole, Acting Corporate Director Children, Schools and Families and her Officer team for their contribution to the achievement of improved performance as detailed in the report.
- The Authority and the Administration could take pride in its Youth Service. However it was acknowledged that there was a perception in the Community that little or not enough was being provided by the Council in terms of youth services and this needed to be taken seriously and addressed.
- A strategic rather than parochial approach was essential when examining youth service provision, as there was One Tower Hamlets. Some areas had more youth facilities than others, but the key issue was how to ensure that residents had the opportunity to access service provision, and young people were encouraged to travel to where provision was available.

The Chair then requested that Officers take account of the comments/ suggestions made by members of the Cabinet, and in particular those to improve progress in relation to CYPP activities and targets in the year ahead; and subsequently **Moved** that:

“The assessment of the first year’s progress against the current three year CYPP 2009-2012, recommended for Cabinet consideration in the recommendation contained in paragraph 2.1 of the report, be noted.”

Together with the following additional recommendation for the consideration of members of the Cabinet:

“That a further report on progress against targets within the CYPP 2009-2012, be brought forward for Cabinet consideration.”

and it was: -

**Resolved:**

1. That the assessment of the first year year’s progress against the current three-year CYPP 2009-2012 be noted; and
2. That a further report on progress against targets within the CYPP 2009-2012, be brought forward for Cabinet consideration.

**7.2 Establishment of a Children and Families Trust Board for Tower Hamlets (CAB 005/101)**

**Councillor D. Jones** declared a personal interest in Agenda Item 7.2 “Establishment of a Children and Families Trust Board for Tower Hamlets” (CAB 005/101). The declaration was made on the basis that the report contained recommendations relating to secondary schools in general and Councillor Jones was a member of the governing body of Mulberry Secondary School.

Ms Cattermole, Acting Corporate Director Children, Schools and Families, at the request of the Chair, in introducing the report summarised the key points contained therein, highlighting in particular:

- The proposed changes to Children’s Trust arrangements in Tower Hamlets were required to meet new statutory requirements.
- The review of arrangements included a very wide ranging consultation including Trust partners, third sector service providers and young people.
- The proposed governance structure aimed to build on the strengths of existing arrangements, address concerns highlighted in the review, and ensure that services for children were commissioned and developed effectively to make optimum use of resources and achieve better outcomes.

A discussion followed which focused on the points set out below:-

- The focus on setting shared priorities for children and young people, joined up working and joint commissioning was welcomed.
- Concern was expressed that the proposed organisational structure of the Children and Families Trust Board (CFTB) was overly bureaucratic and layered, with 12 separate commissioning groups and specialist

commissioning groups in addition, and not congruent with the current environment of fiscal constraint. Concern also that the terms of reference of the different groups would result in the operational support and costs falling on the Authority when the costs should be at least shared by the statutory partners of the Board. Consideration therefore that the proposals should be remitted for 1 month to allow for review with a focus on more streamlined and efficient arrangements.

- Concern was also expressed regarding the membership of the CFTB and that this be the subject of review and reported back to Cabinet.
- Officers responded that there was no option for non-introduction of new arrangements as these were a Government requirement, and the proposals also responded to detailed statutory guidance as to implementation. However it was known that the new Secretary of State intended to review such trusts nationally. There was also a need to ensure that services were commissioned and developed to produce optimum outcomes for children and young people, and this could only be achieved through detailed discussion with partners drilling down to services delivered and outcomes expected. Where this had not happened the arrangements had gone awry. The Authority received a small amount of funding to operate the CFTB.
- Acknowledging the pressing need to set up the CFTB and taking account of the advice of the Acting Corporate Director Councillor Peck, Deputy Leader of the Council and Vice-Chair, commented that if remitting the report for 1 month for review was unviable, then the expertise of the Authority's Transformation Board should be applied to examining the organizational structure. Accordingly he proposed an additional recommendation, to that set out in the report, for the consideration of members of the Cabinet as follows:  
 "That an expeditious review of the membership and organisational structure of the Children and Families Trust Board be undertaken, by the Authority's Transformation Board, to assess the potential for more streamlined arrangements and the outcomes be reported back to Cabinet."

The Chair in **Moving** the recommendations set out in the report (taking account of the amendment proposed by Councillor Peck); and it was:-

### **Resolved**

1. That, subject to resolution 4 below, the establishment of a Children and Families Trust Board for Tower Hamlets with initial membership, as set out in Appendix 2 of the report (CAB 005/101), be agreed;
2. That, subject to resolution 4 below, it be agreed that the Children and Families Trust Board will operate in accordance with the organisational chart set out in Appendix 1 of the report (CAB 005/101) and the terms of reference in Appendix 2;
3. That it be agreed that the Chair of the Children and Families Trust Board will be the Lead Member for Children's Services; and

4. That an expeditious review of the membership and organisational structure of the Children and Families Trust Board be undertaken, by the Authority's Transformation Board, to assess the potential for more streamlined arrangements and the outcomes be reported back to Cabinet.

## 8. A SAFE AND SUPPORTIVE COMMUNITY

The Clerk advised that there were no business to be considered under this section of the agenda.

## 9. A HEALTHY COMMUNITY

The Clerk advised that there were no business to be considered under this section of the agenda.

## 10. ONE TOWER HAMLETS

### **Variation of Order of Business**

Following consideration of Agenda item 7.2 "Establishment of a Children and Families Trust Board for Tower Hamlets" and advisement by the clerk that there was no business to be considered under Sections 8 and 9 of the agenda the Chair Informed members of the Cabinet that:

- The clerk had advised that Agenda item 12.2 "Cabinet Sub-Bodies Terms of Reference and Membership" contained recommendations for consideration, but had been circulated, in error, within the section of the agenda comprising reports for information.
- The clerk had advised that Agenda item 11.1 "Government announcement of 6.2 billion in year spending cuts" published on Monday 7<sup>th</sup> June 2010, contained noting recommendations, but had been circulated, in error, within the section of the agenda comprising any other unrestricted business considered to be urgent (and therefore requiring consideration).

The Chair **Moved** (taking account of the advice of the clerk), and it was:-

### **Resolved**

That the Order of Business be varied so that:

- Agenda item 12.2 "Cabinet Sub-Bodies Terms of Reference and Membership" be considered as the next item of business. However the remaining reports for information (agenda items 12.1 "Cabinet Terms of Reference and Membership" and 12.3 "Exercise of Corporate Director Discretions") be taken in the sequence detailed in the order of business.
- Agenda item 11.1 "Government announcement of 6.2 billion in year spending cuts" be taken at the end of the section of the agenda comprising reports for information.

However for ease of reference the deliberations of the Cabinet, and subsequent decisions taken, are set out below in the order detailed in the agenda.

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

Nil Items.

**11.1 Government announcement of 6.2 billion in year spending cuts (CAB 009/101)**

Please note that the order of business was varied by resolution of the Cabinet earlier in the proceedings in order to allow this item of business to be taken within the section of the agenda for unrestricted reports for information following agenda item 12.3, however for ease of reference the deliberations of the Cabinet, and subsequent decisions taken, are set out below in the order detailed in the agenda.

The Chair informed members of the Cabinet that Councillor Edgar, Lead Member: Resources, had **Tabled** a **Motion** in relation to the recommendations set out in the report, a copy of which would be interleaved with the minutes.

Mr Naylor, Corporate Director Resources, at the request of the Chair, in introducing the report summarised the key points contained therein, highlighting in particular:

- The Authority had set a balanced budget for 2010/11 in line with the third year of its 3 year budget strategy.
- Government had recently announced £6.2 billion of in year spending cuts, of which the share for Local Government was approximately £1.2 billion. Detail was still lacking but a “rule of thumb” was that the London Borough of Tower Hamlets represented approximately 1% of local government expenditure in England and Wales and therefore its share of these spending cuts was likely to be of that order. London Councils had undertaken a more sophisticated analysis which projected the LBTH share of the cuts to be £8.5 to £10 million.
- Action was required immediately to close the savings gap and mitigate the risk of the Authority overspending in 2010/11. Officers had already actioned a temporary moratorium on new spend in the areas funded by grants likely to be the focus of the Government cuts.
- Government has also announced that ring-fenced grants to Local Government of a similar amount would have the ring-fence removed, which would allow for a more creative approach to meeting the savings gap across both the pool of grants and other Council budgets.
- It was intended that proposals of the scale required to meet the savings gap were submitted to the July Cabinet for consideration.

Councillor Edgar, Lead Member Resources, in **proposing** the tabled motion: -  
Commented:

- That the announcement of £6.2 billion of in year spending cuts was a major decision and a substantial figure which gave rise to concerns of

damaging the economic recovery if not a “double dip” recession. Concerns which had been shared by the Liberal Democrat “shadow chancellor”, Mr Vince Cable, before the General Election and Coalition Government.

- Tower Hamlets like other areas of high deprivation was dependent on the Government funding to carry out its activities and many areas were touched by this development, such as services for young people, activities to address anti-social behaviour and work with housing associations to provide housing and address overcrowding.
- It was essential that the process of identifying the savings needed was focused on the protection of front line services and the protection of the Community in the interest of all its residents. This was even more important when some of these residents would rely on Council services as a consequence of the impact of public sector cuts.
- He was confident that despite the scale of the savings, given the past record of the Authority in achieving efficiency savings, the organisation would identify ways to make the required savings. He considered that as part of this process Officers should be asked to:
  - Examine whether efficiency savings in the pipeline for 2010/11 could be brought forward.
  - Undertake detailed work to ensure the Authority optimised its use of space and in particular with a view to vacating Anchorage House [Clove Crescent, London E14].
  - Review workforce productivity arrangements particularly with reference to agency and temporary staff.
  - Examine the Members Allowances Scheme with a view to making savings.
  - Scrutinise grants effected by Government cuts to identify opportunities for efficiency savings in the back office rather than front line and opportunities as a result of de ring-fencing.

A discussion followed, during which the proposals in the report were endorsed, and which focused on the following points:-

- Councillor Edgar, Lead Member Resources thanked for bringing the proposals in the tabled motion forward to Cabinet.
- Noted that London Councils had analysed the cuts announced and produced a list of Councils that would lose out. Tower Hamlets was at the top with most to lose, alongside Newham and Hackney, whilst Kensington and Chelsea were at the bottom, with least to lose.
- The Coalition Government was considered to be lying shamefully about its approach to savings in public sector spending, as the swingeing cuts fell on the most deprived and needy. The Government approach was also considered to be shameful in a strategic sense: with mainstream grant, that all local authorities received, not targeted for cuts; but specialist grants directed at supporting the most vulnerable and deprived, such as those in poverty or with disabilities, targeted for cuts. This impacted on Tower Hamlets disproportionately, as it was acknowledged to be one of the most deprived in the country.
- The Authority had a track record of efficient service delivery, having achieved £5 million in efficiency savings over the last 5 years. This had

been difficult to achieve, so the prospect of identifying savings in the order of £10 million in year was daunting.

- The proposed approach of protecting frontline services and focusing savings on the back office was endorsed. It was considered sensible to endeavour to take some of the savings now that had been planned for future years. It was acknowledged that the Council would also need to reduce the footprint of its activities and squeeze all grants so every penny available was channelled to frontline services. This was the start of a very painful process for local residents and would change the way they lived much more than it would people of backgrounds such as the Prime Minister.
- Anger and frustration was expressed at the delay in Government communicating the detail of the spending cuts, which exacerbated the situation and the process of meeting the savings gap.
- A Liberal Democrat Member, speaking with the consent of the Cabinet:
  - Commented that prior to the Election the former Leader of the Council had publicly acknowledged that fiscal tightening would occur whatever the political composition of the next Government.
  - Commented that the Authority had in recent years adopted a prudent approach to its finances, which the Liberal Democrat Group had supported. Considered in that context, and given the severity of the fiscal situation, a cross party process of identifying savings, that did not impact on front line services, would be constructive.
  - Expressed dismay that the proposed cuts would impact disproportionately on Tower Hamlets and the most needy in the Community, and offered support in the lobbying of the Coalition Government in this regard.
- Whilst cross party support in lobbying Government in respect of the spending cuts for local government and Tower Hamlets in particular was welcome, these were in part due to the Liberal Democrat participation in the Coalition Government and support for the Conservative cuts agenda, a policy it had not espoused during the General Election campaign.

The Chair considered that it was essential to be proactive and work together to identify a way to meet the savings gap, and accordingly formally **Seconded** the motion as tabled; and it was:-

### **Resolved**

1. That the priority in responding to public sector spending cuts made by the Government should be to focus on protecting the delivery of frontline services, in particular, our priority of achieving a safe and secure community for all our residents;
2. That the record of the Council in achieving significant efficiency savings in previous years, be noted;

3. That the contents of the report (CAB 009/101) be noted, and Officers be commissioned to undertake the following activity:
  - a) Consider whether efficiency proposals in the pipeline for the financial year 2011/12 can be brought forward into this financial year.
  - b) Carry out detailed work on vacating Anchorage House to allow a decision to be made in the summer, review workforce productivity arrangements with specific reference to the deployment of agency and temporary workers, and the Members' Scheme.
  - c) Scrutinise the allocation of grants in-scope for Government reduction and identify opportunities for efficiency savings, in particular those that might arise in the back office and those that may become available as a result of un-ring fencing.

## 12. UNRESTRICTED REPORTS FOR INFORMATION

### 12.1 Cabinet Terms of Reference and Membership (CAB 006/101)

The Chair **Moved** and it was: -

**Resolved:**

That the contents of the report (CAB 006/101) be noted.

### 12.2 Cabinet Sub-Bodies Terms of Reference and Membership (CAB 007/101)

Please note that the order of business was varied by resolution of the Cabinet earlier in the proceedings in order to allow this item to be considered within the section of the agenda for unrestricted reports for consideration at agenda item 10 "One Tower Hamlets", however for ease of reference the deliberations of the Cabinet, and subsequent decisions taken, are set out below in the order detailed in the agenda.

The Chair informed members of the Cabinet that he had **Tabled a Motion** for the consideration of members of the Cabinet, a copy of which would be interleaved with the minutes.

The short discussion that followed focused on the points set out below:-

- Clarification/ assurance was sought and given regarding the establishment and membership of the King George's Fields Charity Board.



- Clarification/ assurance was sought and given as to whether the Grants Appeals Panel had met in the previous Municipal Year and whether it was still required.

The Chair informed members of the Cabinet that he understood that the Authority’s constitution currently required an appeals mechanism to be in place for grant applicants wishing to appeals decisions made by the Grants Panel; however it would be appropriate for the Constitutional Working Party to examine whether the future establishment of a Grants Appeals Panel remained appropriate. Accordingly the Chair formally **Moved** the motion as tabled, together with the following additional proposal for the consideration of members of the Cabinet:-

“That the Constitutional Working Party examine whether the future establishment of a Grants Appeals Panel remains appropriate.”

and it was:-

**Resolved**

1. That the establishment of the Sub-Bodies listed at (a) and (b) below, to discharge functions on behalf of the Cabinet, with Terms of Reference, Membership and Quorum as set out in paragraphs 6.1 and 6.2 of the report (CAB 007/101), be agreed:
  - (a) Grants Panel
  - (b) Grants Appeals Panel
- 2) That the appointments to the Grants Panel and Grants Appeals Panel until 21 October 2010 in the Municipal Year 2010/2011, as set out below, be agreed: -

<b>Grants Panel</b>	
<i>Members</i>	<i>Substitutes</i>
Councillor Helal Abbas	Councillor Marc Francis
Councillor David Edgar	Councillor Abdal Ullah
Councillor Denise Jones	
Councillor Joshua Peck	
Councillor Shiria Khatun	

<b>Grants Appeals Panel</b>	
<i>Members</i>	<i>Substitutes</i>

Councillor Rachael Saunders	Councillor Shahed Ali
Councillor Sirajul Islam	

- 3) That the Constitutional Working Party examine whether the future establishment of a Grants Appeals Panel remains appropriate.

### 12.3 Exercise of Corporate Director Discretions (CAB 008/101)

The Chair **Moved** and it was: -

#### **Resolved**

That the exercise of Corporate Directors' discretions as set out in Appendix 1 of the report (CAB 008/101) be noted.

### 13. EXCLUSION OF THE PRESS AND PUBLIC

The Chair **Moved** and it was: -

#### **Resolved:**

That pursuant to regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting:

- (a) As it was likely, in view of the nature of the business to be transacted in Section Two of the agenda, that if members of the public were present during consideration of this business there would be disclosure of exempt information.
- Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 ("the 1972 Act"). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.
    - Agenda item 14. "Exempt/ Confidential Minutes" (of the meeting of the Cabinet held on 7<sup>th</sup> April 2010) contained information
      - Relating to any individual.
      - The financial or business affairs of any particular person (including the authority holding that information).
      - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda Item 14. "Exempt/ Confidential Minutes" (of the meeting of the Cabinet held on 7<sup>th</sup> April 2010) relating to
    - any individual.
    - The financial or business affairs of any particular person (including the authority holding that information).
    - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

### **SUMMARY OF EXEMPT PROCEEDINGS**

#### **14. EXEMPT / CONFIDENTIAL MINUTES**

Minutes of Cabinet meeting held on 7<sup>th</sup> April 2010 amended.

Motion from the Chair agreed.

#### **15. OVERVIEW & SCRUTINY COMMITTEE**

##### **15.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.**

Nil Items.

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

Nil Items.

#### **16. A GREAT PLACE TO LIVE**

Nil Items.

#### **17. A PROSPEROUS COMMUNITY**

Nil Items.

#### **18. A SAFE AND SUPPORTIVE COMMUNITY**

Nil Items.

**19. A HEALTHY COMMUNITY**

Nil Items.

**20. ONE TOWER HAMLETS**

Nil Items.

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

Nil Items.

**22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION**

Nil Items.

The meeting ended at 7.50 p.m.

Chair, Councillor Helal Abbas  
Cabinet

# Agenda Item 6.1

<b>Committee/Meeting:</b> Cabinet	<b>Date:</b> 07 July 2010	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b> Corporate Director Communities, Localities and Culture  <b>Originating officer(s)</b> Heather Bonfield – Service Head Culture Judith St. John, Head of Idea Store		<b>Title:</b> Idea Store Strategy Action Plan Update - Idea Store Watney Market and One Stop Shop  <b>Wards Affected:</b> All	

<b>Lead Member</b>	Cllr Denise Jones, Lead Member for Culture and Creative Industries
<b>Community Plan Theme</b>	A GREAT PLACE TO LIVE ONE TOWER HAMLETS
<b>Strategic Priority</b>	Strengthen and connect communities Work efficiently and effectively as One Council

## 1. SUMMARY

- 1.1 The Idea Store Strategy, which was renewed last year, demonstrated the continuing need for a network of seven Idea Stores within the Borough as set out in the original strategy. It introduced a new, innovative, smaller Idea Store model that would facilitate the completion of this network within a much tougher financial climate whilst still delivering many of the benefits of the larger Idea Stores. One aim of the Strategy was to explore and pursue the potential for creating an Idea Store in the Watney Market area as the existing library was inadequate to meet local needs. This work has progressed substantially.
- 1.2 This report provides an overall update on the Strategy Action Plan and presents detailed proposals for the creation of an Idea Store at Watney Market. It requests a number of urgent related decisions necessary to secure £2m of time limited Big Lottery funding including the appropriation of the site for planning purposes and progress the project to implementation.
- 1.3 Following endorsement of the scheme by the Asset Management and Capital Strategy Board on 24 May 2010 the report seeks approval for the adoption of a Capital Estimate required to deliver the new Idea Store and a new One Stop Shop in Watney Market as part of a joint capital project between Communities Localities and Culture and the Resources Directorates. The Project will then proceed subject to planning approval, compliance with corporate procurement protocols and further community engagement specific to the development of detailed design.

## **2. DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 receive the update on progress on the Idea Store Strategy Action Plan and comment accordingly.
- 2.2 authorise the Corporate Director, Communities, Localities and Culture to enter into a grant funding agreement with the BLF to secure the £2m of funding provisionally allocated to the project.
- 2.3 approve the inclusion of the scheme within the capital programme and adopt a Capital Estimate for the sum of £4,101,000 for the delivery of the Idea Store Metro and One Stop Shop at Watney Market.
- 2.4 authorise the Corporate Director Development and Renewal to facilitate the allocation of S106 commuted sums as part-finance for the scheme as set out in the capital profile attached to this report as a matter of priority.
- 2.5 authorise the Corporate Director, Communities, Localities and Culture to proceed with building procurement in accordance with Council's financial and procurement protocols subject to planning permission and 2.8 below.
- 2.6 approve the use of the council owned plot of land listed in Appendix 1 for development of the new Idea Store Metro and One Stop Shop.
- 2.7 Approve the appropriation with immediate effect of the site for planning purposes pursuant to Section 122 of the Local Government Act 1972.

## **3. REASONS FOR THE DECISIONS**

- 3.1 The need for an Idea Store at Watney Market has been identified by the Idea Store Strategy and would replace a sub standard library housed in a small shop unit.
- 3.2 The BLF award is time-limited and the project needs to be agreed by Members and put before the Planning Committee in order to meet the requirements of this award.
- 3.3 The co-location of the Idea Store and One Stop Shop will enable the Council to deliver more efficient and localised services in keeping with both the Community Plan and the Strategic Plan Priorities.
- 3.4 The emerging Town Centre Implementation Programme identifies Watney Market as one of three priority town centres for improvement, expansion and development. Community facilities form a key element of town centres and an Idea Store and One Stop Shop in this location would enhance the offer to local residents and businesses.
- 3.5 The site is vested with the HRA and needs to be transferred to the general account by way of appropriation, appropriation from the HRA for planning purposes will also override any encumbrances on the site that may hinder the proposed development of the Idea Store on the site..

#### **4. ALTERNATIVE OPTIONS**

- 4.1 The 'do nothing' option is not considered viable due to the inadequate nature of existing library facilities in the Watney Market area and the urgent need to find alternative and improved accommodation for the local one stop shop to improve one stop shop customer experience and free up Cheviot House as a capital asset which is currently a significant revenue liability.
- 4.2 The award of £2,000,000 funding from BLF is time limited and dependent on the Council's timely commitment to the development. The funded facility must be open as a condition of the funding by April 2012. A swift decision to move forward with the scheme is required by the Council in order to safeguard the £2m BLF funding and ensure related conditions are met. If the BLF is not secured now any new proposals to relocate Watney Market Library and the One Stop Shop in the future would require alternative sources of funding to be identified as this funding stream will not be available in the future.
- 4.3 There are no opportunities to expand the existing library by increasing its presence in the Watney Market shopping parade by taking up more shop units. Even if this were possible this would deprive the shopping centre of commercial space and make it harder to achieve a critical mass of traders to sustain the centre in the future. The proposed option retains the benefit of the Idea Store acting as an effective anchor store for the Watney Market traders by drawing repeat visits to the retail area whilst maximizing the ability of that retail area to develop.
- 4.4 By linking the Idea Store project and the One Stop Shop Project capital and revenue efficiencies are gained that allow for an improved offer to be delivered for both services in the locality. The new One Stop Shop would cost less to run and the revenue can be transferred to provide the additional budget necessary to deliver extended services in the new Idea Store. It would not be financially viable to construct an idea Store without this project link as a capital short fall of £800,000 would result and the revenue available to operate the new Idea Store facility would be insufficient to enhance the service to meet local need. Additional funding would need to be found.

#### **5. BACKGROUND**

- 5.1 The revised Idea Store Strategy, approved in July 2009 included a Years 1-2 Action Plan. The Strategy revisited the needs analysis that underpinned the successful introduction of the Idea Store Concept eight years earlier and established that the areas of need and opportunity remained the same. The original premise that a network of seven Idea Stores in specific locations close to shopping centres would be the most effective spatial distribution to meet local needs was reaffirmed. At the same time it introduced the concept of a smaller generation of Idea Stores (An outline of the new smaller Idea

Store concept is provided in Appendix 3) and the potential across the network to deliver a wider service offer by developing more effective links with relevant service providers. The action plan set out key initiatives in order to :-

- Improve the quality and scope of core library and information services provided by Idea Stores and Libraries
- Improve the quality and scope of core adult learning services
- Expand the provision of high quality health information, advice and support in Idea Stores and Libraries

5.2 It continued to identify both the need and potential for one of the new generation of Idea Stores in Watney Market

## **6. UPDATE ON THE IDEA STORE STRATEGY ACTION PLAN**

### **6.1 Action Plan**

An updated copy of the Idea Store Strategy Year 1-2 Action Plan is attached at Appendix 2. Of the 54 activities included in the action plan 31 have been completed and 12 are ongoing and of a medium-term nature and the remaining 11 are currently underway. Particular successes include:

- The renewed focus on core reading services to improve the reader offer has been highly successful, resulting in a significant increase in lending. Issues rose by 10% between 08/09 and 09/10 and have now topped 1m.
- Individual visits to Idea Stores and Libraries continue to rise and in 2009/10 rose to 2,071,933 (or 9,396.52 visits per 1,000 residents).
- The integration of future Idea Store infrastructure demands into the Local Development Core Strategy, which has identified areas of search for various types of social infrastructure.
- Work to secure possible future infrastructure through the planning contributions process on key development sites is starting to establish clear and potentially viable options to inform future decision making.
- The process of integrating lifelong learning, library and information services under a unified management structure within the Communities, Localities & Culture Directorate has started and will enable a more integrated and seamless customer offer in line with the Idea Store Sub Brand.

## **7. IDEA STORE METRO WATNEY MARKET AND ONE STOP SHOP: WORK TO DATE AND KEY CONTEXT**

7.1 The Idea Store Strategy has identified the ongoing need for facilities in the Watney Market area. This was on the grounds that the current library facility in the market area is inadequate to meet local needs and could not be converted to meet the operational or presentational requirements of an Idea Store.

7.2 To this end the opportunity site identified by this report (Appendix 1) was researched and an outline proposal submitted to the Big Lottery Fund. A



BLF grant of £2m has been agreed in principle and awaits Council endorsement of the scheme in order to secure it.

- 7.3 The BLF Community Library Funding Programme ends in March 2013. Conditions of the funding require the funded project to have been operational for one year before the programme ends. This requires the proposed building to be open by March/April 2012. Whilst this sounds like a long time it is tight for a capital project of this complexity to be delivered. It is essential that a decision to progress is made as quickly as possible to ensure that the build programme can be delivered within this tight time frame.
- 7.4 The opportunity site is immediately adjacent to the northern access to the Market with a strong frontage to Commercial Road. From a location perspective it is considered compatible with the Idea Store Strategy analysis. It is also compatible with the objectives of the LDF to focus community facilities within town or district centres. The site is vested with the HRA and will need to be transferred out of HRA control before the scheme can progress. This is dealt with in section 8.6 below.
- 7.5 As part of a move to multi-agency One Stop Shops, the replacement of the current Cheviot One Stop Shop (close to the opportunity site on the other side of Commercial Road) and potential co-location with the Idea Store Metro would enable economies of scale in procurement and construction. In addition the relocation of the One Stop Shop facility would enable the release of Cheviot House for alternative use and free up two shop units in Watney Market potentially extending the retail offer.
- 7.6 In light of the above, the Asset Management and Capital Strategy Board at its meeting on 24 September 2009, approved the commissioning of a feasibility study to look at the proposed co-location of the Idea Store and One Stop Shop within Watney Town Centre (Idea Store Metro Watney Market feasibility study, attached at Appendix 3). The project was considered and approved by the Asset Management and Capital Strategy Board on 24 May 2010.
- 7.7 The work to date has established that there is:
- A suitable and available development site already in Council ownership and attracting, therefore, no purchase cost.
  - A preferred procurement model using Design and Build
  - A design that fulfils LBTH requirements for an Idea Store and a new one stop shop and that is acceptable in principle to the Planning Dept.
  - A viable funding plan including £2m of Big Lottery Funding.

## **8. THE SCHEME**

- 8.1 The scheme proposes that the Idea Store Metro will be located on Commercial Road, directly in front of the Western block of the Watney Market development (the site plan is attached at Appendix 1). The proposal is for a

striking, highly visible three-storey building presenting its main façade to Commercial Road thus helping to re enforce the entrance to the market and shops.

- 8.2 The planned provision for Idea Store Watney Market is for 1,389 m<sup>2</sup> to deliver:
- Adult and children’s library with learning activities for all ages
  - Surfing space providing free public internet access
  - Flexible learning spaces. These will provide both formal and informal learning activities
  - Health advice and information services
  - Single Access Point. This initiative would provide a wide range of joined-up services that help to address the multiple barriers to employment in order to support people into work
  - Meeting and activity space for community groups
  - Display areas for local artists and exhibitions
  - Storage
  - Public and staff toilets
  - Staff room

8.3 The development of this new Idea Store ‘Metro’ style facility will enable the transfer into modern accessible facilities of the existing provision at Watney Market Library. In addition, 122m<sup>2</sup> of the total space will be provided to replace the existing Cheviot One Stop Shop providing a pleasant and accessible customer environment that significantly improves upon the existing accommodation. This service will be located on the ground floor and share “back room” support space such as staff room, wcs, etc. It is envisaged that both Watney Market Library and Cheviot One Stop Shop will remain open throughout the construction period and will close once the new building is opened. The improved idea store space will attract higher visitor numbers than the existing library to the Watney Market area effectively enhancing the ‘anchor store’ effect of the facility for the shopping centre and boosting the local economy.

8.4 **Capital Costs**

8.4.1 This report recommends that the facility be developed on existing Council owned land. The capital cost of the building construction is estimated at £4.101million assuming a Design and Build approach.

8.4.2 In order for the scheme to proceed, the following capital receipts have been identified:

**Construction of Building:**

<b>Funding</b>	<b>Design &amp; Build</b>
Big Lottery Fund	£2,000,000
One Stop Shop contribution	£1,000,000
Section106 contribution*	£1,101,000
<b>TOTAL</b>	<b>£ 4,101,000</b>

\* S106 already triggered. Ref. **PA/07/02193**. Available to deliver cultural products.

## 8.5 Revenue Costs

8.5.1 The proposed service model of combining the Idea Store and OSS services will be further refined but show that the new building can deliver the enhanced Idea Store services of 60 operating hours and retain the OSS operating hours with no increase in the overall current revenue levels:

	Watney Market Library	Cheviot One Stop Shop	Total	Idea Store Metro*/OSS+ Total
Frontline salaries	£339,578	£434,206	£ 773,784	£ 704,000
Premises and running costs	£ 44,600	£145,560	£ 190,160	£ 200,000
<b>Total</b>	<b>£384,178</b>	<b>£579,766</b>	<b>£ 963,944</b>	<b>£ 904,000</b>
Total weekly operating hours	46 hours	44 hours	-	60 hours*

+ OSS operating hours unchanged

8.5.2 The model is considered efficient in that it offers increased hours of access and a significant increase in the range and quality of services, with increased hours of access and delivering a minimum £60k revenue saving.

8.5.3 The business model vests all building management responsibilities with the Idea Stores. The premises related costs of operating the improved Idea Store facilities for 60 hours a week are £200,000. Current library revenue available is £44,600. The current premises and running costs for the Cheviot One Stop Shop is £145,560. The cessation of the OSS occupancy of Cheviot House will result in some immediate savings to the FM budget. Given that the OSS would not be picking up premises and running costs in the new building and in order to facilitate the improved OSS and Idea Store offer £50k of this budget will be vired from the FM budget to the Idea Store Service in the year the building becomes operational with the residual £105,400k being addressed within the existing CLC budget envelope.

8.5.4 As an additional benefit the scheme frees up two retail units currently occupied by the Watney Market Library that can also start to contribute to the local economy.

## 8.6 Implications for the HRA.

8.6.1 The Opportunity Site identified in Appendix 1 has been confirmed as being vested with the HRA. The site would therefore need to be transferred to the General Fund for the scheme to progress and this report makes that recommendation. The site has been independently valued and has a nil value. There are no compensation requirements for the HRA as a result. For the same reason there are no implications for Housing Subsidy. This has been confirmed by Development and Renewal Finance.

## 8.7 **Community Consultation**

- 8.7.1 A Community Engagement Plan has been submitted to the BLF. The ongoing success of the Idea Store programme from its inception in Idea Store Bow has been a result of engaging with local communities, and ensuring that the Idea Stores answer specific local needs and encourage a high degree of public 'ownership'. The Idea Stores started with one of the largest ever public consultations about public libraries, from which came some of the core principles to do with design, location and offer. Subsequent focus groups provided valuable feedback data for the ongoing programme. On going consultation will take place via LAPs and the Community Consultation Service.

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

- 9.1 This report seeks Cabinet approval to adopt a Capital Estimate of £4,101,000 for the Idea Store Metro scheme, to be funded from the Big Lottery fund, the One Stop Shop Local Priorities Programme allocation and contributions from Section 106, as outlined in paragraph 8.4.2.
- 9.2 The total revenue budget currently available, for both the Watney Market Library and Cheviot One Stop shop is £964k. The report identifies an on-going revenue funding gap of approximately £160,000 per annum to pay for the facilities management costs of the new building compared with the facilities management budget for the Watney Market Library. To help fill this gap, officers recommend that 50k of the Cheviot House premises and running costs budget of £145,000 currently held within the facilities management Budget of the Resources Directorate be transferred to the Idea Stores Budget within CLC in the year that the building becomes operational, as they will be responsible for managing the building. The remainder of the budget adjustment would be met from within CLC.
- 9.3 The transfer of freehold interests from the Housing Revenue Account to the General Fund could under normal circumstances have significant financial implications for the HRA arising from the mechanics of the Housing Subsidy system. However, as appropriation takes place at certified market value, which in this instance has been independently considered to be nil, the impact is neutral.

## 10. **CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 10.1. This report seeks authority for the appropriation for planning purposes of land owned by the Council being the site of the proposed Idea Store at Watney Market identified in Appendix 1 under Section 122 of the Local Government Act 1972 this will enable the powers in Section 237 of the Town and Country

Planning Act 1990 to be used to facilitate the comprehensive development of the proposed Idea Store as set out in this report.

- 10.2. The Council holds property for various statutory purposes in order to provide its various functions for example housing purposes. The site identified by this report is currently held in the HRA such land is used only for such purposes until it is disposed of or “appropriated“ for another purpose. Appropriation is the statutory method to change land from being held for one purpose to another and the procedure for doing this is laid down in Section 122 of the Local Government Act 1972.
- 10.3. Land is held by the Council subject to any third party legal rights. However if the land has been formally appropriated for planning purposes then Section 237 of the Town and Country Planning Act 1990 provides a statutory power to override easements and other rights following the grant of planning permission for the development of land. The rights that are overridden convert these rights into compensation which is payable to any person suffering loss. It also removes the potential for such owners to frustrate development by way of injunction and delay.

## **11. ONE TOWER HAMLETS CONSIDERATIONS**

- 11.1 The scheme addresses the Community Plan theme of A Great Place to Live and Strategic Plan Priority 2.2: Strengthen and connect communities by providing enhanced services that support parenting, child development, after school activities, cultural development, self help, information way finding and cohesion. Idea Stores are also working with the Local Strategic Partnership to provide more efficient and localised services and in particular better local health information. It delivers One Tower Hamlets Priority 1.2: Work efficiently and effectively as One Council in helping to deliver the Local Priorities Programme. Idea Stores play a major role in bringing communities from different backgrounds together and in promoting community cohesion. It also delivers targeted lifelong learning services that help disadvantaged communities overcome inequality in the jobs market and poverty.

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

- 12.1 Sustainability is integral to the proposed design of the Idea Store Metro. The building has the potential to exceed current targets for energy usage and renewable energy provision (as per the Great London Authority 20% carbon reduction target). The design will also achieve BREEAM ‘Excellent’ rating.
- 12.2 **Social sustainability**  
The Idea Store provides access to information and services that help promote lifelong learning and improve health and well being. Through services such as free internet access, lifelong learning, cultural activities and local history and events, the Idea Store provides a practical way to support community cohesion, one of the key principles of the Borough’s vision.
- 12.3 **Sustainable technologies**

The Idea Store will employ good practice in its design to make the best use of environmental resources, through management of water and waste resources and efficient design to minimise carbon emissions.

#### 12.4 **Economic sustainability**

The Idea Store offers equality of opportunity by providing information and services to meet the needs of Tower Hamlets' diverse population. Specifically, lifelong learning can help tackle employment skills and improve access to employment opportunities, benefiting both the unemployed and the employed. Connecting with young people, such as engaging them to develop learning programmes for their peers, is one of the practical ways that the Idea Store can complement education. Economic sustainability of the Watney Market locality, for existing and future businesses, will be improved by the proposed regeneration of the area.

### 13. **RISK MANAGEMENT IMPLICATIONS**

- 13.1 The project risks relate to the delivery of the Idea Store rather than the ongoing operation of the Idea Store. Appropriate contingencies in both the Project Cost Plan and Programme have been included to take account of the perceived project delivery risks. Risks will be monitored through out the project and reported to the Project Board. Updates will be provided to the Asset Management and Capital Strategy Board.

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

- 14.1 The proposals do not contribute directly to the reduction of crime and disorder.

### 15. **EFFICIENCY STATEMENT**

- 15.1 The service model brings together two service areas within one building with shared back office space. The model offers increased hours of access and a significant increase in the range and quality of services, whilst incurring no additional revenue costs.
- 15.2 The new building will be built on redundant land, utilising the latest construction techniques and will therefore deliver a more eco friendly building. A reduction in carbon emissions compared to the current buildings in use will translate into savings on CO2 penalties.
- 15.3 The current buildings are a significant drain on revenue resources and therefore by vacating, a capital asset will become available, as will retail units which could produce a revenue stream.

### 16. **APPENDICES**

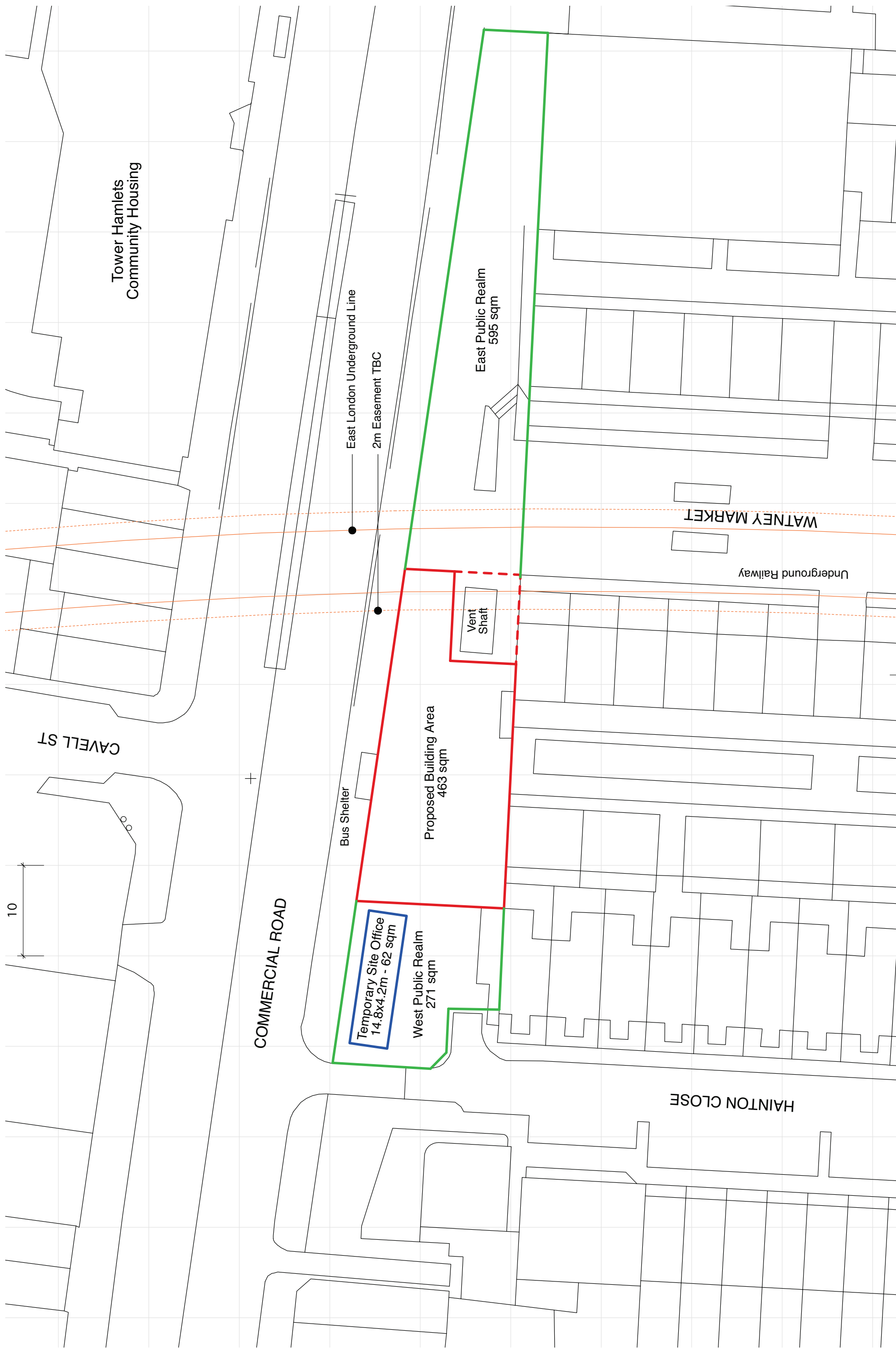
Appendix 1 – Site Plan

**Local Government Act, 1972 Section 100D (As amended)**  
**List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
<b>none</b>	<b>N/A</b>

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Tower Hamlets  
Community Housing

CAVELL ST

COMMERCIAL ROAD

HAINTON CLOSE

WATNEY MARKET

Underground Railway

East London Underground Line  
2m Easement TBC

Vent Shaft

Temporary Site Office  
14.8x4.2m - 62 sqm

West Public Realm  
271 sqm

Proposed Building Area  
463 sqm

East Public Realm  
595 sqm

10

Revision	Date	Amendment	Notes	Checked By	Client	LONDON BOROUGH OF TOWER HAMLETS
-	00.00.00	-			Project	IDEA STORE METRO WATNEY MARKET
					Drawing	EXISTING SITE PLAN
					Scale	1:200 @ A1
					Date	21.10.09
					Status	PRELIMINARY
					Drawn By	PR
					Drawing N°	00.000
					Project N°	ID06
					Revision	-

bisset adams  
ARCHITECTURE AND COMMUNICATIONS  
22 St. James's Walk, London EC1R 0AP  
T +44(0)20 7500 0440 F +44(0)20 7500 5382  
info@bissetadams.co.uk www.bissetadams.co.uk

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Overarching strategic objective				
1. Improve the quality of core library and information services provided by Idea Stores and Libraries				
Key priority area				
1.1 Improve the core reading offer				
Key initiatives / deliverables		Responsibility	Key milestones	Progress Status
<p>Implement an improvement programme to strengthen the reading offer in Idea Stores and Libraries.</p> <p>Key initiatives include:</p> <ul style="list-style-type: none"> <li>• Carry out market research on customer reading and information needs and preferences, and introduce continuous monitoring of performance</li> <li>• Improve stock selection and procurement (breadth, depth and quantity of stock; space management; stock circulation; value for money; stock promotion)</li> <li>• Improve stock management (procedures, procurement methods, systems, controls, reports, routines)</li> <li>• Improve the value for money of book stock (supply chain, making the London library consortium more effective, improving cost and speed of delivery, and internal operations)</li> <li>• Improve facilities, staff capability and store management (space allocation, floor and window displays, signage, staff management, training and communication)</li> </ul>		<p>Judith St John Kate Pitman</p>	<p>Detailed planning of initiatives completed by July 2009</p> <p>Standards on presentation of stock adopted by July 2009</p> <p>Layout of ISW reviewed by July 2009 as part of the stock improvement pilot</p> <p>Refresh of stock across the network undertaken by September 2009</p> <p>Improved signage at ISW as part of the stock improvement pilot by March 2010</p>	<p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p>

Overarching strategic objective		1. Improve the quality of core library and information services provided by Idea Stores and Libraries		
Key priority area		1.2 Improve the quality of core information services		
Key initiatives / deliverables		Responsibility	Key milestones	Progress Status
<p>Review and refresh the quality of information services provided by Idea Stores and Libraries.</p> <p>Key deliverables include:</p> <ul style="list-style-type: none"> <li>Clearly articulating the scope of information and events offered at Idea Stores and Libraries – particularly their role in providing a platform for community information</li> <li>Implementing a service improvement plan to improve the quality of Local History Library and Archives services</li> </ul>		<p>Judith St John Denise Bangs Tamsin Bookey</p>	<p>Agree scope for reviewing information and advice services by August 2009</p> <p>Initiate review project by September 2009</p> <p>New service model for information services in Idea Stores devised by October 2009</p> <p>Heritage Manager appointed by May 2009</p> <p>Design and tender process for improvements to Bancroft Library completed by July 2009</p> <p>Works at Bancroft Library completed by December 2009</p> <p>Heritage Strategy for Tower Hamlets identifying future development of Bancroft Local History Library and Archives adopted by December 2009</p>	<p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Revised completion date for initial works package September 2010</p> <p>Building Master Plan under development.</p> <p>The Local History Library &amp; Archive Strategy focusing on service improvement and operations is being developed separately.</p>

Overarching strategic objective		1. Improve the quality of core library and information services provided by Idea Stores and Libraries	
Key priority area		1.3 Improve key business management processes	
Key initiatives / deliverables		Responsibility	Progress Status
Implement the Culture and Sport Improvement Toolkit (CSIT) Improvement Plan for Libraries and Idea Stores.		Judith St John Heather Bonfield	Ongoing
		CSIT Improvement Planning completed and improvement projects identified by June 2009	
		Improvement projects initiated by August 2009	
		Improvement projects completed – tbc following completion of improvement planning stage	
Overarching strategic objective		2. Improve the quality and scope of core adult learning services	
Key priority area		2.1 Improve and expand the information, advice and signposting services that support learners	
Key initiatives / deliverables		Responsibility	Progress Status
Review and refresh information, advice and signposting services that support learners in Idea Stores and Libraries.		Fiona Paterson Judith St John	Complete
Key deliverables include:		Review completed by September 2009	
<ul style="list-style-type: none"> <li>• Reviewing existing systems and procedures</li> <li>• Evaluating the quality of current services – including compliance with the Common Inspection Framework</li> <li>• Identifying any gaps in provision</li> <li>• Identifying further staff training needs</li> </ul>		Transfer of staff to Lifelong Learning Service and new Information and advice service in place as part of Wider Learner Support Service by December 2009	Revised completion date July 2010
		Implementation of other review recommendations initiated by March 2010	Ongoing

<ul style="list-style-type: none"> <li>• Making recommendations on improving information, advice and signposting services</li> </ul>		<p>Programme of staff training for front-line staff designed by September 2009 and delivered to all relevant staff by June 2010</p>	<p>Ongoing</p>
<p><b>Overarching strategic objective</b></p>			
<p><b>2. Improve the quality and scope of core adult learning services</b></p>			
<p><b>2.2 Review the lifelong learning curriculum and delivery structure to focus provision that supports employability</b></p>			
<p><b>Key initiatives / deliverables</b></p>			
<p>Review the lifelong learning curriculum and delivery structure to focus provision that supports employability</p>	<p><b>Responsibility</b> Fiona Paterson</p>	<p><b>Key milestones</b> Business reviews undertaken in each curriculum area completed by May 2009 Skills for Life curriculum extended by appointment FTE literacy and numeracy teaching staff by September 2009 Service – wide cross – curriculum employability initiatives agreed and introduced into the 2009/10 academic year programme Employability core-curriculum units developed for enrichment and progression by March 2010</p>	<p><b>Progress Status</b> Complete Complete Ongoing Ongoing</p>

Key priority area	2.3 Review of lifelong learning curriculum for non-accredited provision including personal, community and development learning so that it better reflects community demand			Progress Status
Key initiatives / deliverables	Responsibility	Key milestones		
Review of lifelong learning curriculum for non-accredited provision including personal, community and development learning so that it better reflects community demand	Fiona Paterson	Business reviews undertaken in each curriculum area completed by May 2009 ACL curriculum organised to give progression opportunities and course descriptions re-written as needed by July 2009 System for gathering Information on learner and potential learner enquiries are routinely collected, recorded and monitored by March 2010 Learner consultation events to be undertaken by February 2010	Complete	
			Complete	
			Underway. Recruitment of Learner Support and Advice manager to be complete by end of June 2010.	
			Ongoing	

**Overarching Strategic Objective 3. Expand the provision of high quality health information, advice and support in Idea Stores and Libraries**

Key priority area	3.1 Expand the delivery of NHS choices programmes			Progress Status
Key initiatives	Responsibility	Key milestones		
<p>Expand the delivery of the Health Trainers programme in Idea Stores and Libraries.</p> <p>The programme will focus on:</p> <ul style="list-style-type: none"> <li>• Providing information and awareness on nutrition, physical activity and smoking cessation</li> <li>• Signposting people into appropriate services, activities, specialist organisations relevant to support their health needs</li> <li>• Delivering healthy lifestyle activities</li> <li>• Providing 1-to-1 motivational support</li> </ul>	<p><b>Judith St John</b> <b>Chris Lovitt</b></p>	<p>Identify opportunities to build on the successful health trainer programme in Idea Stores by June 2009</p> <p>Implement health trainer services one day a week in all four Idea Stores by September 2009</p> <p>Engage NHS Tower Hamlets in discussion about future re-commissioning of Health Trainers and provision from Idea Stores by September 2009</p>	<p>Complete</p> <p>Health trainers providing services at Whitechapel, Chrisp Street and Bow Idea Stores</p> <p>Ongoing. NHSTH tendering opportunities not yet available.</p>	
<p>Explore the opportunity to deliver further health advice and information services from Idea Stores and build on the Idea Stores to support healthy living and public health campaigns.</p> <p>Key deliverables (subject to further detailed work) include:</p> <p>Time for Health, Health Literacy, Health Trainers, Life Check, Digital Mentors, NHS Choices</p>	<p><b>Judith St John</b> <b>Chris Lovitt</b></p>	<p>Identify projects for implementation by October 2009</p> <p>Implement the programmes in Idea Stores by January 2010</p>	<p>Complete</p> <p>Ongoing</p>	



Key priority area (contd)				3.2 Introduce new health and employment initiatives (contd)			
Key initiatives		Responsibility		Key milestones		Progress Status	
Implement health and employment initiatives in Idea Stores		Judith St John Chris Lovitt Fiona Paterson		Scope the project to deliver the Skilled for Health programmes by September 2009. Implement the programmes in Idea Stores by January 2010. Lifelong Learning invited to tender for delivery of health programmes by October 2009		Complete  Ongoing  NHSTH tendering opportunities not yet available	
Overarching Strategic Objective				4. Expand the provision of high quality employment information, advice and support			
Key priority area				4.1 Expand the Single Point of Access service			
Key initiatives		Responsibility		Key milestones		Progress Status	
Explore the integration of Idea Stores into strategic employment initiatives, including the Single Point of Access  This initiative would provide a wide range of joined-up services that help to address the multiple barriers to employment in order to support people into work.		Judith St John Fiona Paterson		Idea Stores/Lifelong Learning are represented on and actively contribute to Employment Strategy Implementation Group by July 2009		Complete. The ESIG has been superseded by the Local Economic Assessment and Lifelong Learning is engaged in this.	

Overarching Strategic Objective	5. Expand and improve the provision of high quality, accessible ICT and ILT infrastructure, services, training and support in Idea Stores and Libraries		
Key priority area	5.1 Implement an ICT and Information Learning Technology (ILT) Strategy for Idea Stores and the Lifelong Learning Service.		
Key initiatives	Responsibility	Key milestones	Progress status
<p>Implement the ICT Strategy for Idea Stores and update the Information Learning Technology (ILT) for the Lifelong Learning Service.</p> <p>Key areas of focus should include:</p> <ul style="list-style-type: none"> <li>• scope of the on-line service offer</li> <li>• scope of the in-store ICT and ILT service offer (eg learning, advice and support)</li> <li>• ICT and ILT investment strategies (eg equipment, physical environment)</li> <li>• working arrangements with Corporate IT (eg scope of services provided, service standards)</li> </ul>	<p>Judith St John Fiona Paterson</p>	<p>Roll out of RFID and self service to all sites by March 2010</p> <p>Implement Electronic Document Interface (EDI) module of OpenGalaxy by March 2010</p> <p>Agree upgrade plan and implement change-over of all IS PCs to LBTH Corporate IT standard by December 2009</p> <p>Updated ILT strategy reviewed September 2009</p>	<p>Implementation of RFID scheduled for September 2010</p> <p>Superseded by implementation of R2P procurement system across LBTH</p> <p>Complete</p> <p>Complete</p>

6. Strengthen inclusion and accessibility			
Overarching Strategic Objective	6.1 Identify opportunity sites to implement the Idea Store / Library network reconfiguration strategy		
Key priority area	Key initiatives	Responsibility	Key milestones
	<p>Work with the Planning and Building Schools for the Futures Teams to identify opportunity sites to implement the Idea Store / Library network reconfiguration strategy – where this can be justified on cost, performance and efficiency grounds.</p>	<p><b>Robin Beattie</b> <b>Thorsten Dreyer</b> <b>Judith St John</b></p>	<p>Establish BSF/Idea Store Service engagement mechanism by June 2009</p> <p>Engage with D&amp;R on the development of the LDF suite of documents to ensure alignment by September 2009</p> <p>Engage with the Town Centre Implementation Programme to develop strategic links into economic regeneration initiatives by August 2009</p> <p>Carry out detailed feasibility and business planning work in relation to potential sites by December 2009</p>
			<p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p>
			<p>Complete</p>

6. Strengthen inclusion and accessibility			
6.2 Increase engagement by under 16s and their families			
Overarching Strategic Objective	Key initiatives	Responsibility	Key milestones
Design and implement a range of new family reading and learning activities		<p>Karen Robinson</p> <p>Kate Pitman</p> <p>Sergio Dogliani</p> <p>Fiona Paterson</p>	<p>Re-fit of ISW children's library by March 2010</p> <p>Completion of Summer Reading Challenge by September 2009</p> <p>Roll-out of "Engaging Young People" Project by January 2010</p> <p>Delivery of a programme of cultural activities for young people through Find Your Talent by September 2009</p> <p>Review BookStart delivery mechanism, engage with partners to increase awareness of IS services for 0-3 year olds by March 2010</p> <p>Ensure parents and children on family learning programmes are routinely signposted to their nearest Idea Store/Library and</p>
			<p>Ongoing</p> <p>Complete</p> <p>Project currently under development at Idea Store Bow</p> <p>Complete</p> <p>Complete</p> <p>Complete</p> <p>Complete</p>
			<p>Progress Status</p>

			opportunities to promote the service are created from June 2009	
<b>Key priority area</b>	<b>6.3 Implement the Equalities Impact Assessment Action Plan across the service</b>			
<b>Key initiatives</b>	<b>Responsibility</b>	<b>Key milestones</b>		
Implement the Equalities Impact Assessment Action Plan across all Libraries and Idea Stores	Graham Pollard	Review service provision to centres for elderly & disabled people by Mar 2010	Improve services to people with mental health problems by July 2009	Improve services & stock for people with learning disabilities by March 2010
		Ongoing	Complete	Complete

<b>Overarching Strategic Objective</b>	7. Co-locate cultural, leisure and other council services where this will increase efficiency, effectiveness and value for money		
<b>Key priority area</b>	7.1 Support the implementation of the Transforming Social Care agenda		
<b>Key initiatives</b>	<b>Responsibility</b>	<b>Key milestones</b>	<b>Progress Status</b>
Support the implementation of the Transforming Social Care agenda.	Judith St John Sarah Ford	Scope outline of universal information on social care choices	Ongoing
<b>Key priority area</b>	7.2 Support the implementation of the Customer Access Service		
<b>Key initiatives</b>	<b>Responsibility</b>	<b>Key milestones</b>	<b>Progress Status</b>
Support the implementation of the Channel Access Strategy	Judith St John Claire Symonds	To be determined by Channel Access Strategy working group	Ongoing

## Appendix 3

### **Idea Store Metro Concept**

The Idea Store Strategy 2009 indicates that a smaller and more flexible generation of Idea Stores is required if the network is to be completed in a way that will allow the service to fully meet the needs of the community and remain within projected revenue budgets. The Idea Store Metro concept builds on the convenience store model developed by major supermarket chains. An Idea Store Metro provision would be smaller in size and would focus on high quality core service offer and high quality service presentation. The proposed model for the new generation Idea Stores is based around a co-location of library and information services (from both Council and local partners such as the PCT), and the concept of the corner shop Idea Store – akin to the ‘Metro’ or ‘Local’ supermarket. Each Idea Store Metro would be tailored to meet the needs of its local area:

- an innovative centre which engages with and belongs to the local community, and sends out a message of inclusion and diversity
- accessibility, inclusion and a sense of welcome
- high profile and visibility
- should contribute to the external public realm as a local community hub
- offer tangible benefits to the local community in the areas of health and employment
- flexible provision for a range of service providers
- centre of information services and the local community, a hub for local community spaces

The Idea Store Metro core offer would include:

- Adult and children’s library with learning activities for all ages
- Surfing space providing free public internet access
- Flexible learning spaces. These will provide both formal and informal learning activities
- Health advice and information services
- Single Access Point or a similar initiative to provide a wide range of joined-up services that help to address the multiple barriers to employment in order to support people into work
- Meeting and activity space for community groups
- Display areas for local artists and exhibitions
- Storage
- Public and staff toilets
- Staff room

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# Agenda Item 6.2

<b>Committee/Meeting:</b> Cabinet	<b>Date:</b> 7 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b> Corporate Director Development & Renewal/ Corporate Director of Resources  <b>Originating officer(s)</b> Chris Holme		<b>Title:</b> Council Housing Finance Reform Prospectus – Implications for Tower Hamlets and Proposed Response  <b>Wards Affected:</b> All	

<b>Lead Members</b>	Housing, Heritage and Planning; Resources
<b>Community Plan Theme</b>	One Tower Hamlets
<b>Strategic Priority</b>	Ensuring Value for Money Across the Council

## 1. **SUMMARY**

- 1.1 This report sets out the Government's prospectus for reforming the Council Housing Finance System, its implications for Tower Hamlets, and recommends a response to the draft "offer." Local Authorities have until the 6<sup>th</sup> July to respond to CLG. It also asks Members to agree a number of principles to facilitate medium term sustainability of the Housing Revenue Account.

## 2. **DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Note the long term financial implications for Tower Hamlets of continuing with the current housing subsidy system and that of the current HRA self-financing offer, from the CLG "Prospectus" – Council Housing A Real Future, as set out in paragraph 7 of the report.
- 2.2 Note the response in Appendix 2 submitted to CLG in accordance with the deadline of 5 July 2010.
- 2.3 Authorise the Corporate Director Development and Renewal, after consultation with the Director of Resources and Lead Members Housing, Heritage and Planning, and Resources to provide any further responses to CLG that may be required in relation to the Prospectus.

2.4 Agree the financial principles set out in paragraph 9.2 to support delivery of a sustainable Housing Revenue Account.

2.5 Agree that all Right-to –Buy receipts are earmarked to support social housing and housing regeneration capital programmes (paragraph 7.10).

### **3. REASONS FOR THE DECISIONS**

3.1 The Council must decide whether or not it is in favour of self-financing for its Housing Revenue Account or that it supports retention of the current system of housing subsidy. This decision will have significant financial implications for the Council.

3.2 Recommendations 2.4 and 2.5 are intended to support the delivery of a sustainable Housing Revenue Account in the medium term. Under either finance system, the Council will continue to have a statutory requirement to balance income and expenditure within its HRA.

### **4. ALTERNATIVE OPTIONS**

4.1 With regard to recommendation 2.2, the Council could have determined not to support the principle of self-financing as set out in the CLG Prospectus. If sufficient other Council adopt this option then the current system could be retained or the Government could impose a new regime through legislation. The financial implications for Tower Hamlets of retaining the current system of housing finance are set out in paragraph 7.7 of the report.

4.2 Members could reject one or more of the principles set out in paragraph 9.2, and summarised as recommendation 2.4, but this would make achievement of our HRA Medium Term Financial Strategy more difficult and inhibit longer term stability.

4.3 If implemented, the new system of council house financing will facilitate retention of right-to buy receipts rather than the current national pooling system. At least 75% will be required to be applied for housing purposes, but the Council has flexibility with regard to the remaining 25%. To facilitate repayment of outstanding debt on dwelling assets no longer owned, and maximise housing receipts for capital investment purposes, full earmarking is recommended.

### **5. BACKGROUND**

5.1 The Housing Revenue Account (HRA) relates to the activities of the Council as landlord of its dwelling stock. Income to the HRA is primarily derived from tenants' rents, service charges and government subsidy. Expenditure includes repairs and maintenance and the provision of services to manage the Council's housing stock. Expenditure not met by Housing Revenue Account subsidy must mainly be met from Council tenants and leaseholders.

- 5.2 Tower Hamlets has traditionally been a major recipient of housing subsidy. The system works by pooling the £6billion of council rents collected nationally and redistributes them on the basis of assessed need, measured through management, maintenance and major repairs allowances, and interest on each Council's assumed level of historic debt. The net position is that over 70% of local authorities pay £700million into the system, and the recipients of subsidy (less than 30%) receive £600million. The balance of £100m is retained by the Treasury.
- 5.3 The current HRA finance system has a number of problems:
- Because there is an annual subsidy determination, medium and longer term financial planning is very difficult
  - It is complex, volatile and lacks transparency
  - 75% of receipts from sale of right-to-buy properties are retained by central government
- 5.4 In recent years the Council's entitlement to housing subsidy has reduced significantly, both in total terms and per dwelling. In 2004 the Council received some £60million. This year the likely amount of subsidy received will be approximately £13million. Even allowing for changes associated with stock numbers this means a greater proportion of costs must be recovered from tenants and leaseholders. Furthermore the Council's consolidated rate of interest (i.e. the average rate of interest for all our actual HRA and General Fund historic debt) has reduced significantly over the last 2 years, in line with in prevailing economic conditions, and this has also had significant adverse subsidy implications for Tower Hamlets. This is because the subsidy entitlement calculation deems our notional debt to be higher than our actual level of debt, and therefore loss of subsidy is only partially offset by reduced interest charges.
- 5.5 Officers assessment is that Council annual subsidy entitlement, under the current system, will continue to fall year on year by between £1.3million and £2million to 2016 and some £500k per annum beyond. This means that by the mid 2020s the Council would become a net contributor rather than a recipient of housing subsidy. The existing council housing finance system therefore is not sustainable for Tower Hamlets.
- 5.6 At the end of March 2010, the previous Government set out a consultation document to dismantle the HRA subsidy system and replace it with new self-financing system, whereby all Councils would retain their rents and receipts from the sale of housing. In return, there would be a national redistribution of debt, and all future capital expenditure would have to be managed from within the ring-fenced HRA. The Coalition Government is pledged to reform the HRA and has not withdrawn the proposal.
- 5.7 The "prospectus" includes provision for strengthening the HRA ring-fence guidance (primarily through increased transparency) and there would also be a requirement to develop a 30 year business plan for management of council

housing stock. Overall the prospectus offers the most radical change to council housing finance since the introduction of right-to-buy.

- 5.8 The deadline for local authorities to respond to the questions posed in the prospectus is the 6<sup>th</sup> July. If sufficient local authorities are supportive then provision exists within the Housing and Regeneration Act 2008 for the Government to make the changes without the need for further legislation.

## **6. OUTLINE OF THE HRA REFORM PROSPECTUS**

- 6.1 The key elements of the offer, as it currently stands are as follows;
- The dismantling of the HRA subsidy system
  - National council housing debt of £26billion is redistributed amongst the 177 local housing authorities, supplemented by increased allowances for management, maintenance and major repairs rolled into the debt adjustment over 30 years
  - Additional interest rate “headroom” of ½% in the debt adjustment calculation which is intended solely for new supply housing, if local authorities confirm they are able to use it for that purpose
  - Rents to be retained locally
  - 100% of RTB receipts retained locally so long as the 75% which is pooled under the current system is utilised for social housing and regeneration
  - Some £3billion of capital grants for completion of the decent homes programme (subject to future spending reviews)
  - A strengthening of the HRA statutory ring-fence, and greater transparency for tenants and leaseholders
  - The requirement for a separate housing balance sheet and a 30 year HRA business plan
  - All future capital expenditure (with the exception of round 3 decent homes) to be financed locally through the HRA business plan and capital receipts
  - The possibility of de-pooling HRA and General Fund debt
- 6.2 In addition to the level and uncertainty around the availability of future capital grants, as outlined above, the prospectus sets a cap on the total amount of future borrowing for each local authority.

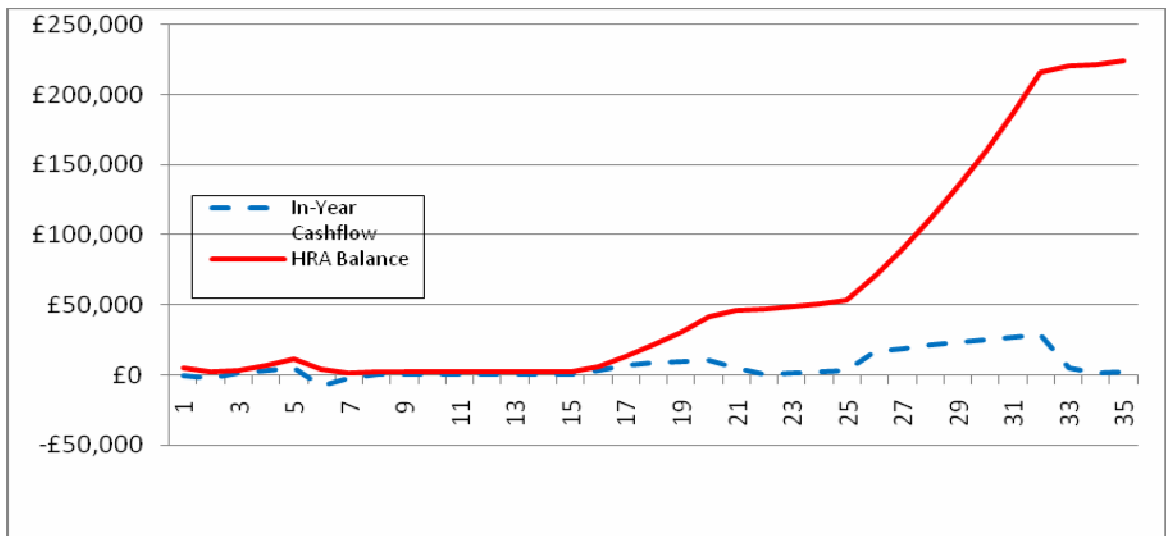
## **7. IMPLICATIONS OF THE PROSPECTUS FOR TOWER HAMLETS**

- 7.1 The debt redemption offer for Tower Hamlets is £277million based on the 7% discount factor, and caps future debt at £134million. This is based on uplifted management and maintenance allowances of 12.5% and major repairs allowance (MRA) of 7.8% - resulting in a consolidate uplift of 11.3%. The Council benefits from the management and maintenance uplift because of its high percentage of high-rise properties, but the MRA settlement is

lower than the national average because capital expenditure per dwelling is deemed lower for blocks than houses.

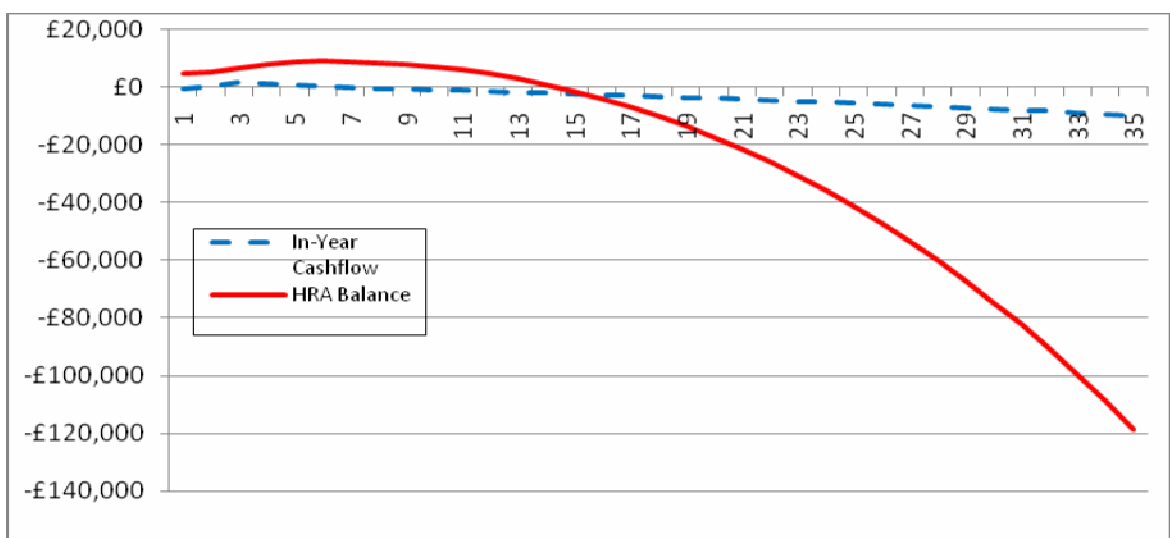
- 7.2 The Council's notional debt for subsidy purposes is £410.5million, whereas actual debt for 2010/11 is £292.5million. This means £118m is retained as borrowing potential under the self-financing system. Officers' assessment is that this reduction of debt would facilitate, with prudent management of the HRA, the generation of sufficient revenue surpluses to finance the additional interest charges from new unsupported borrowing.
- 7.3 Repayment of debt at 7%, as set out in the offer would deliver some £6.6m "headroom" for provision of new housing, and officers initial assessment is that this could facilitate up to 60 new dwellings (based on average size and build cost) over the first 5 years of the HRA business plan, assuming combined with 30% social housing grant.
- 7.4 The introduction of self-financing and the 30 year HRA business plan puts a new emphasis on the management of assets and the relationship between capital investment and revenue maintenance of the stock. A critical assumption relates to the stock investment and capital expenditure needs over the longer term.
- 7.5 Based on a recent sample stock condition survey of 1500 properties by Savills in November 2009, the 30 year capital expenditure profile is some £56.3k per property (i.e. £650m for 11,500 properties). This excludes the Ocean, which is a separate housing regeneration scheme. However longer term capital investment assumptions for the Ocean Estate, over the 30 years of the plan have been factored back in, along with an allowance for disabled adaptations. The assumed average capital cost per dwelling is £54.9k per unit (based on some 12,500 dwellings) over 30 years with 9% added on to cover procurement needs. A business model based on these assumptions provides the basis for initial testing of the viability of self-financing given the debt settlement and the potential for £222m of capital grants to fund the ALMO decent homes programme.
- 7.6 The capital investment need, as identified in the Savills report, is significantly higher than that assumed in the CLG's self-financing model (£32.8k per dwelling). Despite this the charts set out in Appendix 1 (and summarised below), demonstrate that the self-financing offer can work for Tower Hamlets, and if the ALMO investment is secured, it could deliver the assessed capital investment needs set out in the Savills stock condition survey, and begin to repay debt.

**Chart 7.1 - Impact on HRA of self-financing offer, based on capital investment needs and assuming no set aside of debt (£000)**



7.7 This is not the case under the current unreformed subsidy system. Indeed, using the same assumptions as those derived for the self-financing model, there would be a shortfall over the period of the business plan of some £323million, even with the ALMO investment of £222million, and that shortfall in capital resources would start occurring from year 5 onwards. HRA debt would rise to over £500million and increasingly as subsidy declines the Council will struggle to service this debt and maintain a capital programme. This is again demonstrated in Appendix 1 and summarised in the chart below.

**Chart 7.2 - Impact on HRA of subsidy system based on capital investment needs (£000)**



- 7.8 The adverse position under the current subsidy system could be further exacerbated if under the autumn spending review allocations of Supported Capital Expenditure for local authorities are reduced or withdrawn completely.
- 7.9 In conclusion, self-financing of the HRA, as proposed in the CLG prospectus puts Tower Hamlets in a significantly improved financial position than under the current subsidy system, and offers the potential for new build. This is primarily because;
- The Council will retain all rents and benefit from the annual increases so long as it follows rent convergence guidelines. Both scenarios outlined above assume rent convergence by 2015/16 as set out in the Prospectus
  - The uplifts for management and maintenance, and MRA, are reflected in the debt adjustment and so the Council benefits from this immediately
  - The interest charge on debt is lower than that set out in the offer
- 7.10 The viability of the self-financing offer and potential for new supply would be threatened if the Government are minded to amend the offer or withdraw decent homes funding. As a one-off offer it is also sensitive to significant inflationary pressures and interest rate changes. It is therefore important that capital receipts from future right-to-buys are retained to reduce debt and support the housing capital programme.

## **8. RESPONDING TO THE PROSPECTUS**

- 8.1 The prospectus asks a number of questions, and seeks in principle to assess whether the offer is generally acceptable. Appendix 2 sets out the CLG consultation questions along with proposed outline responses. Cabinet is asked to note the submission to CLG. Cabinet is further asked to delegate to the Corporate Director Development and Renewal, after consultation with the Director of Resources and Lead Members Housing and Resources authority to deal with any further requests from CLG in relation to consultation on the Prospectus.

## **9. HRA FINANCIAL STRATEGY**

- 9.1 Cabinet agreed the principles of a medium term financial strategy at its meeting of 10th February, which took account of the assumed level of subsidy loss during the next 3 years. The Government assume our current costs of management and maintenance, after the uplifts outlined in paragraph 7.1 above, to be £41.9million, whereas actual net costs for 2010/11 are £42.5million (without taking account of any notional uplifts.)
- 9.2 It is therefore essential that, pending introduction of the new system, we continue to deliver the required savings, particularly from management and administration. Furthermore, under self-financing what makes up rents and service charges will need to become more transparent, and long-term

sustainable HRA business plan will require stable and effective treasury management. Members are therefore asked to agree the following principles to facilitate delivery of a long-term sustainable HRA.

- Income from the management of non-dwelling related HRA activities should aim to cover the total cost of providing these services to avoid being subsidised from tenants rents;
- Rents should not subsidise service charges, nor vice versa
- The Council aims to achieve rent convergence in line with Government guidelines (currently 2015/16)
- High emphasis on debt collection is maintained to minimise provision for bad debts
- Treasury management strategy for the HRA focuses on longer term stability at a rate below the CLG discounted net present value of 7%.

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

- 10.1 The report sets out the implications of the proposed system of local government housing finance as set out in the CLG prospectus issued at the end of March 2010. The analysis highlights the huge disparity between investment needs and likely housing resources that will be available in the future under the current subsidy regime. Initial assessment of the offer for Tower Hamlets appears to demonstrate significantly improved viability under the self-financing option. However the model is extremely sensitive to assumptions and further review of the business model is required, along with assessment of the General Fund implications and risks as outlined in paragraphs 14.4, 14.5 and 15.1.
- 10.2 At this stage, a positive response to the consultation does not commit the Council, but notwithstanding the autumn spending review, there is the possibility of a speedy introduction of the new financing system. Again further testing of the model and its treasury management implications would be required before acceptance.
- 10.3 Recommendation 2.5 seeks approval to earmark all RTB receipts for housing purposes. Under the proposed self-financing system at least 75% (i.e. that element pooled under the current system) must be retained for social housing and regeneration purposes. However earmarking all future RTBs will limit the flexibility of the Council to utilise the residual 25% of receipts for other strategic (non-housing) priorities. Currently the number of right-to-buys is very low, but this may change as market conditions improve.
- 10.4 The tighter ring-fence applied to the HRA may mean that some services currently lawfully charged to the HRA cannot be charged there in the future. The impact of this is still to be assessed but an additional cost to the General Fund, or savings to those services affected, is possible. However the tighter ring-fence would also clarify the financial arrangements around the HRA and make it easier to make long-term policy decisions about the stock.



- 10.5 Whilst the initial analysis indicates that the offer is advantageous compared with the existing the subsidy system as it is expected to pan out for the authority over the next few years, the long term maintenance and improvement of the current housing stock as financed through the reformed HRA is subject to assumptions about the funding likely to be available, including the allocation of funding from Decent Homes. The development of the 30 year business plan will shed further light on this question.
- 10.6. In order to take full advantage of the debt redemption offer of £277m, the authority will need to change its borrowing plans for 2010/11 to ensure that it has sufficient borrowing from the government on its books to gain fully from the offer. This can be accommodated within the Treasury Management Strategy agreed by the Council in March, although with less room for flexibility, and will increase borrowing costs for a short period, which again can be contained within existing budgets.
- 10.7 If implemented, the self-financing proposals would be likely to apply from 2011/12 and would need to be taken into account in the forthcoming budget process.

## **11. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 11.1 The report deals with the implications of ending the current housing subsidy system.
- 11.2 The Council is subject to an obligation under Part VI of the Local Government and Housing Act 1989 to maintain a housing revenue account. The Council is required to prepare proposals in January and February each year relating to the income of the authority from rents and other charges, expenditure in respect of repair, maintenance, supervision and management of HRA property and other prescribed matters. The proposals should be based on the best assumptions and estimates available and should be designed to secure that the housing revenue account for the coming year does not show a debit balance. The Council must keep those proposals under review and revise them if necessary to keep the HRA in positive balance. The consideration of the government proposals and their impact on the HRA is consistent with the Council's obligations.
- 11.3 The report proposes further that right to buy receipts are earmarked for housing and housing regeneration capital programmes. The Council is required to deal with capital receipts in accordance with Part 4 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003. Pursuant to regulation 23, the meeting of capital expenditure is one of the permissible uses for capital receipts.

## **12. ONE TOWER HAMLETS CONSIDERATIONS**

- 12.1 Under either system the Council is required to maintain a balanced HRA. This means the right balance has to be struck between maximising resources available to the Council for social housing and avoiding undue hardship on vulnerable tenants. It is considered that the approach proposed in the report strikes the right balance.

**13. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 13.1 There are no specific SAGE implications of the report.

**14. RISK MANAGEMENT IMPLICATIONS**

- 14.1 The prospectus has been issued at a time of considerable uncertainty with regard to public finances, and there is the potential for the proposals not to proceed under the new Government, particularly if a number of local authorities say “no” to the proposals. As outlined in paragraph 5 above, continuation of the current subsidy system will continue to have significant long term financially adverse implications for Tower Hamlets.
- 14.2 Moving to self-financing significantly alters the risk profile of the HRA and its business plan. The current system focuses on unpredictability of subsidy entitlement and inability to plan ahead. New risks will focus on Treasury Management, interest rate fluctuations and local decision-making around best use of borrowing, capital receipts and reserves. Robust risk management will be an essential tenet to support asset management decisions within the business plan.
- 14.3 Self-financing will mean breaking the link between MRA and depreciation, and the Council will be required to determine a fair depreciation charge for the HRA. Work is currently being undertaken by CIPFA and the Audit Commission to ensure, where possible this is revenue neutral. However there is a risk that depreciation could be higher than the uplifted MRA allowance allowed for in the debt adjustment.
- 14.4 The debt adjustment offer refers specifically to the redemption of PWLB debt. However the balance of PWLB debt held by the Council as at 30<sup>th</sup> March 2010 is less than the amount to be redeemed in the prospectus. Further clarification is being sought from CLG over how this issue will be resolved.
- 14.5 The reduction in HRA debt will impact on the Capital Financing Requirement of the Council (overall outstanding debt.) As a consequence the consolidated rate of interest charged to the General Fund could increase.
- 14.6 Under either system there is a risk to the Decent Homes funding. Whilst the self-financing model is significantly more resilient than the current subsidy system, failure to receive the ALMO decent homes funding of £220m would leave a capital shortfall over the 30 years of £330m. However, under the current system that shortfall would be some £600million.

- 14.7 Under the current system there is a risk of reduction or withdrawal of Supported Capital Expenditure allocations. The Council currently receives some £15million of borrowing approval. This is not a factor under self-financing as all borrowing is funded from the HRA. However there is a risk that Councils might not benefit from social housing grant for new supply. Under these circumstances it would be all the more important for the Council to ensure most effective use of right-to-buy receipts.

**15. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 15.1 Proposals to strengthen the statutory ring-fence of the HRA need further clarification, but could restrict the freedom of the Council to charge tenants for certain crime and disorder and general nuisance related services, with consequential General Fund implications - both financial, and service delivery.

**16. EFFICIENCY STATEMENT**

- 16.1 The report sets out the need to deliver the short-to-medium term efficiency savings as outlined in the Council's agreed HRA financial strategy.

**17. APPENDICES**

Appendix 1 – Detailed Assessment of the CLG Council Housing Reform prospectus for Tower Hamlets  
Appendix 2 – CLG Council Housing: A Real Future – Prospectus: Consultation Questions and Proposed Response.

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**Local Government Act, 1972 Section 100D (As amended)  
List of “Background Papers” used in the preparation of this report**

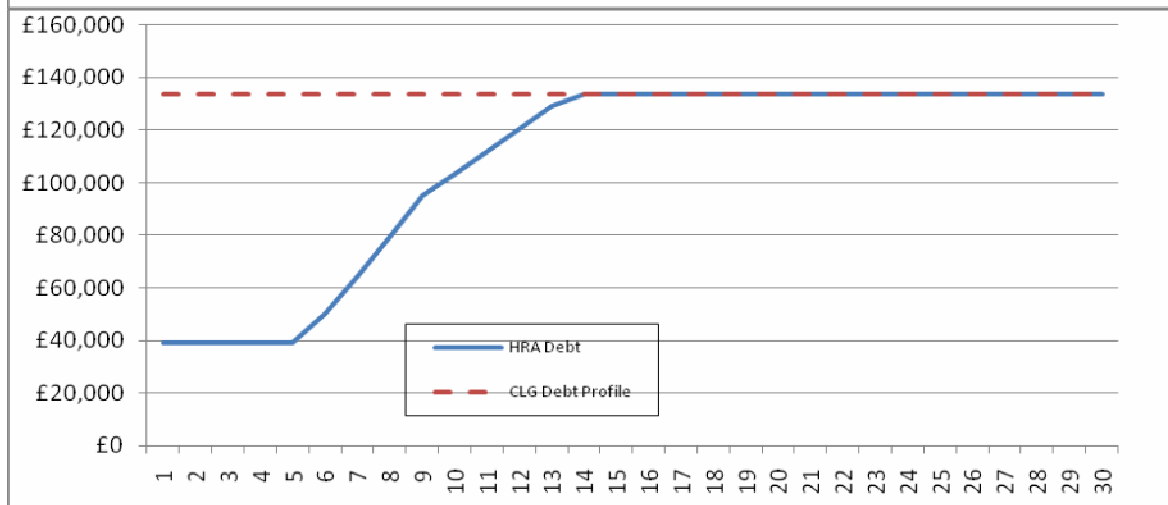
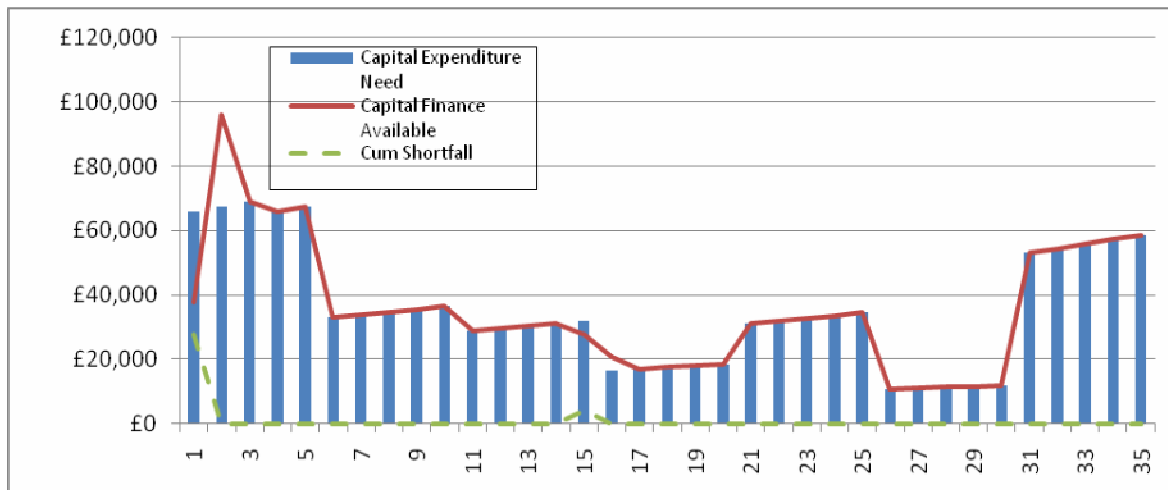
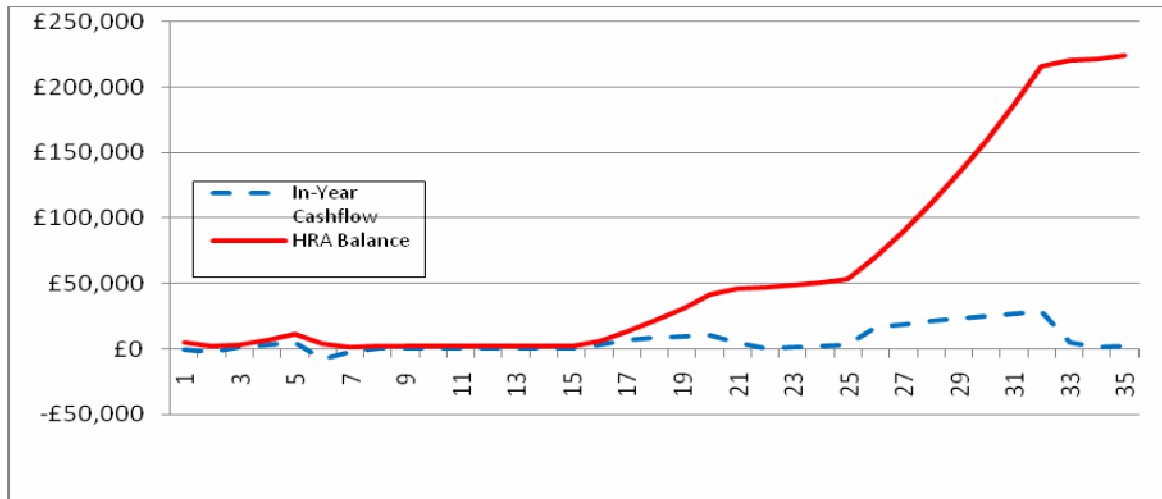
Brief description of “background papers”      Name and telephone number of holder and address where open to inspection.

**None**

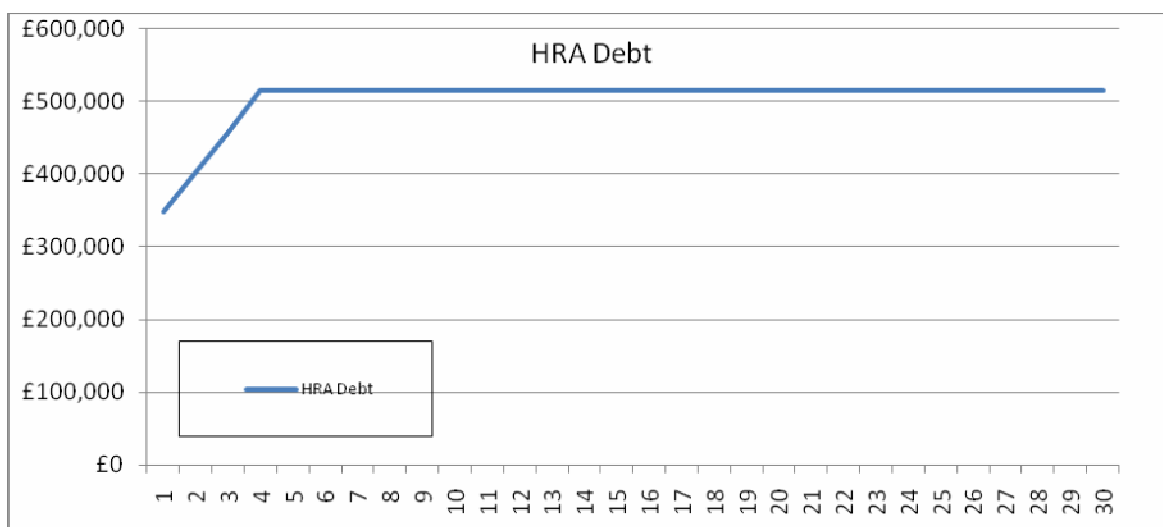
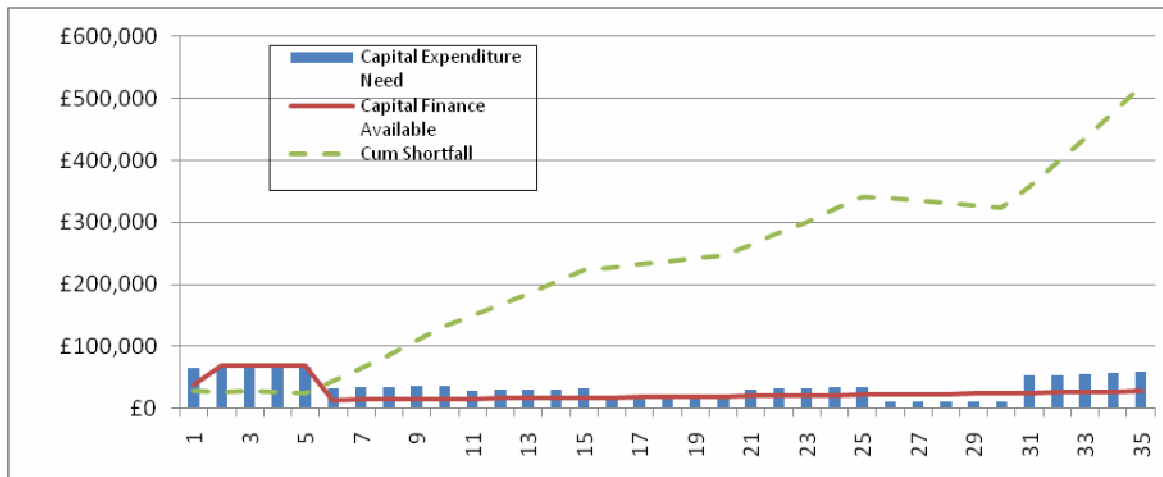
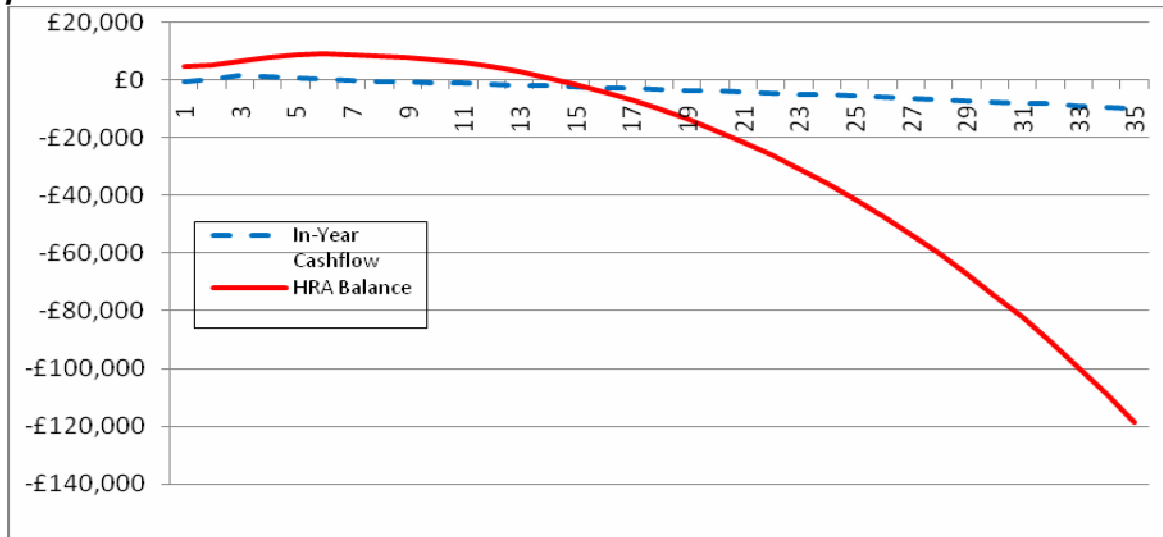
**N/A**

**DETAILED ASSESSMENT OF IMPLICATIONS FOR TOWER HAMLETS AND COMPARISON OF THE BUSINESS MODELS**

**Charts 1a, 1b and 1c: Self financing revenue, capital and debt profiles £'000: no set aside**



**Charts 2a, 2b and 2c: HRA within Subsidy System revenue, capital and debt profiles £'000**



## CLG CONSULTATION QUESTIONS AND PROPOSED OUTLINE RESPONSE

<b>Question</b>	<b>Proposed Outline Response</b>
What are your views on the proposed methodology for assessing income and spending needs under self-financing and for valuing each council's business?	<p>The Council generally supports the methodology outlined in the prospectus and the basis for determination of the debt adjustment. However the Council does not agree with the assumptions for calculation of the MRA uplift as this significantly understates the investment costs associated with high rise properties and other flats compared to houses.</p> <p>Viability for Tower Hamlets is dependent on the availability of ALMO decent homes funding</p>
What are your views on the proposals for the financial, regulatory and accounting framework for self-financing?	Clarification is sought around the debt limit, and the potential for future borrowing beyond the cap set in future years.
How much new supply could this settlement enable you to deliver, if combined with social housing grant?	An initial assessment suggests that the headroom proposal, if combined with social housing grant, could facilitate the delivery of up to 60 new supply units
Do you favour a self-financing system for council housing or the continuation of a nationally redistributive subsidy system?	The Council is in favour of a self-financing system for council housing, subject to retention of a debt adjustment that is fair and supports the delivery of a long term sustainable housing revenue account.
Would you wish to proceed to early voluntary implementation of self-financing on the basis of the methodology and principles proposed in the Prospectus? Would you be ready to implement self-financing in 2011-12? If not, how much time do you think is required to prepare for implementation?	Yes the Council would wish to proceed based on the offer outlined in the Prospectus, and would be ready to implement self-financing from 2011/12.
If you favour self-financing but do not wish to proceed on the basis of the proposals in the Prospectus, what are the reasons?	N/A

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# Agenda Item 7.1

<b>-Committee/Meeting:</b>  Cabinet	<b>Date:</b>  7 July 2010	<b>Classification:</b>  Unrestricted	<b>Report No:</b>
<b>Report of:</b>  Corporate Director of Resources  <b>Originating officer(s)</b> Richard Parsons, Service Head, Procurement & Corporate Programmes		<b>Title:</b>  Contracts Forward Plan  <b>Wards Affected:</b> All	

<b>Lead Member</b>	Resources
<b>Community Plan Theme</b>	One Tower Hamlets
<b>Strategic Priority</b>	

## 1. SUMMARY

- 1.1 The Council's Procurement Procedures require a quarterly report to be submitted to Cabinet, laying down a forward plan of revenue contracts over £250,000 in value, or capital contracts over £5 million. 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 for the period July 2010 to June 2011.

## 2. DECISIONS REQUIRED

### **Cabinet is recommended to:-**

- 2.1 Consider the contract summary at Appendix 1, and identify those contracts about which specific reports should be brought before Cabinet prior to contract award by the appropriate Chief Officer for the service area;

## 3. REASONS FOR THE DECISIONS

- 3.1 Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, that "any contract for goods and services with an estimated value exceeding £250,000 shall be approved by the Cabinet unless the expenditure is incurred in accordance with a revenue or capital estimate which has already been adopted by the Cabinet", whilst providing full visibility of contracting activity.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, that “The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250,000, and any contract for capital works with an estimated value exceeding £5,000,000, shall be approved by the Cabinet in accordance with the Procurement Procedures”, whilst providing full visibility of contracting activity.
- 4.2 The principal alternative to a consolidated report would be for each contract to be reported separately, which would be demanding upon Cabinet time, with no discernible benefit.
- 4.3 Appendix 1 details the contracts which are planned during the period July 2010 to June 2011.. This plan lists all of the contracts which have been registered with the Procurement Service, and which are scheduled for action during the period in question. 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.
- 4.4 Cabinet will be 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.
- 4.5 Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the Council’s internal tollgate process which provides an independent assessment of all high value contracts, and ensures that contracting proposals adequately and proportionately address both financial and social considerations. The work of the Competition Board and the Procurement & Corporate Programmes Service ensures a joined-up approach to procurement.
- 4.6 Contracts are required to address sustainability issues in their planning, letting and management. Again, this is assured through the tollgate process, and supported through the Procurement & Corporate Programmes Service’s Corporate Social Responsibility activities.
- 4.7 Risk management is addressed in each individual contracting project, and assessed through the tollgate process.
- 4.8 There are no specific crime and disorder reduction implications
- 4.9 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.

## **5. BACKGROUND**

- 5.1 Cabinet agreed a new set of Procurement procedures in November 2009, which included a proposal for submission of a quarterly forward plan of contracts for Cabinet consideration. This report provides the forward plan for the period July 2010 – June 2011, and gives Cabinet members the opportunity to select contracts about which they would wish to receive further information, through subsequent specific reports.

## **6. THE ROLE OF COMPETITION BOARD**

- 6.1 During 2009, a new Competition Board was established, to drive procurement improvements and monitor progress against the Corporate Procurement Strategy. One of the Board's roles is to consider contracting proposals as assessed through the internal tollgate process.
- 6.2 The tollgate process is an internal procurement project assurance methodology, based upon the principles of gateway reviews, which assesses the chances for success of high value contracting proposals (over £250,000 for revenue contracts, and £5,000,000 for capital contracts), making recommendations to support contract owners to achieve improved outcomes. All tollgate reviews are reported to Competition Board, and when appropriate contract owners are interviewed by the Board; contracts require approval of the Board before proceeding.

## **7. FORWARD PLAN OF CONTRACTS**

- 7.1 Appendix 1 details the contracts which are planned during the period July 2010 to June 2011.. This plan lists all of the contracts which have been registered with the Procurement Service, and which are scheduled for action during the period in question. 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.
- 7.2 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 to the award of the contract by the appropriate Chief Officer for the service area.

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

- 8.1 This report sets out the Council's planned procurement activity on high value contracts for the next period. Procured services comprise around 40% of the Council's annual expenditure and control of procurement processes is thus crucial to delivering value for money for local residents as well as managing the risks that may arise if procurement procedures go wrong. Consideration

of the plan by Cabinet operates as an internal control and also provides the opportunity for Members to comment on specific procurements at an early stage.

- 8.2 The Procurement Plan includes approximate values for the contracts under consideration

## **9. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 9.1 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. In November 2009, Cabinet approved the 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 2006. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed the thresholds in paragraph 3.1 of this report. The arrangements are consistent with the proper administration of the Council's financial affairs.

## **10. ONE TOWER HAMLETS CONSIDERATIONS**

- 10.1 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 Competition Board and the Procurement & Corporate Programmes Service ensures a joined-up approach to procurement.

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

- 11.1 Contracts are required to address sustainability issues in their planning, letting and management. Again, this is assured through the tollgate process, and supported through the Procurement & Corporate Programmes Service's Corporate Social Responsibility workstream.

## **12. RISK MANAGEMENT IMPLICATIONS**

- 12.1 Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

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

- 13.1 There are no specific crime and disorder reduction implications.

## **14. EFFICIENCY STATEMENT**

14.1 Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

**15. APPENDICES**

Appendix 1 – Contracts Planned, July 2010 – June 2011.

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**Local Government Act, 1972 Section 100D (As amended)  
List of “Background Papers” used in the preparation of this report**

**None**

**N/A**

APPENDIX ONE – CONTRACTS PLANNED JULY 2010 – JUNE 2011

Contract No.	Description	Contract Period	Planned Date for Invitation to Tender	Estimated Value	Notes
AHWB3168	Domiciliary Care Services	January 2011 - December 2015	May 2010	£10.8m per annum	To be reported separately to Cabinet
AHWB3200	Supporting People - Multiple Contracts	Various	March 2010 for framework agreement. Individual call-offs from December 2010	Approx £15m per annum	
AHWB3212	Community Equipment Services	TBA	TBA	£750k per annum	
DR3232	Temporary Accommodation	April 2011 – March 2014	November 2010	£26m per annum	Contracting strategy currently being developed
CE3105	The removal of nuisance vehicles in the borough	April 2010 - March 2014	Tenders invited and received	£1.1m per annum	Reported separately to Cabinet
CE3161	Distribution & Delivery Services	April 2010 - March 2014	February 2010	£350,000 per annum	
CLC3166	Medical Assessment Services	May 2010 to April 2013	February 2010	£100,000 per annum	
CLC3197	Victoria Park Construction Phase	September 2010 to March 2012	March 2010	£9.1m	
CLC3211	Victoria Park Management and Monitoring	September 2011 to August 2015	December 2010	£600k	
CLC3231	Culture and Community Engagement Programme	TBC	TBC	TBC	
CSF3213	Bygrove School	N/A - building	January 2010	£735,000	Capital works – delivery

			refurbishment				of Primary Capital Programme
CSF3214	Smithy School	N/A - building refurbishment	N/A - building refurbishment	February 2010	£900,000	Capital works – delivery of Primary Capital Programme	
CSF3215	Elizabeth Selby School	N/A - building refurbishment	N/A - building refurbishment	February 2010	£500,000	Capital works – delivery of Primary Capital Programme	
CSF3216	Arnhem Wharf School	N/A - building refurbishment	N/A - building refurbishment	April 2010	£2.6m	Capital works – delivery of Primary Capital Programme and school expansion	
CSF3217	Globe School	N/A - building refurbishment	N/A - building refurbishment	April 2010	£1.4m	Capital works – delivery of Primary Capital Programme	
CSF3218	Stebon School	N/A - building refurbishment	N/A - building refurbishment	September 2010	£900,000	Capital works – delivery of Primary Capital Programme	
CSF3219	Canon Barnett School	N/A - building refurbishment	N/A - building refurbishment	September 2010	£900,000	Capital works – delivery of Primary Capital Programme	
CSF3220	Mayflower School	N/A - building refurbishment	N/A - building refurbishment	June 2010	£900,000	Capital works – delivery of Primary Capital Programme	
CSF3221	Allen Gardens	N/A - building refurbishment	N/A - building refurbishment	September 2010	£450,000		
CSF3222	Matilda House	N/A - building refurbishment	N/A - building refurbishment	October 2010	£450,000		
CSF3225	Malmesbury School	N/A - building refurbishment	N/A - building refurbishment	May 2010	£750,000	Capital works – delivery of Primary Capital Programme	
CSF3227	Discovery House	N/A - building refurbishment t	N/A - building refurbishment t	January 2010	£265,000	Overnight short breaks provision	

CSF3228	Sparks Centre	N/A - building refurbishment	April 2010	£790,000	Proposed children's centre
E3157	Short Break Personal Care for Children with Disabilities	May 2010 - April 2014	Tenders invited and received	£600,000 per annum	Reported separately to Cabinet
E3169	Supply of Fresh & Frozen Meat for School meals and meals on wheels service.	August 2010 to July 2013	TBA	£1.5m	Option to extend to July 2011.
E3170	Supply of Fresh Fruit and Vegetables for School meals and meals on wheels service.	August 2010 to July 2013	TBA	£750,000	Option to extend to July 2011.
E3198	Residential Overnight Short Breaks for Children	July 2010 - March 2011	Tenders invited	£600,000 per annum pro rata	To be reported separately to Cabinet
DR 3184	Bethnal Green Restoration Works	March 2010 to February 2012	January 2010	£600,000	
DR3118	High Street 2012 - Contractor	February 2010 to February 2012	Tenders invited and received	£4m	
DR3158	High Street 2012/Whitechapel - architecture and design	February 2010 to February 2012	Tenders invited and received	£560,000	
DR3173	Electricity Supply	April 2010 - March 2011	N/A - propose to use Buying Solutions framework	£4m	Reflects best industry practice, via Capital Ambition London Energy Project
DR3188	Ocean Estate - Urban Block E and F Demolition	February 2010 to March 2012	Tenders invited and received	£2m	
DR3192	Blackwall Reach Project	120 months, start TBA	March 2010	£450m to £500m	Cabinet (10.3.10)has asked for a separate report on this
DR3205	Housing Infill Project (bid rounds 1, 2 and 3)	April 2010 to March 2011	March 2010	£3m	Building Britain's Future additional housing stock project
DR3230	Ocean Estate Frontage	TBC	TBC	TBC	
H2981	Ocean Estate Developer Partner	Est start date 1 April 2010	Tenders invited and received	£200m to £250m	Cabinet (10.3.10)has asked for a separate



H3156	Fire Retardant and Anti-Graffiti Paint (THH)	3 Years, start TBA	TBA	£300,000 per annum	report on this
H3190	THH Repairs and Maintenance	April 2011 – March 2016	February 2010	£15m per annum	Cabinet (10.3.10) has asked for a separate report on this
R3116	Reprographics/Print	January 2011 - December 2013/2015	September 2010		Contracting strategy currently being delivered
R3167	Banking Services	Oct 2010 – Sept 2015	May 2010	£145,000 per annum	
R3182	Legal Services for Insurance Claims	June 2010 – May 2013/14	March 2010	£200,000 per annum	3 years with option of 1 year extension.
R3201	IT Peripherals Framework	March 2011 to February 2015	November 2010	£400,000 per annum	Contracting strategy currently being developed
R3202	Network Backup Support	December 2010 to December 2013	July 2010	£466,000 per annum	Contracting strategy currently being developed
R3203	Mobile Communications	January 2011 to December 2012	September 2010	£530,000 per annum	
R3204	Internal Audit Services	April 2010 – March 2014	March 2010	£160,000 per annum	Croydon framework call-off.
R3206	Construction Professional Services Framework	June 2010 to May 2014	Current proposal is to link in to a consortium contract with London Borough of Barking & Dagenham	£5m per annum	Addresses current fragmented approach to the use of professional services in construction
R3207	Main Construction Contractor Framework	June 2010 to May 2014	Current proposal is to link in to a	£21m per annum	Cabinet (10.3.10) has asked for a separate

				consortium contract with City West, Frameworks or LHC			report on this
R3208	Procurement Training Provision	July 2010 – June 2013	May 2010		£200,000 per annum		Note: this contract will be let on behalf of all London Boroughs by LBTH. Project funded by Capital Ambition. Value shown is for expenditure by all participating Boroughs. LBTH spend approx £7,000 per annum. In response to Cabinet Action Note CABPAP Action Note 23 6 10 – LB Tower Hamlets use of this contract is negligible.
R3209	Minor Works and Repairs Framework	July 2010 to June 2014	July 2010		£25m per annum		Cabinet (10.3.10) has asked for a separate report on this
R3210	Security Framework	January 2011 to December 2015	October 2010				Contracting strategy currently being delivered
R3233	Vendor Neutral Managing Agent for Temporary Staff	October 2010 to September 2014/15	May 2010		£450k per annum		Value is agent's estimated remuneration. Option to extend to September 2011 to be investigated.
	Payroll & Integrated HR	December 2010 to	December 2009		£222,500 in 2010		Negotiations are

R3195	System	December 2012		plus £79,950 per annum.	ongoing but are at the final stage and members will be updated regarding price at the meeting.
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# Agenda Item 7.2

<b>Committee/Meeting:</b> Cabinet	<b>Date:</b> 7 July 2010	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b> Acting Corporate Director, Children, Schools & Families  <b>Originating officer(s):</b> Pat Watson		<b>Title:</b> Children, Schools and Families Capital Programme  <b>Wards Affected:</b> All	

<b>Lead Member</b>	Lead Member for Children, Schools & Families
<b>Community Plan Theme</b>	A Prosperous Community
<b>Strategic Priority</b>	Priority 3.1: Support lifelong learning opportunities for all

## 1.0 **SUMMARY**

- 1.1 This report advises Cabinet on the latest position on the Children, Schools and Families (CSF) Capital Programme and seeks various approvals as set out in the report.

## 2.0 **DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Note the contents of this report and specifically the proposed allocations for 2010/11 and out-turn in the 2009/10 CSF Programme detailed in Appendix A (6.3);
- 2.2 Approve the adoption of revised capital estimates for 2010/11 modernisation programme for relevant schemes as shown in Appendix B and authorise expenditure (paragraph 6.7);
- 2.3 Approve the adoption of the revised capital estimate of £3.4m for the remodelling work at the Harry Gosling Primary school (paragraph 6.9);
- 2.4 Note the progress with the Primary Capital Programme (PCP) schemes as shown in Appendix C and approve the revised capital costs and estimates within the overall approved programme (paragraph 6.12);
- 2.5 Approve the adoption of the revised capital estimate of £6.6m for the expansion project at the Marnier Primary school (paragraph 6.16);
- 2.6 Approve the adoption of a revised capital estimate of £3.051m for the expansion of Wellington Primary School (paragraph 6.17);

- 2.7 Approve the adoption of a revised capital estimate of £4.65m for the expansion of Arnhem Wharf Primary School (paragraph 6.18);
- 2.8 Approve the adoption of a preliminary capital estimate of £5.5m for the proposed expansion of Culloden Primary School (paragraph 6.19);
- 2.9 Approve the adoption of a capital estimate of a further £250,000 to cover the costs of undertaking feasibility studies/surveys for schemes being considered for inclusion in the capital programme and authorise expenditure (paragraph 6.24);
- 2.10 Approve the adoption of the capital estimate of £598,613 for EYS Capital Programme 2010/11, and to delegate approval of the detailed list to the Director of CSF (paragraph 6.28);
- 2.11 Approve the award of a grant of £381,313 to Lincoln Hall Playgroup to increase the capacity of the playgroup and additional improvements (paragraph 6.29);
- 2.12 Approve the award of a grant of £590,570 to Mudchute Nursery to carry out a comprehensive programme of internal remodelling and expansion of the building (paragraph 6.30);
- 2.13 That, in respect of all proposed tenders referred in this report, in the event of the lowest tender for any scheme exceeding the approved budget, the Director of CSF is authorised to prepare and carry out a Bill of Reductions where relevant to ensure expenditure is contained within the agreed costs.

### **3.0 REASONS FOR THE DECISIONS**

- 3.1 The Local Authority (LA) has a responsibility to maintain its properties to ensure that they are safe and secure for staff and users. In the case of schools, the LA has a statutory responsibility to provide sufficient places for children and young people of school age. It also receives grants such as PCP, which have specific purpose and spend requirements. Cabinet is asked to note the programme and approve the adoption of the capital estimates so that the required works can proceed.

### **4.0 ALTERNATIVE OPTIONS**

- 4.1 When identifying which works to include within the capital programme alternative options are always considered. This is to ensure that the projects both meet value for money and address the needs identified. Expansion projects are recommended following options appraisals and to select the options which best meet the location needs of the rising school age population.

## **5.0 BACKGROUND**

5.1 This report advises Members on the latest position on the CSF Capital Programme, the out-turn for 2009/10 (as described in Appendix A) and on the allocations confirmed by the Department for Education (DfE – previously the Department for Children, Schools and Families), as previously reported in November 2008, in respect of 2010/11. The report seeks authority for necessary additions/revisions to the programme to enable projects to be progressed.

## **6.0 BODY OF REPORT**

### **6.1 Allocations and Funding**

6.2 As part of their commitment to inform Local Authorities and schools on the funding that they would receive over 3 years, the government published details in 2007 of the funding for the period 2008 to 2011. The capital funding for 2010/11 was reported to Cabinet at its meeting in February 2010. The expectation was that the government would, in 2010, issue details on the funding for 2011 to 2014. The likely level of future allocations is uncertain. As a basis for planning, we have assumed that there will be some level of capital allocation to meet the need for additional primary places as the local need is projected to continue to rise beyond existing capacity. In view of the time that such projects take to develop, we are continuing to develop options on the assumption of further government funding. Announcements of further allocations are likely by the end of the calendar year and proposals will have to be reviewed when the resource position is confirmed.

6.3 The following table sets out the allocations for 2010/11 to 2012/13, amounting to £45.656m (excluding BSF), and how they will be funded. These include the funds previously reported to Cabinet in February 2010 amounting to £19.960m, associated carry-forwards of £19.978m (as set out in Appendix A), and the balance from S106 of £4.781m and other specific grants amounting to £0.937m.

**Table 1 Summary of CSF Capital Budgets and How they are Funded 2010/11 to 2012/13**

CAPITAL BUDGETS (£M)				FUNDING (£m)					
Programme	2010/11	2011/12	2012/13	G	SB	S106	SC	LPP	
Condition Programme	£1.112			£0.702	£0.410				
Primary Capital Programme	£12.146	£1.831		£10.395	£1.589		£1.993		
LMU Youth Facility	£0.049					£0.049			
Expansion	£9,307	£8.806	£1.030	£1.071	£13.992	£4.080			
Kitchens Improvements	£0.150			£0.150					
Osmani Youth	£3.000	£1.250				£1.006		£3.244	
Bishop Challenor contribution	£0.600							£0.600	
Early Years Programme	£1.571			£1.571					
ICT	£1.037			£1.037					
Short Break Programme	£0.412			£0.412					
Voluntary Aided Programmes	£0.991			£0.991					
Previously agreed projects	£2.364			£1.850		£0.394		£0.120	
<b>Total Allocations:</b>	<b>£32.739</b>	<b>£11.887</b>	<b>£1.030</b>	<b>£18.179</b>	<b>£15.991</b>	<b>£5.529</b>	<b>£1.993</b>	<b>£3.964</b>	
<b>Explained by:</b>									
<b>Brought Forward</b>				<b>£3.255</b>	<b>£11.683</b>	<b>£1.138</b>	<b>£1.993</b>	<b>£1.909</b>	
<b>Funding 2010/11 onwards</b>				<b>£14,924</b>	<b>£4,308</b>	<b>£4.391</b>	<b>0</b>	<b>£2.055</b>	
<b>TOTAL</b>			<b>£45.656</b>	<b>TOTAL</b>					<b>£45.656</b>

**G - Grant SB - Supported Borrowing S.106 - Planning Gain SC - School Contributions**

**LPP – Local Priorities Programme**

## 6.4 Other Resources

6.5 In addition to grants and supported borrowing the CSF capital programme is supplemented by a number of other resources. Principally this includes s.106 contributions (planning gain), which is being used to support the pupil places expansion programme to meet rising demand, and contributions towards projects from schools devolved formula capital. The CSF unapplied rates rebates fund is largely being used to supplement the main CSF programme to fund priority repairs and improvements for non-school CSF premises, for which the Authority receives no formulaic allocations from the DfE.

## 6.6 Capital Programme 2010/11

6.7 The projects included within the condition programme are listed in Appendix B and are part of a rolling programme of works to improve the condition and facilities of CSF buildings. Projects are included on the basis that works are



necessary to rectify serious building or supply faults to ensure safe operation of premises by users and reduce incidence of unplanned closure. This is an ongoing five year rolling programme and Cabinet is only asked to approve the funding for the projects listed in 2010/11.

- 6.8 This programme is resourced through a wide variety of funding streams, each with their own respective conditions and timeframes. A number of condition related projects included represent part of the PCP investment package and have been brought forward in the programme on this basis. These costs are included in the PCP project allocations described in the report. As the programme is progressed, it is occasionally necessary to make adjustments to the make-up of project allocation profiles to ensure the best use is made of available resources.
- 6.9 A major remodelling project was carried out the Harry Gosling Primary school which was completed in 2008. The current allocation for the project (as revised) is £2.994m. During the course of the project a number of site and building problems became apparent and it was necessary to undertake revision of the scheme to ensure that the project could be delivered satisfactorily. The most prominent of these related to costs associated with statutory services provided by EDF Energy. In addition, there were significant delays in the main contractor completing the project.
- 6.10 Although some savings had been identified, the final cost could be £3.4m. This figure may decrease depending on the outcome of contract negotiations with the main contractor, particularly around an on-going dispute relating to a substantial extension of time claim regarding the steelwork design. At this time, the LA is considering its position with regards to the claim and seeking independent legal advice on the matter. It is recommended that the revised capital estimate of £3.4m be adopted to meet anticipated commitments. The additional anticipated costs can be funded from within the 2010/11 Modernisation grant.

#### **6.11 Primary Capital Programme (PCP)**

- 6.12 The PCP is now into its second year and an update on the projects included is shown in Appendix C. Although mainly funded from the PCP grant, they also include a variety of other funding streams.
- 6.13 When the PCP was announced in 2007, the intention was that funding would be available for 14 years to modernise primary schools. The intention is to continue to develop the next wave of projects that were prioritised as part of the Council's Primary Strategy for Schools submission to the DfE, but implementation will depend on allocations received and so this will be reviewed following notification. It is likely that priority will have to be given to funding expansion projects from all resources within the overall programme.

#### **6.14 Primary School Expansion Projects**

- 6.15 Cabinet previously agreed the expansion of Ben Jonson, Manorfield, Arnhem Wharf and Marner and, more recently, Wellington schools. Ben Jonson and phase 1 of Arnhem Wharf have been completed, with Manorfield completing in July 2010. The project at Wellington is due to start on site later this year, subject to approval of the statutory proposals. Cabinet has adopted capital estimates for each scheme using DfE capital allocations and developer contributions arising from various S106 agreements that have been received.
- 6.16 **Marner Primary School** - The project at Marner is being undertaken in 5 phases to minimise the disruption to the school. The works are now in Phase 4, with Phase 5 due to start in January 2011. Because of the complex nature of the scheme, problems have arisen which cannot be covered by contingencies. These include additional works associated with upgrading the services and further temporary arrangements to minimise disruption to the school. The current adopted capital estimate is £5.8m. Although the project has been reviewed to identify savings, the forecast for the final cost of the project is £6.6m. The option of not proceeding with Phase 5 is not appropriate as the way that the overall scheme has been designed would mean that the school would not have all the accommodation needed as a 3FE (forms of entry) school. Cabinet is recommended to approve the adoption of a revised capital estimate of £6.6m, which would be funded from the uncommitted balance in the 2010/11 Basic Need allocation.
- 6.17 **Wellington Primary School** – A capital estimate of £2.901m was adopted for this scheme based on anticipated construction costs and professional fees. Since the previous Cabinet decision in April 2010, the planning application has been submitted and permission has been received. However, certain planning conditions more onerous than anticipated have been imposed on the permission in relation to the adjacent conservation area and the costs of these exceed the planned budget. Cabinet is recommended to approve the adoption of a revised capital estimate of £3.051m which would be funded from the uncommitted balance in the 2010/11 Basic Need allocation.
- 6.18 **Arnhem Wharf Primary School** – The adopted capital estimate for this scheme is £4.4m. The scheme is being implemented in 2 phases. Phase 1 has been completed and phase 2 is to start on site later this summer. Following a design review for phase 2, the scheme has been adjusted to ensure the efficiency and cost-effectiveness of the implementation. However, in order to complete the scheme to meet the needs of the expanded school, it is recommended that a revised capital estimate of £4.65m is adopted which would be funded from the Basic Need allocation.
- 6.19 **Culloden Primary School** - Feasibility work has been undertaken on the proposed expansion of the school from 2 forms of entry to 3 forms of entry. Initial consultation on the proposals with the school community is taking place in the second half of the summer term. Subject to the response to this consultation, Cabinet approval will be sought for publication of statutory proposals for implementation in September 2012. The scheme is being procured via the LEP and is the first primary school scheme to be commissioned in this way.

6.20 The estimated cost of the scheme is £5.5m. The programme for works, which would be implemented subject to Cabinet's approval of statutory proposals, would commence on site in summer 2011 for a construction period of approximately twelve months. This means that the main expenditure would fall in the period of the next round of allocations. However, due to the time taken to implement these projects, planning has to proceed at this stage in order to ensure that sufficient supply of primary school places can be achieved. Any implications for proceeding with the scheme will be reviewed when allocations of capital funding for 2011/12 are known. The programme assumes that the contract would not be entered into until spring 2011.

6.21 Cabinet is recommended to adopt a capital estimate of £5.5m for the expansion of Culloden School. The project will be funded from future allocations of Basic Need funding and s. 106 contributions, to be confirmed.

**6.22 Other Options for Additional Primary Places** - A further review of the primary medium strategy is being undertaken and will be reported to Cabinet at a later date. In the short term it will be necessary to identify suitable school sites to locate temporary accommodation for the additional pupils.

### **6.23 Feasibility Studies**

6.24 In order to keep the capital programme and the CSF AMP under development, including the need for developing PCP projects at Voluntary Aided schools and identifying schemes to create additional places, it is recommended that a sum of £250,000 is included in the programme to fund feasibility studies of future schemes.

### **6.25 EYS Capital Programme**

6.26 Cabinet had previously approved an Early Years Service (EYS) Capital Programme in respect of a DfE capital grant allocation of £1,570,496 per annum for three years from April 2008. The grant has three main aims:

- To improve the quality of the learning environment in early years settings to support the delivery of the Early Years Foundation Stage, with a particular emphasis on improving play and physical activities; and ICT resources
- To ensure all children, including disabled children, are able to access provision.
- To enable PVI providers to deliver the extension to the free offer for 3 and 4 year olds and to do so flexibly.

6.27 It is expected that the majority of this capital grant will be used to improve the quality of the environment in private, voluntary and independent (PVI) early years and childcare settings both to support higher quality experiences for

young children and to ensure that all children can access services and benefit fully from them, although spending on the maintained sector is not precluded.

- 6.28 It is recommended that the global minor works budget for the EYS Capital Programme 2010/11 of £598,613 be adopted and that the detailed list of projects will be subject to approval under Corporate Director's Delegated powers. Any individual projects above the £100,000 threshold will be subject to specific approval and subject to containing within the overall Global budget of £598,613. The remainder of the allocation will fund larger projects as identified below which have been agreed by the Early Years Service's Capital Funding Panel:
- 6.29 **Lincoln Hall Playgroup** – has been recommended for the award of a sum up to a maximum of £381,313 to improve the free-flow between the inside and outside areas, through the creation of a new transitional space. The project will also see the increasing of the capacity of the playgroup; additional improvements will be made to the premises, specifically: installing toilets in the main room and outdoor area; installing multi-functional play equipment; creating a shaded area to protect children from the sun, improving the heating system and lighting; enlarging the windows; creating a new office area; creating a new kitchen area and making equipment accessible for children in need.
- 6.30 **Mudchute Nursery** – has been recommended for the award of a sum up to a maximum of £590,570 to carry out a comprehensive programme of internal remodelling and expansion of the building. These two elements for work will combine to: more than double the existing baby area by converting some of the existing internal space of the kitchen and adjacent laundry; move and provide a new industrial kitchen at the front of the building; expand the preschool area; extend the afterschool club area; move the laundry to create a new facility accessible from both the nursery and preschool areas; and to build onto the front of the building creating new storage and cloakroom facilities.

## **7 COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 7.1 This is a financial report setting out how the Children Schools and Families Department plans to spend available capital over the next three years, (with Cabinet endorsement) by applying the capital resources known to be available. The financial information is included through this report and in the appendices.
- 7.2 The capital budget set out in Table 1, paragraph 6.3 above identifies 2010/11 spending plans for £45.656m which is £25.693m more than the figures previously approved by Cabinet in February 2010. This increase is accounted for by further DfE capital grants of £3.94m, associated carry-forwards of £14.98m (as set out in Appendix A), £4.78m for Section 106 Planning Gain and £1.99m of School Contributions.

## **8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 8.1 The report outlines proposed projects in Children's Services and seeks Cabinet's approval of the associated capital estimates.
- 8.2 The Financial Regulations set a threshold of £250,000, above which Cabinet approval is required for a capital estimate. The Financial Procedures supplement this requirement. In accordance with Financial Procedure FP 3.3, senior managers are required to proceed with projects only when there is a capital estimate adopted and adequate capital resources have been identified. Where the estimate is over £250,000 the approval of the adoption of that capital estimate must be sought from the Cabinet. Senior managers must obtain a supplementary capital estimate where an individual capital scheme is projected to spend in excess of the original approval. If the supplementary capital estimate is more than £250,000, then Cabinet's approval must be obtained.
- 8.3 There is no legal impediment to approval of the estimates, as the proposed projects are capable of being carried out within the Council's statutory functions. The Council has a duty under the Education 1996 to secure that sufficient schools are available for Tower Hamlets. The Council has a duty under the School Standards and Framework Act 1998 to make premises available as part of its duty to maintain schools. The Council is also subject to duties under the Health and Safety at Work etc Act 1974 to ensure so far as is reasonably practicable the health and safety of staff, pupils, visitors and volunteers on school premises. It will be for officers to ensure that individual commitments are carried out in accordance with legal requirements.
- 8.4 Procurement for the various projects will need to be carried out in accordance with the Council's Procurement Procedures and, where relevant, the Public Contract Regulations 2006. In the case of works the relevant threshold for application of the regulations is £3.5m and in the case of related consultancy contracts the threshold is £140k. Compliance with the procurement procedures should assist the Council to comply with its duty as a best value 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" (section 3 of the Local Government Act 1999).

## **9.0 ONE TOWER HAMLETS CONSIDERATIONS**

- 9.1 The implementation of the CSF's capital programme is part of the LA's strategy to improve achievement by improving the teaching and learning environment.
- 9.2 Strategies to raise educational attainment, including improving quality of school buildings, support students moving into employment.

## **10.0 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

10.1 The proposed capital works aim to improve and preserve the quality of the building stock. Sustainability considerations are applied as far as possible to design and materials used. Projects included in the Primary Capital Programme are expected to obtain a rating of Very Good in the BREEAM Assessment.

### **11.0 RISK MANAGEMENT IMPLICATIONS**

11.1 The individual projects will be closely monitored to ensure that programmes are completed on time and within the budget provision.

### **12.0 CRIME AND DISORDER REDUCTION IMPLICATIONS**

12.1 There are no specific implications arising.

### **13.0 EFFICIENCY STATEMENT**

13.1 The capital works identified in the report will seek to improve energy efficiency and reduce ongoing maintenance.

### **APPENDICES**

Appendix A - CSF Capital Out-Turn 2009/10

Appendix B - CSF Condition Programme

Appendix C - Primary Capital Programme

Appendix D - Expansion Programme

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### **Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report**

Brief description of "background papers"	Name and telephone number of holder and address where open to inspection.
<b>None</b>	<b>N/A</b>

	Resources	Commitment	Carry Forward
<b>DCSF Supported Borrowing</b>			
New Pupil Places	11,052,078	2,044,591	9,007,487
Modernisation	1,084,565	207,092	877,473
SAI	451,813	107,510	344,303
*Other ICT	1,453,643	0	1,453,643
	<b>14,042,099</b>	<b>2,359,193</b>	<b>11,682,906</b>
<b>Grants</b>			
Primary Capital Programme	8,555,681	7,035,190	1,520,491
Modernisation	1,511,632	809,718	701,914
Extended Schools	788,968	154,063	634,905
DCF	1,180,671	0	1,180,671
*Sure Start	2,129,068	2,042,674	86,394
*Space for Sports & Art	12,820	2,821	9,999
CLC	150,000	150,000	0
LPSA Reward Grant	98,868	98,868	0
*ICT Capital Grant	13,767	-12,015	25,782
*Learning School Council	10,395	10,394	1
*Youth Capital Fund	215,800	209,151	6,649
*Fair Play Pathfinder	1,615,489	1,594,678	20,811
*TCF (school kitchens)	228,000	150,022	77,978
ISPP	18,613	18,613	0
NOF PE & Sports	19,298	19,298	0
Integrating Children Services	65,925	65,925	0
*NIACE	40,000	39,994	6
*Short Breaks Capital Grant	176,700	6,478	170,222
LHC	33,780	33,780	0
School Contributions	812,250	0	812,250
	<b>17,677,725</b>	<b>12,429,652</b>	<b>5,248,073</b>
<b>Section 106</b>			
Ben Jonson/Manorfield	2,961,000	2,961,000	0
*Lift at Bethnal Green Tech. College	30,000	585	29,415
*Bishops Square - Thomas Buxton	111,069	46,526	64,543
*Bishops Square – Christ Church Community Gardens	300,000	0	300,000
Bishops Square - Osmani	695,885	0	695,885
Bishops Square – LMU Community Space	50,000	1,442	48,558
	<b>4,147,954</b>	<b>3,009,553</b>	<b>1,138,401</b>

**Local Priorities Programme**

*Youth Services Accommodation	99,510	5,300	94,210
Professional Development Centre	198,629	198,629	0
*Harry Gosling	14,940	2,488	12,452
*School Meals Kitchen Improvements	1,943	0	1,943
Improvement to school meals – kitchen refurb	6,613	0	6,613
*Food Regeneration Kitchens	4,984	0	4,984
Bishop Challenor community facilities	545,000	0	545,000
Osmani Youth Centre	1,300,000	56,362	1,243,638
	<u>2,171,619</u>	<u>262,779</u>	<u>1,908,840</u>

Total (excluding BSF)	<u>38,039,397</u>	<u>18,061,177</u>	<u>19,978,220</u>
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**Building Schools for the Future (grant funding)**

BSF	37,218,665	34,232,982	2,985,683
BSF Co-location Fund	178,247	178,247	0
BSF – London Thames Gateway Funding	920,000	920,000	0
	<u>38,316,912</u>	<u>35,331,229</u>	<u>2,985,683</u>

Grand Total	<u>76,356,309</u>	<u>53,392,406</u>	<u>22,963,903</u>
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\* Balance of previously agreed allocations



LB TOWER HAMLETS	Condition programme	July 2010	Previous Spend	Apr 10 - Mar 11	Apr 11 – Mar 12	Apr 12 - Mar 13
Premises	Works	Estimate				
Bygrove*	Windows/Roof	£617,470	£599,625	£17,845		
Bygrove*	Heating	£75,000	£72,110	£2,890		
Bangabandhu	Roof	£483,000			£241,500	£241,500
Bangabandhu	Boundary Fencing	£257,000	£35,000	£217,000	£5,000	
Canon Barnett*	Fabric Repairs	£57,500		£57,500		
Chisenhale	Boilers & Pipework	£253,000			£200,000	£53,000
Chisenhale	Rewire/Emergency Lighting	£150,000				£90,000
Elisabeth Selby*	Roof/Roof Lights	£545,000	£476,750	£68,250		
Eva Armsby	Refurbishment	£90,000	£22,000	£68,000		
George Greens CC	Refurb.	£60,000			£10,000	£25,000
Globe*	Roof/RWG & Fabric	£138,521	£76,000	£62,521		
Globe*	Part Re-wire	£103,500	£90,000	£13,500		
Gorsefield	Refurbishment	£85,000	£1,000	£84,000		
Harry Gosling	Additional Works			£407,250		
Hermitage	Fire Alarm	£51,750		£51,750		
Hermitage	Part roof/Ceilings	£80,500				£80,500
Kitkat Terrace	Refurbishment	£40,000		£20,000	£20,000	

Premises	Works	Estimate	Previous Spend	Apr 10 - Mar 11	Apr 11 - Mar 12	Apr 12 - Mar 13
John Scurr	Water Pumps	£40,250		£40,250		
John Smiths CC	Refurb.	£25,000			£25,000	
Lawdale	Boundary Walls	£80,000			£80,000	
Manorfield	Boilers	£82,000	£80,000	2,000		
Malmesbury	Resurfacing	£60,000			£60,000	
Mary Sambrooke CC	Refurb.	£100,000		£50,000	£50,000	
Mayflower*	Windows	£72,783	£70,964	£1,819		
Mayflower*	Rewire/Emergency Lighting	£57,500	£57,500			
Mayflower*	Boilers/Pipework	£139,433	£135,912	£3,521		
Oaklands	Fire Alarm & emergency lighting	£210,000	£205,000	£5,000		
Old Palace	Concrete repairs	£115,000		£100,000	£15,000	
Overland CC	Refurb.	£20,000				£10,000
PDC	Fire Alarm	£40,250	£35,250	£5,000		
Queen Mary's CC	Refurb.	£110,000		£10,000	£50,000	£50,000
Sir William Burrough	Roof/High Level Fabric	£207,000				£107,000
Smithy	Resurfacing	£51,750		£51,750		
Smithy*	HW/CWS	£57,500	£47,500	£10,000		
Smithy *	Fire Alarm	£40,250	£40,250			
Stebon*	Toilets	£99,754	£83,600	£16,154		
Stebon*	Pool	£140,000		£140,000		

<b>Premises</b>	<b>Works</b>	<b>Estimate</b>	<b>Previous Spend</b>	<b>Apr 10 - Mar 11</b>	<b>Apr 11 – Mar 12</b>	<b>Apr 12 - Mar 13</b>
William Davis	Heating	£207,000			£207,000	
Woolmore	Toilets	£60,000				£60,000
Woolmore	External Buildings	£210,000				
<b>Total of all Condition schemes</b>			<b>£2,128,461</b>	<b>£1,506,000</b>	<b>£963,500</b>	<b>£717,000</b>
	<b>Of which specific approval sought at this meeting. (As per Table 1)</b>			<b>£1,112,000</b>		
	Of which schemes included in Appendix C		£1,596,211	£394,000		
	Of which Future schemes where only agreement in principle sought				£963,500	£717,000

\* Condition works and costs part of PCP project

PCP Planned Projects Wave 1

APPENDIX C

Premises	Works	Allocation	Previous Spend	Apr 10 - Mar 11	Apr 11 – Mar 12	Apr 12 – Mar 13	Comments
Globe	Refurbishment, remodel and planned maintenance	£1.8m	£252,000	£1,516,000	£32,000		
Canon Barnett	Refurbishment, remodel ground floor and planned maintenance	£1.1m	£15,000	£687,000	£398,000		
Malmesbury	Remodel and planned maintenance	£1.45m	£457,000	£865,000	£128,000		
Bygrove	Refurbishment, planned maintenance and remodelling	£1.7m	£929,000	£753,000	£18,000		
Mayflower	Refurbishment, extension & planned maintenance	£1.6m	£351,000	£1,222,000	£27,000		
Stebon	Refurbishment, extension and planned maintenance	£1.1m	£117,000	£746,000	£237,000		
Elizabeth Selby	Refurbishment, extension and planned maintenance	£1.3m	£656,000	£632,000	£12,000		
Smithy Street	Refurbishment, extension and planned maintenance	£1.9m	£544,000	£1,327,000	£29,000		
Various kitchen improvements	Improvements to school meals kitchens	£1.1m	£252,000	£848,000			
<b>Voluntary Aided Schools</b>							
Christ Church CE	Refurbishment and planned maintenance	£1.5m (£1,170m grant)	0	£1,000,000	£170,000		Grant Element Only
St John's CE	Refurbishment and planned maintenance; including additional site	£1.6m (£1,260 grant)	0	£1,000,000	£260,000		Grant Element Only
St Paul's CE	Refurbishment and planned maintenance	£2.0m (£1,620 grant)	0	£1,100,000	£520,000		Grant Element Only
Major Scheme Development Fees	Development of future programmes	£250,000	0	£250,000			
Contingency		£200,000		£200,000			
<b>Totals</b>		<b>£17.55m</b>	<b>£3,573,000</b>	<b>£12,146,000</b>	<b>£1,831,000</b>		

Expansion Programme

APPENDIX D

Premises	Allocation	Previous Spend	Apr 10 - Mar 11	Apr 11 - Mar 12	Apr 12 - Mar 13	Comments
Arnhem Wharf	£4.65m	£1,662,130	£1,049,466	£1,939,374		
Ben Johnson	£3.5m	£1,524,019	£1,980,000			
Culloden	£5.5m		£500,000	£4,000,000	£1,000,000	
Manorfield	£5.1m	£3,422,889	£1,423,466	£180,425		
Marnier	£6.6m	£2,612,385	£3,019,411	£1,000,000		
Wellington	£3.05m		£1,335,000	£1,686,000	£30,000	
<b>Totals</b>	<b>£28.4m</b>	<b>£9,221,423</b>	<b>£9,307,343</b>	<b>£8,805,799</b>	<b>£1,030,000</b>	

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# Agenda Item 10.1

<b>Committee</b>	<b>Date</b>	<b>Classification</b>	<b>Report No</b>	<b>Agenda Item No</b>
Cabinet	7 July 2010	Unrestricted		
<b>Report of:</b> Service Head, Scrutiny and Equalities		<b>Title:</b> <b>Single Equality Framework 2010-11</b>		
<b>Originating Officer(s)</b> Frances Jones & Hafsha Ali Service Head, Scrutiny and Equalities		<b>Wards Affected All</b>		

## 1. SUMMARY

1.1 This report presents Cabinet with the Council's draft Single Equality Framework 2010/11. Replacing the annual Single Equality Framework, the Single Equality Framework is the Council's new corporate strategy for promoting diversity and equality. The Framework will help to achieve the vision of One Tower Hamlets by prioritising equality outcomes that require intervention at a strategic level and ensure that we have the capacity to deliver our vision. The Framework pulls together an ambitious programme of equalities work across the Council, including:

- The activities required for the implementation of the Council's Race, Disability, Gender, Religion/Belief, Sexual Orientation and Age Equality Schemes;
- The actions that are necessary to maintain the highest level of the Equality Framework for local government and respond to the findings of the Council's assessment against the Framework which took place in January 2010 and;
- The organisation's response to the requirements of the Equality Act (2009).

The Council's Workforce to Reflect the Community action plan also forms part of the Single Equality Framework.

## 2. RECOMMENDATION

2.1 That Cabinet approves the Single Equality Framework 2009/10 which is set out in Appendix 1.

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### LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)

### LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

**Brief description of background papers:**      **Name and telephone number of holder and address where open to inspection**

Single Equality Framework 2009/10 agreed

### **3. BACKGROUND**

- 3.1 Tower Hamlets is one of the most culturally diverse and vibrant boroughs in the country. The rich cultural heritage of people living and working in the borough has been something that the Council has valued and celebrated. While diversity brings tremendous strengths to Tower Hamlets, it also brings real challenges. There continue to be groups in the local community who are not yet able to access all the opportunities and life chances that are available. Some people continue to face discrimination at work and in the community.
- 3.2 The Council's Vision, developed in the Community Plan 2020, and to be achieved with our partners and with the active participation of all those who have a stake in the borough, is to improve the quality of life for everyone who lives and works in the borough. Underpinning this vision is the desire to build One Tower Hamlets –an ambition to reduce poverty and inequality, bring local communities closer together, and provide strong leadership by involving people and giving them the tools and support to improve their lives.
- 3.3 The Council has also sought to be at the very forefront of developments on equalities and community cohesion, benchmarking progress against best practice from across the country. This commitment and the achievement of real progress on the ground have been recognised by central government.
- 3.4 The Council has placed equality at the core of all planning and service delivery and has developed an effective approach to equality action planning and monitoring. In March 2002 the then Policy and Implementation Committee agreed to bring together the separate Stephen Lawrence Action Plan and the Equality Action Plan into a single integrated document. The aim was to create a strong focus for driving equalities through the organisation and achieving real change on the ground. The Single Equality Framework provided a mechanism for the identification and monitoring of equality priorities by bringing together a comprehensive picture of the work taking place across the Council to respond to identifies equalities issues. The new Single Equality Framework builds on the progress made through the implementation of annual Single Equality Frameworks since 2002.
- 3.5 A combination of factors made 2010/11 an appropriate time to revise our strategic approach to equality to ensure that our analysis, methods and practices continue to be effective:

#### **3.5.1 Legislative changes**

Almost a decade on from the introduction of the first public sector equality duty much has been achieved in terms of embedding the promotion of equality in the structures and processes of service delivery and employment in the public sector. At a national level these changes have resulted in significant improvements in equality outcomes for target groups.



However the legal duties were developed in response to the needs of individual equality strands and this has led to variation in the protection and rights afforded to different equality groups. The Equality Act 2010, which has been passed but not yet commenced, recognises the need to address inequality in a more integrated way, responding to diversity within groups and the complex needs and experiences of inequality facing people in Britain. The provisions of the Act harmonise the rights afforded to equality target groups, require public organisations to identify and respond to the effects of socio-economic inequality as well as putting in place specific measures to safeguard the rights of pregnant women and disabled people.

### **3.5.2 Equality Framework for Local Government**

The Equality Framework for Local Government replaced the Equality Standard in 2009. The Framework moves beyond an assessment of legal compliance to measure how well local authorities understand and respond to the profile of inequality in their local areas. In January 2010 the Council was the second local authority nationally to be awarded 'excellent' status against the Equality Framework for Local Government. The assessment report described that:

*'Equality and diversity underpins everything that the Council does with partners and stakeholders in the provision of services to its community. London Borough of Tower Hamlets has an in-depth and sophisticated knowledge about its community which informs service delivery, very strong political and managerial leadership on equality and diversity; good levels of equality and diversity resources and expertise; a national reputation for diversity and innovative community engagement'.*

### **3.5.3 Continuous improvement**

Since the introduction of the Single Equality Framework in 2002 we have seen significant improvements in some key equality outcomes including educational achievement as well as notable improvements in access to services by equality target groups. However, deep seated inequality and deprivation remain a reality for many people in Tower Hamlets. Local and national research makes it clear that to address these issues which prevent people realising their potential requires a step change in the way we tackle inequality.

At a national level, the 2007 Equalities Review stated that "It is not true that things will automatically get better with time. Some equality gaps are simply not closing...These inequalities threaten to undermine our social fabric at a time when it is already challenged by rapid and widespread economic and technological change... In some areas there is progress but it is painfully slow. Despite the often heroic efforts of individuals, the nature of a particular inequality can be so persistent, or the problems in an institution so deep, that conventional means or incremental progress are ineffective in bringing about significant change."

### Figure 1.3: Momentum measures 1

At the current rate of change we will:

Elect a representative House of Commons	2080
Close the gender pay gap	2085
Close the ethnic employment gap	2105
End the 50+ employment penalty	not in this lifetime
Close the disability employment gap	probably never
Close the ethnic qualification gap	definitely never (things can't only get better)

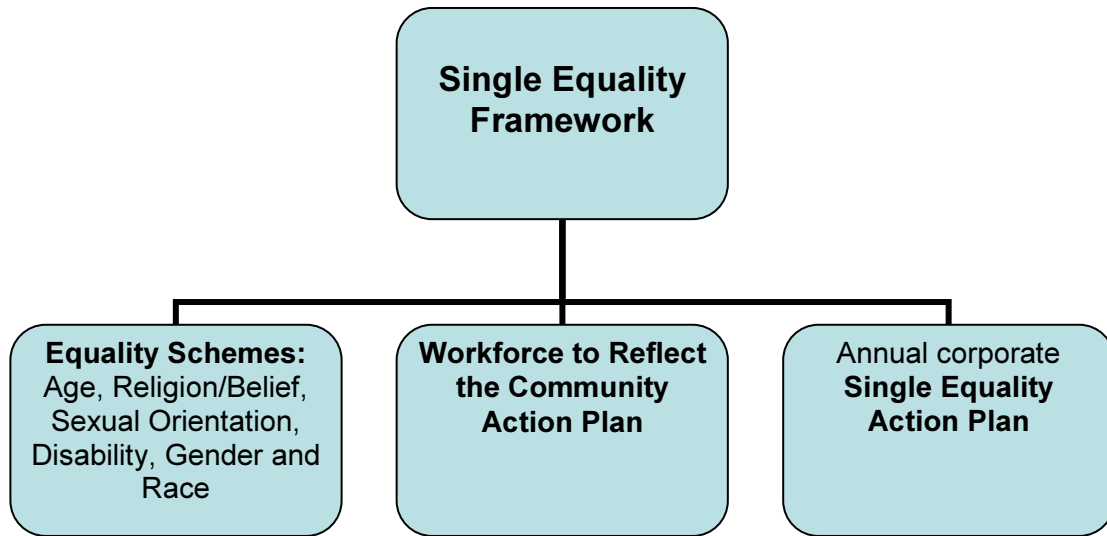
A recent report of the National Equality Panel (NEP) finds that “despite the elimination and even reversal of the differences in educational qualifications that often explain employment rates and relative pay, significant differences remain between men and women and between ethnic groups. If we do not step up the progress it is anticipated that the pay gap between men and women in the UK will not close until 2085 and it will take almost 100 years for people from ethnic minorities to get the same job prospects as white British people“. Tackling these complex and multi layered problems requires an approach to equalities which goes beyond mitigation of adverse impact and involve the marshalling of resources across the public, voluntary and private sectors.

#### 3.5.4 Public sector transformation and efficiency

The Single Equality Framework has been developed in the context of significant reductions in public sector funding, an increased emphasis on efficiency and transformation in the provision of public services. Across the public sector there is a move away from a standardised model of service provision towards personalisation, shaping services provided to citizens in response to individual needs. This change presents a great opportunity to redesign services to better meet the needs of diverse populations and thereby tackle inequality. It also raises risks for the most vulnerable who are least able to access the benefit of greater personal choice and control. The recession and reduction in public sector funding will also have a significant impact on the resources available to tackle inequality. The Single Equality Framework seeks to reshape our approach to equalities to move away from supplementary layers of activity to a more embedded approach to ensure that a focus on equality is at the centre of transformation and informs the allocation of resources from strategic to operational levels.

## 4. The Single Equality Framework

- 4.1 The Single Equality Framework brings together actions to promote equality at a Directorate, corporate level and through partnership working. It also includes the actions we will take as an employer to promote equality and develop a workforce that reflects our community.



## 4.2 Equality Schemes

4.2.1 In preparation for the introduction of the Single Equality Duty we developed individual Equality Schemes for each equality strand during 2009-10. In these Schemes we analysed evidence of inequality between individuals and groups in the borough. Drawing on the Equality Measurement Framework categories the Equality Schemes offer a description of inequality which distinguishes between inequality of access and outcome. For example we know that many new communities in the borough are less able to access public services as they may not be aware of the services that exist, may experience language barriers and may not be eligible for some services. To ensure that we respond to this inequality of access we have a duty to engage with these communities to identify and minimise barriers and improve access. However we also know that for some groups and individuals, tackling inequality of outcome is not a case simply of improving access to services but requires a more holistic response to a range of factors. Mapping inequality across the equality strands in this way has helped us to identify areas of persistent and systemic inequality which arise from a complex interplay of factors and require a holistic and long term response. These areas are set out in Table 1 (see below).

Table 1: Priority areas of inequality to be addressed through Equality Schemes, 2009-12

Priority area	Age	Disability	Gender	Race	Religion/Belief	Sexual Orientation
A Prosperous Community: Worklessness	Reduce number of 16-18 year olds not in education, employment or training	Increase number of disabled people in employment	Reduce rate of economic inactivity among working women	Reduce levels of unemployment and worklessness amongst Bangladeshi and Somali residents	Reduce rate of economic inactivity among Muslim women	
A Prosperous Community: Educational			Improve under performance of boys relative to girls at GCSE	Narrow the achievement gaps between different ethnic groups and the national average		Tackle homophobia in schools
A Great Place to Live: Housing		Increase access to independent living opportunities for disabled people		Address shortage of suitable social housing which has a disproportionate impact on BME families	Address shortage of suitable social housing which has a disproportionate effect on Muslim families	
One Tower Hamlets: Community Cohesion	Strengthen inter-generational cohesion	Give disabled people a voice in decision making		Increase the number of people of different backgrounds who feel that ethnic differences are respected	Increase the extent to which people of different faiths say they get on well together	Reduce homophobia and promote understanding and respect for LGB people
A Healthy Community: Health	Reduce childhood obesity		Improve life expectancy for men through effective health promotion services	Promote healthy lifestyles in an effective way to BME communities		Improve access to primary care health services for LGB people

4.2.2 Under the new Single Equality Framework, the actions within the Schemes will be taken forward by services and actively monitored by Directorates through their Equality Focus Groups. The Corporate Equalities Steering Group will continue to have a oversight and challenge role to ensure that overall progress to deliver the Schemes is maintained.

**4.2.3 Workforce to Reflect the Community Action Plan**

This annual action plan is an integral part of the Council's Single Equality Framework and specifically will provide the bulk of the actions relating to the Council as an employer. The action plan will therefore complement the Council's equality schemes and service provision activities also included in the Single Equality Framework.

**4.2.4 Annual Single Equality Framework Action Plan**

The annual corporate action plan has two objectives:

- **To identify priority areas of persistent inequality and develop effective strategies to tackle them**

The Single Equality Framework enables us to look across all six Equality Schemes and identify areas of persistent inequality which arise from a complex interplay of factors. For example, to understand the pattern of educational achievement in the borough we need to look at the impact of gender, ethnicity, religion/belief, age and socio-economic background. Through the Framework we will investigate the determinants of unequal outcomes beyond individual equality strands and aim to understand the relationship between the strands and other circumstances that drive poor outcomes including socio-economic disadvantage. We will explore whether the interventions that we have in place can tackle the drivers of inequality to deliver the outcomes we look to see in the long term. To enable us to target these areas of persistent inequality the Single Equality Framework action plan will address a small number of priority areas each year. The priorities will be identified through:

- A mapping of evidence of inequalities identified within each of the six equality schemes that cut across the strands (see Table 1)
  - An analysis of the priorities within the Community Plan
  - An assessment of current interventions which suggests that there is scope to improve the effectiveness and efficiency
- **To ensure that the Council has the resources, structures and processes in place to achieve our commitments. The Council will use the Equality Framework for Local Government to improve the capacity of the organisation to tackle inequality.**

#### **4. DISSEMINATION OF THE PLAN**

- 4.1 The preparation of the Single Equality Framework has taken place through the Council's Corporate Equalities Steering Group which has representation from across the authority and includes the Trade Unions, and with the contribution of Directorate Equalities Focus Groups.
- 4.2 Once agreed by Cabinet, the Plan will be distributed widely and will also be published on the Council's Web site. Internally, the Plan will be taken forward through each of the Directorate Equalities Focus Groups, and will be reflected in team plans and individual staff performance and development plans. Copies of the Plan will also be made available through the Council's intranet.

#### **5. CONSULTATION**

- 5.1 The contents of the Single Equality Framework has been drawn together by the Council's Corporate Equalities Steering Group with contributions from all Directorates and reflecting the input from latest consultation, such as the Annual Residents Survey and external consultation groups, including the Tower Hamlets Interfaith Forum and the LGBT Forum, as well as partnership groups such as the Race and Hate Crime Interagency Forum and the Refugee and New Migrants Forum. The contents of the Plan are also informed from feedback through the staff survey, the local Trade Unions and corporate staff groups which have a specific focus on Disability, Sexuality and Ethnicity. Further input from these groups will be sought as part of the implementation process to ensure maximum impact is achieved from this work.

#### **6. MONITORING AND EVALUATION ARRANGEMENTS**

- 6.1 As well as the monitoring of implementation taking place through the Directorate Equality Focus Groups, and the Corporate Equalities Steering Group, the Overview and Scrutiny Committee formally reviews progress every six months. The Council also seeks out opportunities for external challenge and benchmarking.
- 6.2 In 2008-9 the Deputy Leader chaired the pilot Members' Diversity and Equality Working Group. Aimed to help develop the community leadership skills of Councillors, the Group considered a range of areas persistent inequality.

The Working Group involved partners and residents to explore real life scenarios. These highlighted the complexities involved and the importance of creating public space to air them. Arising from the Group Members

were involved in a public event where local young people discussed with central government officials the implications of the Preventing Violent Extremism agenda locally. They also participated in events during LGBT History Month including a debate about the future of the LGBT Community Forum. The work of the Group demonstrated how Members' on the ground experience can provide a vital counterweight to the development of strategic plans.

## **7. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)**

- 7.1. Cabinet is asked to agree the Single Equality Framework 2010-11. The Plan sets out the Council's commitment to promoting diversity and equality and how the Council will deliver on that commitment.
- 7.2. The Council is subject to general equality duties in relation to race, gender and disability, details of which are as follows. The Council is required in carrying out its functions to have due regard to the need to eliminate unlawful discrimination on grounds of gender, race and disability. The Council must also have regard to the need to eliminate harassment on grounds of gender and disability. The Council must in addition have regard to the need to: promote equality of opportunity in these areas, promote good relations between persons of different racial groups; take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons; promote positive attitudes towards disabled persons; and encourage participation by disabled persons in public life. Insofar as the Single Equality Framework is targeted at race, gender and disability, the plan may be regarded as giving effect to the Council's legal obligations.
- 7.3. The Council is not presently subject to general equality duties in respect of other protected characteristics. In the absence of general equality duties, the Council is still subject to obligations not to discriminate on grounds of age, sexuality and religion or belief. The Single Equality Framework may in part be supported by the Council's need to comply with the statutes and regulations listed in the first section of the Plan.
- 7.4. To the extent that the Single Equality Framework contains broader goals of promoting diversity and equality, then it may be viewed as a matter of good administration, consistent with the Equality Framework for Local Government, and in pursuance of the Council's goal of One Tower Hamlets set out in the Community Plan. The Council is empowered under section 2 of the Local Government Act 2000 to do anything which it considers likely to promote the social, economic or environmental well being of Tower Hamlets, provided the action is not otherwise prohibited by

statute. The power may be exercised in relation to, or for the benefit of: (a) the whole or any part of Tower Hamlets; or (b) all or any persons resident in Tower Hamlets. In exercising the power, regard must be had to the Community Plan. The report and the Single Equality Framework set out details of the One Tower Hamlets goal and how working towards that goal will benefit people living in Tower Hamlets. Cabinet may view the Single Equality Framework as being supported by its well-being power.

7.5. The Equality Act 2010 has been passed, but not yet commenced. The Act seeks to harmonise the law on equality. It proposes to introduce a public sector equality duty that will require the Council in the exercise of its functions to have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who have relevant protected characteristics and those who do not; and (c) foster good relations between those who share relevant protected characteristics and those who do not. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation. The Act also proposes to introduce a duty on the Council to have due regard in the exercise of its functions to the desirability of exercising the functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantages. The Single Equality Framework appears consistent with these duties.

7.6. It will be for officers to ensure that individual actions carried out under the Framework are conducted lawfully, taking legal advice where necessary.

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

8.1 Equalities issues should be embedded into service delivery, and they are taken into account when budgets are set. In 2010-11 some of the funding identified in the Action Plan attached to the report, currently available to the Council to support the Single Equality Framework such as the Working Neighborhoods Fund (WNF) programme will come to end. In addition, the government has recently announced 2010-11 in-year savings for certain categories of grants.

8.2 There are no additional financial implications arising from adopting the Single Equality Framework 2010-11. However, if additional costs arise from implementing the Plan, given constraints on future grant funding, they must be contained within revenue budget provisions in directorates.

## **9. ONE TOWER HAMLETS**



- 9.1 The Single Equality Framework 2010-11 represents an important step in progressing the Council's commitment to building One Tower Hamlets as a place in which people live together and where they are treated with respect and fairness regardless of their differences. The Plan demonstrates that a commitment to tackling inequality and promoting cohesion is at the heart of the Council's agenda and sets out the work due to take place to integrate diversity and equality fully into all aspects of service delivery and employment practice. The 2010-11 Plan also explores the inter relationship between work on equalities and community cohesion. The aim of the Action Plan is to create an environment in which everyone who lives and works in our borough is treated with dignity and respect and where everyone can improve their life chances and access the increasing opportunities on offer.
- 9.2 The Single Equality Framework aims to tackle the barriers currently preventing some of the most disadvantaged people in our community from accessing the life opportunities on offer and aims to enable them to actively participate in creating and sharing prosperity in the borough. It also sets out the role of elected members and other community leaders in bringing about the change required to drive forward real improvement in relation to equality and cohesion.

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

- 10.1 Efforts will be made to ensure that in delivering the commitments of the Single Equality Framework the impact on the environment is kept to an absolute minimum. This includes the use of recycled paper in any documentation, and careful consideration of the methods used to engage with local communities, partners and staff.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 The Council is seeking to implement an ambitious diversity and equality agenda in the context of changes in national legislation and standards. Progress to date has been very positive, but there is still much to be done if all the Council's targets are to be achieved and all the new legislative requirements are fully complied with. Any slippage could potentially undermine this.
- 11.2 The Single Equality Framework provides a focus for all the Council's equalities work, and a means by which Members can ensure that each of the progress milestones are achieved. The arrangements in place to review progress during the year through the Corporate Equalities Steering Group, Corporate Management Team and finally by the Overview and Scrutiny Committee are considered to be effective ways of keeping this work on track.

11.3 Diversity and equality performance indicators will help keep the focus firmly on delivery and outcomes. The emphasis on consultation will mean that the Council's performance in this area will be judged by the experiences of service users on the ground.

11.4 The Council will continue to work closely with the Improvement and Development Agency (IDeA) to ensure that local practice in implementing the Equality Standard and all equalities issues is informed by best practice taking place in other parts of the country.

**12. APPENDICES**

Appendix 1 - Single Equality Framework 2010-11

*DRAFT*

**Tower Hamlets  
SINGLE EQUALITY  
FRAMEWORK 2010/11**

## DRAFT SINGLE EQUALITY FRAMEWORK 2010/11

### 1. Introduction

The Single Equality Framework is the Council's new corporate strategy for promoting diversity, equality and cohesion, it replaces the annual Diversity and Equality Action Plan. Integrated into the Strategic Plan, the Framework sharpens the strategic direction of the Council's work and is designed to strengthen our existing approach to meet the new challenges that we face today. It embraces the principles of a new Single Equality Duty, adds value to the six individual Equality Schemes and builds on our strong record of embedding diversity and equality in everything we do.

The Council's Vision, developed in the Community Plan 2020, is to be achieved with our partners and with the active participation of all those who have a stake in the borough, is to improve the quality of life for everyone who lives and works in the borough. Underpinning this vision is the desire to build One Tower Hamlets – an ambition to reduce poverty and inequality, bring local communities closer together, and provide strong leadership by involving people and giving them the tools and support to improve their lives. The Single Equality Framework will help to achieve this by prioritising equality outcomes that require intervention at a strategic level and it will ensure that we have the capacity to deliver our vision.

### 2. Background to the Single Equality Framework 2010/11

A combination of factors made 2010/11 an appropriate time to revise our strategic approach to equality to ensure that our analysis, methods and practice continue to be effective.

Almost a decade on from the introduction of public sector equality duties we have come a long way in terms of the equality outcomes we have achieved and our capacity to tackle inequality. In January 2010 the Council was the second local authority nationally to be awarded 'Excellent' status against the Equality Framework for Local Government. The assessment report quoted that:

*'Equality and diversity underpins everything that the Council does with partners and stakeholders in the provision of services to its community. London Borough of Tower Hamlets has an in-depth and sophisticated knowledge about its community which informs service delivery, very strong political and managerial leadership on equality and diversity; good levels of equality and diversity resources and expertise; a national reputation for diversity and innovative community engagement.'*

However, the context within which we work to tackle inequality is undergoing significant change, which calls for a sharpening of our existing approach. The changes in equalities legislation set out in the 2010 Equality Bill, the introduction of the Equality Framework for Local Government and wider performance measures all recognise that if we are to achieve progress in tackling persistent areas of inequality we need to be more sophisticated in our approach to understanding equality. This

requires us to be responsive to the super diversity of our communities and their complex needs and experiences of inequality, in a way which is relevant to the new ways of working and challenges that the public sector faces today.

The Equalities Review 2007 set out in absolute terms the step change necessary to achieve real progress on equality in Britain. At the current rate of progress, the Review stated that it will take until 3026 for Parliament to be representative. The Review argues:

*"It is not true that things will automatically get better with time. Some equality gaps are simply not closing... These inequalities threaten to undermine our social fabric at a time when it is already challenged by rapid and widespread economic and technological change... In some areas there is progress but it is painfully slow. Despite the often heroic efforts of individuals, the nature of a particular inequality can be so persistent, or the problems in an institution so deep, that conventional means or incremental progress are ineffective in bringing about significant change."*

**Figure 1.3: Momentum measures 1**

At the current rate of change we will:



### Moving beyond single equality strands

The Review demonstrated that to achieve the step change necessary we need to recognise that inequality arises from an interplay of factors which combine to create real barriers to equality of opportunity and outcome. In the past equalities legislation has focused on individual equality strands of race, gender, disability, age, religion/belief and sexual orientation. However in Tower Hamlets we know that to develop effective interventions we need to understand how a variety of factors shape life chances and that poverty has a defining impact on a range of outcomes. The 2010 National Equality Panel reported that economic advantage and disadvantage reinforce themselves across the life cycle, and often on to the next generation. Inequality accumulates across the life cycle, especially those related to people's socio-economic background. This is seen before children enter school, through the school years, through entry into the labour market, and on to retirement, wealth and resources for retirement, and mortality rates in later life. By implication, policy interventions to counter this are needed at each life cycle stage.

It is important that our approach is also responsive to the transformation we are seeing to the way in which the Council and our partners deliver public services. For example, across the public sector there is a move away from a standardised model of

service provision towards Personalisation - shaping services provided to citizens in response to individual needs. This approach brings great opportunities to better meet the diverse needs of residents but also presents a challenge of ensuring that all people are able to realise the benefits of greater choice. The recession and reduction in public sector spending will also have a significant impact on our ability to tackle priority areas of inequality and the way in which we provide services to promote equality. The scale of the estimated cuts means that we will need to make savings in the short term and also look beyond the shaving and slicing of costs to new and different ways in which services can be transformed to make them more effective and efficient.

### **3. Valuing Diversity: Our Policy Statement on Diversity and Equality**

#### **Our commitment**

Valuing diversity is one of the four core values of Tower Hamlets Council. We will promote diversity and equality in everything we do to improve the quality of life for everyone living, working and visiting Tower Hamlets. The borough's diversity is one of its greatest strengths and assets. We will build upon this by working with the Tower Hamlets Partnership to provide accessible and responsive services that enable everyone to take part in the social, cultural and economic wealth of the borough. Achieving this is central to delivering the Council's vision, is linked to our Strategic Plan priorities and objectives and forms a driving force within the Community Plan and is key to creating a cohesive community.

Our commitment is supported by a number of legal duties that require us to promote equality and eliminate discrimination. These provide important tools to help further embed diversity and equality in the culture of the organisation. We believe we have a strong moral and social duty to do everything we can to challenge prejudice and discrimination and promote better understanding and respect. At the same time we recognise that discrimination takes place and tensions can sometimes exist between different communities.

#### **Our aims and values**

As a service provider we will:

- Promote equality of opportunity and eliminate discrimination in the planning and delivery of our services in terms of age, disability, ethnicity, gender, sexual orientation, religion or belief, health and income status;
- Promote good relations between communities and address negative stereotyping of any groups;
- Ensure that all residents have equal opportunity to participate in the democratic process; and
- Tackle harassment relating to a person's age, disability, ethnicity, gender, sexual orientation, religion or belief, health and income status.

As an employer we will:

- Develop, review and promote policies and practices that ensure equality of opportunity and eliminate discrimination for our workforce in all areas of employment (including recruitment, retention, learning and development, promotion, grievance,

- disciplinary and retirement); and
- Ensure that our workforce reflects the diverse nature of the borough.

We will comply with:

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Race Relations (Amendment) Act 2000
- the Disability Discrimination Act 1995
- the Disability Discrimination Act (Amendment) 2005
- the Human Rights Act 1998
- the Employment Equality (Religion or Belief) Regulations 2003
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006
- the Equality Act 2006
- the Equality Act 2010 (passed but not yet commenced at the time of drafting this Framework)

We will recognise our community leadership role and use this to work towards a cohesive community in which inequality is tackled and equality promoted.

### **3. How we will continue to deliver our commitment**

The Single Equality Framework describes our approach to delivering our commitment to tackle inequality.

In January 2010 we became the second authority in the country to achieve 'Excellent', the highest level of the Equality Framework for Local Government. Building on the work we had already achieved under the Equality Standard this Framework has been and will continue to be critical to delivering our commitment. It is a nationally recognised Framework which we will continue to use to promote continuous improvement in mainstreaming diversity and equality and improving equality outcomes.

We recognise that delivering this commitment can only be achieved through building sustainable partnerships. We will deliver our commitment by:

- building on our good practice;
- involving all sectors of our community in the design, review and scrutiny of our service delivery and employment practices;
- promoting information and access to our services in accessible ways;

- carrying out Equality Impact Assessments of new and existing policies and practices to make sure that they will not discriminate against anyone;
- delivering services which are appropriate, flexible and responsive to the needs of the community;
- removing barriers which deny people access to our services;
- promoting an environment which gives all residents an equal chance to learn, work and live free of discrimination and prejudice;
- developing a workforce which reflects at all levels the community which we serve;
- making sure that all employees and Councillors know the effects of this policy and are provided with appropriate training;
- making sure that all employees (and the resident communities) know about their rights of protection from discrimination, harassment or bullying;
- developing and promoting policies which give everyone equal access to employment and related opportunities;
- setting performance targets so we can measure our progress; and
- using our powers to make sure that organisations providing services on our behalf work in line with this policy - we are committed to using our procurement powers to support our equalities objectives.

Equalities is embedded throughout our procurement process:

- The preparation of all tender documentation involves an assessment of the equalities impact of the service or goods and performance of previous providers on meeting the needs of diverse service users. The Council's tollgate process requires officers to address equality and diversity.
- All suppliers are required to meet a range of minimum standards in relation to their equalities policy and practice in relation to staff and service provision. This covers areas such as reasonable adjustments for disabled staff and service users, discrimination and harassment procedures and equalities training.
- Where there is evidence that some groups of service users have been underrepresented in the take up of services, guidance should be provided to ensure that contracts incorporate measures to monitor improvements in this area as part of the performance management framework

#### **4. The Single Equality Framework in context**

The Single Equality Framework sets out the Council's strategic priorities for tackling inequality and identifies areas for development to strengthen the capacity of the organisation to mainstream equality in processes and structures.

The analysis which underpins the Framework informs the wider plans and strategies of the Council and Tower Hamlets Partnership, including:

**The Community Plan** sets out the vision and objectives of the Tower Hamlets Partnership, looking forward to 2020. The Plan will be refreshed during 2010/11 and a revised version produced in April 2011. The Plan embraces the breadth of strategies



which the Council and its partners have in place to deliver our vision and objectives. An overarching theme for the Community Plan is a commitment to building 'One Tower Hamlets'. This puts tackling inequality, strengthening relationships between communities and building strong and effective community leadership at the heart of all that we do. One of the key ways in which this will be delivered is through the Local Area Agreement (LAA).

**The Council's Strategic Plan** sets out a work plan for Tower Hamlets Council and is updated annually. Embedded within the breadth of the Strategic Plan is a commitment to delivering the Community Plan commitment to building One Tower Hamlets.

**The Council's Equality Schemes provide an analysis of inequality in the borough and set out the activities services will undertake to address priority areas of inequality over a three year period.** These Schemes demonstrate our commitment to go beyond the requirements laid down in law and ensure we understand and are taking action to address inequality for all our communities in the borough. Each of the Schemes outline the Council's commitment to ensure that race, gender, disability, sexual orientation, age and religion/belief equality is at the centre of our work when developing a policy or strategy, providing a service or employing people. The Schemes are:

- 1 **The Race Equality Scheme 2009-12**  
[www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/race\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/race_equality.aspx)
- 2 **The Disability Equality Scheme 2010-13**  
[http://www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/disability\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/disability_equality.aspx)
- 3 **The Gender Equality Scheme 2010-13**  
[http://www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/gender\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/gender_equality.aspx)
- 4 **The Age Equality Scheme 2009-12**  
[www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/age\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/age_equality.aspx)
- 5 **The Religion/Belief Equality Scheme 2009-12**  
[www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/religion\\_and\\_belief\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/religion_and_belief_equality.aspx)
- 6 **The Sexual Orientation Equality Schemes, 2009-12**  
[http://www.towerhamlets.gov.uk/lgsi/851-900/861\\_diversity\\_and\\_equalities/sexual\\_orientation\\_equality.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/861_diversity_and_equalities/sexual_orientation_equality.aspx)

The Framework also links to high level actions to deliver the **Tower Hamlets Homes Diversity Strategy**

**Workforce to Reflect the Community Strategy:** To deliver the highest quality of services, the Council is committed to delivering a workforce that reflects the community. This is a key Council Strategy which recognises that the highest quality of service can only be provided by a workforce that reflects our local community.

**5. Organisational infrastructure: The structures and processes that deliver equality**

Strong leadership at a Member and officer level has been crucial to our ability to drive forward work on equality. Robust structures and processes ensure that this corporate commitment is translated to work at all levels of the organisation.

In 2010/11 the Lead Member with responsibility for Diversity and Equality is Cllr Rachael Saunders and the Scrutiny Lead for One Tower Hamlets is Cllr Ahmed Omer who has diversity, equality and community cohesion within his remit.

The Corporate Director responsible for diversity and equalities is the Assistant Chief Executive (post currently vacant) The work of co-ordinating and facilitating work across the Council is undertaken by the Scrutiny and Equalities service area which comprises of Joint Acting Service Heads for Scrutiny and Equalities - Frances Jones and Hafsha Ali. They are supported by three Diversity and Equality Co-ordinators - Paul Robinson, Priti Batavia and Shahanaz Begum. Scrutiny and Equalities is also represented on the Tower Hamlets Homes Diversity Working Group.

Within each of the service Directorates there is a senior and executive Directorate Equality Liaison Officer (DELO). These are Juanita Haynes and Hugh Chambers (Development and Renewal), Layla Richards and Paul Gresty (Children's Services), Robin Beattie and Coreen Ung (Communities, Localities and Culture), Katharine Marks and Hannah Bailey (Adults Health and Wellbeing), Claire Symonds and Samantha Whittaker (Resources) and Frances Jones/Hafsha Ali and Priti Batavia (Chief Executive's). Within Human Resources (HR) the lead responsibility sits with Mark Keeble, Interim Head of Corporate Human Resources.

In order to maintain and develop existing good practices, the Council has in place a number of standard organisational procedures:

1. The Single Equality Framework Action Plan is agreed by Cabinet annually and monitored by the Overview and Scrutiny Committee bi-annually.
2. The Corporate Equalities Steering Group meets monthly with an alternation between business and workshop sessions. The group is chaired by the Chief Executive and membership includes the DELOs, HR and the trade unions. Each DELO also chairs a monthly Directorate Equalities Focus Group.
3. Each service, team and individual work plan is expected to include diversity and equality objectives that arise from the Single Equality Framework, Equality Schemes, Equality Impact Assessments and our duties to promote equality in employment to ensure that staff see equality issues as part of their day-to-day work. To support this is a range of training offered by Corporate Learning and Development including age legislation and best practice, disability equality, sexuality awareness and Equality Impact Assessments (EqIA).

To help meet our priorities, we have a number of standards to mainstream diversity and equality across the organisation. To achieve this, we will:

<b>Standard</b>	<b>How is this delivered?</b>
Undertake Equality Impact Assessments of both new and existing policies.	The EqIA programme is monitored regularly by the Corporate Equalities Steering Group and progress is reported annually within the Single Equality Framework monitoring reports.
Ensure that all our team plans incorporate relevant diversity and equality objectives and targets.	This is included with the annual review of team plans and reported to the Council's Performance Review Group.
Ensure all new staff participate in the Council equality induction training processes	This is co-ordinated by Organisational Development in Corporate Human Resources.
Ensure that our policies are compliant with equalities legislation.	Committee reports and budget proposals must include consideration of 'One Tower Hamlets' implications. Guidance has been produced for officers to enable them to assess the impact of policy and service changes in terms of cohesion, equalities and community leadership.
Involve communities, staff and stakeholders in the design, review and scrutiny of our services and employment practices.	Three cross-cutting equality staff forums (covering Black and Minority Ethnic, Lesbian, Gay, Bisexual and Transgender and Disabled Staff) meet every quarter.  We also have four self-organised Staff Forums: the Muslim Staff Forum, the Adults Health and Wellbeing Directorate Black and Asian Workers Forum and two Christian Prayer Groups.
	External forums include the TH Interfaith Forum and Lesbian, Gay Bisexual and Transgender Community Forum and the Pan-Disability Panel.
	Partnership Forums include the New Residents and Refugee Forum, the No Place for Hate Forum and the Older People's Partnership Board.
	The Consultation Calendar outlines the key pieces of consultation underway in the borough and includes focussed pieces of work on specific diversity and equality issues.
Members provide community leadership on	An equalities analysis of the Annual Residents' Survey is produced each year. The Lead Member for Health and Wellbeing is Cllr Rachael Saunders and

<p>diversity and equality.</p>	<p>within her portfolio she has the lead for diversity and equalities.</p> <p>The Single Equality Framework, Equality Schemes and the Workforce to Reflect the Community Policy are all agreed by Cabinet.</p> <p>Overview and Scrutiny monitors the Single Equality Framework. Equality and diversity considerations inform the Scrutiny work programme and the reviews undertaken by the Scrutiny Leads to ensure that diversity, equality and community cohesion are addressed at each stage.</p> <p>The Members' Diversity and Equality Working Group has been established as a forum for learning and development focused on community leadership skills and as an open space to explore diversity and equality issues faced by the Council.</p>
<p>Benchmark our policies and practices against other public bodies.</p>	<p>We work with London Councils and other relevant cross-borough, regional and national groups to test our practice.</p> <p>A member of the Diversity and Equality Team is seconded to London Councils part time to support work on the Equality Standard for London Local Government.</p> <p>We have demonstrated our commitment to learning from others by establishing the Diversity and Equality Network to bring together diversity and equality practitioners from across the local private, public and voluntary sectors.</p> <p>As a result of the work done with this Network we have established a local Equality Impact Assessment Peer Support Initiative through which 14 members of staff from local statutory organisations have been trained as peer mentors to support organisations within the Tower Hamlets Partnership to carry out high quality Equality Impact Assessments.</p> <p>Staff from the Diversity and Equality Team contribute to national benchmarking groups including the Employers Forums on Age, Disability and Belief.</p>

Seek external validation of our equality achievements	The new Equality Framework is the validation tool for assessing the ability of local authorities to deliver on the equalities agenda. We are one of two local authorities to achieve 'Excellent', the highest rating of the Framework.  Investors in People, the Fawcett Charter, the Stonewall Equality Index and the Employers' Forum on Disability Employers Standard are two other recent examples of benchmarking schemes which we have participated in.
Celebrate diversity and promote cohesion	Working with the Third and private sectors, a series of events and festivals are timetabled throughout the year both to celebrate the diversity of Tower Hamlets and to help promote cohesion.
Increase the extent to which our workforce reflects the local community	This is a key Council policy aimed at delivering the corporate commitment "to provide services which offer equal access to every person in the borough reflecting the diversity of the population, and will be overwhelmingly staffed by local people whose profile reflects the community". To drive forward improvements in this area we have a joint action plan with NHS Tower Hamlets and are seeking to extend this work to cover the six equality strands.

## 6. Single Equality Framework Objectives 2010/11

The Single Equality Framework has two objectives:

### A) To identify priority areas of persistent inequality and develop effective strategies to tackle them:

In preparation for the Single Equality Duty we developed six individual Equality Schemes to ensure that we have a robust understanding of inequality in the borough. Using the Equality and Human Rights Commission's Equality Measurement Framework, each Scheme measured and analysed inequality against the ten domains of the Framework:

- **Longevity** – including avoiding premature mortality.
- **Physical security** – including freedom from violence and physical and or sexual abuse.
- **Health** – including wellbeing and access to high-quality healthcare.
- **Education** – including being able to be creative, to acquire skills and qualifications and having access to training and life-long learning.
- **Standard of living** – including being able to live with independence and security and covering: nutrition, clothing,

housing, warmth, utilities, social services and transport.

- **Productive and valued activities** – such as access to employment, a positive experience in the workplace, work-life balance, and being able to care for others.
- **Individual, family and social life** – including self-development, having independence and equality in relationships and marriage.
- **Participation, influence and voice** – including participation in decision making and democratic life.
- **Identity, expression and self-respect** – including freedom of belief and religion.
- **Legal security** – including equality and non-discrimination before the law and equal treatment within the **criminal** justice system.

The Single Equality Framework enables us to look across all six Equality Schemes and identify areas of persistent inequality which arise from a complex interplay of factors. For example, to understand the pattern of educational achievement in the borough we need to look at the impact of gender, ethnicity, religion/belief, age and socio-economic background. Through the Framework we will investigate the determinants of unequal outcomes beyond individual equality strands and aim to understand the relationship between the strands and other circumstances that drive poor outcomes including socio-economic disadvantage. We will explore whether the interventions that we have in place can tackle the drivers of inequality to deliver the outcomes we look to achieve in the long term. To enable us to target these areas of persistent inequality, the Single Equality Framework Action Plan will address a small number of priority areas each year. The priorities will be identified through:

- A mapping of evidence of inequalities identified within each of the six equality schemes that cut across the strands (see appendix A);
- An analysis of the priorities within the Community Plan; and
- An assessment of current interventions which suggests that there is scope to improve effectiveness and efficiency.

**In 2010/11 the priority areas are:**

**Economic inactivity amongst Bangladeshi and Somali women**

In Tower Hamlets we have the second highest level of economically inactive working age women in the country, at 49%. Women are twice as likely to be workless as men and approximately 75% of working age Bangladeshi women are not economically active. The GLA has published research showing that across the capital, Muslim people are almost twice as

likely to be economically inactive compared to the average. Of the economically inactive group, Muslim people are more likely to be looking after a family or be studying than other groups. In 2007, the Equal Opportunities Commission identified employment as "an area of deep seated gender inequality and discrimination" for black and minority ethnic women. Their investigation into the issue found that Muslim women are particularly likely to be economically inactive and experience multiple barriers to accessing paid employment.

Given the high unemployment rate in the borough and young profile of the population, significant resources have been directed to supporting those looking for work to secure jobs. For example our 2008-11 Local Area Agreement (LAA) set ambitious targets for the Council and partners to raise the overall employment rate in the borough and enable local people to move off employment related benefits. There have also been targeted interventions through the Working Neighbourhoods programme to support target groups, including women and people with disabilities, into employment. Within our LAA we also have a child poverty reduction target which has involved working with the parents of children from the lowest per capita income households to get them off Income Support and into employment. Bangladeshi families continue to be among the poorest in the borough and their average household size is above average, therefore they have been targeted within these programmes.

The challenge now is to deepen our understanding of the drivers of economic inactivity for this group and assess the learning from these various programmes to inform future planning and strategy. In the context of reductions in public sector funding there is likely to be fewer resources available for targeted additional projects to supplement mainstream employment services. Therefore we need put in place measures to ensure that our core employment interventions and those of our partners enable us to not only increase overall employment but promote equality for those most excluded from the labour market.

During 2010/11 we will work with colleagues in the Prosperous Communities Community Plan Delivery Group and Employment Task Group to:

- Develop a comprehensive profile of worklessness among women in the borough through the Local Economic Assessment and worklessness profile, to build up an understanding of risk factors for economic inactivity among this group;
- Review existing employment interventions delivered by the Council, Social Landlords and Jobcentre Plus targeted at this group and incorporate the findings into the refresh of the local Employment Strategy; and
- Through action research we will apply a reflective process of problem solving led by stakeholders including workless Bangladeshi and Somali women to strengthen current interventions such as those delivered through the Working Neighbourhoods Fund and test out a new course of action.

## **Independence and dignity for older people and vulnerable adults**

In 2007, the Government launched Putting People First, a shared vision and commitment to transform adult social care towards a personalised, person-centred adult social care system. Implementing this vision means putting service users at the heart of the decision making process about how they are supported, and enabling them to have more choice and control, so that they can get support that is personalised to meet their individual needs.

This vision constitutes a transformation in the way adult social care services are provided. To deliver this change an ambitious three year Transforming Social Care programme is being led by Adults Health and Wellbeing Directorate. In Tower Hamlets we have recognised that these changes have a great potential to not only increase dignity and quality of life for service users, but also better meet the needs of diverse communities. In a report published in 2007 for the Equality and Human Rights Commission, DEMOS researchers argued that "there will be huge scope for self-directed services and personal budgets. These pay-offs will particularly apply where people can mobilise their own knowledge and resources to make the service more effective". However, although the potential benefits for marginalised and excluded communities are significant, care needs to be taken to ensure that the specific needs of these people are recognised and mechanisms put in place to ensure everyone can gain from changes and improve their quality of life.

During 2010/11 we will:

- Carry out a strategic level equality impact assessment of the Transforming Social Care Programme. This will involve working with colleagues and partners to identify and better understand what the changes put forward through the Transforming Social Care programme will mean for different sections of our communities.
- Identify the steps we need to take to ensure that all service users, but especially those at greatest risk of marginalisation and exclusion are enabled to live their own lives as they wish, confident that services are of high quality, are safe and promote their own individual needs for independence, well-being and dignity.

**B) To ensure that the Council has the resources, structures and processes in place to achieve our commitments. The Council will work under the Equality Framework for Local Government to improve the capacity of the organisation to tackle inequality through the use of the Equality Framework for Local Government. In 2010/11 we will strengthen the organisation's capacity to deliver equality through:**



Activity	Milestones
<b>Strengthening the capacity of the Tower Hamlets Partnership to tackle inequality through:</b>	
Ensure that strategic equality priorities are designed into the refresh of the Community Plan and Local Area Agreement and that a robust analysis of inequality in the borough informs their development.	<ul style="list-style-type: none"> <li>• Community Plan Needs Assessment completed by September 2010.</li> <li>• Community consultation completed by January 2011.</li> <li>• New Community Plan agreed by March 2011.</li> </ul>
Develop the Diversity and Equality Network as an effective peer forum to drive improvements in equality practices across the local public sector.	<ul style="list-style-type: none"> <li>• Review of Diversity and Equality Network completed by end of June 2010.</li> <li>• Evaluation report and recommendations presented to Tower Hamlets Partnership Executive by July 2010.</li> <li>• New Terms of Reference and work programme developed by August 2010.</li> <li>• Network relaunched by November 2010.</li> </ul>
Launch and deliver the One Tower Hamlets Third sector funding stream to enable community organisations to contribute to the delivery of One Tower Hamlets.	<ul style="list-style-type: none"> <li>• Work with Tower Hamlets Partnership to establish a framework for the One Tower Hamlets Fund to enable Third sector organisations to access funding for activities that improve relations between people.</li> <li>• Launch by September 2010.</li> </ul>
Strengthen the interface between the Council and THP with participatory Forums (Equality Forums, LAPs and Third sector organisations) and clarify their role in governance of the THP and the work of Overview and Scrutiny.	<ul style="list-style-type: none"> <li>• Undertake joint THP/Equality Forum workshop facilitated by SOLACE consultants to explore ways to better link Equality Forums to THP decision making and delivery structures by April 2010.</li> <li>• Produce recommendations report from workshop and report to THP Executive by July 2010.</li> </ul>
<b>Improve the capacity of the Council at a strategic level in 2010/11 we will:</b>	
Identify the areas of significant transformation in local public services and work with service providers to understand their implications for delivering our equality outcomes.	<ul style="list-style-type: none"> <li>• Work with Vision and Values sub-group of the Transformation Board to develop an approach to transformation which embeds a commitment to equalities and informs the Council's Service Options review.</li> </ul>

<p>Develop our understanding of the impact of both the recession and public sector funding cuts on equality outcomes for local residents and ensure that a commitment to reducing inequality sits at the heart of our local response.</p>	<ul style="list-style-type: none"> <li>• Embed equalities analysis within the Local Economic Assessment (LEA) due for completion by July 2010.</li> <li>• Local Enterprise Strategy - embed findings of the LEA to ensure that steps are taken to support businesses most at risk from recession related pressures (January 2011).</li> </ul>
<p>Develop a cohesion framework which balances three elements; community projects; structures and groups which bring people together and; strategic level work to understand and strengthen cohesion impact of services, projects and incidents.</p>	<ul style="list-style-type: none"> <li>• Develop cohesion impact tool to enhance understanding of how service delivery affects relations between people and improve the extent to which major projects strengthen cohesion by June 2010.</li> <li>• Pilot cohesion impact tool on priority services developments / projects by December 2010.</li> <li>• Produce report on findings of pilot Cohesion Impact Assessments and use to inform new Community Plan by January 2010.</li> </ul>
<p>Deliver a pilot project with the British Institute for Human Rights and IDEa looking at how a human rights perspective can help the Council to improve service delivery, local decision making and engagement with the communities they serve.</p>	<ul style="list-style-type: none"> <li>• Stakeholder workshop for council and partner staff to explore project proposal and agree project milestones</li> <li>• Contribute to IDEa dissemination event held to communicate findings of project by April 2011</li> </ul>
<p>Develop a mechanism for incorporating equalities within performance monitoring, through the disaggregating of national and other indicators and update the Council's suite of equality performance indicators.</p>	<ul style="list-style-type: none"> <li>• Develop a long list of national and local indicators which we can disaggregate and submit for discussion at CESC in September 2010.</li> <li>• Agree new basket of strategic equalities indicators to be incorporated within the Single Equality Framework from March 2011.</li> </ul>
<p><b>Develop the processes and structures which ensure that equality considerations inform all service planning and decision making in the Council, through:</b></p>	
<p>Review the equalities infrastructure of the organisation to make more efficient and effective use of equalities specialist staff in Directorates and the corporate team.</p>	<ul style="list-style-type: none"> <li>• Scope of review agreed by CESC by July 2010</li> <li>• Report and recommendations presented to CESC by November 2010.</li> <li>• New arrangements in place by March 2010.</li> </ul>

<p>Review and redesign the Equality Impact Assessment (EqIA) process to make it more flexible and user friendly and embed it within wider service improvement processes.</p>	<ul style="list-style-type: none"> <li>• Project Initiation Document approved by CESG, April 2010</li> <li>• Convene Project Working Group by May 2010.</li> <li>• Recommendations of review submitted to CESG by September 2010.</li> <li>• Pilot of new arrangements completed by January 2011.</li> <li>• Final agreement of new arrangements by CESG by March 2011.</li> </ul>
<p>Working with the Joint Intelligence Group develop a central bank of local and national statistics, information and research on inequality across the six equality strands that is accessible to staff and partners.</p>	<ul style="list-style-type: none"> <li>• Draft equalities profile to be developed by December 2010.</li> <li>• Equalities profile incorporated within THIS Borough intelligence system by March 2011.</li> </ul>

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# Agenda Item 10.3

<b>Committee/Meeting:</b> Cabinet	<b>Date:</b> 7 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b> Isabella Freeman (Assistant Chief Executive, Legal)  <b>Originating officer(s)</b> John Williams, Service Head Democratic Services		<b>Title:</b> Petition Scheme  <b>Wards Affected: All</b>	

<b>Lead Member</b>	Councillor Joshua Peck, Deputy Leader of the Council
<b>Community Plan Theme</b>	One Tower Hamlets
<b>Strategic Priority</b>	<ul style="list-style-type: none"> <li>• Reduce inequalities &amp; foster strong community cohesion</li> <li>• Work efficiently and effectively as One Council</li> <li>• Develop and deliver the Citizen Engagement Strategy</li> </ul>

## 1. SUMMARY

- 1.1 The Local Democracy, Economic Development & Construction Act 2009 ('the 2009 Act') places a duty on principal authorities to respond to petitions. Each authority must adopt and publish a 'Petition Scheme', informing local people of how to submit petitions and how the authority will respond. The scheme must include a number of specific provisions.
- 1.2 The duty applies from 15 June 2010. The Council must therefore review urgently its arrangements for receiving and responding to petitions, and adopt a Petition Scheme at the next Council meeting.
- 1.3 The Council has an established procedure for petitions to Council, Cabinet and committee meetings or directorates and this is well used by residents. However, some of the specific requirements of the 2009 Act are not included in the existing procedure and must now be introduced, including:-
- Provision for a petition exceeding a stated number of signatures (to be determined by the Council) to either:-
    - trigger a debate at the Council meeting (as opposed to merely presenting the petition for Members questions and response); or
    - require a senior officer to appear before the Overview & Scrutiny Committee to answer questions on the matter
  - A right of 'review' by the Overview & Scrutiny Committee if the petition organiser feels the authority's response to the petition was inadequate.
  - An 'e-petitions' facility (from 15 December 2010)

## 2. **DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Note the duty to respond to petitions included in the Local Democracy, Economic Development & Construction Act 2009 and the consequent requirement on the Council to agree a Petition Scheme at the next Council Meeting on 14 July 2010; and
- 2.2 Comment on the draft petition scheme at Appendix 'C' to this report and in particular on the proposed thresholds for the number of signatures required to trigger a Council meeting debate or attendance by a senior officer at the Overview and Scrutiny Committee.

## 3. **REASONS FOR THE DECISIONS**

### **TOWER HAMLETS' EXISTING PROCEDURE/ACTION REQUIRED**

- 3.1 The Council has a well established petition procedure (see Appendix A) that provides for a written response to all petitions by the relevant Chief Officer within 28 days and for petitions that include over 30 signatures to be presented on request to the Council meeting or (if the petition relates to an agenda item) to a meeting of the Cabinet, O&S or other committee.
- 3.2 It is proposed that these provisions should be retained. In addition, the Council's Petition Scheme will need to include further provisions to meet the requirements of the new duty as follows:-
  - Petition to trigger a Council debate. In order to force the allocation of time for a debate at Council, a petition should provide evidence of widespread concern or support and the number of signatures required should reflect this. The maximum threshold that can be set is 5% of the borough's population or approximately 10,000. However, 2,000 signatures is proposed as a more realistic and potentially achievable level, and indeed this is consistent with the notional 1% figure included in the Government's model scheme (1,500 for a hypothetical authority with a population of 150,000).
  - Petition to trigger O&S Committee evidence: Similarly, to justify the allocation of O&S Committee time and officer resources to an issue, the petition should provide evidence of widespread concern. A threshold of 1,000 signatures is suggested for this purpose (again, this is proportionate to the figure included in the model scheme) .
  - It will no longer be possible to stipulate that signatories are on the electoral register as the scheme must enable under 18's to participate in petitions.
  - A review provision ('appeal' to the Overview and Scrutiny Committee) will be required.
- 3.3 A draft Petition Scheme for Tower Hamlets, based on the model scheme and incorporating where possible the Council's existing practice and the above provisions, is attached at Appendix C for comment. Subject to any necessary

amendment the draft scheme will then be submitted to the Council for adoption.

- 3.4 Following the adoption of the Petition Scheme it will be necessary to issue a revised procedure and guidance to directorates on its implementation and logging of petitions under the scheme.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 The Council is required to have a Petition Scheme that complies with the requirements of the 2009 Act. Within these requirements there are matters that the Council may determine, such as the specified time periods in which the Council will take action and the numbers of signatures required to trigger a debate before full Council or the calling to account of a senior officer. Provided the requirements of the 2009 Act are met, the Council may also include such additional provisions as it considers appropriate. The options considered in preparing the Petition Scheme proposed in Appendix C are set out within the body of the report. As set out above, the proposed Scheme is based on the model scheme, retaining the Council's existing practice where possible.

#### **5. BACKGROUND**

- 5.1 The 2009 Act contained a range of provisions to take forward the community empowerment agenda of the 'Communities in Control' white paper and related legislation. A stated aim was to put local authorities at the forefront of the drive to reconnect people with public and political decision-making.
- 5.2 The Government recognises that signing a petition is one way for citizens to express their concerns and priorities, and research suggests that petitions are amongst the most popular and recognised forms of civic action. The 2009 Act therefore placed a duty on principal local authorities to take certain steps in response to petitions on local matters. Each authority must adopt a Petition Scheme which sets out clearly what local people should do to make their feelings known on local issues, and how the council will respond.
- 5.3 Following a consultation period the Government has issued statutory guidance on the new duty and has directed that the duty will come into force on 15 June 2010. Recognising that a longer preparation time will be required for the 'e-petitions' element of the duty, the requirement to provide this facility will come into force later, on 15 December 2010.
- 5.4 The statutory guidance includes a model Petition Scheme that authorities may wish to adopt, amended (within the requirements of the Act) to meet the needs of their own locality.
- 5.5 At Tower Hamlets, the recent Scrutiny Review on Strengthening Local Community Leadership has also recommended that the Council review the way that petitions are managed and develop a more comprehensive system for receiving and responding to petitions.

## 6. **THE DUTY TO RESPOND TO PETITIONS**

- 6.1 The 2009 Act introduces a legal requirement for all councils to respond to petitions and tell local people what action is going to be taken to address their concerns. Petitions cannot be ignored, for example because they raise a difficult issue in the local area.
- 6.2 The Act requires all principal authorities in England to establish a scheme for handling petitions made to the authority. The scheme:
- must be approved by a meeting of the council before it comes into force;
  - must be published on the authority's website and by any other method appropriate for bringing it to the attention of those who live, work or study in its area;
  - can be revised at any time but the revised scheme must be approved and publicised as above; and
  - the authority must comply with its petition scheme.
- 6.3 Councils have some flexibility around how they fulfil the duty but the Act sets out some minimum standards that Petition Schemes must meet:-
- anyone who lives, works or studies in the local authority area, including under 18's, can sign or organise a petition and trigger a response;
  - a facility for electronic petitions must be provided by the local authority;
  - petitions must be acknowledged within the time period specified in the scheme;
  - the scheme must list possible options for the steps that the Council may choose to take in response to a petition, including:
    - taking the action requested in the petition
    - considering the petition at a meeting of the authority
    - holding an inquiry
    - holding a public meeting
    - commissioning research
    - a written response setting out the authority's views on the request
    - referring the petition to an overview and scrutiny committee
  - the scheme must secure that: (a) the petition organiser is notified within a period specified in the scheme of the steps taken or proposed to be taken by the Council and the Council's reasons for that action; and (b) the notification is published on the Council's web site;
  - petitions with a significant level of support trigger a debate of the full Council (Councils will determine this threshold locally but it must be no higher than 5 per cent of the local population);
  - petitions with a requisite level of support, set by the local authority, which seek to hold a senior officer to account for a function for which the officer is responsible trigger at least the attendance by the senior officer to give evidence to the overview and scrutiny committee;
  - petition organisers can prompt a review of the local authority's response if they feel it is inadequate



6.4 Statutory guidance encourages authorities to adopt schemes wider than these requirements, e.g. responding to petitions from those who do not live, work or study in the area or e-petitions on non-council sites. Councils may include other information such as details of how they handle petitions which do not qualify under the scheme or which apply to the functions of another authority.

## 7.0 **THE PETITION SCHEME**

7.1 Government believes that petitions are an important tool for local people to raise concerns and that councils should approach their scheme from the starting point of responding in some way to all the petitions they receive – including those on very local issues - regardless of the number of signatures providing they follow the guidelines set out in the scheme i.e. the petition is not discriminatory or about an excluded matter such as a planning decision. Tower Hamlets' existing petitions procedure (see Appendix A) does provide for a response in all cases. In designing their scheme, councils are expected to:

- take into account local circumstances to ensure the scheme is appropriate e.g. in relation to the thresholds set to trigger different types of response;
- ensure that the scheme is accessible to all; and
- ensure that the process is easy for citizens to use.

7.2 Thresholds may be reviewed periodically and amended if necessary. Should it become apparent that authorities are setting unachievable requirements, the Secretary of State has power to direct them to amend their petition schemes.

## 8.0 **THE DETAILED REQUIREMENTS**

### **(a) Items covered by the petitions duty**

8.1 As a minimum, a council's petition scheme must apply if a petition meets all of the following criteria:

- it calls for the authority to take action or to cease to take action;
- it is signed by the requisite number of people who live, work or study in the local area (this number must be specified in the Scheme);
- if made under another enactment, it does not qualify under that enactment (for example a mayoral petition under the Local Government Act 2000 which does not contain enough signatures to trigger a referendum); and
- if made electronically, it is made through the authority's e-petition facility

8.2 The legislation does not define a petition – in most cases this will be obvious but authorities sometimes have to decide whether to deal with an item of correspondence under its petition scheme or in another way, e.g. via the complaints procedure. Government guidance is that authorities should treat as a petition anything which identifies itself as a petition, or which a reasonable person would regard as a petition.

## **(b) Verification of signatures and acknowledgement**

- 8.3 Authorities can choose to verify the signatures given on a petition if they wish, and it is suggested that such a provision should be included in the Tower Hamlets scheme. Under the provisions of the 2009 Act, a hard copy signature only counts if the petition gives the signatory's name and an address where the signatory lives, works or studies. In the case of e-petitions the authority must decide what counts as an authentic signature, for example a valid email address, a valid postcode or both. All petitions which meet the scheme criteria must be acknowledged within the period specified in the scheme.

## **(c) Relevant matters**

- 8.4 Recognising councils' wider community leadership role, the Act requires an authority to respond to any petition relating to one of the Council's functions, but also one relating to other matters that are not within the Council's functions but which relate to the economic, social or environmental well-being of the area and to which any of the Council's partners could contribute. This could mean acting as an advocate for the local community, working with partners to resolve the issue or instigating a scrutiny review. Should a petition of this sort call for something which goes against council policy the council may choose to say 'no' to the request but must explain their position in their response.

## **(d) Exclusions**

- 8.5 Certain petitions are excluded from the duty to respond as follows:-
- Petitions which are vexatious, abusive or otherwise inappropriate – these must still be acknowledged and the acknowledgement should explain why the authority will not be taking action.
  - Certain petitions may be inappropriate to deal with during a pre-election period.
  - Petitions made under another enactment (if they meet the requirements of that enactment)
  - Matters excluded by order, where established processes already exist for communities to have their say:-
    - any matter relating to a planning decision, including about a development plan document or the community infrastructure levy;
    - any matter relating to an alcohol, gambling or sex establishment licensing decision;
    - any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment

## **(e) Appropriate steps**

- 8.6 Councils are required to take appropriate steps when responding to petitions received. The response should be proportionate to the seriousness of the issue and the level of support contained in the petition. The actions listed at

6.3 above must be among those considered but councils are encouraged to be innovative, including considering any courses of action open to them that are specific to the subject of the petition. The Statutory Guidance includes a number of examples of appropriate steps that local authorities should consider in response to specific subjects, as set out at Appendix B attached.

- 8.7 The authority must notify the petition organiser of the steps it intends to take and publish this notification on the authority's website.

#### **(f) Petition Debates**

- 8.8 The Act requires that petitions which receive a specified level of support should be debated at a meeting of the Council. Authorities must set out in their scheme the number of signatures needed to trigger a debate. The petition organiser should be informed when the debate will be held (normally the next meeting) with sufficient notice to attend and offered the option of presenting their petition at the beginning of the debate, and councils should also consider what other contribution the petitioners might make to the discussion, e.g. answering questions put by councillors.

- 8.9 The guidance states that a petition debate should conclude with a decision being taken by the Council. This could be to take the action the petition requests, not to take the action for reasons put forward in the debate, or to commission further investigation e.g. by a relevant committee. Where the issue is the responsibility of the Council's Executive, the Council should decide whether to make recommendations to inform that decision.

- 8.10 The Local Authorities (Petitions) (England) Order 2010 stipulates that the maximum number at which the threshold for triggering a council debate may be set is 5% of the local population, but the Government expects that in most cases a much lower figure will be considered locally appropriate.

#### **(g) Requiring officer evidence to the Overview & Scrutiny Committee**

- 8.11 The petition scheme must allow for petitions to trigger attendance by a senior officer at the Overview and Scrutiny Committee to answer questions about the issue raised. The scheme must specify how many signatures will be needed to require an officer to attend a public hearing. The scheme must also specify the officers who may be called to account in this way. The final decision on which officer (and/or member) should attend, and the questions to be asked, rest with the Overview and Scrutiny committee.

- 8.12 The Council must inform the petition organiser when the Overview and Scrutiny meeting will take place with sufficient notice to enable them to attend. After the relevant person has appeared before the overview and scrutiny committee, the committee must make a report or recommendations to the authority and send a copy of that report or recommendations to the petition organiser.

## **(h) Petition Reviews**

- 8.13 The Act provides a review provision under which petitioners can appeal to the Overview and Scrutiny committee if they feel the Council's response to their petition is not adequate. The committee may decide to carry out a full review of the issues raised in the petition or, if it is very concerned – for instance if the committee thinks that the authority is seriously neglecting its responsibility to listen to local people – the committee can arrange for the authority's response to the petition to be discussed at a meeting of the full Council. The Council must inform the petition organiser of the results of the review and must publish the results on its website, unless the Council considers it would be inappropriate to do so in all the circumstances.

## **9.0 E-PETITIONS**

- 9.1 The Act requires all authorities to provide an 'e-petition' facility for citizens to create a petition online to be made available to others for electronic signature. Mere acceptance of e-mailed petitions does not meet this requirement.
- 9.2 The e-petition facility must be included in the Petition Scheme and substantially the same requirements apply to electronic petitions as to paper petitions. Authorities must determine, for each e-petition received, whether the petition is appropriate for publishing on their facility; and will decide what equates to a signature on an e-petition. Although only required to respond to e-petitions made through their own e-petition facility, an authority may choose also to respond to e-petitions submitted by other means and the petition scheme should indicate how these types of petitions will be dealt with.
- 9.3 In order to allow time for preparation of the necessary systems, the Government has agreed that the provisions in relation to e-petitions will not come into effect until 15 December 2010. The Council's draft Petition Scheme therefore does not include provision for e-petitions at this stage.
- 9.4 However, the Council's existing committee management software (Modern.gov) includes provision for an e-petitions facility linked to the Council's website and development work is underway to bring this into use as soon as possible.

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

- 10.1 The administration of the Petition Scheme, and in a number of cases the Council's response to the petitions submitted under the scheme, will give rise to additional costs from increased work for directorates, time at council and committee meetings and set up costs for e-petitions. The Government has indicated that under the new burdens principles, it will meet the costs of the new burdens associated with the duty
- 10.2 The Government expects that the national cost of responding to local petitions will be approximately £4.7 million per year, decreasing over time. Local authorities will each receive a grant for 2010/11, although this needs to be

seen in the context of the authority's share of the £1.1bn in year grant reductions for local government announced in May. It is therefore highly likely that these changes will result in additional expenditure by the Council, although the extent of this will depend upon the number and nature of petitions received and will need to be contained within available budgets. This amount of grant will vary by local authority dependent on the local population. It is expected that funding for future years will be incorporated into the revenue support grant.

- 10.3. In responding to petitions, it will be necessary for the Council to consider the financial implications of the matter in question.

**11. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

11.1 The report proposes the adoption of a petition scheme to comply with the requirements of the 2009 Act. The report properly addresses the requirements of the Act, the Local Authorities (Petitions) (England) Order 2010 and statutory guidance given by the Secretary of State in March 2010 entitled "Listening to communities: Statutory guidance on the duty to respond to petitions".

11.2 The Act provides that the scheme must be adopted at a meeting "of the authority" and the statutory guidance emphasises that this should be at a meeting of full council. This is consistent, in any event, with the provisions of the Council's Constitution, which provide that only the full Council will adopt or change the Constitution.

**12. ONE TOWER HAMLETS CONSIDERATIONS**

12.1 The Petition Scheme and subsequent introduction of the e-petitions facility aim to promote access to the decision-making process for all local residents. This is consistent with the objective of One Tower Hamlets expressed in the Community Plan, as it tends to promote equality of opportunity and to encourage contributions to local government from persons who live, work or study in Tower Hamlets.

**13. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

13.1 Not applicable.

**14. RISK MANAGEMENT IMPLICATIONS**

14.1 This paper identifies primarily legal risks which have been covered as part of the legal comments above. There are no other immediate risks in relation to the Scheme.

**15. CRIME AND DISORDER REDUCTION IMPLICATIONS**

15.1 Not applicable.

**16. EFFICIENCY STATEMENT**

- 16.1 The new Petitions Scheme will be one way in which people can inform the Council of their concerns with a robust procedure to be followed.

**17. APPENDICES**

- Appendix A – The Council’s existing petitions procedure  
Appendix B - Examples of steps that Councils should consider in response to specific subjects raised in petitions  
Appendix C - Draft Petition Scheme

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**Local Government Act, 1972 Section 100D (as amended)  
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
None	N/A

## **APPENDIX A – THE COUNCIL’S EXISTING PETITIONS PROCEDURE**

### **LONDON BOROUGH OF TOWER HAMLETS**

#### **PROCEDURE FOR RECEIVING AND RESPONDING TO PETITIONS**

Petitions are an important way for local residents to inform the Council of their views or raise matters of concern. Petitions may be received in a number of ways including by post to the Chief Executive or a department, by hand at Mulberry Place or a local office or via a Member’s Enquiry or surgery.

This procedure is designed to ensure that petitions are tracked and responded to within the agreed timescales and should be followed in all cases.

#### **1. RECEIPT AND LOGGING OF PETITIONS**

- All petitions received by the Council, whether presented at a meeting or otherwise received from residents, Members or others, will be referred to the relevant Corporate Director for action.
- If the officer receiving a petition is unsure of the procedure or which is the appropriate department, they should pass the petition to the Service Head, Democratic Services who will log and forward it to the relevant Corporate Director.
- The Corporate Director should record the date of receipt of any petition received in his/her office.

#### **2. ACKNOWLEDGEMENT**

- On receipt of a petition, the Corporate Director should without delay send an acknowledgement to the lead contact or person co-ordinating the petition, or if this is not indicated, to the first named signatory.
- If the petition was passed to the Council by a Member, the acknowledgement should be copied to that Member.
- The acknowledgement should give the name of the Corporate Director responsible for responding to the issues raised, and should state that this response will be sent within 28 days.

#### **3. PETITIONS RELATING TO MORE THAN ONE DIRECTORATE**

- Where a petition relates to several services the Corporate Directors concerned should agree which of them will lead and co-ordinate the response. Normally this will be the Corporate Director to whose services most of the petition relates. If there is not agreement on this the lead director will be the one whose service is first named in the petition.
- The identity of the lead Corporate Director should be included in the acknowledgement letter at 2 above.

#### **4. RESPONSE TO PETITIONS**

- The Corporate Director should arrange for the relevant officer(s) to prepare a draft response to the issues raised in the petition including reference to any relevant Council policy, any action planned in relation to the matters raised and/or any other agency with relevant responsibilities.
- The Corporate Director is responsible for ensuring that a written response is provided within 28 days of receipt of the petition.
- The response should be sent to the lead contact/person co-ordinating the petition or, if this is not indicated, to the first named signatory.
- If the petition was passed to the Council by a Member, the response should be copied to that Member.
- If the petition was forwarded to the department by the Chief Executive or Service Head, Democratic Services they should receive a copy of the response.

#### **5. RECORD KEEPING**

- The Corporate Director should maintain a record of petitions received and replied to and any outstanding items referred to officers for a draft response.

#### **6. KEEPING MEMBERS INFORMED**

- Petitions and responses are not routinely reported to the Cabinet and Corporate Directors are responsible for responding to petitions received.
- However, in relation to petitions affecting particular wards or Lead Member portfolios the Corporate Director may wish to consult the relevant Lead Members(s) and/or ward councillors about the issues raised.
- Any relevant Lead Member(s), ward councillors and/or a Member who has presented a petition to the Council should be sent a copy of the written response to the petitioners.

#### **7. PRESENTATION OF PETITIONS TO COUNCIL/OTHER MEETINGS**

- Subject to certain conditions, petitions of more than 30 signatures can be presented to a meeting of the full Council (on any matter for which the Council has responsibility or which affects the borough); or the Cabinet, Overview & Scrutiny or other committee (on a matter that is on the agenda for the meeting).
- Such petitions will be sent to the Service Head, Democratic Services, who will notify the relevant Corporate Director of receipt and ask him/her to prepare a briefing for the Lead Member to respond orally to the petition at the meeting.
- After the meeting the petition is forwarded to the Corporate Director in the normal way for a written response on any outstanding matters within 28 days.



## **8. PETITIONS ON PLANNING AND LICENSING ISSUES**

- Where a petition relates to planning or licensing and there is a current application the petition will be referred to the (Strategic) Development or Licensing Committee to be heard at the time of consideration of the application.
- In relation to development control, subject to certain conditions the (Strategic) Development Committee will consider an application where the officer recommendation is opposed by more than 20 individual representations or a petition of at least 20 local residents. The representations and petitions are summarised in the committee report and copies are available at the meeting.
- The Development Procedure Rules at Part 4.8 of the Constitution set out the arrangements for public speaking at Development/Strategic Development Committee meetings.



## **APPENDIX B**

### **EXAMPLES OF STEPS THAT COUNCILS SHOULD CONSIDER IN RESPONSE TO SPECIFIC SUBJECTS RAISED IN PETITIONS**

(Extract from DCLG Statutory Guidance on the duty to respond to petitions)

#### **(i) Alcohol related crime and disorder:**

If a local authority receives a petition about alcohol-related crime or disorder, Government expects them to fully consider with their partners the range of options available to them including considering the case for establishing a designated public place order or, as a last resort, establishing and imposing an alcohol disorder zone covering the relevant area.

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

As the elected representatives of the local area, and often as social landlord and licensing authority, local councils have a significant role to play in tackling anti-social behaviour. Recently crime and disorder reduction partnerships, of which local authorities are a constituent member, have been challenged to set minimum service standards and publicise these to their local communities by March 2010. The police and many local authorities also have a target to increase public confidence that the police and council are working together to deal with crime and ASB issues that matter most locally. As such, when responding to petitions on ASB, local authorities are expected to consider, in consultation with local partners, all the options available to them including the wide range of powers and mechanisms they have to intervene as part of these roles. They should, for example, work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the council to liaise with the community, Registered Social Landlords and other neighbourhood partners on issues of ASB in the area in question and, where appropriate, alert the crime and disorder reduction partnership and crime and disorder overview and scrutiny committee to the issues highlighted in the petition.

#### **(iii) Under-performing schools:**

Local authorities are expected to consider, in consultation with local partners, all the options available to them when working with schools to secure their improvement. For example, on behalf of the local authority, the school improvement partner will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing the local authority should consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve its performance standards. Other measures available to local authorities, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures include; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract or partnership or, only if the school is in special measures, closure.

**(iv) Under-performing health services:**

Local authorities are expected to work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LiNk) might have in reviewing and feeding back on the issue. The health overview and scrutiny committee should also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue should be referred to them to consider for review.

## APPENDIX C

# LONDON BOROUGH OF TOWER HAMLETS

## DRAFT PETITION SCHEME

### 1. SUBMITTING A PETITION TO THE COUNCIL

Tower Hamlets Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

The Service Head, Democratic Services,  
1<sup>st</sup> Floor,  
Town Hall,  
Mulberry Place,  
E14 2BG

Or can be scanned and e-mailed to [petitions@towerhamlets.gov.uk](mailto:petitions@towerhamlets.gov.uk)

All petitions will receive a response from the relevant Council Directorate as set out at section 4 below within 28 days of receipt. This will usually be the quickest way of addressing the issue. If you wish to present your petition to a meeting of elected councillors, please see section 5 below for details of how this may be done.

The Council is currently developing a facility for residents to host or sign on-line petitions via our website. This facility will be available by December 2010.

### 2. GUIDELINES FOR SUBMITTING A PETITION

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. This should state what action the petitioners wish the Council to take
- the name, address and signature of each person supporting the petition
- contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website.
- If the petition does not identify a petition organiser, we will contact the first listed signatory to the petition to agree who should act as the petition organiser.

The Council will seek to verify the authenticity of each entry on a petition by reference to existing information such as (where appropriate) the current electoral

register or other relevant records. Entries which cannot be verified may not be counted for the purposes of determining whether a petition has exceeded a threshold set out in this scheme.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.

In the period immediately before an election or referendum, when certain legal restrictions apply, we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

### **3. ACTION BY THE COUNCIL ON RECEIPT OF A PETITION**

An acknowledgement will be sent to the petition organiser within 10 working days of us receiving the petition. This will let them know what we plan to do with the petition and when they can expect to hear from us again.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence (see section 5 below), the acknowledgment will confirm this and tell you when and where the meeting will take place (if known at that stage). If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available on the Council's website *[insert link]*

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate. If this is the case, we will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all petitions submitted to the Council will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

### **4. THE COUNCIL'S RESPONSE TO YOUR PETITION**

The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition;

- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Council's Overview and Scrutiny Committee (a cross-party committee of councillors which has the power to hold the Council's decision makers to account.)
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition, including potential use of any of the Council's statutory powers; and/or recommendations to, or action in conjunction with, our partner agencies or others.

If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners [link to Tower Hamlets Partnership website] and where possible will liaise with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

You can find more information on the services for which the Council is responsible on our website *[insert link]*.

If your petition is about something that a different authority is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other authority, but could involve other steps. In any event we will notify you of the action we have taken.

In all cases we will provide the written response within 28 days of receiving your petition.

## **5. PRESENTATION OF A PETITION TO ELECTED COUNCILLORS**

Subject to your petition containing sufficient signatures as set out below, you may request to present the petition to a meeting of elected councillors. There are a number of ways in which this can be done.

### **(a) Presentation to a meeting of the Council, Cabinet or relevant committee**

If your petition includes the names, addresses and signatures of at least 30 persons who live, work or study in the borough, it may be presented to an ordinary meeting of the Council or (if it relates to a matter that is on the agenda for the meeting) to the Council's Cabinet or a Council Committee. A full calendar of meeting dates can be found on the Council's website *[insert link]*.

If you would like to present your petition to one of these meetings, please contact the Service Head, Democratic Services on 020 7364 4204 well in advance of the meeting for further information. The final deadline for receipt of petitions is noon, three clear working days before the meeting. However, please note that a maximum of three petitions will normally be taken at any meeting and these slots are allocated in order of receipt, so early submission is advised.

At the meeting, you will be invited to speak for up to three minutes in support of your petition and councillors may then ask you questions for a further three minutes before the relevant Lead Member or Committee Chair responds to the matter that you have raised.

### **(b) Debate at a Council Meeting**

If your petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough you may request that a debate be held about the petition at the full Council meeting. The Council will endeavour to consider your petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. We will tell you the date of the meeting at which the debate will take place once this is confirmed.

At the meeting, the petition organiser or another signatory to the petition will be given three minutes to present the petition. The person who presents the petition must live, work or study within the borough. The petition will then be debated by Councillors for a maximum of 15 minutes. Following the debate, the Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council's Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. As the petition organiser, you will receive written confirmation of this decision, which will also be published on our website.

### **(c) Officer evidence to the Overview and Scrutiny Committee**

As an alternative to a Council debate, your petition may ask for a senior Council officer to provide information in public about something for which the officer is responsible as part of their job – for example to explain progress on an issue, or the advice given to councillors to enable them to make a particular decision. The senior officers who may be called to give evidence under this procedure include the Head of the Paid Service (Chief Executive) and any of the Council's statutory or non-statutory Chief Officers (Corporate Directors).

If your petition includes the names, addresses and signatures of at least 1,000 persons who live, work or study in the borough, the relevant senior officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee.



You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee may also decide to call the relevant Executive Councillor(s) to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chair of the Committee by contacting the Service Head, Democratic Services up to three working days before the meeting.

## **5. IF YOU ARE NOT SATISFIED WITH THE COUNCIL'S RESPONSE**

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny committee review the steps that the Council has taken in response to your petition.

It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the outcome within 5 working days. The results of the review will also be published on our website.

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# Agenda Item 14

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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