

Meeting of the

CABINET

Wednesday, 8 October 2008 at 5.30 p.m.

AGENDA – SECTION ONE

VENUE

Committee Room, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

Members:

Councillor Lutfur Rahman (Chair)	– (Leader of the Council)
Councillor Sirajul Islam (Vice-Chair)	– (Deputy Leader of the Council)
Councillor Ohid Ahmed	– (Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Rofique U Ahmed	– (Lead Member, Culture and Leisure)
Councillor Anwara Ali	– (Lead Member, Health & Wellbeing)
Councillor Alibor Choudhury	– (Lead Member, Employment and Skills)
Councillor Marc Francis	– (Lead Member, Housing and Development)
Councillor Clair Hawkins	– (Lead Member, Children's Services)
Councillor Joshua Peck	– (Lead Member, Resources and Performance)
Councillor Abdal Ullah	– (Lead Member, Cleaner, Safer, Greener)

[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

LONDON BOROUGH OF TOWER HAMLETS

CABINET

WEDNESDAY, 8 OCTOBER 2008

5.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

**PAGE
NUMBER
1 - 2**

**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

3 - 34

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Cabinet held on 10th September 2008.

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 or questions in relation to the unrestricted business of the Cabinet, arising from the meeting of the Overview and Scrutiny Committee held on 7th October 2008.

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

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

The following item has been "called in" for further consideration by the Overview and Scrutiny Committee at its meeting to be held on 7th October 2008. Should the Overview and Scrutiny Committee, upon consideration, refer the report back to the Cabinet for further consideration Members will receive a copy of each report and the decision/ recommendations of the Overview and Scrutiny Committee at the Cabinet meeting.

- (i) 33-37 The Oval & Bethnal Green Gasholders Site, E3 (CAB 039/089)

UNRESTRICTED REPORTS FOR CONSIDERATION

6. A GREAT PLACE TO LIVE

6.1	Conservation Area Designations: Proposals to designate new Conservation Areas and agree prudent revisions to existing boundaries (CAB 052/089)	35 - 116	All Wards
6.2	The Provision of Structural Checking Consultancy Services for Building Control - Contract No. DR3040 Building Control (Higher Value Works) - (Three Year Contract with 1 Year Extension) and Contract No. DR3011 Building Control (Lower Value Works) - (Three Year Contract with 1 Year Extension) (CAB 053/089)	117 - 124	All Wards

7. A PROSPEROUS COMMUNITY

7.1	Building Schools for the Future (BSF) Wave 5 Outline Business Case (CAB 055/089)	125 - 150	All Wards
------------	-----------------------------------------------------------------------------------------	------------------	------------------

Note: The Executive Summary of the Outline Business Case, is appended to the report contained in this agenda, however the full Outline Business Case has been circulated in conjunction with the Agenda to members of the Cabinet and made available in the four Political Party Group rooms, Council Website, put on deposit at the Town Hall Mulberry Place. Should members of the Authority or members of the public wish to have a full copy of this appendix they should contact Ms Ann Sutcliffe, Service Head Building Schools for the Future - Children's Services, on the following number 0207 364 4077 or by email ann.sutcliffe@towerhamlets.gov.uk.

	PAGE NUMBER	WARD(S) AFFECTED
7 .2 Consultation on the Admission Arrangements (CAB 056/089)	151 - 190	All Wards
7 .3 Marnier Primary School - Proposed Expansion (CAB 057/089)	191 - 206	Bromley-By-Bow

8. A SAFE AND SUPPORTIVE COMMUNITY

8 .1 ASBO Publicity Protocol (CAB 059/089)	207 - 224	All Wards
---------------------------------------------------	------------------	------------------

9. A HEALTHY COMMUNITY

Nil items.

10. ONE TOWER HAMLETS

10 .1 Priorities and Arrangements for Mainstream Grants 2009-2012 (CAB 060/089)	225 - 242	All Wards
----------------------------------------------------------------------------------------	------------------	------------------

10 .2 General Fund Revenue Budget - In Year Service Improvement Growth 2008/09 to 2010/11 (CAB 061/089) - To Follow		All Wards
----------------------------------------------------------------------------------------------------------------------------	--	------------------

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED 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

To confirm as a correct record of the proceedings the exempt / confidential minutes of the ordinary meeting of the Cabinet held on 10th September 2008.

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

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

The following item has been "called in" for further consideration by the Overview and Scrutiny Committee at its meeting to be held on 7th October 2008. Should the Overview and Scrutiny Committee, upon consideration, refer the report back to the Cabinet for further consideration Members will receive a copy of each report and the decision/ recommendations of the Overview and Scrutiny Committee at the Cabinet meeting.

- (ii) 33-37 The Oval & Bethnal Green Gasholders Site, E3 Exempt/ Confidential Appendix to Unrestricted Report (CAB 051/089)

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**

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

Nil items.

SCRUTINY PROCESS

The Overview and Scrutiny Committee, at its meeting on **Tuesday 4th November 2008** 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 17th October 2008 **(5.00 p.m.)**

The deadline for Deputations is: Wednesday 28th October 2008 **(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 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 5.05 P.M. ON WEDNESDAY, 10 SEPTEMBER 2008

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

Members Present:

Councillor Lutfur Rahman (Chair)	(Leader of the Council)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Anwara Ali	(Lead Member, Health & Wellbeing)
Councillor Alibor Choudhury	(Lead Member, Employment and Skills)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Clair Hawkins	(Lead Member, Children's Services)
Councillor Sirajul Islam (Vice-Chair)	(Deputy Leader of the Council)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor M. Shahid Ali	
Councillor Abdul Asad	(Chair, Overview and Scrutiny Committee)
Councillor Stephanie Eaton	(Leader Liberal Democrat Group and Scrutiny Lead Member: A Healthy Community)
Councillor Peter Golds	(Leader Conservative Group)
Councillor Ann Jackson	(Scrutiny Lead Member: One Tower Hamlets)
Councillor Denise Jones	
Councillor Abjol Miah	(Leader of the Respect Group)

Others Present:

Officers Present:

Agnes Adrien	– (Team Leader Enforcement and Litigation, Legal Services, Chief Executive's)
Andy Algar	– (Service Head Asset Strategy, Capital Delivery and Property Services, Development & Renewal)
Ashraf Ali	– (Scrutiny Policy Officer, Equalities and Scrutiny, Chief Executive's)
Lutfur Ali	– (Assistant Chief Executive)
Peter Allnutt	– (CCTV Manager, Community Safety Operations,

	Communities Localities and Culture)
Andy Bamber	– (Service Head Community Safety, Communities Localities and Culture)
Rachel Bielby	– (Leader's Executive Assistant, Democratic Services, Chief Executive's)
Isobel Cattermole	– (Service Head, Resources, Children's Services)
Kevan Collins	– (Corporate Director, Children's Services)
Luke Cully	– (Finance Manager, Communities, Localities & Culture)
Mary Durkin	– (Interim Service Head, Youth and Community Learning, Children's Services)
Paul Evans	– (Interim Corporate Director Development & Renewal)
Alan Finch	– (Service Head Corporate Finance, Resources)
Tony Finnegan	– (Communications Officer, Media and Public Relations, Chief Executive's)
Julian Francis	– (Political Adviser to the Conservative Group, Democratic Services, Chief Executive's)
Isabella Freeman	– (Assistant Chief Executive [Legal Services] and Monitoring Officer)
John Goldup	– (Corporate Director, Adults Health and Wellbeing)
Stephen Halsey	– (Corporate Director, Communities, Localities and Culture)
Stephen Hartley	– Cabinet Executive Assistant, Democratic Services, Chief Executive's)
Sue Hinds	– (Access to Employment Manager, Development & Renewal)
Chris Holme	– (Service Head Resources, Development & Renewal)
Afazul Hoque	– (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Minesh Jani	– (Service Head Risk Management, Resources)
Michael Kiely	– (Service Head, Development Control and Building Control, Development & Renewal)
Paul Martindill	– (Service Head Cultural Services, Communities Localities and Culture)
Chris Naylor	– (Corporate Director, Resources)
Charles Skinner	– (Service Head Communications, Chief Executive's)
Martin Smith	– (Chief Executive)
Alan Steward	– (Acting Service Head, Strategy and Performance, Chief Executive's)
Jon Underwood	– (Community Safety Partnership and Performance Manager, Community Safety, Communities Localities & Culture)
Kazim Zaidi	– (Political Advisor to the Labour Group, Democratic Services, Chief Executive's)
Angus Taylor	– (Executive Team Leader, Democratic Services, Chief Executive's)

COUNCILLOR L. RAHMAN (CHAIR) IN THE CHAIR

The Chair welcomed the large number of young people present in the Public Gallery.

The Chair also welcomed Mr Lutfur Ali, Assistant Chief Executive, to the Authority and to his first meeting of the Cabinet. Mr Ali had been appointed during the Summer and taken up his position on 1st September 2008.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor O. Ahmed, Lead Member Regeneration, Localisation and Community Partnerships.
- Councillor J. Peck, Lead Member Resources and Performance.

Noted.

2. DECLARATIONS OF INTEREST

Councillor M. Francis declared a prejudicial interest in Agenda item 17.2 “Roman Place (2 Gladstone Place) – Granting of Development Lease”. The declaration of interest was made on the basis that the report contained recommendations relating to the Roman Place site, the Old Ford Housing Association was an interested party in the acquisition of this site, and Councillor Francis was the an independent member the governing body of the Old Ford Housing Association.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 7.1 “Resourcing Tower Hamlets Youth Service”. The declaration of interest was made on the basis that:

- The report contained recommendations relating to the Ocean Estate and referred to the Ocean New Deal for Communities (Ocean NDC) and Councillor Ahmed was a resident in the Ocean NDC area and a representative of the Authority on the Ocean Regeneration Trust.
- The report contained recommendations relating to the Authority’s youth service provision in Local Area Partnership 2 area and Councillor Ahmed was a member of the LAP 2 Steering Group.

Councillor A. Asad declared a personal interest in Agenda item 7.1 “Resourcing Tower Hamlets Youth Service”. The declaration of interest was made on the basis that the report contained recommendations relating to the Authority’s youth service provision in Local Area Partnership 4 area, Bishop

Challoner School was a youth service provider in LAP 4, and Councillor Asad currently received remuneration from Bishop Challoner School in relation to its Youth Service provision.

Councillor M Francis declared a personal interest in Agenda item 7.1 “Resourcing Tower Hamlets Youth Service”. The declaration of interest was made on the basis that the report referred to Old Ford Housing Association and Councillor Francis was an independent member of the governing body of Old Ford Housing Association.

Councillor L Rahman declared a personal interest in Agenda item 7.1 “Resourcing Tower Hamlets Youth Service”. The declaration of interest was made on the basis that the report contained recommendations relating to the Spitalfields and Banglatown area and Councillor Rahman was a Ward member for Spitalfields and Banglatown.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 7.2 “33-37 The Oval Bethnal Green Gasholders Site E3” (CAB 039/089) and the exempt/ confidential appendix thereto, Agenda item 17.1 (CAB 051/089). The declaration of interest was made on the basis that Councillor Ahmed was a former Chair of the Planning Committee/ Strategic Development Committee which had considered aspects of this matter relating to planning consent.

Councillor S. Eaton declared a personal interest in Agenda item 7.2 “33-37 The Oval Bethnal Green Gasholders Site E3” (CAB 039/089) and the exempt/ confidential appendix thereto, Agenda item 17.1 (CAB 051/089). The declaration of interest was made on the basis that the report contained recommendations relating to the Bethnal Green North area and Councillor Eaton was a Ward member for Bethnal Green North.

Councillor L Rahman declared a personal interest in Agenda item 7.3 “Capital Programme Approvals – Osmani Youth Centre and Victoria Park Masterplan”. The declaration of interest was made on the basis that the report contained recommendations relating to the Spitalfields and Banglatown area and Councillor Rahman was a Ward member for Spitalfields and Banglatown.

Councillor M Francis declared a personal interest in Agenda item 7.3 “Capital Programme Approvals – Osmani Youth Centre and Victoria Park Masterplan”. The declaration of interest was made on the basis that the report contained recommendations relating to Victoria Park and Councillor Francis was a resident in this locality.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 8.1 “Crime and Drugs Reduction Partnership Plan 2008-11”. The declaration of interest was made on the basis that Councillor Ahmed was a representative of the Authority on the governing body of the Olympic Development Agency.

Councillor M. Francis declared a personal interest in Agenda item 10.1 “Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects”. The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for a programme

supporting residents into employment operated by Leaside Regeneration Company Ltd, and Councillor Francis was the Authority's representative on the governing body of Leaside Regeneration Company Ltd.

Councillor C. Hawkins declared a personal interest in Agenda item 10.1 "Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects". The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for training programmes operated by Tower Hamlets College and Councillor Hawkins was a representative of the Authority on the governing body of Tower Hamlets College.

Councillor A. Ullah declared a personal interest in Agenda item 10.1 "Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects". The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for training programmes operated by Tower Hamlets College and Councillor Ullah was an independent member and Vice-Chair of the governing body of Tower Hamlets College.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 12.3 "Capital Outturn Report 2007/2008". The declaration of interest was made on the basis that the report referred to resource allocation for repairs to housing stock and Councillor Ahmed was an LBTH Leaseholder.

Councillor A. Ullah declared a personal interest in Agenda item 12.3 "Capital Outturn Report 2007/2008". The declaration of interest was made on the basis that the report referred to resource allocation for repairs to housing stock and Councillor Ullah was an LBTH Leaseholder.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 First Report – Housing Revenue Account". The declaration of interest was made on the basis that the report referred to resource allocation for improvements to housing estates and a Leaseholder Administration Charge Rebate and Councillor Ahmed was an LBTH Leaseholder.

Councillor A. Ullah declared a personal interest in Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 First Report – Housing Revenue Account". The declaration of interest was made on the basis that the report referred to resource allocation for improvements to housing estates and a Leaseholder Administration Charge Rebate and Councillor Ullah was an LBTH Leaseholder.

Noted.

3. UNRESTRICTED MINUTES

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

Resolved

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 30th July 2008 be approved and signed by the Chair, as a correct record of the proceedings.

4. DEPUTATIONS & PETITIONS

The clerk advised the Chair that the Assistant Chief Executive had received no constitutionally valid requests for deputations or petitions in respect of the business contained in the agenda. However there had been expressions of interest in making a deputation on Agenda item 7.3 "Capital Programme Approvals – Osmani Youth Centre and Victoria Park Masterplan", and this had not been detailed on the Authority's Forward Plan, affecting the ability of interested parties to know in advance when the matter was to be considered by Cabinet, and give the required form of notice. In such an extenuating circumstance the Cabinet could, by resolution, waive constitutional requirements in order to receive deputations on this agenda item.

The Chair sought an indication from those present in the Public Gallery whether they wished to address the Cabinet in relation to the report. No indications were received.

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 Asad, 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 9th September 2008, in respect of the unrestricted business contained in the agenda for consideration; and
- A sheet of advice/ comments arising from the deliberations of the Overview and Scrutiny Committee, held on 9th September 2008, in respect of the Budget and Policy Framework report contained in the unrestricted agenda for consideration.

copies of which would be interleaved with the minutes.

Councillor Asad, Chair of the Overview and Scrutiny Committee:-

- Thanked Councillor Ullah, Lead Member Cleaner Safer Greener and the Borough Commander of the Metropolitan Police, for attending the Overview and Scrutiny Committee the previous evening for the "Scrutiny Spotlight"; and outlined the key issues on which this discussion focused.
- Key Issues or Questions (Pre Scrutiny)
Informed members of the Cabinet that he had nothing to add to the questions/ comments raised by the Overview and Scrutiny Committee, as set out in the tabled paper regarding: -

- Agenda item 7.1 “Resourcing Tower Hamlets Youth Service” (CAB 038/089)
- Agenda item 7.2 “33-37 The Oval and Bethnal Green Gasholders Site, E3” (CAB 039/089)
- Agenda item 10.1 “Working Neighbourhoods Fund- Proposed Interventions” (CAB 042/089)
- Agenda item 12.5 “Corporate Revenue Budget Monitoring 2008/09 – First Report - Housing Revenue Account” (CAB 048/089)
- Agenda item 12.6 “Treasury Management Outturn Report 2007/2008” (CAB 049/089).
- Budget and Policy Framework Matters
Reporting and expanding as appropriate upon the comments/ advice of the Overview and Scrutiny Committee set out in the tabled paper regarding: -
 - Agenda item 8.1 “Crime and Drugs Reduction Partnership Plan 2008-2011” (CAB 041/089)

The Chair thanked Councillor Asad for presenting the contribution of the Overview and Scrutiny Committee; and then **Moved** and it was: -

Resolved

That the questions/ comments/ advice 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/ advice related.

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

The Clerk advised that no requests had been received by the Assistant Chief Executive to “call in” for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Cabinet, at its meeting held on 30th July 2008.

6. A GREAT PLACE TO LIVE

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

7. A PROSPEROUS COMMUNITY

7.1 Resourcing Youth Services - To Follow (CAB 038/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 7.1 “Resourcing Tower Hamlets Youth Service”. The declaration of interest was made on the basis that:

- The report contained recommendations relating to the Ocean Estate and referred to the Ocean New Deal for Communities (Ocean NDC) and Councillor Ahmed was a resident in the Ocean NDC area and a representative of the Authority on the Ocean Regeneration Trust.
- The report contained recommendations relating to the Authority's youth service provision in Local Area Partnership 2 area and Councillor Ahmed was a member of the LAP 2 Steering Group.

Councillor A. Asad declared a personal interest in Agenda item 7.1 "Resourcing Tower Hamlets Youth Service". The declaration of interest was made on the basis that the report contained recommendations relating to the Authority's youth service provision in Local Area Partnership 4 area, Bishop Challoner School was a youth service provider in LAP 4, and Councillor Asad currently received remuneration from Bishop Challoner School in relation to its Youth Service provision.

Councillor M Francis declared a personal interest in Agenda item 7.1 "Resourcing Tower Hamlets Youth Service". The declaration of interest was made on the basis that the report referred to Old Ford Housing Association and Councillor Francis was an independent member of the governing body of Old Ford Housing Association.

Councillor L Rahman declared a personal interest in Agenda item 7.1 "Resourcing Tower Hamlets Youth Service". The declaration of interest was made on the basis that the report contained recommendations relating to the Spitalfields and Banglatown area and Councillor Rahman was a Ward member for Spitalfields and Banglatown.

The Chair informed members of the Cabinet that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report. The Cabinet subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- The report was unavailable for public inspection within the standard timescales set out in the Authority's Constitution, because of the detailed discussions that needed to take place with third sector organisations in respect of the 'myplace' application process and for each organisation to determine whether they wished to submit an expression of interest. The deadline for applying for 'myplace' funding is the 30 September so it is essential that Cabinet consider this matter no later than the 10th September 2008.

Mr Collins, Corporate Director Children's Services, at the request of the Chair in introducing the report:

- Summarised the salient points contained therein and in particular-
 - Commented that at its previous meeting the Cabinet had selected a preferred bidder to take forward the Building Schools for the Future (BSF) Wave 5 Programme with its large scale investment in the Authority's School Estate. That the Authority's young people had in the Summer achieved the best ever A level

- and GCSE results in Tower Hamlets, including English and Mathematics. The report before the Cabinet proposed further investment in the young people of Tower Hamlets with a view to preparing them for adult life and enabling them to reach their full potential, including further improvement in academic achievement.
- Informed the Cabinet that the report addressed the four main elements of the Government “Aiming High Strategy” published earlier in the year: Positive Activities for Young People, Empowerment of Young People, Quality Assurance and Access to attractive Facilities.
 - Outlined the transformational nature of the proposals set out in the report including:
 - ◆ Investment in the physical infrastructure for youth service provision at the Osmani Youth Centre and prioritising the building of a top quality youth facility on the Haileybury Centre/ Dame Colet site as the Authority’s bid for Government ‘myplace’ funding. Acknowledging that still more was required to improve youth provision infrastructure and indicating the Authority’s intention that these proposals be aligned with the future build of youth facilities under the BSF programme, and also the regeneration activities of the Development and Renewal Directorate with a view to bringing forward schemes through those delivery vehicles. The development of St Paul’s Way School would for example deliver significantly improved youth and community facilities.
 - ◆ In principle agreement for an uplift in the Authority’s revenue funding of youth provision, to meet the demands created by new infrastructure, and increase the Authority’s reach to young people and in particular target young people in need or with disabilities.
 - Highlighted that in relation to the retendering of Youth Service Contracts for Local Area Partnerships 1,2 and 3, Officers were continuing to examine a number of issues and seeking guidance from Members; these contracts would only be commissioned once he, as the Chief Officer responsible for the Client side, was confident that the appropriate standard of youth service provision could be delivered by the Contractor side.
 - Advised that the recommendation contained at paragraph 2.3 of the report contained a typographical error: the further report to Cabinet would take place at the end of the year once the options appraisal had been undertaken and detailed estimates for the required work drawn up.
 - Addressed the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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.

Councillor Hawkins, Lead Member Children’s Services:

- Welcomed the proposals set out in the report as the embodiment of the aspirations of the Authority and the Administration in relation to the improvement of opportunities and outcomes for the children and young people of Tower Hamlets.
- Considered that the proposals should be seen in the context of the large and growing young population, the high levels of deprivation and need, but also the ambitious aspirations of the Authority to provide opportunities for these young people to demonstrate their enterprise and fulfil their potential. The latter demonstrated in huge levels of investment in secondary schools through the BSF programme and also the best ever academic results for Tower Hamlets in the Summer.
- Commented that the package of proposals aimed to comprehensively improve youth services across the Borough, linked to meeting local need, and also to link agreed capital investment with bids for further funding. The proposed investment was nothing less than that deserved by the young people of Tower Hamlets and aimed to maximise their opportunities.
- The Osmani Centre was well used and loved, but in poor condition. The investment proposed here would result in a fantastic centre for young people, but also much improved community resources.
- The Haileybury area was one of great need and the proposals would result in a hub of hubs, and a youth focus at the heart of the Borough, linking provision at nearby schools and enabling partnership with Third Sector organisations such as Barnardo's, thereby linking youth provision with the wider community.
- Commented that there had been several good potential bids for 'myplace' funding, and although it was considered the Haileybury/ Dame Colet bid should be prioritised, because it was best placed to secure funding from Government, the Administration hoped that there would be other opportunities to take some of these other schemes forward.
- Informed the Cabinet that a further report in relation to the future revenue funding of Youth Services would be presented to them in October 2008, and would propose further investment in the young people of Tower Hamlets.
- Concluded that together the proposals for the funding of the Youth Service would transform the reach and quality of the Council's offer to its young people and reflected the Administration's commitment to deliver excellent youth services across the Borough.

A detailed discussion followed, during which the proposals were broadly welcomed; in particular those relating to investment in the Osmani Youth Centre and progression of a 'myplace' bid for the Haileybury/ Dame Colet Scheme, and which focused on the following:

- The good work and positive activities provided at the Osmani Centre were noted, particularly in the context of the growing young population in the Spitalfields area. It was also noted that youth provision at the centre would also improve the offer to young people in the wider Bethnal Green, Whitechapel and Weavers area.

- Previous Government commitment to more than one 'myplace' facility in each Borough and consideration that the Authority should both endeavour to hold the Government to its commitment. It should also prepare a second bid for 'myplace' funding so that Tower Hamlets was in a good position to benefit, should the opportunity arise. The potential of the Parnell Road Centre in Bow was noted in this context. The limited nature of funding available under a second round of bidding for 'myplace' funding was also noted.
- The need for renewed focus on the needs of the Ocean Estate and the importance of the success of the 'myplace' funding bid for the Haileybury/ Dame Colet site to the future success of the Ocean Regeneration Trust was noted.
- The central location within the Borough of the proposed hub for youth provision at the Haileybury/ Dame Colet site, together with the indicated intention that this provision be accessible to all young people within the Borough was noted.
- Consideration that other schemes, such as that for the Malmesbury Estate and that of Poplar HARCA/ Langdon Park School which had formed the basis of possible 'my place' had been of high quality and great merit and should if possible be taken forward another way. The potential for progression through the BSF programme or a further 'myplace' bid was noted.
- Consideration that a cash injection for LAP based youth provision had been needed for some time and the prospect of this would improve the outcomes for young people and improve the Authority's position as a performing Council still further.

Mr Collins, Corporate Director Children's Services, at the request of the Chair, responded to requests for clarification/ assurance, in relation to a number of matters including:-

- With reference to Section 15.1 "Risk Management Implications", final bullet, which advised that the 'my place' bid may not be successful given oversubscription to the national scheme and likelihood that assessment would be very competitive: what implications this had for other schemes, such as that from Langdon Park, were the first 'myplace' bid successful and also what options would be available to the Council if the Haileybury/ Dame Colet bid were not successful.
- Whether previous reports to Cabinet, which appeared to highlight that per capita spend was greatest in the West of the Borough, where it was now proposed that further funds be invested, had been taken into consideration in developing the proposals.
- Why Officers were proposing investing in a part of the Borough which had already received support of several million pounds for youth facilities such as the Davenant Centre and Atlee Centre and other significant resources earmarked for the Osmani Centre.
- In the context that Government wanted centres of excellence but that Tower Hamlets was comprised of "villages" and it had been previously recognised that young people in Tower Hamlets liked to stay on their own patch and not travel far for leisure services. Also that Officers highlighted in the report at least 8 other youth centres that needed

investment to deliver quality services: had Officers considered drawing up an alternative proposal to invest smaller amounts into each of those centres, should the two centres of excellence not prove viable.

- Had Officers considered the equalities impact and the impact on social cohesion in the Borough to invest several million pounds on two centres that were used almost exclusively by the Bangladeshi population in the borough and no significant resources in youth provision for white, Somali and black young people in Tower Hamlets. Why was there no ethnic breakdown of the users of youth service provision in the report, nor any equality impact assessment.
- How would the suggested investment of funds into the youth service affect the Council's current Capital Programme plans.
- Whether there was a variance in the quality and take up of services and activities provided by the Osmani Centre.

A short dialogue ensued, following the clarification/ assurance given in relation to the points set out above, which included the following points:-

- Insufficient investment had been made in youth services under the previous administration.
- The premise that young people would not travel for leisure services and preferred to stay in their own village was unsubstantiated.
- Councillors, and Lead Members in particular, were charged with delivering the best services for the whole community and there should be a move away from the thinking of catering for specific elements within that community, as this contributed to the continuation of social division.
- Government sponsorship of centres of excellence should not be seen as a development which Tower Hamlets was being forced to adapt to, but rather as an opportunity, to secure huge inward investment in its youth service provision, to be grasped and to be proud of. Continued localised provision or provision for certain groups would underpin existing inequalities and contribute to social division.

The Chair in **Moving** the recommendations as set out in the report, taking account of the advice of the Corporate Director Children's Services, summarised that:

- Thirty five per cent of the population within the Borough was under the age of 25 years and the proposals contained in the report were an apposite demonstration of the commitment of his administration to that segment of the local community.
- The assumption that young people would not travel from different areas to a centre of excellence was not a sound basis for a strategic approach to youth provision.
- The proposals within the report were not aimed at providing services in geographical areas, but building opportunities for all the adults of tomorrow by securing welcome inward investment.

and it was:

Resolved:

1. That the allocation of additional funding for the youth service, set out in the body of the report, be agreed in principle and that it be noted that a further report setting out the detailed allocations of additional funding, including specified outputs and expected outcomes, will be submitted for Cabinet consideration in October 2008;
2. That the options for the Osmani Centre be noted; and it be agreed that a detailed options appraisal is commissioned at a cost of not more than £139,000, to be funded from Local Public Services Agreement Reward Grant as set out at paragraph 6.8.4 of the report (CAB 038/089);
3. That up to £3.3million from the Local Priorities Programme be earmarked for works to the Osmani Centre subject to the outcome of the options appraisal, referred to at resolution 2. above, and further consideration of this matter by Cabinet in late 2008;
4. That the priority to go forward as an application to the Department of Children Schools and Families (DCSF) **myplace** fund for building a world class facility accessible to all young people in the borough should be on the Haileybury/Dame Colet House site;
5. That it be noted that a successful **myplace** application could require that the Haileybury Centre and the adjoining Dame Colet House be removed from its "surplus" status and from inclusion in the Ocean New Deal for Communities plans for site clearance and revert to educational use; and
6. That the issues surrounding the possible re-tendering of the youth service contracts for Local Area Partnerships (LAP s) 1,2 and 3 be noted; and it also be noted that further consideration of this matter will be included in the report submitted to Cabinet in October 2008.

7.2 33-37 The Oval & Bethnal Green Gasholders Site, E3 (CAB 039/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 7.2 "33-37 The Oval Bethnal Green Gasholders Site E3" (CAB 039/089) and the exempt/ confidential appendix thereto, Agenda item 17.1 (CAB 051/089). The declaration of interest was made on the basis that Councillor Ahmed was a former Chair of the Planning Committee/ Strategic Development Committee which had considered aspects of this matter relating to planning consent.

Councillor S. Eaton declared a personal interest in Agenda item 7.2 "33-37 The Oval Bethnal Green Gasholders Site E3" (CAB 039/089) and the exempt/ confidential appendix thereto, Agenda item 17.1 (CAB 051/089). The declaration of interest was made on the basis that the report contained recommendations relating to the Bethnal Green North area and Councillor Eaton was a Ward member for Bethnal Green North.

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Briefly summarised the salient points contained therein:-
 - Outlining the background to this matter: planning consent granted to a developer, by the Authority, for a mixed business and residential use scheme for the site at 33-37 The Oval. The consent was vulnerable to challenge by the Health and Safety Executive due to an administrative oversight that resulted in failure to consult the HSE (the site being in close proximity to a notifiable National Grid gas storage installation).
 - Outlining the options open to the Authority and their associated implications, should the Authority's Strategic Development Committee determine that original planning consent should be revoked, now presented for Cabinet consideration:
 - ◆ To allow the Planning Process to take its course and eventually reach the point of statutory compensation to the developer.
 - ◆ To take action to acquire the land from the developer at a cost detailed in the confidential part of the agenda.
- On balance Officers considered that the latter option was a preferable course of action, leaving the Authority free to optimise the positive aspects of the site in due course.
- Addressing the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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.

Councillor Francis, Lead Member Housing and Development:

- Commented that he had found the contents of the report absolutely depressing, particularly when contrasted with the uplifting nature of the proposals contained in Agenda item 7.1 "Resourcing Youth Services" and when reflecting upon the opportunity cost of devoting resources to compensation payments rather than such improvements in service delivery.
- Acknowledged that a mistake had been made by an Officer of the Authority and the Council as a whole must take responsibility for that, and specifically for the liability resulting from it, in the same way it took credit for the good work of Officers, for example in maximising the benefits to the Community arising from the planning process (Section 106).
- Considered that of the options presented he preferred that of cutting the Authority's losses and paying the developer off, in return for which it would acquire the site, an asset that could be put to positive use and in the long term potentially generate a capital receipt.
- Acknowledged that Councillor Eaton had been correct to raise concerns regarding this matter at the Strategic Development Committee and to pursue these with vigour, although this would not have mitigated the Authority's position in any way.

Mr Evans, Interim Corporate Director Development and Renewal, and Mr Kiely, Service Head Development Control and Building Control – Development and Renewal, at the request of the Chair, responded to requests for clarification/ assurance, in relation to a number of matters as follows:

- Whether the circumstances of the case had been examined in detail, weaknesses in process identified, and measures were now in place to prevent the recurrence of such errors.
- Managerial accountability and the presence of Legal Services and Planning Services in the circumstances leading to the current position in relation to this matter.
- Consideration that although the Authority was responsible as a whole, for the administrative errors identified and any liability arising in this matter, the fault appeared to lie with the actions of an individual Officer and consequently the Authority should explore avenues to recoup any financial loss including the potential to secure compensation from sinkage funds maintained by professional bodies for the purposes of professional indemnity.

The Chair sought an absolute assurance from Mr Smith, Chief Executive, that appropriate lessons had been learned from what had happened in this case and that safeguards were now in place to prevent a repetition of such a serious mistake and opportunity costs of such magnitude, in the future.

Mr Smith, Chief Executive, responded by saying that Officers had outlined the background, current options and circumstances of the case, however he was conscious that three years had passed since the original investigation into this matter. He therefore suggested that the Cabinet may wish to instruct him to commission a comprehensive investigation to establish how this situation arose and to assure Members that all appropriate management action had been taken to put in place adequate controls to prevent a future recurrence of the errors set out in the report.

The Chair:

- Summarised that there was a consensus that, if possible, the Authority should act to acquire the site at 33-37 The Oval from the developer.
- Considered that the Authority should undertake the investigation suggested by the Chief Executive to protect the interests of the Community and future generations.
- **Moved** the following motion accordingly for the consideration of members of the Cabinet:
“
 1. That the recommendation set out in paragraph 2.2 of the report be agreed.
 2. That the Chief Executive be instructed to commission a comprehensive investigation to establish whether the Authority has put in place adequate controls to prevent a recurrence of the procedural errors, referred to in the report.”

and it was:

Resolved:

1. That the Corporate Director Development & Renewal be authorised, after consultation with the Lead Member for Resources and Assistant Chief Executive (Legal Services), to enter into a conditional agreement (subject to the revocation [planning consent]) with the Developer to acquire land known as 33-37 The Oval, as identified on the plan attached at Appendix A to the report (CAB 039/089); and
2. That the Chief Executive be instructed to commission a comprehensive investigation to establish whether the Authority has put in place adequate controls to prevent a recurrence of the procedural errors, referred to in the body of the report (CAB 039/089).

7.3 Capital Programme Approvals - Osmani Youth Centre and Victoria Park Masterplan - To Follow (CAB 040/089)

Councillor L Rahman declared a personal interest in Agenda item 7.3 "Capital Programme Approvals – Osmani Youth Centre and Victoria Park Masterplan". The declaration of interest was made on the basis that the report contained recommendations relating to the Spitalfields and Banglatown area and Councillor Rahman was a Ward member for Spitalfields and Banglatown.

Councillor M Francis declared a personal interest in Agenda item 7.3 "Capital Programme Approvals – Osmani Youth Centre and Victoria Park Masterplan". The declaration of interest was made on the basis that the report contained recommendations relating to Victoria Park and Councillor Francis was a resident in this locality.

The Chair informed members of the Cabinet that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report. The Cabinet subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- The report was unavailable for public inspection within the standard timescales set out in the Authority's Constitution, because of the continuation of discussions with the Heritage Lottery Fund regarding the appropriate balance of funding needed to support the Council's Capital Bid. Heritage Lottery bids are subject to intense competition and it is vital that the Authority's bid and capital requirement reflects the very latest information and advice from the Lottery Fund. Bids for this round of funding need to be completed by the end of September 2008 and this is therefore the last opportunity for Cabinet to agree proposals prior to despatch of the Authority's bid.

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

- Informed members of the Cabinet that at their last meeting, held on 30th July 2008, they had noted financial forces facing the Authority and agreed budgetary priorities for the three years to April 2011, together with a framework for the budget process in 2009/10. This had included targeted investment in local priorities, for the benefit of the local community, such as assets and infrastructure; and this formed the backdrop to the proposals contained in the report.
- Highlighted proposals contained in the report that two schemes be prioritised for Local Priorities Scheme funding ahead of the general budget process for 2009/10:
 - Osmani Youth Centre
 - Victoria Park Masterplan
- Drew the attention of members of the Cabinet to paragraphs 6.1 to 6.3 of the report, which detailed the availability of £14.51 million in capital receipts for the Local Priorities Scheme Capital Programme. £6.254 million of this had already been allocated, leaving a balance of £7.897 million unallocated.
- Advised that should the Cabinet agree the report's proposals that the Osmani Youth Centre and Victoria Park Masterplan schemes be prioritised for Local Priorities Scheme funding, this would result in a shortfall of £453,000 in the Local Priorities Capital Programme. However given the lead in time for the two schemes, and that funding was being allocated not committed at this point, it would be prudent to earmark the funding.

Councillor Francis, Lead Member Housing and Development, commented that he was totally supportive of the proposed capital investment in the Osmani Youth Centre and the match funding of Heritage Lottery investment in the Victoria Park Masterplan, however he considered that together the investments comprised a considerable capital outlay and the Authority should remain flexible as to the sourcing of that funding. Section 106 developer contributions of £700,000 were already in place for the Osmani scheme from the Bishop Square programme, and there was potential for further drawdown of Section 106 funding in respect of developments in the Spitalfields area. He considered that Development and Renewal Directorate should examine similar potential in relation to the Victoria Park Scheme. Such funding might narrow the funding gap referred to and potentially enable other initiatives to be progressed.

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

Resolved:

1. That the options for the Osmani Centre be noted and that a detailed options appraisal be commissioned at a cost of £139,000, to be funded from Local Public Service Agreement Reward Grant, as set out at paragraph 4.8.4 of the report (CAB 040/089);

2. That up to £3.3million be earmarked from the Local Priorities Capital Programme for works to the Osmani Centre, subject to the outcome of the options appraisal and consultations;
3. That resources in the Local Priorities Capital Programme be earmarked to deliver the Victoria Park Masterplan on the basis of a required capital contribution from the Authority of £5.05million over a four year period as detailed in the table at paragraph 5.6.3 of the report (CAB 040/089);
4. That it be noted that the delivery of the Victoria Park Masterplan will create a revenue requirement of £250, 000 which will need to be provided for in the General Fund revenue budget at the appropriate time; and
5. That the funding implications for the Authority's capital programme of the scheme proposals referred to at resolutions 2. and 3. above be noted.

8. A SAFE AND SUPPORTIVE COMMUNITY

8.1 Crime and Drugs Reduction Partnership Plan 2008-2011(CAB 041/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 8.1 "Crime and Drugs Reduction Partnership Plan 2008-11". The declaration of interest was made on the basis that Councillor Ahmed was a representative of the Authority on the governing body of the Olympic Development Agency.

Mr Halsey, Corporate Director Communities, Localities and Culture, at the request of the Chair in introducing the report:

- Briefly summarised the salient points contained therein:-
 - Informing members of the Cabinet that the Plan before them for endorsement and onward recommendation to full Council,, was a statutory document, which the Authority was now required to update annually, reflecting priorities facing the Borough and targets agreed by the Living Safely Community Plan Action Group, following extensive consultation with partners and local residents
 - Drawing the attention of members of the Cabinet to:
 - ◆ The developmental process for the Plan set out at paragraph 4.2 of the report.
 - ◆ The types of crime prioritised in 2008/09 following a strategic assessment of available data.
 - ◆ A Home Office review over the coming 6 months of Tower Hamlets Partnership governance arrangements and other matters which it was hoped would result in the Authority achieving exemplar status in this area.

- Addressing the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, in relation to the report; as set out in the tabled sheet of Budget and Policy Framework advice and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

A discussion followed, during which the proposed Crime and Drugs Reduction Partnership Plan was broadly welcomed, and which included the following points:-

- With reference to page 20 of the Plan “Our Priorities 2008/09 and Delivery Plan – Violent Crime” whilst the prominence given to domestic violence was welcome, additional clarity and detail was required in relation to the work to be undertaken with the perpetrators of such violence as well as that with the victims.
- Anecdotal evidence was relayed which appeared to indicate that information explaining how to establish a Neighbourhood Watch had not been forthcoming, from the Safer Neighbourhoods Team, to residents wishing to participate in such a scheme. It was considered that the Authority should facilitate the establishment and participation in such schemes and Chief Officers should ensure such information was readily available.
- With reference to Appendix 2 to the Plan “Our Performance 2005-2008” weak performance in relation to concern about crime was noted:
 - The target of reducing the proportion of residents that cited crime as a concern to 35% had an outturn of 55%.
 - The target of reducing the proportion of residents that felt unsafe in their area at night to 25% had an outturn of 45%.

It was considered that the indicators revealed a serious level of anti social behaviour bordering on crime, which was affecting resident perceptions of Tower Hamlets as a place, and that this phenomenon required examination and the development of options for mitigating measures. The Corporate Director Communities, Localities and Culture acknowledged the performance issues highlighted, commenting that he was acutely aware of public perceptions in relation to the maintenance of the Public Realm, and was intending to address these in a report that would shortly be presented to Cabinet. It was intended that these measures could be linked to localised services provided out of core hours.

- With reference to page 23 of the Plan “Our Priorities 2008/09 and Delivery Plan – Resilience and Counter Terrorism” consideration that Police activities necessary in this sphere should be carried out in a manner which did not divide the Community nor create a sense of victimisation or resentment and clarification was sought as to how the Police were working with the Community to address such concerns.
- Consideration that the Corporate Director Communities Localities and Culture was slow to respond to the identification, by Ward Councillors, of issues in the public realm impacting on public safety such as overgrown trees and undergrowth and poor lighting, with clarification sought as to whether this could be addressed as part of the Plan.

- The Council's activities in custodial institutions to give support to former offenders, with particular reference to prevention of homelessness, was commended, and the award of Beacon Council status in this area was noted.
- The Lead Member Cleaner Safer Greener commented that although the direction of travel in relation to crime was good, the Authority still needed to address the perceptions of residents. He informed members of the Cabinet that the Home Secretary had expressed a keen interest in the development in Tower Hamlets of a community safety award for residents contributing in this area. With regard to anti social behaviour such as littering he considered the way forward to be a uniformed presence on the part of the Authority alongside the police and Safer neighbourhood officers.

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

Resolved:

That the Crime and Drugs Reduction Partnership Plan 2008-11, attached at Appendix 1 to the report (CAB 041/089), be endorsed and that Full Council be recommended to approve the plan.

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

10.1 Working Neighbourhoods Fund Proposed Interventions - To Follow (CAB 042/089)

Councillor M. Francis declared a personal interest in Agenda item 10.1 "Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects". The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for a programme supporting residents into employment operated by Leaside Regeneration Company Ltd, and Councillor Francis was the Authority's representative on the governing body of Leaside Regeneration Company Ltd.

Councillor C. Hawkins declared a personal interest in Agenda item 10.1 "Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects". The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for training programmes operated by Tower Hamlets College and Councillor Hawkins was a representative of the Authority on the governing body of Tower Hamlets College.

Councillor A. Ullah declared a personal interest in Agenda item 10.1 “Working Neighbourhoods Fund/ Decisions on Budget Allocations and Projects”. The declaration of interest was made on the basis that the report contained recommendations relating to funding allocation for training programmes operated by Tower Hamlets College and Councillor Ullah was an independent member and Vice-Chair of the governing body of Tower Hamlets College.

The Chair informed members of the Cabinet that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report. The Cabinet subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- The report was unavailable for public inspection within the standard timescales set out in the Authority’s Constitution, due to the need to undertake more evaluation of the programmes offered for allocation of funding to ensure the services offered meet the indicators and targets agreed.
- The Tower Hamlets Partnership has prioritised worklessness and skills within its Local Area Agreement (LAA) targets. The delivery plans now being prepared which set out how the contributions of all the partners through their main programmes will contribute to the delivery of those targets. Working Neighbourhood Fund (WNF) will be used to commission programmes of activity which address the local contextual issues identified in order to help us achieve the LAA targets.
- It was vital that detailed information was available on the programmes contribution in order to allow proper consideration of the report by Members.

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Summarised the salient points contained therein and in particular:-
 - Informed members of the Cabinet that:
 - ◆ They had previously agreed the criteria and framework for the Working Neighbourhoods Fund, and requested the submission of specific proposals for consideration, in September, which were set out in the report.
 - ◆ The strategic framework for WNF, focused on programmes designed to support and encourage people into effective employment, as the Tower Hamlets Partnership had prioritised worklessness and skills within the LAA targets; and the deployment of WNF funding would be based on a commissioning approach.
 - ◆ It was proposed that a large proportion of WNF funding be used for programmes developed to explicitly support the delivery of LAA and Community Plan targets. To achieve this further time was needed to explore options and ensure a cross partnership approach.

- ◆ However leading up to the commissioning of new programmes Officers considered that a number of programmes merited transitional funding arrangements until the end of the 2008/09 financial year. These were focused strongly on the strategic objectives of the WNF Framework and either it was expected that the area of work would continue, although the method of delivery might change, or considered that funding should continue whilst issues of mainstreaming funding were managed out.
- ◆ Only a small number of specific programmes were being recommended for transitional funding and this would absorb approximately £2million [summarised in the table set out at paragraph 5.6 of the report] of the £25million WNF funding available over the next three years. Officers had only identified programmes where there were specific outcomes for the proposed spend, these were congruent with the strategic outcomes set for WNF, and there was a strong track record of delivery.
- Advised of an arithmetical error as follows: That the figure of £492,500 relating to the transitional funding to April 2009 for the programme stream Building Enterprise and Employment (page 11 of the report) should have been the figure detailed in respect of Specialist pre-employment programmes within the table contained in paragraph 5.6 of the report "Total funds recommended for commissioning until March 2009". The figure currently detailed in the table of £342,500 was incorrect.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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.

Councillor Hawkins, Lead Member Children's Services considered that it would be appropriate for the allocation of WNF funding to the programme for improving attainment in English and Maths at GCSE be continued until the end of the 2008/2009 academic year. Councillor Hawkins proposed, for the consideration of members of the Cabinet, that the recommendation contained in paragraph 2.1 of the report be revised accordingly.

The Chair considered that Councillor Hawkins proposed amendment to the recommendations contained in the report was sensible in the context of deliberations earlier in the proceedings, during which the commitment of the Administration to investment in and engagement of the young people of Tower Hamlets was emphasised, and also the context of services seen to contribute to that outcome.

Councillor Francis, Lead Member Housing and Development, welcomed the proposals set out in the report as an appropriate use of WNF funding and emphasised that in the coming months, prior to the main round of commissioning of WNF funded programmes, Officers should only identify

programmes which met the strategic objectives set out in the WNF framework.

The Chair **Moved** the recommendations as set out in the report (taking account of the proposed amendment from Councillor Hawkins), and it was:-

Resolved:

1. That, subject to (a) below, the allocation of Working Neighbourhood Funds (WNF) to the specific projects outlined in paragraph 5.3 of the report (CAB 042/089) and summarised in paragraph 5.6, limited to the period 1st October 2008 to 31st March 2009, be approved on the basis of offering a transitional arrangement for projects that are delivering outcomes in accordance with WNF criteria. Also that it be noted that the rationale for offering these projects for continued funding until March 09 is either:
 - The Authority expects the area of work to continue, although it may be delivered in a different method or by a different delivery agency once the project is submitted through the Community Plan Delivery Group.
 - The Authority needs to continue the funding whilst mainstream resources are considered.
- (a) That it be agreed that the allocation of WNF funding to the programme for improving attainment in English and Maths at GCSE, outlined in paragraph 5.3 of the report (CAB 042/089) and summarised in paragraph 5.6, be continued until the end of the 2008/2009 academic year and the allocation adjusted accordingly.
2. That it be noted that further budget allocations and projects to make use of the remaining WNF funding, following the completion of the work on the detail of the Local Area Agreement delivery plans, will be brought forward for Cabinet consideration in January 2009.

10.2 Strategic Plan and Corporate Revenue Budget Monitoring 2008/2009 - Performance to 30th June 2008 (CAB 043/089)

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

Resolved:

1. That the performance information contained in Appendices 1 and 2 to the report (CAB 043/089) be noted;
2. That the projected outturn for Directorate service budgets and for the total General Fund net expenditure budget for 2008/2009, set out in Section 4.2 and detailed in Appendices 3A-G of the report (CAB 043/089), be noted;

3. That the budget target adjustments, as detailed in Section 6 and Appendix 4 of the report (CAB 043/089), be agreed;
4. That the Authority's performance against Service Improvement Growth targets, as set out in Section 7.1 of the report (CAB 043/089), be noted; and
5. That the 2008/09 Savings Targets, as detailed in Appendix 5, to the report (CAB 043/089), be noted.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

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

12. UNRESTRICTED REPORTS FOR INFORMATION

Procedural Motion

The Chair informed members of the Cabinet that there were seven unrestricted reports for information contained in the agenda and that:

- Lead Members had indicated that they wished to address the Cabinet in relation to:
 - Agenda item 12.1 "Outcome of Corporate Assessment and Joint Area Review"
 - Agenda item 12.2 "CCTV Capital Projects Programme 2008-2009"
 - Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 – First Report – Housing Revenue Account"
- Matters had been raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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 in relation to:
 - Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 – First Report – Housing Revenue Account"
 - Agenda item 12.6 "Treasury Management Outturn Report 2007/2008"
- He considered it appropriate that the remaining information reports be noted as a block and accordingly proposed the following motion for the consideration of members of the Cabinet, and it was:

Resolved

That the noting recommendations contained in the following reports be agreed:

- Agenda item 12.3 "Capital Outturn Report 2007/2008"
- Agenda item 12.4 "2008/09 Capital Programme: Capital Monitoring Report as at 30 June 2008"
- Agenda item 12.7 "Exercise of Corporate Director Discretions"

12.1 Outcome of Corporate Assessment and Joint Area Review (CAB 044/089)

Mr Smith, Chief Executive, at the request of the Chair in introducing the report commented as follows:

- The formal reports of the Audit Commission and Ofsted, following the Corporate Assessment and Joint Area Review of Children's Services, were appended to the Cabinet report.
- The Authority had performed exceptionally well, with its Children's Services being assessed as outstanding, and the Council as a whole assessed as a four star excellent authority. Only one other Council had achieved a better corporate assessment rating.
- The inspectors had been particularly impressed with the Authority's vision and ambition for Tower Hamlets, the strength of its resolve to tackle inequality and its embedding of partnership working. They had also noted that these in turn were underpinned by good leadership, a solid financial position and high staff morale.
- Discussion with the Audit Commission inspectors at the start of the process revealed that they thought the Authority, in its setting of challenging targets, risked damaging morale and motivation, also that a good result in the assessment process might encourage complacency. The Corporate Management Team had disagreed and neither of the risks had materialised. The Audit Commission had been impressed with the organisation's honesty in dealing with issues and their report acknowledged that being ambitious and challenging at the outset resulted in better performance and faster improvement.
- The outcome of the Corporate Assessment and JAR was good news for the Authority as well as the residents it served and a testament to Members, Officers and Partners past and present.

Councillor Francis, Lead Member Housing and Development, commented that the outcome of the Corporate Assessment and JAR was an acknowledgement of the good motivation and performance of the Council's staff. However it was an indication of direction of travel and the ultimate destination had not yet been reached. There was a need to guard against complacency and to continue striving for excellence, as the assessment of its services by residents was not the same assessment as that detailed in the reports of the Audit Commission and Ofsted.

Councillor Hawkins, Lead Member Children's Services:

- Thanked the staff in Children's Services and across the Tower Hamlets Partnership who had contributed to the achievement of a fantastic and well deserved JAR assessment.
- Commented that the outcome was also a tribute to the young inspectors and she was pleased with the support given to them by the Authority.

- Considered that the Authority should be particularly proud in respect of the assessment relating to looked after children, as it reflected the Authority's ambition to do its best for this vulnerable element of the Community.
- Commented that the perceptions of residents was the most important assessment of the Council's performance and it needed to demonstrate its excellent service delivery to them in the same way it had communicated this to the inspectors.

The Chair summarised by:

- Congratulating all those who had contributed to the successful outcome of the Corporate Assessment and JAR; an achievement of the Council as a whole.
- Commenting that the biggest challenge for the Authority remained the gap between the experiences and perceptions of its residents and the assessment of the inspectors, on paper, that its services were excellent. The aspiration for the Authority must remain to close this gap.

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

Resolved:

That the successful outcome of the Council's Corporate Assessment and Joint Area Review be noted.

12.2 CCTV Capital Projects Programme 2008-2009 (CAB 045/089)

The Chair informed members of the Cabinet that colour versions of the maps contained in the report contained in the agenda previously circulated had been **Tabled**, copies of which would be interleaved with the minutes.

Mr Halsey, Corporate Director Communities, Localities and Culture, at the request of the Chair in introducing the report briefly summarised the salient points contained therein. Mr Halsey also informed members of the Cabinet that negotiations between the Authority and the London Borough of Newham for the facility to review footage from the CCTV cameras it operated had been concluded, and this would be productive in relation to the reduction of crime in the coming months.

Mr Halsey, Corporate Director Communities, Localities and Culture and Mr Bamber, Service Head Community Safety - Communities, Localities and Culture, at the request of the Chair, responded to requests for clarification/assurance, in relation to the following:

- Whether the CCTV cameras proposed for installation had Pan Tilt Zoom functionality.
- Citizen rights of access to footage from CCTV cameras, operated by the Authority, in order to defend themselves at Law.

- With reference to paragraph 5.2 of the report, whether the new CCTV camera scheme being developed for the Chicksand Estate would be rolled out at the same time as the other CCTV schemes detailed in the report.

Councillor Ullah, Lead Member Cleaner, Safer, Greener, commented that for the first time new CCTV cameras would be located on the basis of a combination of known crime hot spots and local knowledge mapped using CAD software. Councillor Ullah also thanked the CCTV team and Safer Neighbourhood teams for their contribution to the achievement of the proposals.

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

Resolved:

That the contents of the report (CAB 045/089) be noted.

12.3 Capital Outturn Report 2007/2008 (CAB 046/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 12.3 "Capital Outturn Report 2007/2008". The declaration of interest was made on the basis that the report referred to resource allocation for repairs to housing stock and Councillor Ahmed was an LBTH Leaseholder.

Councillor A. Ullah declared a personal interest in Agenda item 12.3 "Capital Outturn Report 2007/2008". The declaration of interest was made on the basis that the report referred to resource allocation for repairs to housing stock and Councillor Ullah was an LBTH Leaseholder.

See procedural motion at Agenda item 12. above.

Resolved:

1. That the Capital Outturn of £61.932 million for the financial year ending 31 March 2008 be noted, and that it also be noted that sufficient resources are available to finance this;
2. That it be noted that the carry forward of approvals in the Local Priorities Programme [from 2007/08 to 2008/09], as detailed at Appendix 2 to the report (CAB 046/089) will be considered as part of the forthcoming budget process; and
3. That the requirement to provide resources of £0.446 million in 2008/09 to fund the Local Priorities Programme commitments of £9.830 million, not funded from resources carried forward of £9.384 million, be noted.

12.4 2008/09 Capital Programme: Capital Monitoring Report as at 30 June 2008 (CAB 047/089)

See procedural motion at Agenda item 12. above.

Resolved:

That the contents of the report (CAB 047/089) be noted.

12.5 Corporate Revenue Budget Monitoring 2008/2009 - First Report - Housing Revenue Account (CAB 048/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 First Report – Housing Revenue Account". The declaration of interest was made on the basis that the report referred to resource allocation for improvements to housing estates and a Leaseholder Administration Charge Rebate and Councillor Ahmed was an LBTH Leaseholder.

Councillor A. Ullah declared a personal interest in Agenda item 12.5 "Corporate Revenue Budget Monitoring 2008/2009 First Report – Housing Revenue Account". The declaration of interest was made on the basis that the report referred to resource allocation for improvements to housing estates and a Leaseholder Administration Charge Rebate and Councillor Ullah was an LBTH Leaseholder.

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Briefly summarised the salient points contained therein and in particular highlighted that should the projected underspend in the Housing Revenue Account for 2008/09, detailed in the first quarter monitoring report, remain at the mid-year point, Officers would examine the underlying factors and identify mitigating measures.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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.

Councillor Francis, Lead Member Housing and Development, noted the small projected underspend in the Housing Revenue Account for 2008/09 and commented that:

- It was not prudent to allocate these resources at this point in the year.
- The position would be closely scrutinised and should it appear that an underspend was likely, he would ask the Interim Corporate Director Development and Renewal to identify options for the investment of the resources in the Administration's housing priorities by the close of the financial year.

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

Resolved:

That the projected outturn in respect of the 2008/09 Housing Revenue Account, as detailed in Appendix A to the report (CAB 048/089), be noted.

12.6 Treasury Management Outturn Report 2007/2008 (CAB 049/089)

Mr Naylor, Corporate Director Resources, at the request of the Chair, in introducing the report; briefly summarised salient points contained therein, and addressed the matters raised by the Overview and Scrutiny Committee, held on 9th September 2008, 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.

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

Resolved:

That the contents of the report (CAB 049/089) be noted.

12.7 Exercise of Corporate Director Discretions (CAB 050/089)

See procedural motion at Agenda item 12. above.

Resolved:

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 050/089), be noted.

13. EXCLUSION OF THE PRESS AND PUBLIC

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

Resolved:

That in accordance with 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 contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

14. EXEMPT / CONFIDENTIAL MINUTES

Minutes of Cabinet held on 30th July 2008 approved.

15. OVERVIEW & SCRUTINY COMMITTEE

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

Sheet of questions and comments **Tabled.**

Motion from Chair agreed.

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

17.1 33-37 The Oval & Bethnal Green Gasholders Site, E3 (CAB 051/089)

Exempt/ Confidential appendix to the unrestricted report "33-37 The Oval & Bethnal Green Gasholders Site, E3" (CAB 039/089) [Agenda item 7.2] noted.

17.2 Roman Place (2 Gladstone Place) - Granting of Development Lease (CAB 052/089)

Recommendations agreed.

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 6.50 p.m.

Chair, Councillor Lutfur Rahman
Cabinet

This page is intentionally left blank

Agenda Item 6.1

Committee: Cabinet	Date: 8 th October 2008	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Corporate Director: Paul Evans Originating officer(s) Mark Hutton – Team Leader, Development Design and Conservation		Title: Conservation Area Designations: Proposals to designate new Conservation Areas and agree prudent revisions to existing boundaries Wards Affected: All		

1. **SUMMARY**

- 1.1 The Cabinet on May 7th 2008 approved a set of draft selection criteria for the identification of areas suitable for designation, and reviewed seven (7) new Conservation Areas and eighteen (18) revisions to existing Conservation Areas boundaries which met these draft criteria. It was agreed that officers should undertake a widespread public consultation exercise on the criteria, the new Conservation Areas and the proposed extensions.
- 1.2 This report analyses the response to the public consultation. This response was generally supportive and recommends Members adopt the criteria and designate the seven (7) new Conservation Areas and eighteen (18) revisions to the existing Conservation Areas proposed in the original report, with some minor amendments to reflect the comments received.
- 1.3 Maps of the seven (7) Conservation Areas to be designated, and the new boundaries for the eighteen (18) Conservation Areas to be revised are attached at Appendix A.
- 1.4 Designation statements for the seven (7) new Conservation Areas are attached at Appendix B. These reports meet the legislative requirement for the designation of a Conservation Area.

2. **RECOMMENDATIONS**

Cabinet is recommended to:-

- 2.1 Adopt the Criteria for the selection and designation of Conservation Areas, as set out at paragraph 3.5 of the report.
- 2.2 Approve the designation of the seven new Conservation Areas, and boundary changes to eighteen existing Conservation Areas, as identified on maps 1 to 7 and 1 to 18 respectively, contained within Appendix A to this report.

- 2.3 Agree the designation statements for the seven new Conservation Areas, attached at Appendix B to the report.
- 2.4 Agree the preparation of draft Conservation Area Character Appraisals and Management Guidelines for the new and amended Conservation Areas and note that these will be referred back to Cabinet to consider their adoption following public consultation.

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

Brief description of “back ground papers”	Name and telephone number of holder and address where open to inspection.
Guidance on Conservation Area Appraisals English Heritage 2006 Guidance on the Management of Conservation Areas, English Heritage 2005	Vicki Lambert x5373

3. BACKGROUND

- 3.1 A Conservation Area is “an area of special architectural or historic importance the character or appearance of which it is desirable to preserve or enhance” as set out in Section 69 (1) (a) of the 1990 Planning (Listed Buildings and Conservation Areas) Act.
- 3.2 Every Local Planning Authority is under a continuing duty to consider whether it should designate new Conservation Areas, or extend existing ones.
- 3.3 Deciding which areas are of “special interest” and warrant designation is a matter for Local Planning Authorities using adopted local criteria based on a thorough understanding of their area; as set out in Guidance on Conservation Area Appraisals (English Heritage 2006).
- 3.4 During the preparation of the Conservation Area Character Appraisal and Management Plans for the Borough’s fifty (50) Conservation Areas and the associated public consultation carried out during 2006/7, it became apparent that a thorough conservation audit was required. Local residents made suggestions regarding alterations to the boundaries of existing Conservation Areas and areas which were previously unprotected were recognised as being of special character. In addition to the local support for additional designations, English Heritage were aware and supportive of the need for a thorough conservation audit.
- 3.5 As no criteria to enable the determination of those areas worthy of designation had been adopted by the Borough, a review of relevant literature and the legislation was undertaken and four draft criteria, which define a Conservation Area, were identified. These are, that it is:-
- an area of special architectural and historic interest the character or appearance of which should be preserved
 - part of the cherished and familiar local scene
 - of interest as an area, for its buildings group value
 - of interest not only for the buildings, but for the townscape in a wider sense, the spaces between buildings, mix of uses, materials, details etc
- 3.6 Using these criteria a Borough wide review of Conservation Areas was undertaken giving rise to proposals for the designation of seven (7) New Conservation Areas and revisions to the boundaries of eighteen (18) existing Conservation Areas.

The proposed new Conservation Areas are:-

- 1) Brickfield Gardens; 2) Fish Island; 3) Hackney Road; 4) Wilton’s Music Hall;
- 5) Old Bethnal Green Road; 6) Redchurch Street; 7) Regent’s Canal.

The Conservation Areas where boundary revisions are proposed are:-

1) Albert Gardens, Limehouse; 2) Bethnal Green Gardens; 3) Coldharbour, Isle of Dogs; 4) Driffield Road, Bow; 5) Fournier Street and Brick Lane; 6) Globe Road, Bethnal Green; 7) Jesus Hospital Estate, Bethnal Green; 8) Langdon Park, Poplar; 9) Narrow Street, Wapping; 10) St Annes Church; 11) St George in the East; 12) Stepney Green; 13) York Square, Limehouse; 14) Roman Road; 15) Wapping Pier Head; 16) Wapping Wall; 17) Whitechapel Market; 18) Victoria Park.

3.7 Members agreed at Cabinet on the 7th May 2008 that the draft criteria and proposals for the seven (7) new and eighteen (18) revised conservation areas which met these criteria be the subject of public consultation.

4.0 PUBLIC CONSULTATION

4.1 There is no statutory requirement to consult prior to the designation of an area as a Conservation Area; however, it is essential to the success of the designation that the proposals have widespread local community support (PPG15 Planning and the Historic Environment). To determine the extent of local support the proposals were widely consulted upon. Consultation took place over the six weeks between the 13th June and the 25th July 2008.

4.2 Two hundred and fifty (250) stakeholders including land owners, amenity societies and organisations with an interest were contacted by letter advising them of the proposals which were on the Tower Hamlets' web site and were invited to comment.

4.3 Six thousand, one hundred and twenty eight (6,128) Local residents and businesses were also contacted by letter, advising them of the proposals and inviting them to attend one of three public meetings to discuss the proposals if they wished.

4.4 The Meetings and details of where the proposals could be found were also advertised in the local press.

4.5 Further details of the consultation undertaken are attached at Appendix D

CONSULTATION RESPONSES

4.6 Thirty three (33) written responses were received commenting on the proposals, approximately two thirds of these offered support for the proposals whilst the remaining third, including those from principal landowners, British Waterways Board, City of London Corporation, Docklands Light Railway, and English Partnerships were largely objecting to the proposals.

Objections

4.7 Those objections received were focussed upon the proposed new Conservation Areas to Hackney Road, Regents Canal, Redchurch Street and extensions to

Coldharbour. In many instances they focus on the objector's operational issues and how these are to be made more difficult, rather than the quality of the built environment and whether it justified inclusion. It was also evident that some landowners felt that Conservation Area designation would unjustifiably frustrate their development proposals. The special character of those areas, however, proposed for designation is clear. For example, within the proposed Conservation Area including and surrounding Redchurch Street, the policy support contained in PPG 15 Planning and the Historic Environment for designation is robust.

- 4.8 Some objectors note the lack of a detailed appraisal when justifying the designation of a new Conservation Area. Where revisions to existing Conservation Areas are proposed, the existing Conservation Area Character Appraisal and Management Plans will be amended to reflect this revision. Where new Conservation Areas are proposed, a designation statement has been prepared. Subsequently, however, detailed Character Appraisal and Management Plans are a priority. Members are asked to approve the preparation of these documents, to be referred back following public consultation for adoption. The Designation Statements enable the recognition of an area and identify the special character warranting designation, and permit the protection of these important areas to occur sooner than would otherwise be possible. The Designation Statements are attached at Appendix B.
- 4.9 Of the objections received one was from the City of London Corporation in response to proposals to include Spitalfields Market, and the adjacent block of buildings between Brushfield Street, Crispin Street, Whites Row, and Commercial Street within the Fournier Street Conservation Area. The objection is based around the fact that these buildings are either listed already (Spitalfields Market) or not of sufficient quality to warrant Conservation Area designation (the former Fruit and Wool Exchange building, Whites Row Car Park and the other buildings on this block).
- 4.10 The City note about the former Fruit and Wool Exchange building that "overall, this block is a very weak architectural composition, its role in the townscape being compromised from the outset by the cut-out north-east and north-west corners accommodating a Bank and a public house respectively and subsequently by the added storey".
- 4.11 In response to this comment it should be noted that these buildings are part of the cherished and familiar local scene or provide for the setting of other important buildings, including Christ Church Spitalfields and therefore should be included in the Conservation Area.
- 4.12 In response to all the objections received it must be remembered that Conservation Area designation is not intended to preserve all buildings, but to manage the process of change so that the special character of the area is not detrimentally affected. Conservation Area Status does not mean that no change is allowed; simply that it should be carefully considered and should not harm the special interest of the area.

- 4.13 The extension of the Coldharbour Conservation Area has raised objections from landowners. However, the merits of the area fulfil the Council's criteria for declaration of a Conservation Area and notwithstanding the objections designation of this extension is recommended.

Support

- 4.14 Local residents were generally supportive of the designations proposed, and many of the written responses of support are from local residents.
- 4.15 Minutes were taken at the public meetings which were well attended. The criteria for designation, together with the areas chosen, stimulated discussion at the public meetings. In general, the response to the proposals was supportive, with discussion as to why conservation area designation was felt to be important, what the character of the area was deemed to be, and whether the boundaries indicated were appropriate.
- 4.16 Protection of the character of the areas proposed for designation. was felt to be important in terms of their contribution to social history, community memory and continuity over time. Little details were seen to be significant and were thought to be an integral part of people's own understanding of their community and the local area.
- 4.17 English Heritage has welcomed the comprehensive review of Tower Hamlets Conservation Areas and is very supportive of the new areas proposed and the alterations suggested. A copy of their letter, which makes a number of detailed points regarding the proposals, is attached at Appendix D.

5.0 AMENDMENTS MADE FOLLOWING CONSULTATION

- 5.1 It became apparent at consultation that London Borough of Tower Hamlets were not the designating authority within the Olympic Delivery Authority area. The boundaries of the proposed Fish Island Conservation Area therefore, were amended accordingly.
- 5.2 Proposals to extend Roman Road CA were intended to include a Victorian pub on Wrights Road, but this has since been demolished and the proposed boundaries to the Conservation Area have been amended to exclude this site.
- 5.3 Inclusion of a number of buildings was suggested at the public meetings. These suggestions have been reviewed and where the buildings identified have been judged to contribute to the special character of the Conservation Area, then the boundaries have been amended to include them, for example, Cranford Cottages have been included within the boundary revisions to the York Square Conservation Area. It was suggested that streets around Back Church Lane should be included in the new Wilton's Music Hall Conservation Area but officers considered that the townscape did not meet with legislative requirements. Following representation from English Partnerships the boundary to the Hackney

Road Conservation Area has been revised to omit disused buildings at the former Queen Elizabeth Hospital for Children although the principal building on the road frontage remains in the Conservation Area.

- 5.4 The maps attached at Appendix A are those areas which it is proposed be designated.

6.0 PROPOSED DESIGNATIONS

- 6.1 It is recommended that the criteria used to select the areas for designation is adopted as the local criteria, which need to be satisfied when considering the designation of an area within the Borough as a Conservation Area.
- 6.2 It is also recommended that the proposed designation of seven (7) new Conservation Areas and eighteen (18) revisions to existing Conservation Area boundaries be agreed.
- 6.3 Thus it is proposed that the following designations for new Conservation Areas and boundary revisions to existing ones are confirmed.

The new Conservation Areas to be designated are:-

- 1) Brickfield Gardens; 2) Fish Island; 3) Hackney Road; 4) Wilton's Music Hall; 5) Old Bethnal Green Road; 6) Redchurch Street; 7) Regent's Canal.

The Conservation Areas where boundary revisions are proposed are:-

- 1) Albert Gardens, Limehouse; 2) Bethnal Green Gardens; 3) Coldharbour, Isle of Dogs; 4) Driffield Road, Bow; 5) Fournier Street and Brick Lane; 6) Globe Road, Bethnal Green; 7) Jesus Hospital Estate, Bethnal Green; 8) Langdon Park, Poplar; 9) Narrow Street, Wapping; 10) St Annes Church; 11) St George's in the East; 12) Stepney Green; 13) York Square, Limehouse; 14) Roman Road; 15) Wapping Pier Head; 16) Wapping Wall; 17) Whitechapel Market; 18) Victoria Park.

7.0 THE EFFECTS OF DESIGNATION

- 7.1 Declaring a Conservation Area means that the Council is able to control more closely any changes that might affect the environmental quality of the area and has the means to protect and enhance the "special character" of the area for the benefit of all its residents and businesses.
- 7.2 Designation introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an areas special interest.
- 7.3 In determining planning applications the Local Authority must pay special attention to the desirability of preserving or enhancing the character of the Conservation Area.

- 7.4 It also protects trees, reduces some permitted development rights and imposes more stringent controls on advertisements.

8.0 COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 8.1 This report informs Members of the feedback arising from the public consultation process into the proposal to establish seven (7) new Conservation Areas and to revise the boundaries of eighteen (18) existing Conservation Areas
- 8.2 All costs incurred during the consultation process were met from within existing budgetary provision.
- 8.3 Information obtained from the establishment of Conservation Areas will assist in the grant award decision making process, particularly in respect of Historic Building grants, and will ensure allocation is in line with the priorities of both the Authority and English Heritage.
- 8.4 Consent is required to demolish any building in a Conservation Area and, where development or alteration is proposed, it must preserve or enhance the character or appearance of the area. Legislation covering development in Conservation Areas applies equally to council owned buildings which could have cost implications for the Authority in future.

9.0 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 9.1 The local planning authority is under a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to determine which parts of their borough are areas of special architectural or historic interest which is desirable to preserve and to designate those areas as conservation areas. The local planning authority also has a duty to review, periodically, those designations, and whether or not they should be amended or whether new areas should also be designated.
- 9.2 There is no formal designation procedure and no formal requirements for consultation. Designation takes effect from the date of the resolution of the authority. The designation must be notified by being published in the London Gazette and a local newspaper and in writing to the Secretary of State.
- 9.3 The consequences of designation are outlined in paragraph seven (7) in this report.

10.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 10.1 Valuing diversity is one of the Council's core values. An Equality Impact Assessment was prepared to inform the draft Conservation Area Appraisals, Management Guidelines and consultation process. The conclusion was that the Guidelines would have no adverse impact as Conservation Area status was

dependant upon the character of the historic environment rather than the community which inhabited it.

- 10.2 In view of this, an Equality Impact Assessment for the proposed designation of new Conservation Areas or for the extension of existing ones will not be completed unless the evidence shows the need to do so.

11.0 ANTI-POVERTY IMPLICATIONS

- 11.1 Inclusion of a property within a Conservation Area can result in additional costs being incurred by occupants and owners, both in terms of the sympathetic repair of buildings and the development of proposals for their alteration or extension. However, it can also have a beneficial effect on the public realm, improving the quality of life for local residents and encouraging sympathetic regeneration and new economic uses. Inward investment may also be encouraged by the designation, enabling the creation of grant schemes to assist owners with the cost of sympathetic repairs.
- 11.2 A full and inclusive consultation was carried out to consider the proposed boundary changes and new Conservation Areas. This allowed all sections of society to comment on the proposals, and meant that the issues which face those in poverty could be raised and would be given the same weight as the comments by other sections of society.

12.0 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 12.1 The Conservation Area designation is supported by the broader historic environment policies incorporated in the Core Strategy, now adopted as “Interim Planning Guidance for the purposes of Development Control”.
- 12.2 The Interim Planning Guidance policies seek to promote sustainable development and reflect national and regional requirements. These policies have been informed by a Sustainability Appraisal.

13.0 RISK MANAGEMENT IMPLICATIONS

- 13.1 A risk assessment was carried out and two main risks were identified:-
- 13.2 Firstly that there may be significant staff sickness or absence which may threaten the production of the necessary information, but management of this risk with regular project meetings, reviews of workload and the option of flexible resourcing, will minimise this risk.
- 13.3 The second is that the new Conservation Area designations and the extensions proposed to existing ones are not approved for adoption. This risk has been minimised by ensuring that a wide public consultation was undertaken and that the importance of the suggested designations is adequately reflected in the report.

14.0 EFFICIENCY STATEMENT

- 14.1 Every Local Planning Authority is under a continuing duty to consider whether it should designate new Conservation Areas or extend existing ones under the Planning (Listed Buildings and Conservation Areas) Act 1990. This audit was managed in conjunction with the preparation of the Conservation Area Character Appraisals and Management Plans and presented a good opportunity to combine the tasks required by the legislation, representing efficiency in the use of staff resources.
- 14.2 The designations will result in the protection and enhancement of the Borough for its residents, creating a better place for living safely and for creating and sharing prosperity.

APPENDICES

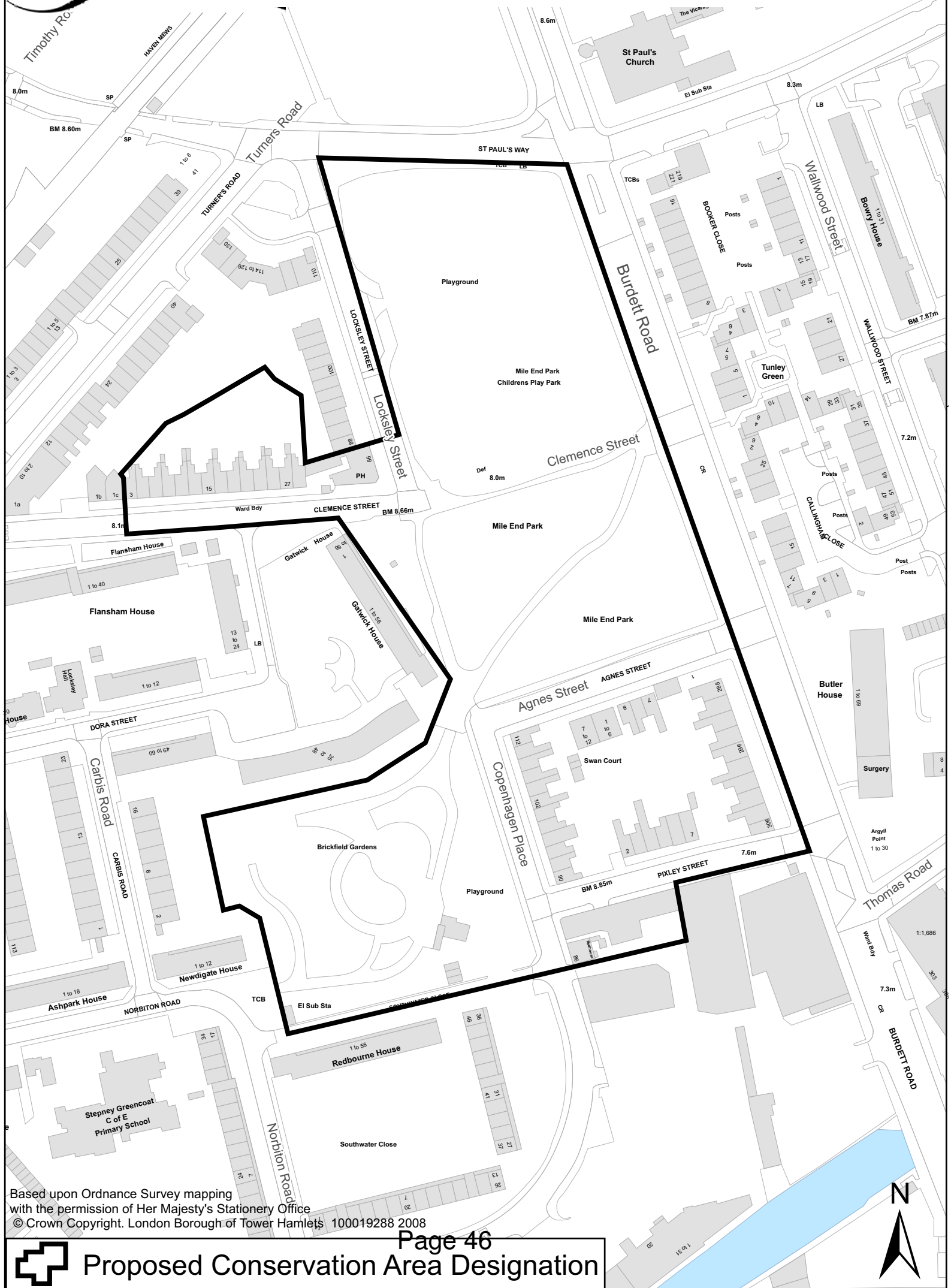
- | | |
|------------|--------------------------------------------------------------------------------------------------|
| Appendix A | Maps indicating boundaries for the proposed new and revised Conservation Areas to be designated. |
| Appendix B | Designation Statements for the proposed new Conservation Areas. |
| Appendix C | The letter of support from English Heritage for the proposals. |
| Appendix D | Public Consultation |
| Appendix E | Comparison Maps showing existing and proposed boundaries pre-public consultation. |

New Designation

1-7



Conservation Areas Brickfield Gardens - Appendix A - 1

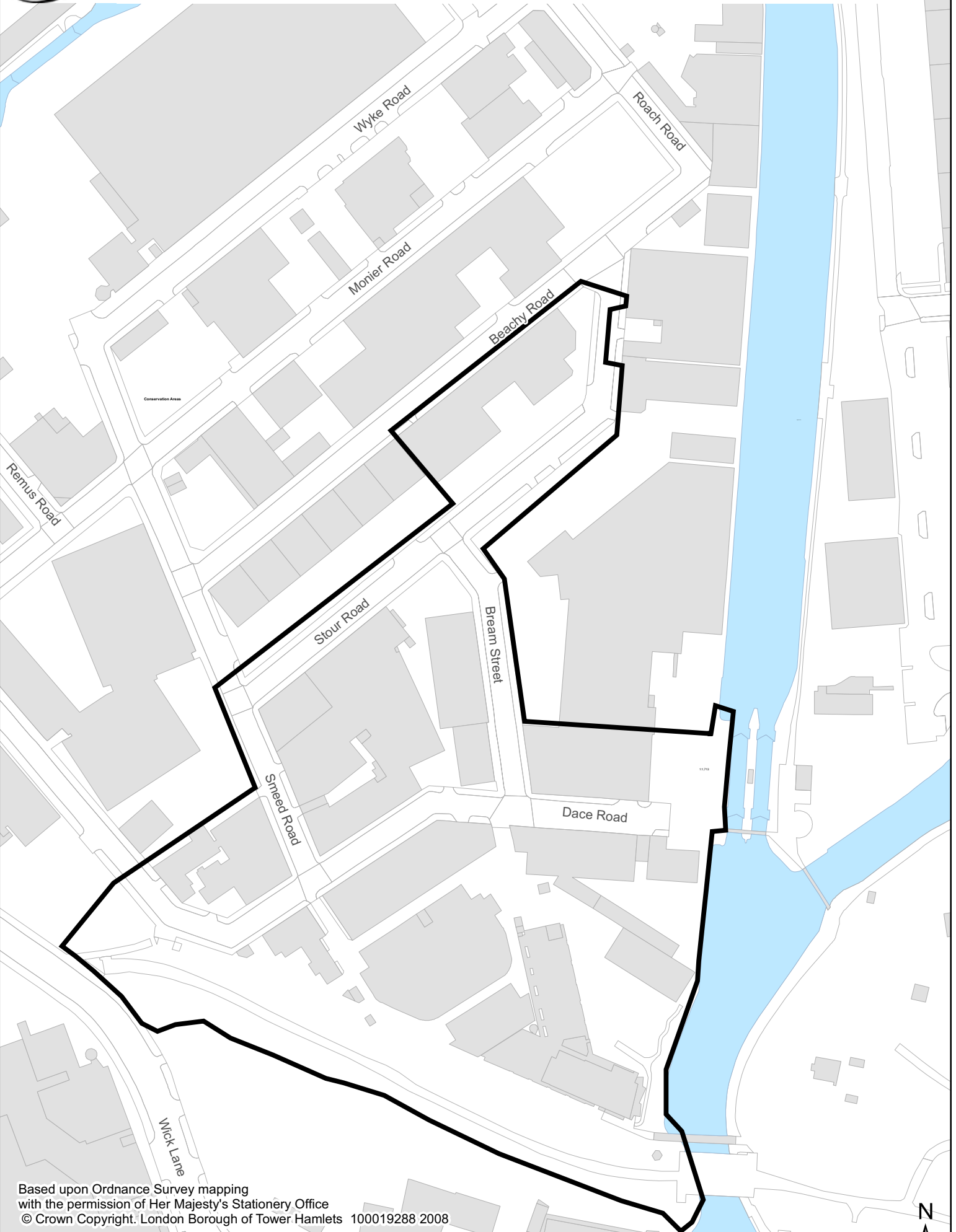


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
 © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

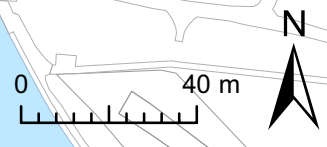




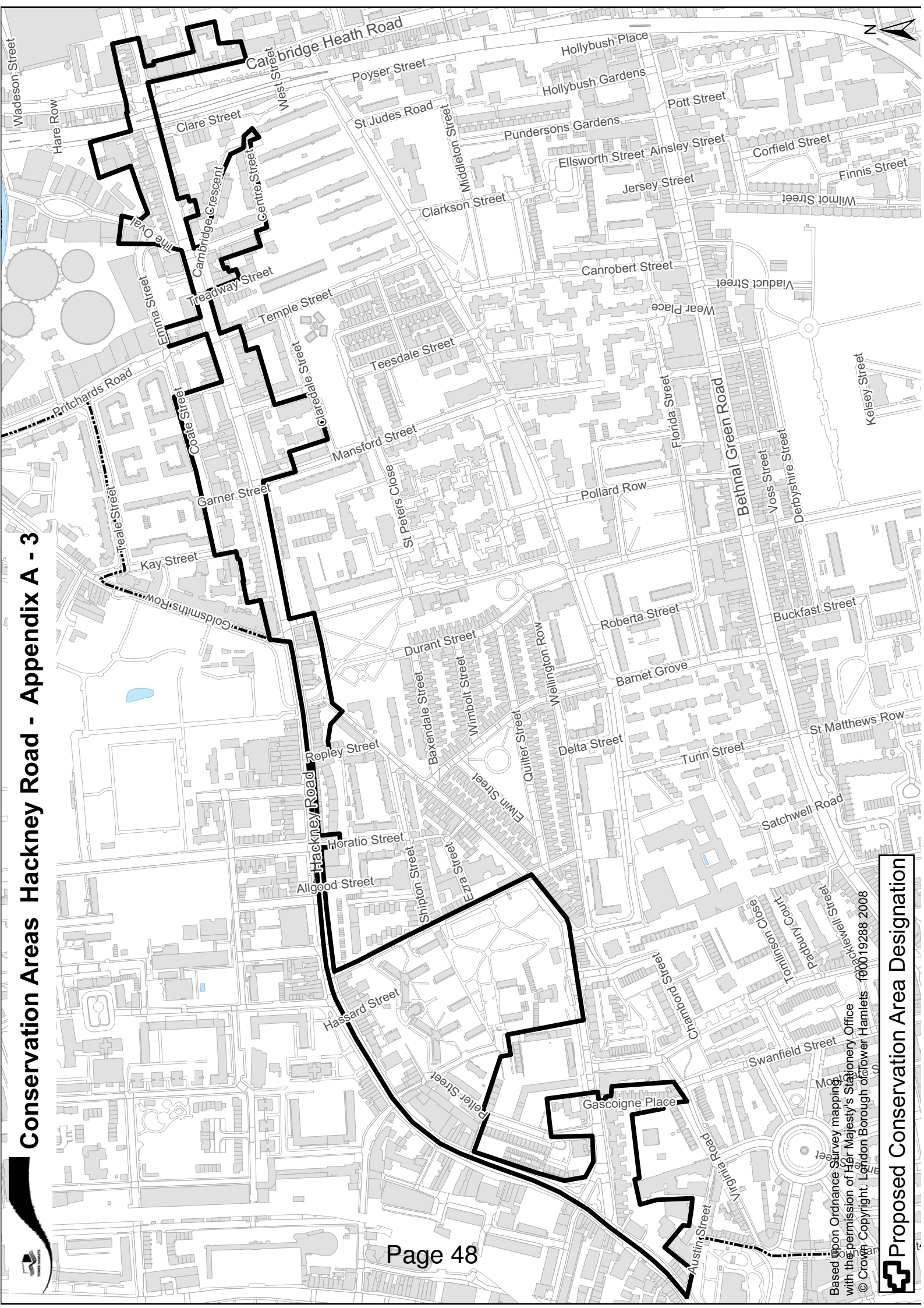
Conservation Areas Fish Island - Appendix A - 2



Based upon Ordnance Survey mapping
with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008



Conservation Areas Hackney Road - Appendix A - 3

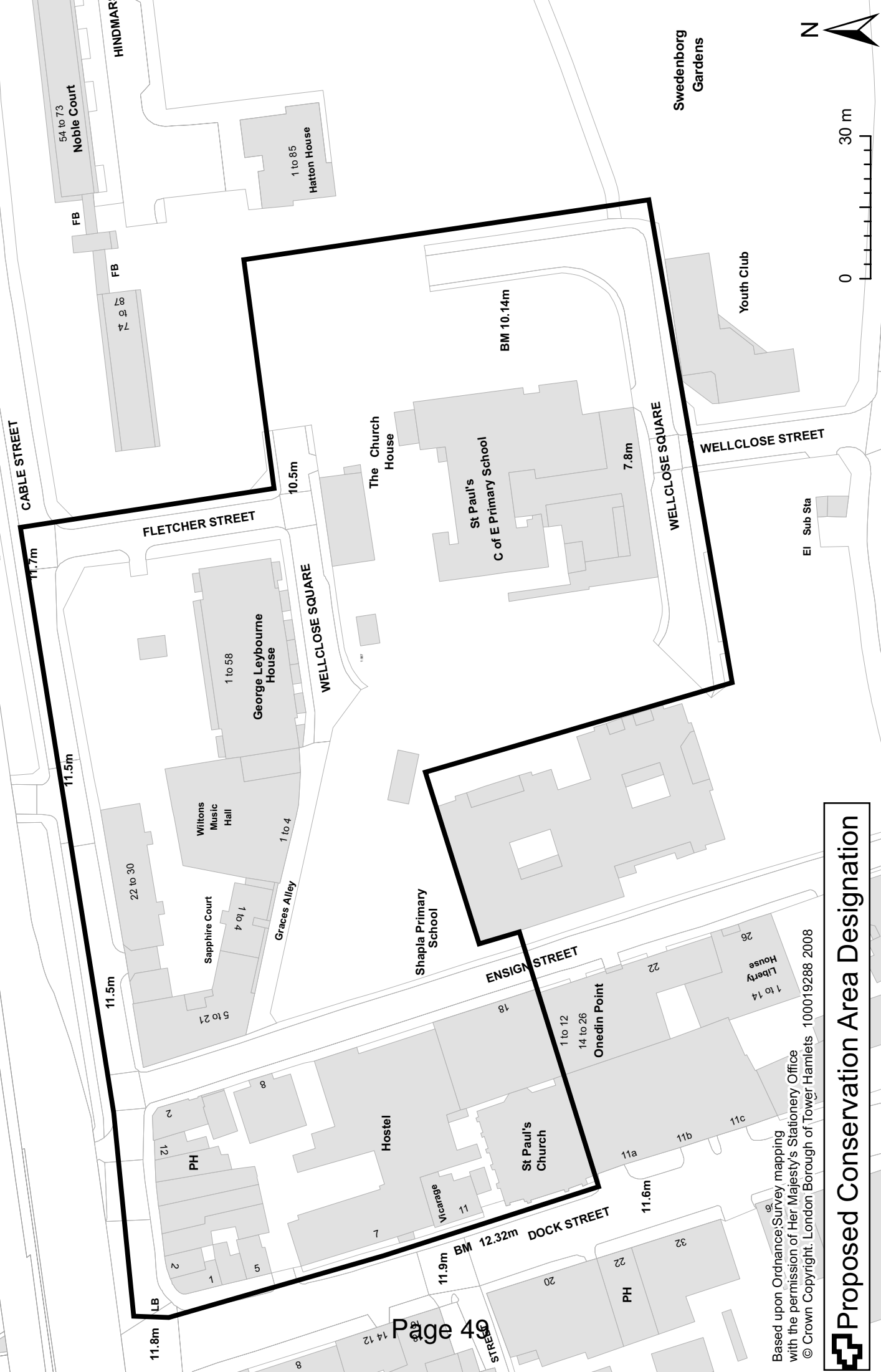


Based upon Ordnance Survey mapping, with the permission of Her Majesty's Stationery Office
© Crown Copyright, London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Area Designation

Conservation Areas Wilton's Music Hall - Appendix A - 4

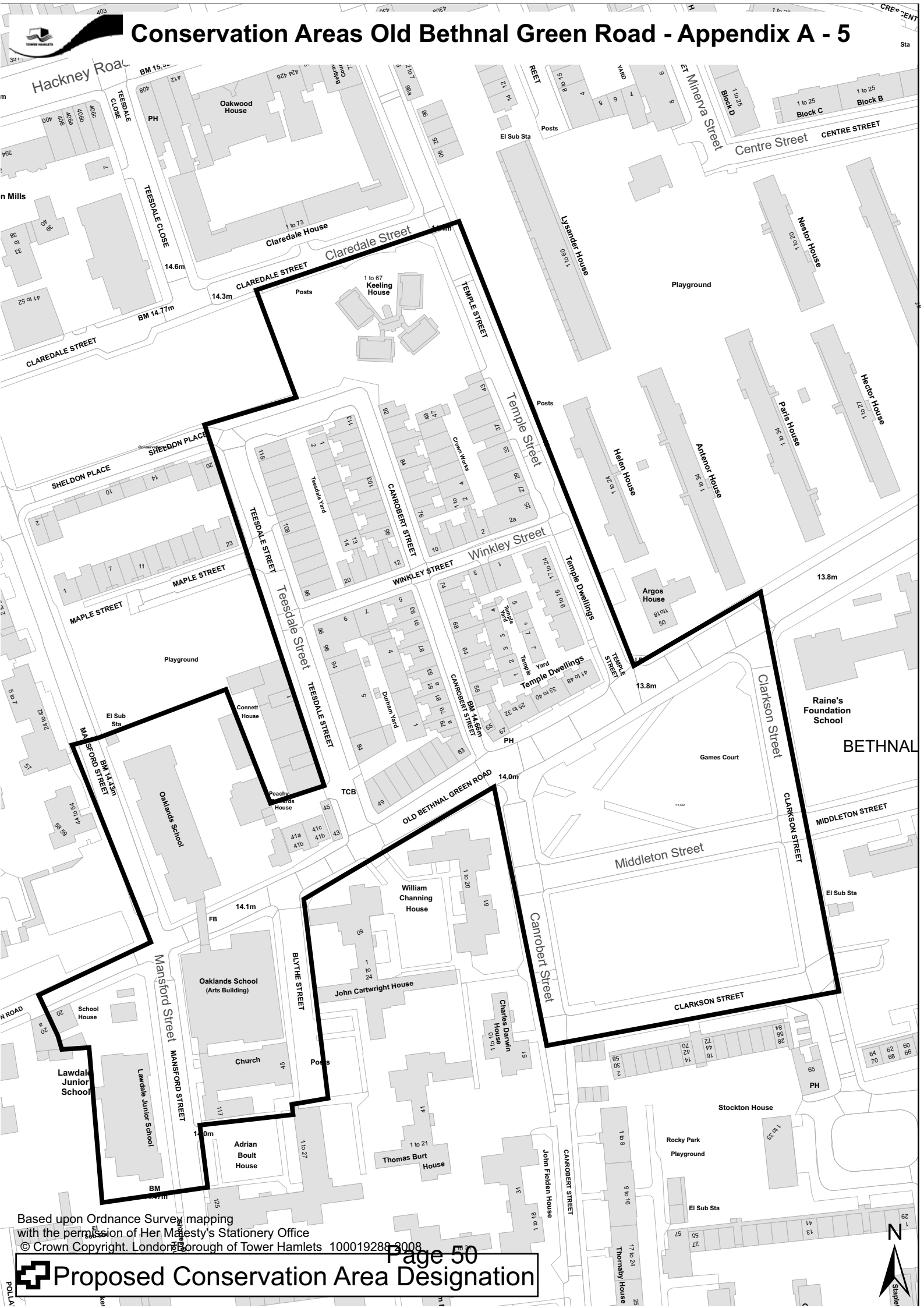
12.6m



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
 © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Area Designation

Conservation Areas Old Bethnal Green Road - Appendix A - 5

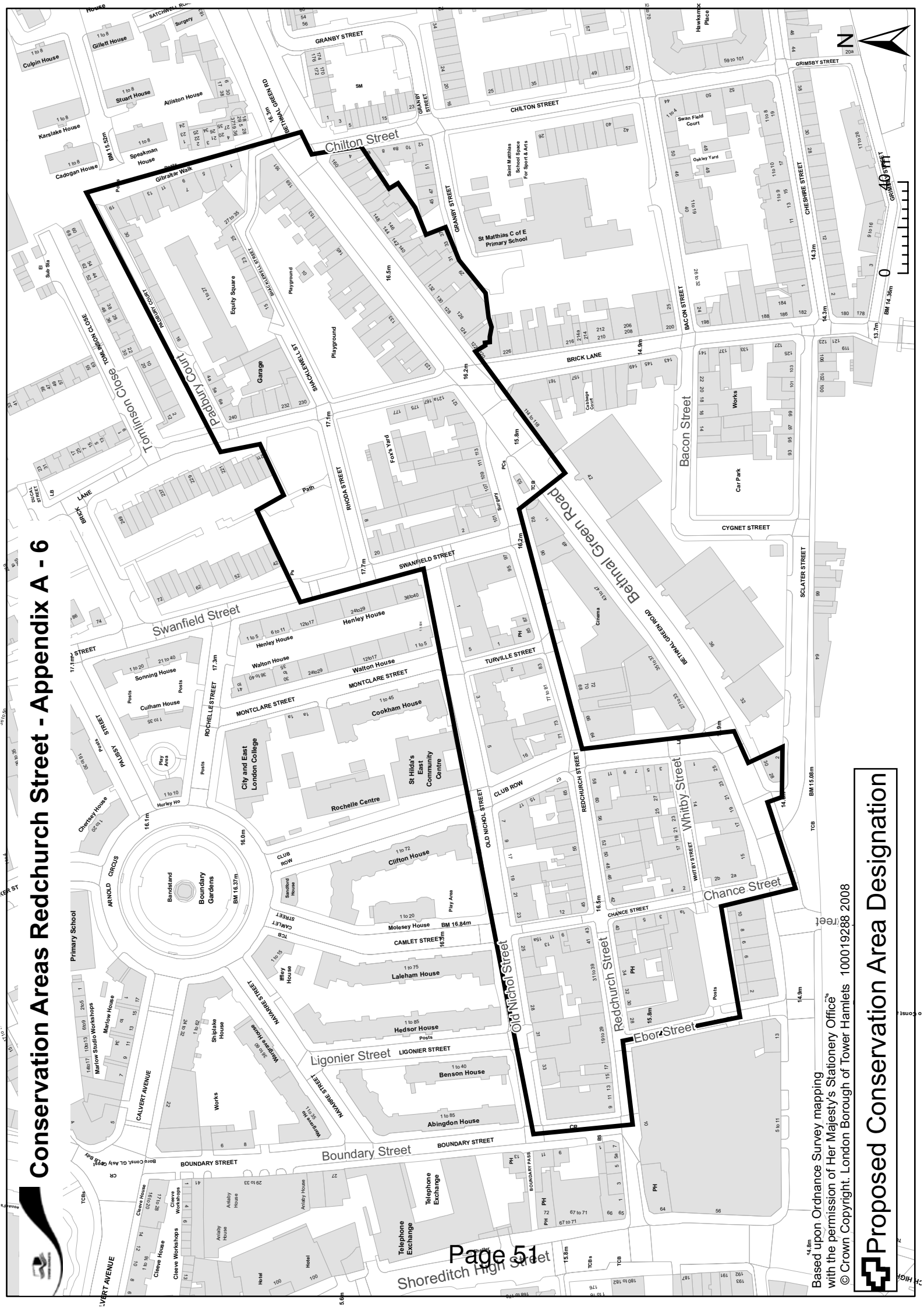


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright, London Borough of Tower Hamlets 100019288-3008

Proposed Conservation Area Designation



Conservation Areas Redchurch Street - Appendix A - 6

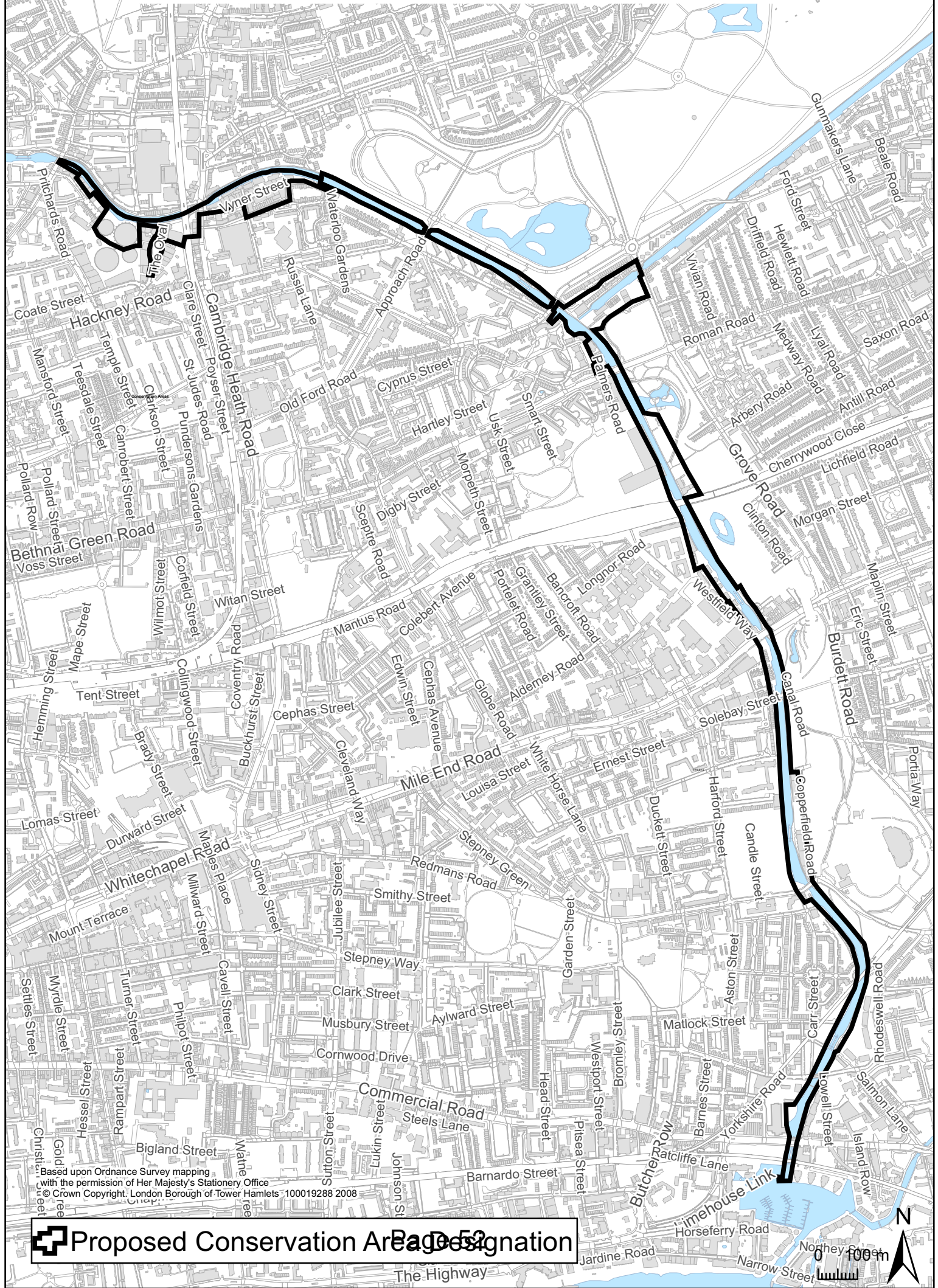


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288. 2008

Proposed Conservation Area Designation



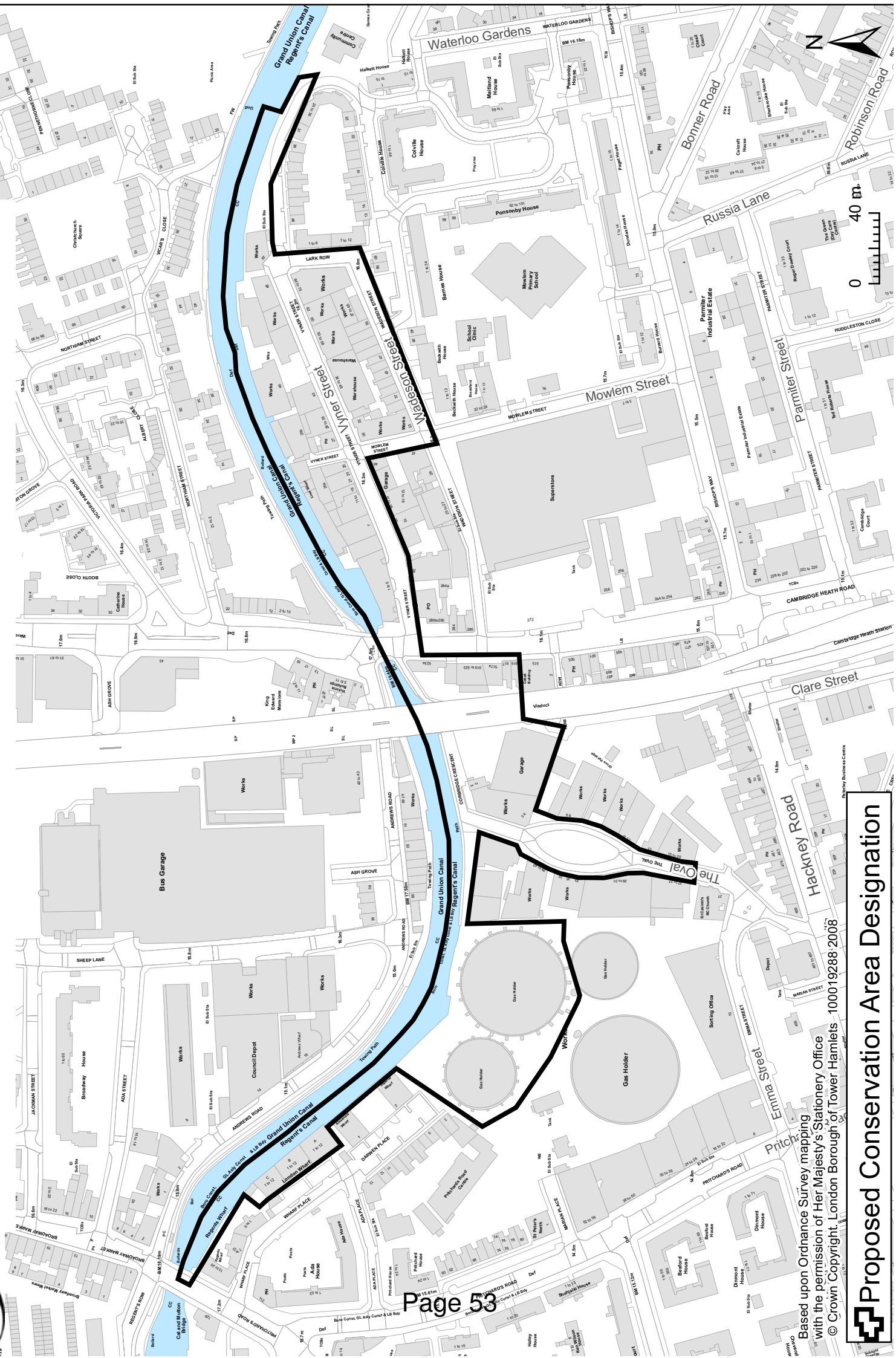
Conservation Areas Regent's Canal - Appendix A - 7



Based upon Ordnance Survey mapping
with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008



Conservation Areas Regent's Canal (details of the Northern Section) - Appendix A - 7a



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright, London Borough of Tower Hamlets 100019288-2008

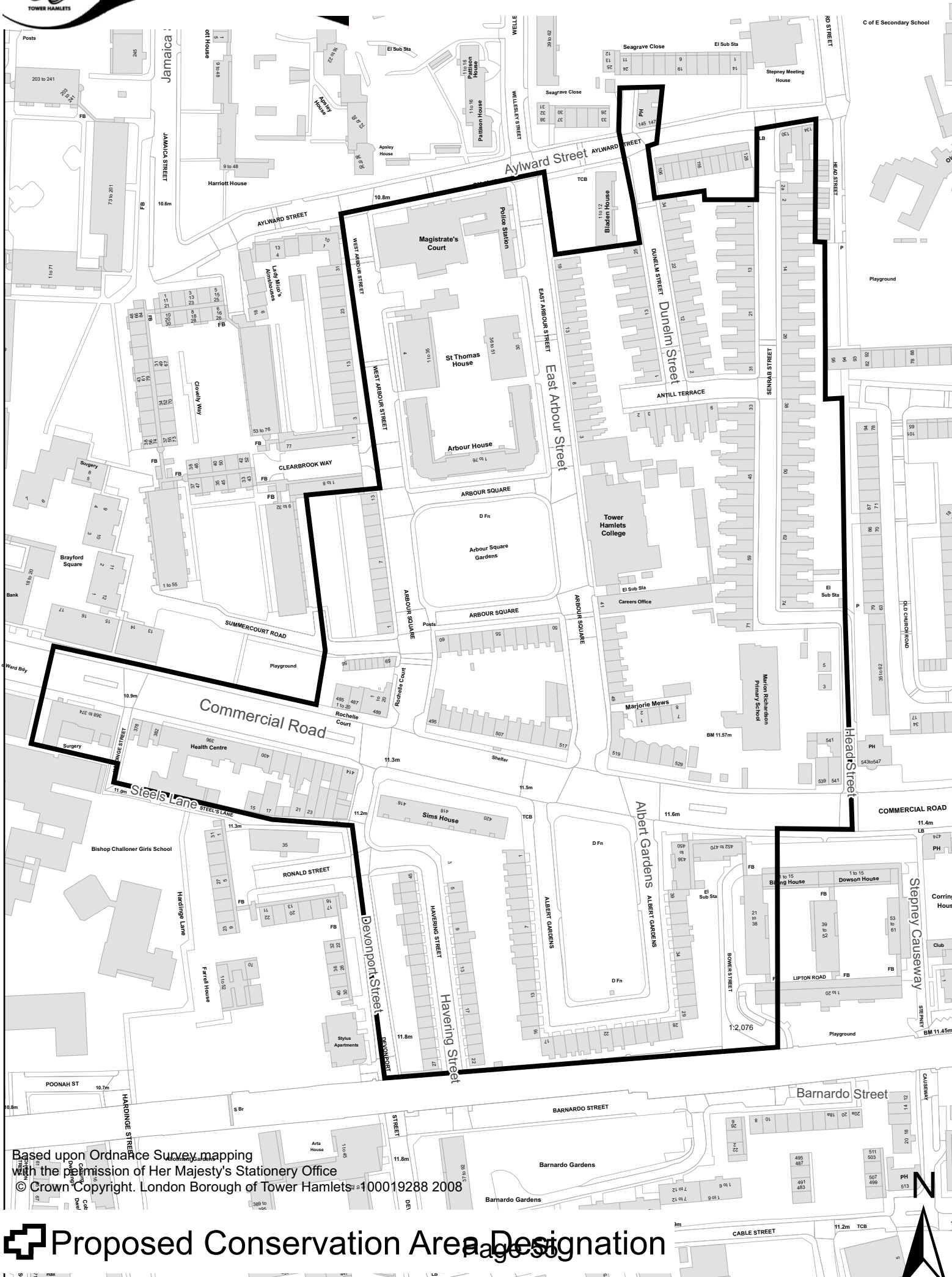
 Proposed Conservation Area Designation

Alteration

1 - 18



Conservation Areas Albert Gardens - Appendix A - 1

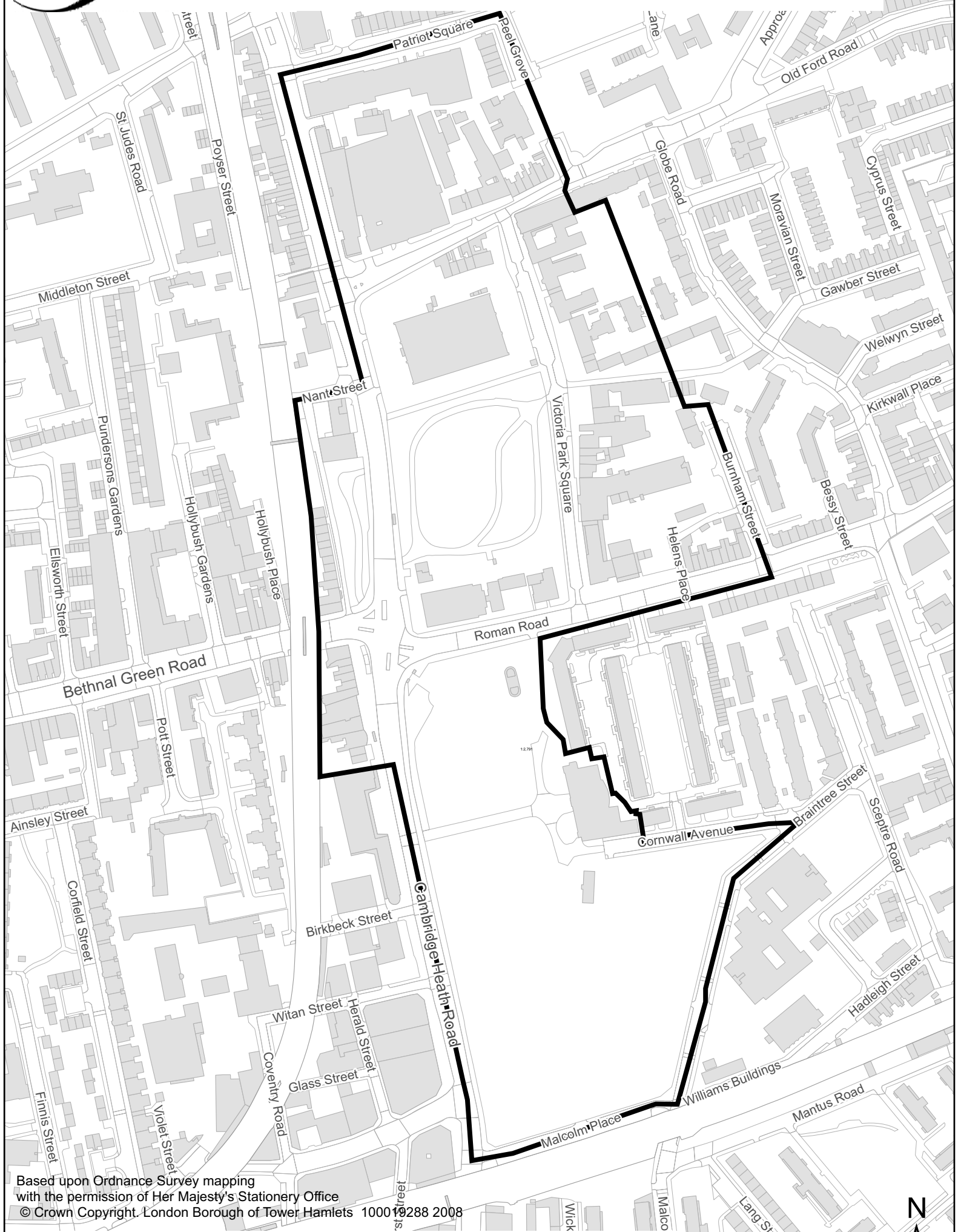


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Area Designation



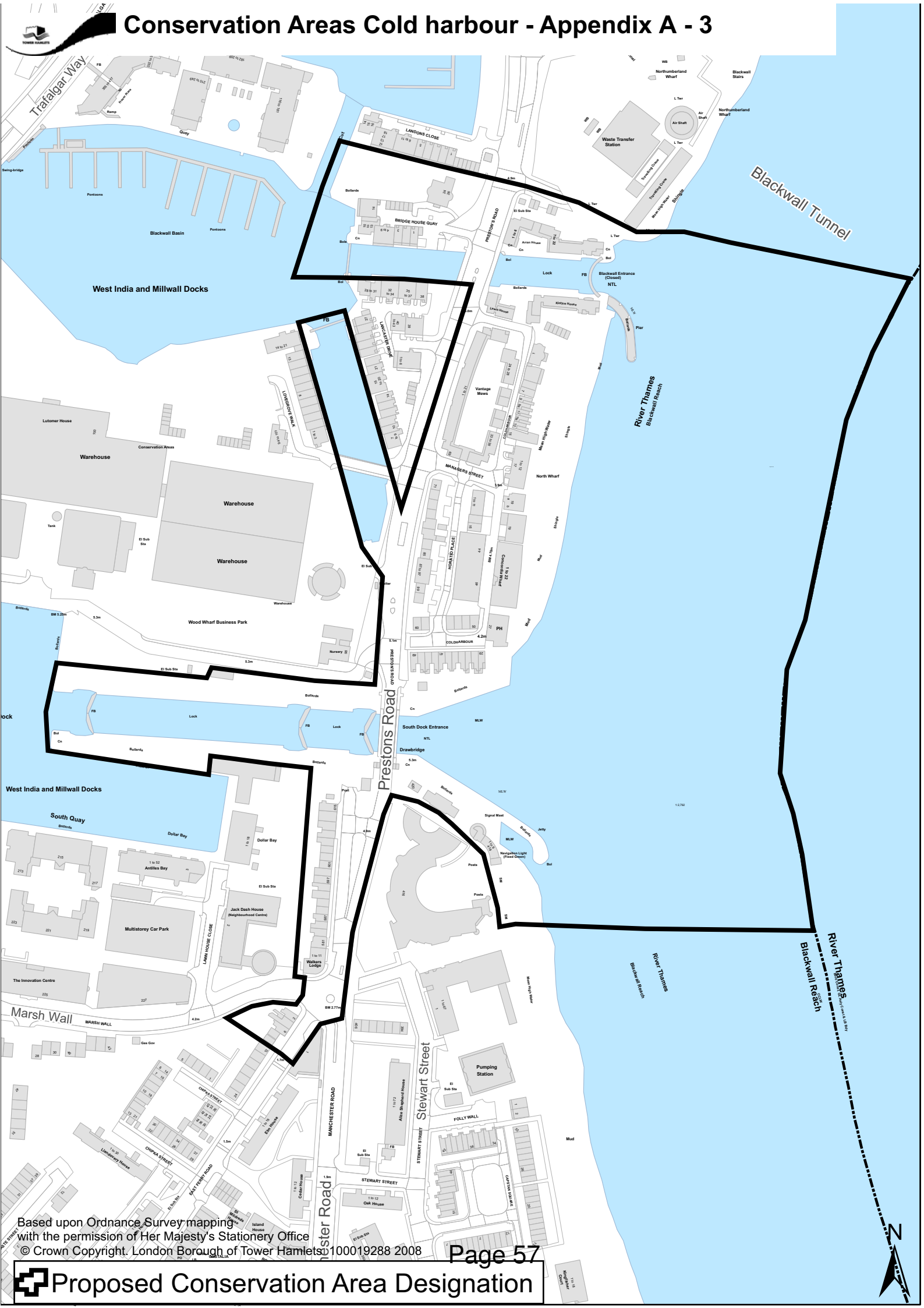
Conservation Areas Bethnal Green Gardens - Appendix A - 2



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
 © Crown Copyright, London Borough of Tower Hamlets 100019288 2008



Conservation Areas Cold harbour - Appendix A - 3



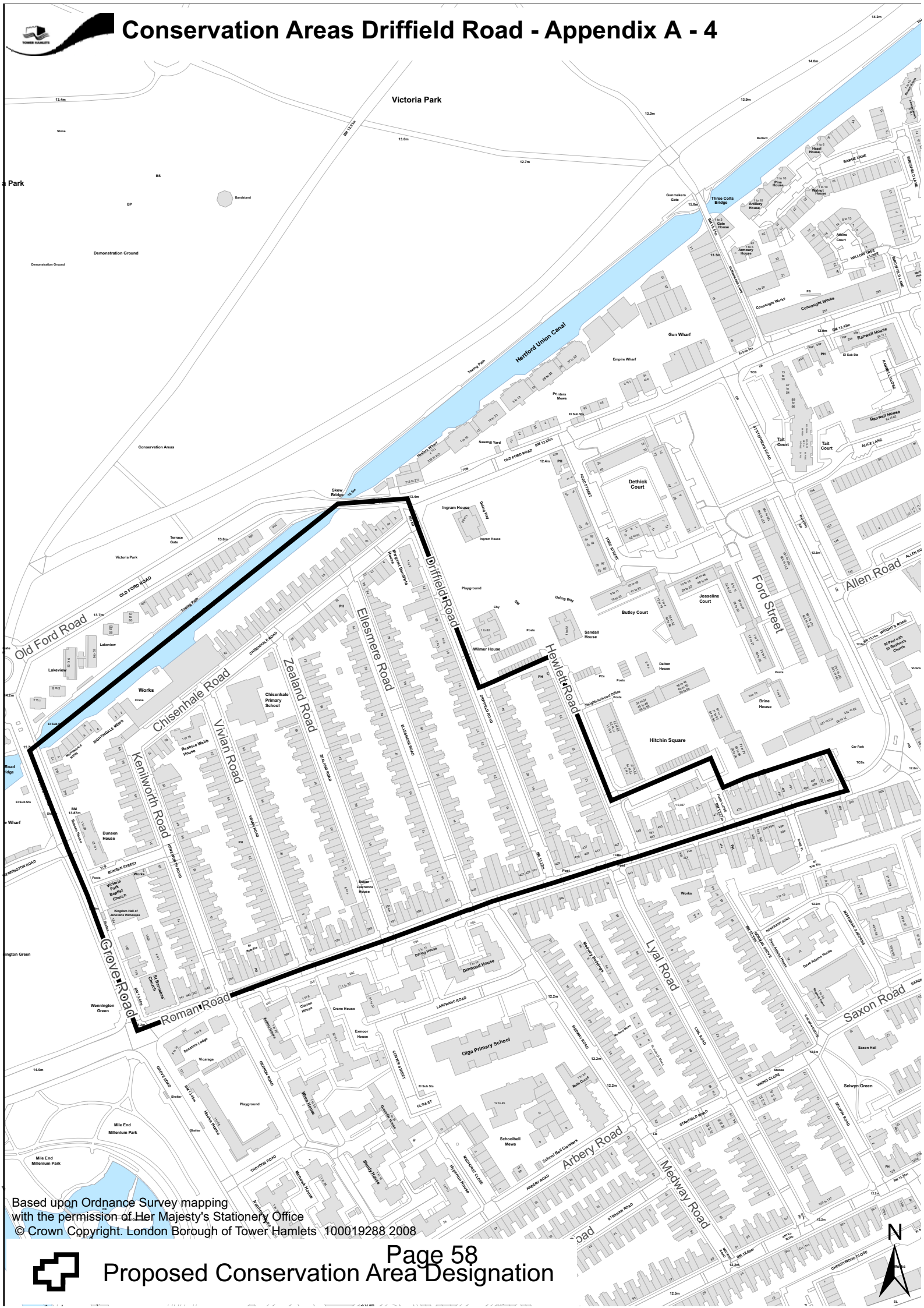
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

 Proposed Conservation Area Designation





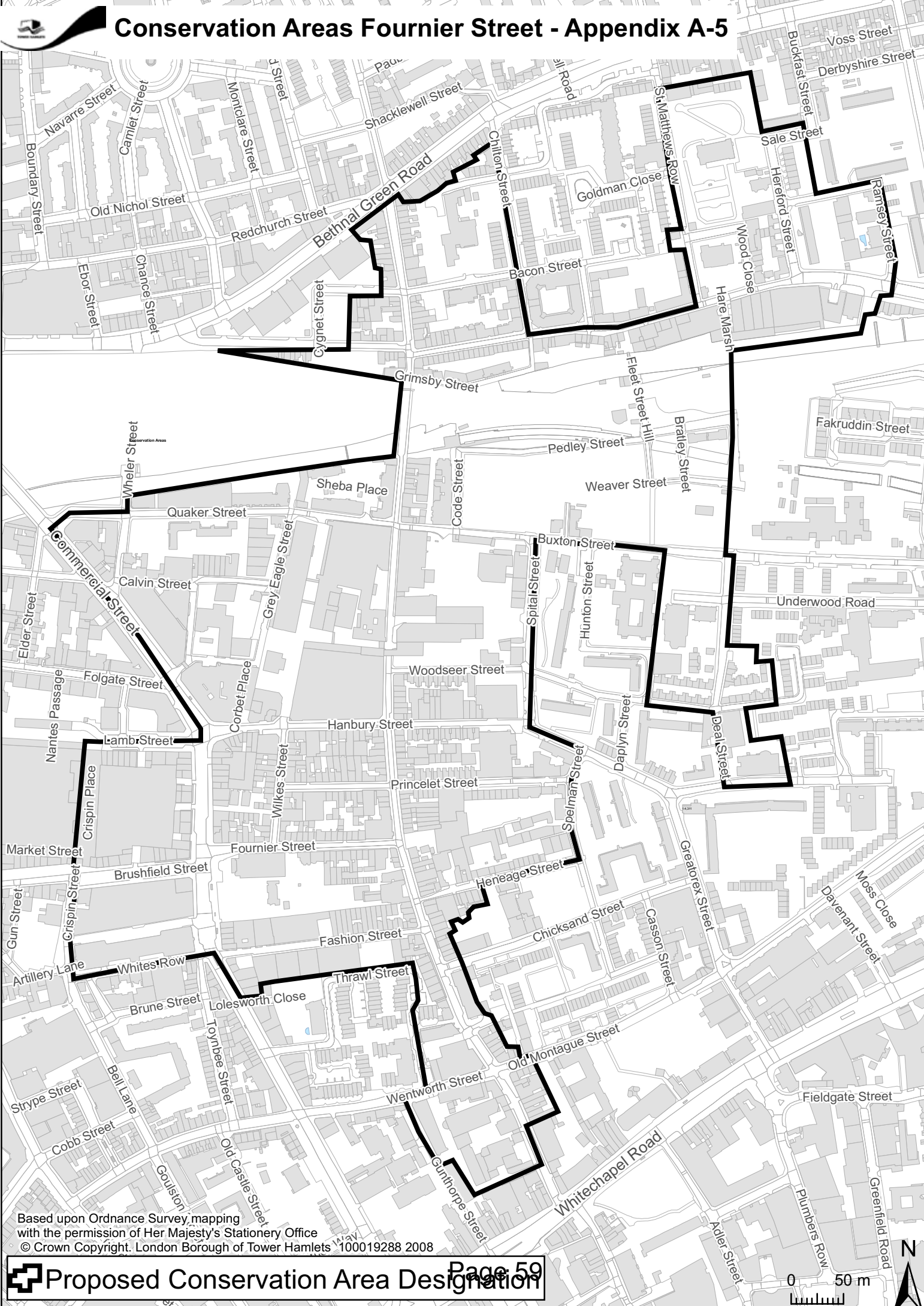
Conservation Areas Driffield Road - Appendix A - 4



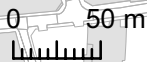
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008



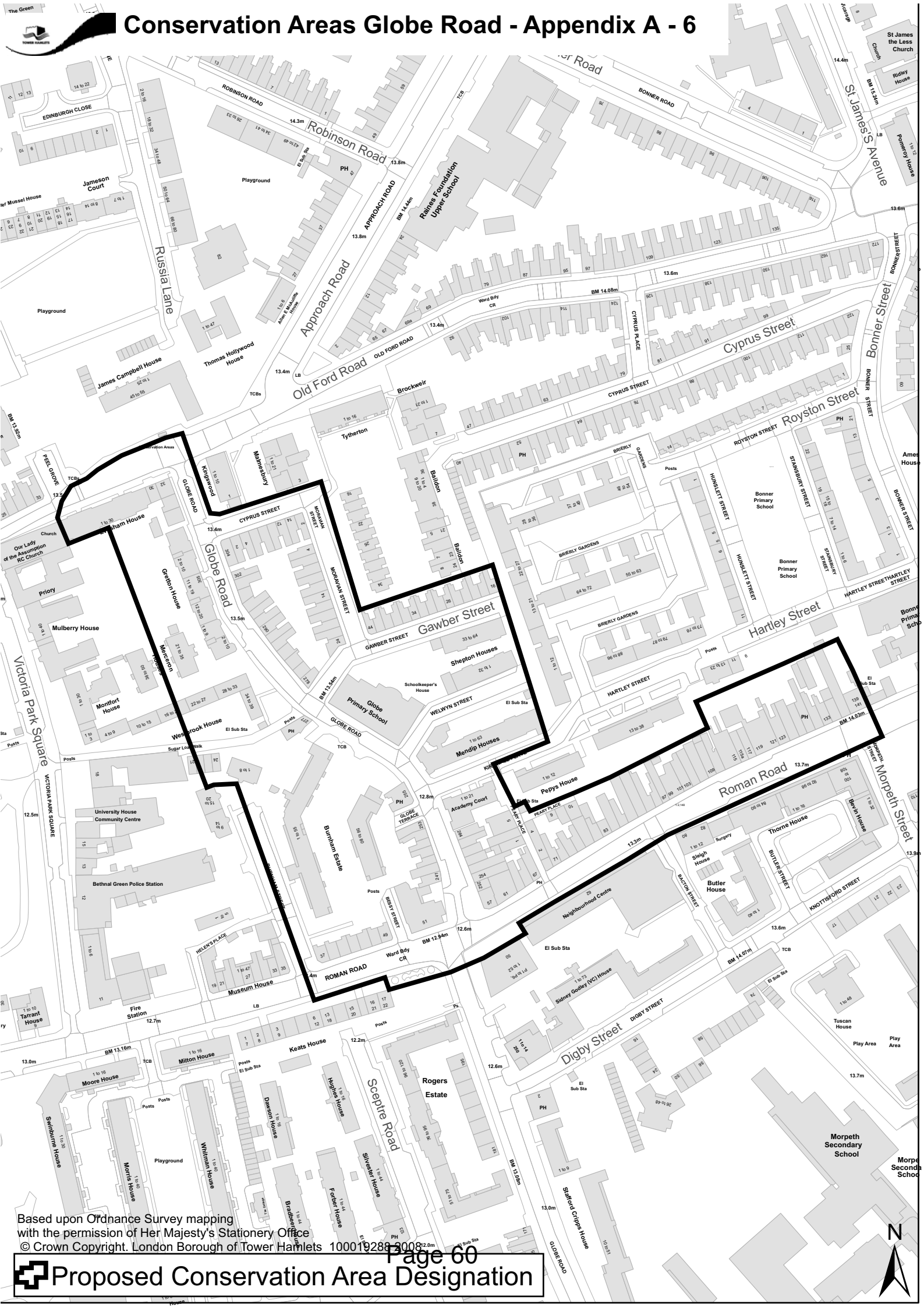
Conservation Areas Fournier Street - Appendix A-5



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright, London Borough of Tower Hamlets 100019288 2008



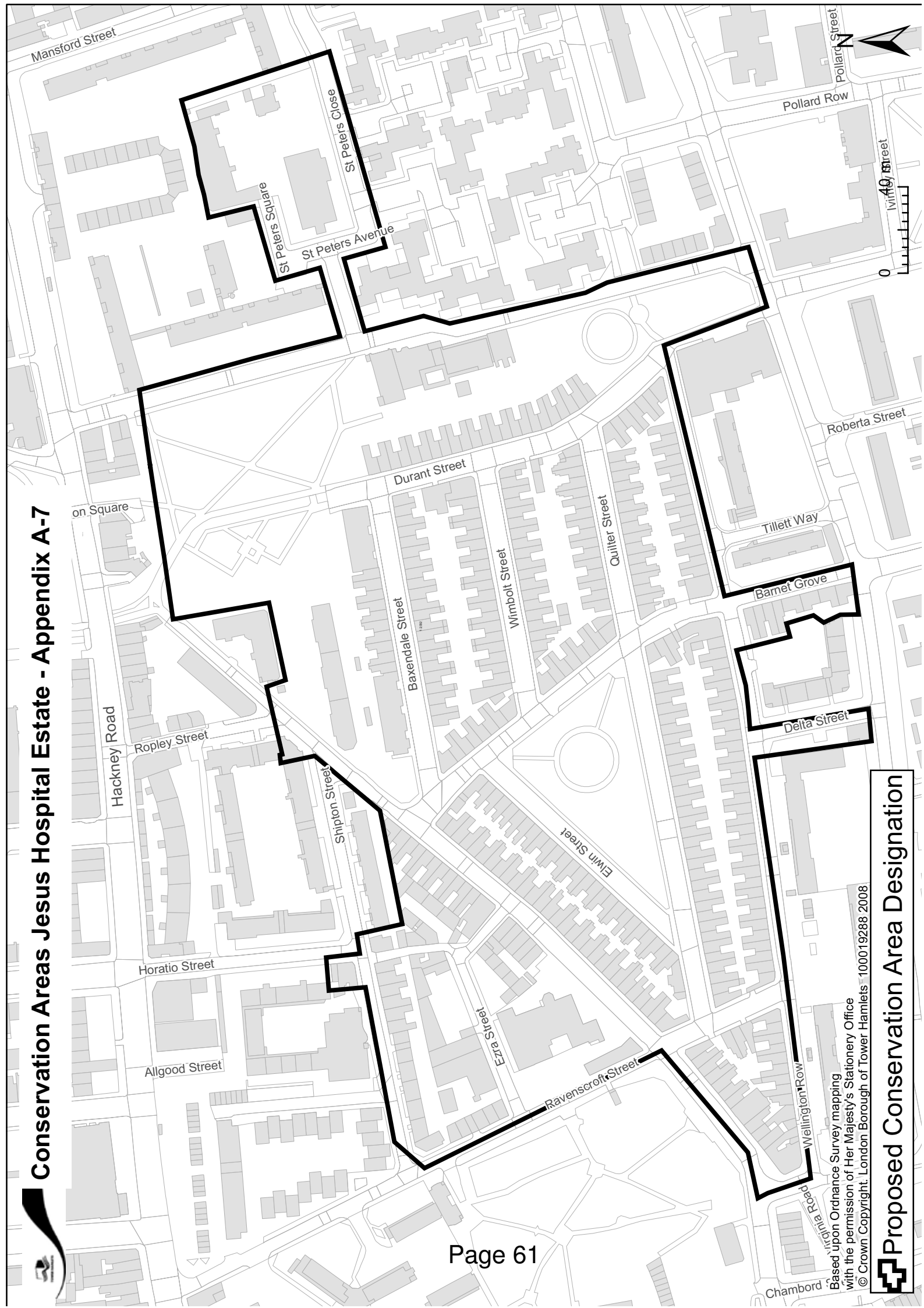
Conservation Areas Globe Road - Appendix A - 6



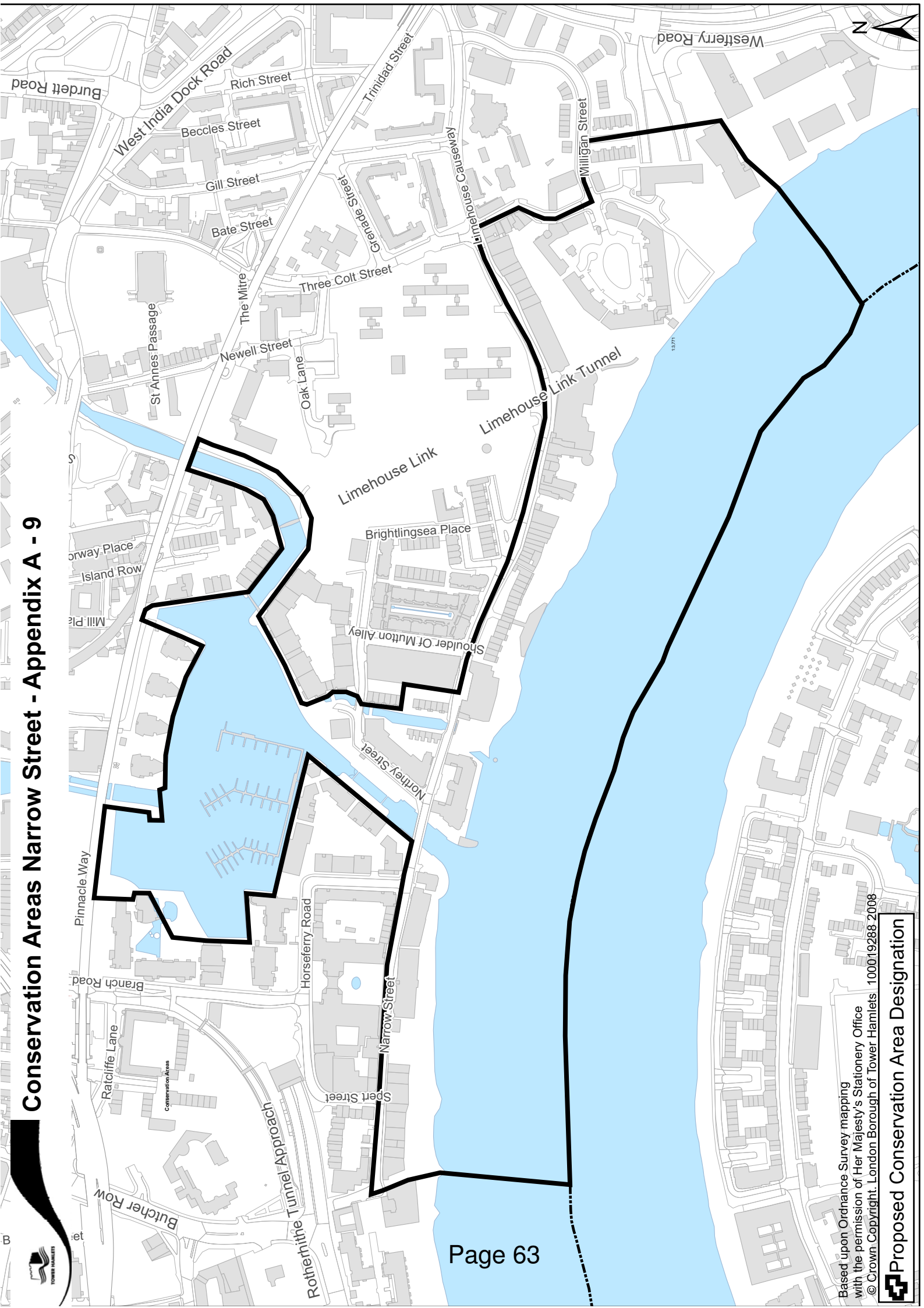
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288/3008

Proposed Conservation Area Designation

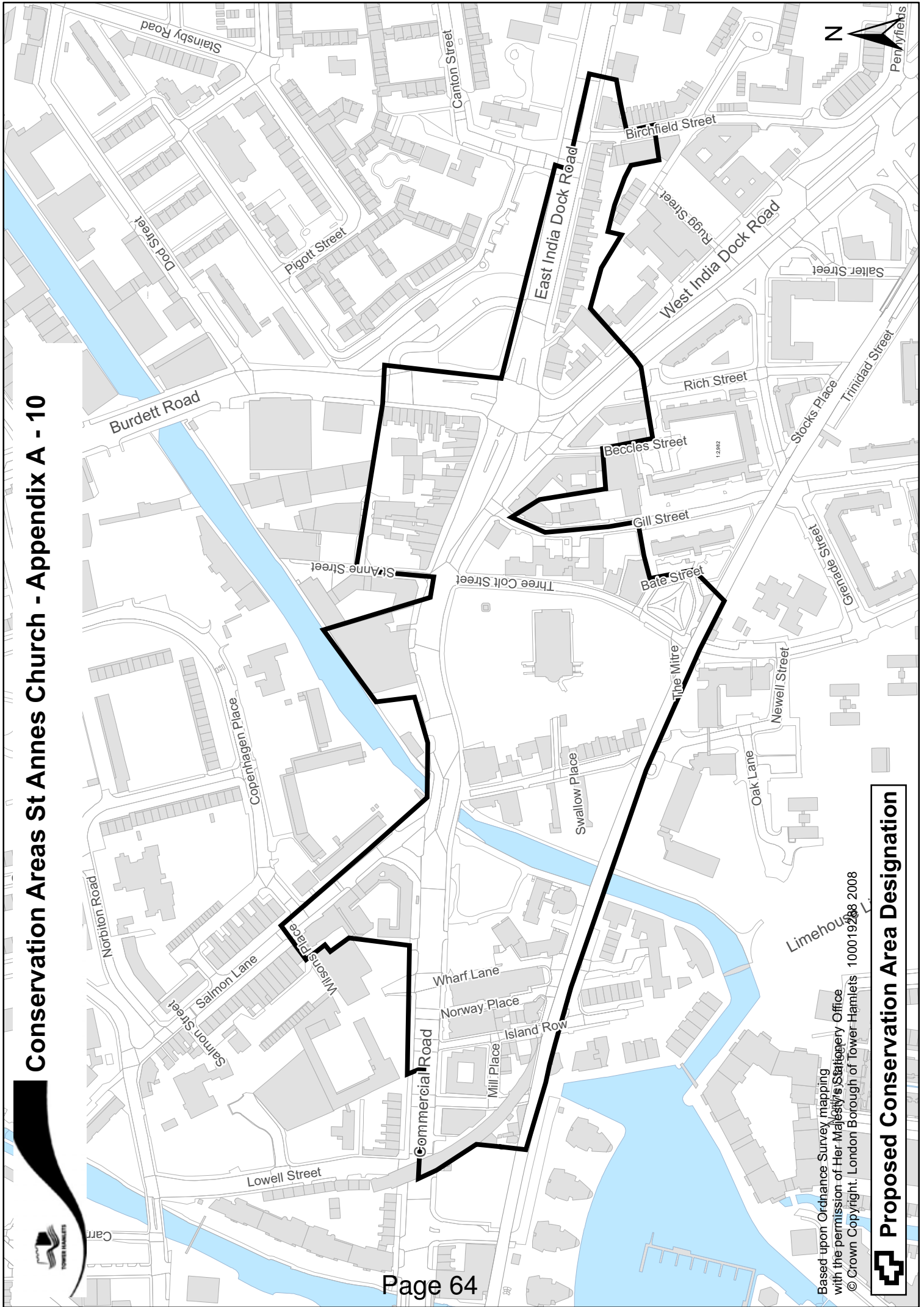




Conservation Areas Narrow Street - Appendix A - 9



Conservation Areas St Annes Church - Appendix A - 10

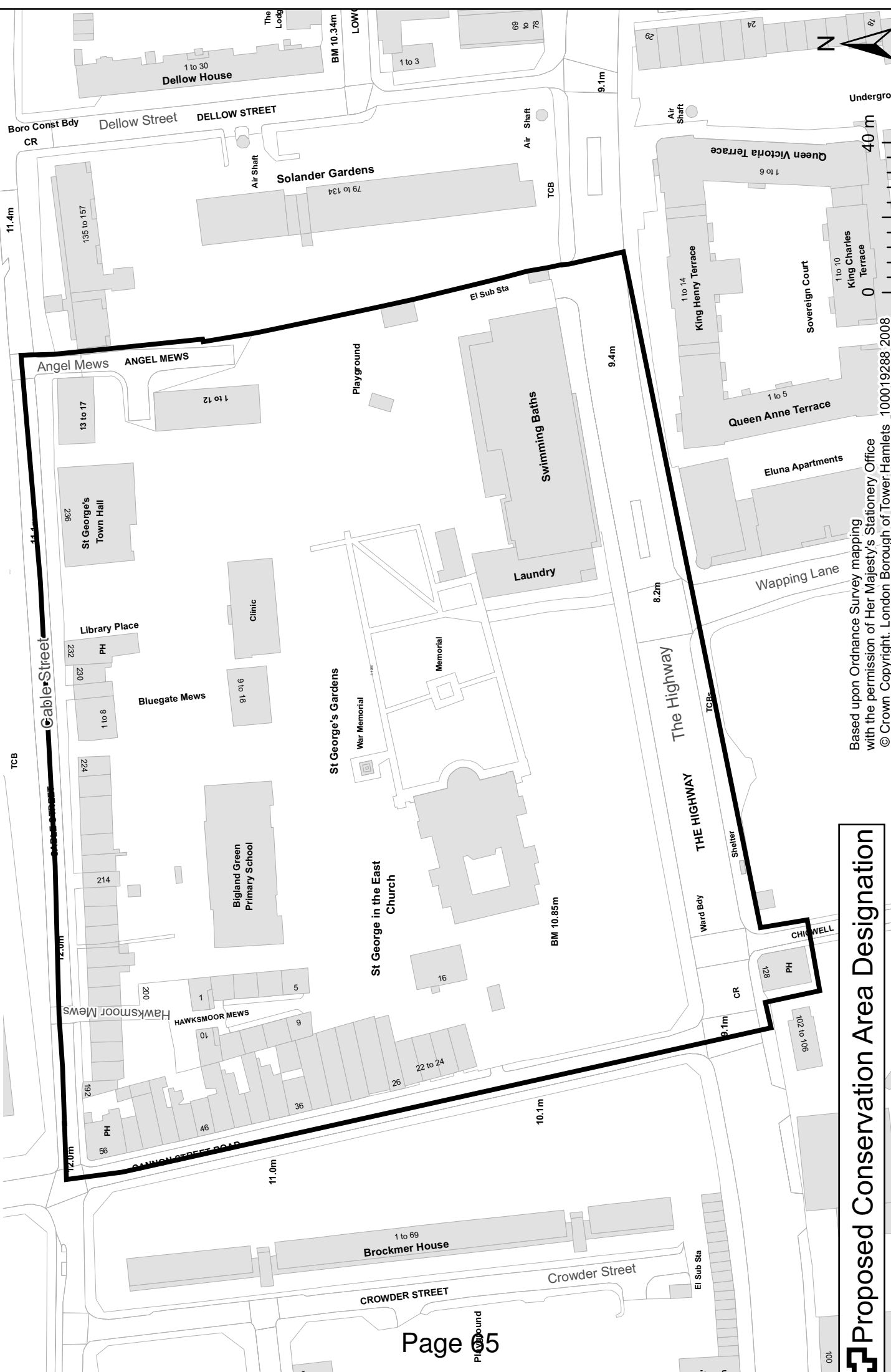


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower-Hamlets 100019288 2008

Proposed Conservation Area Designation



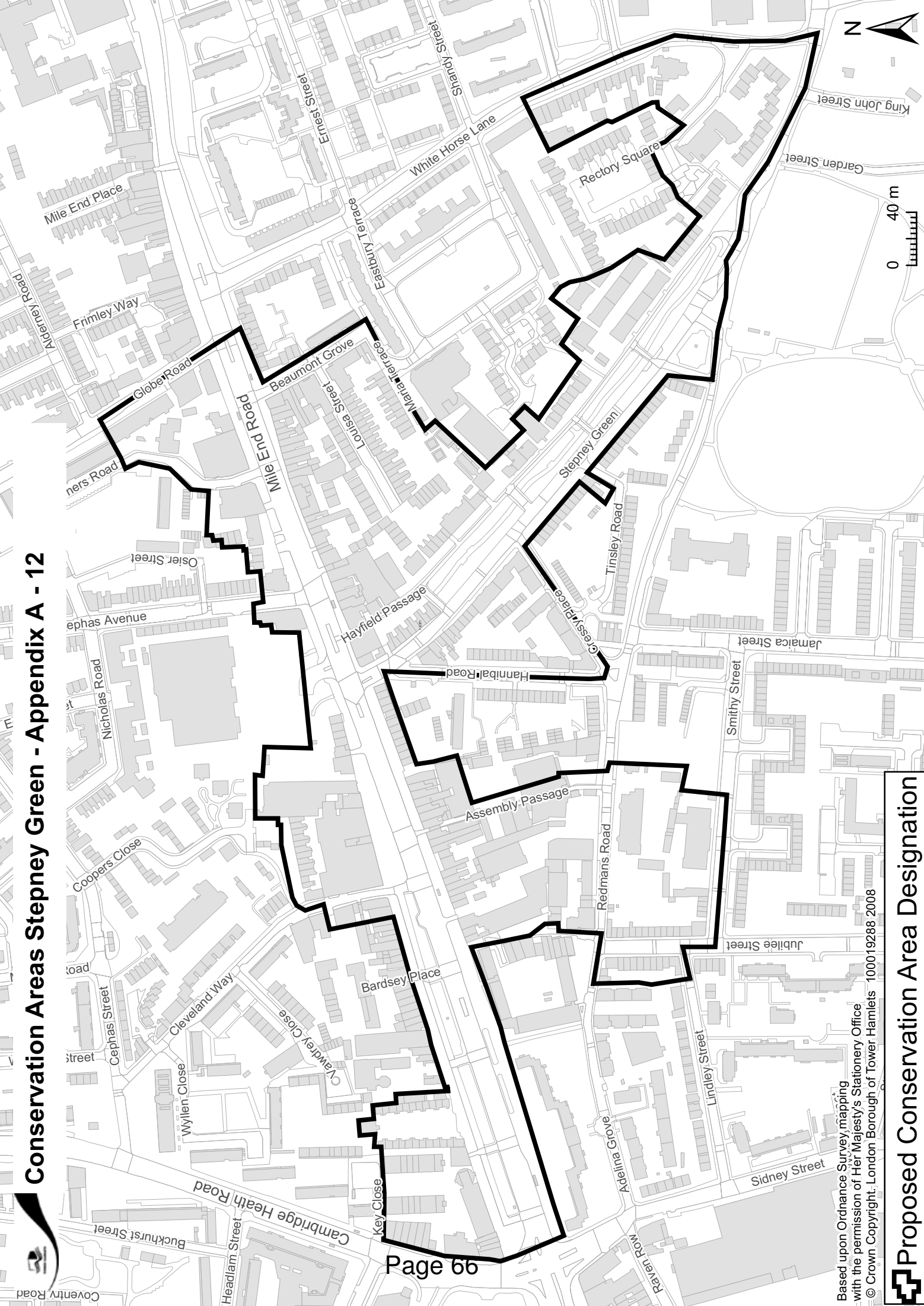
Conservation Areas St George's in the East - Appendix A - 11



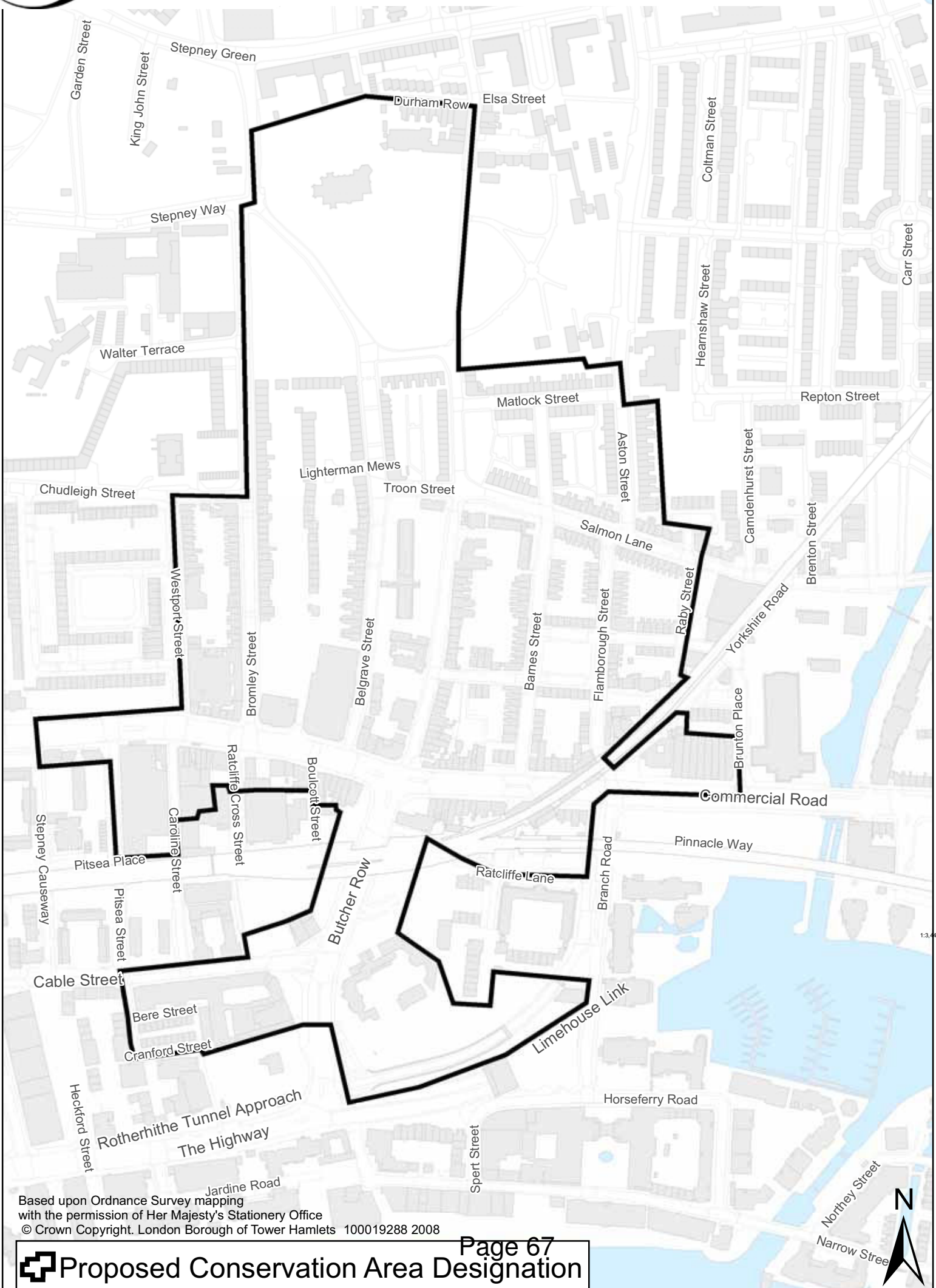
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Area Designation

Conservation Areas Stepney Green - Appendix A - 12



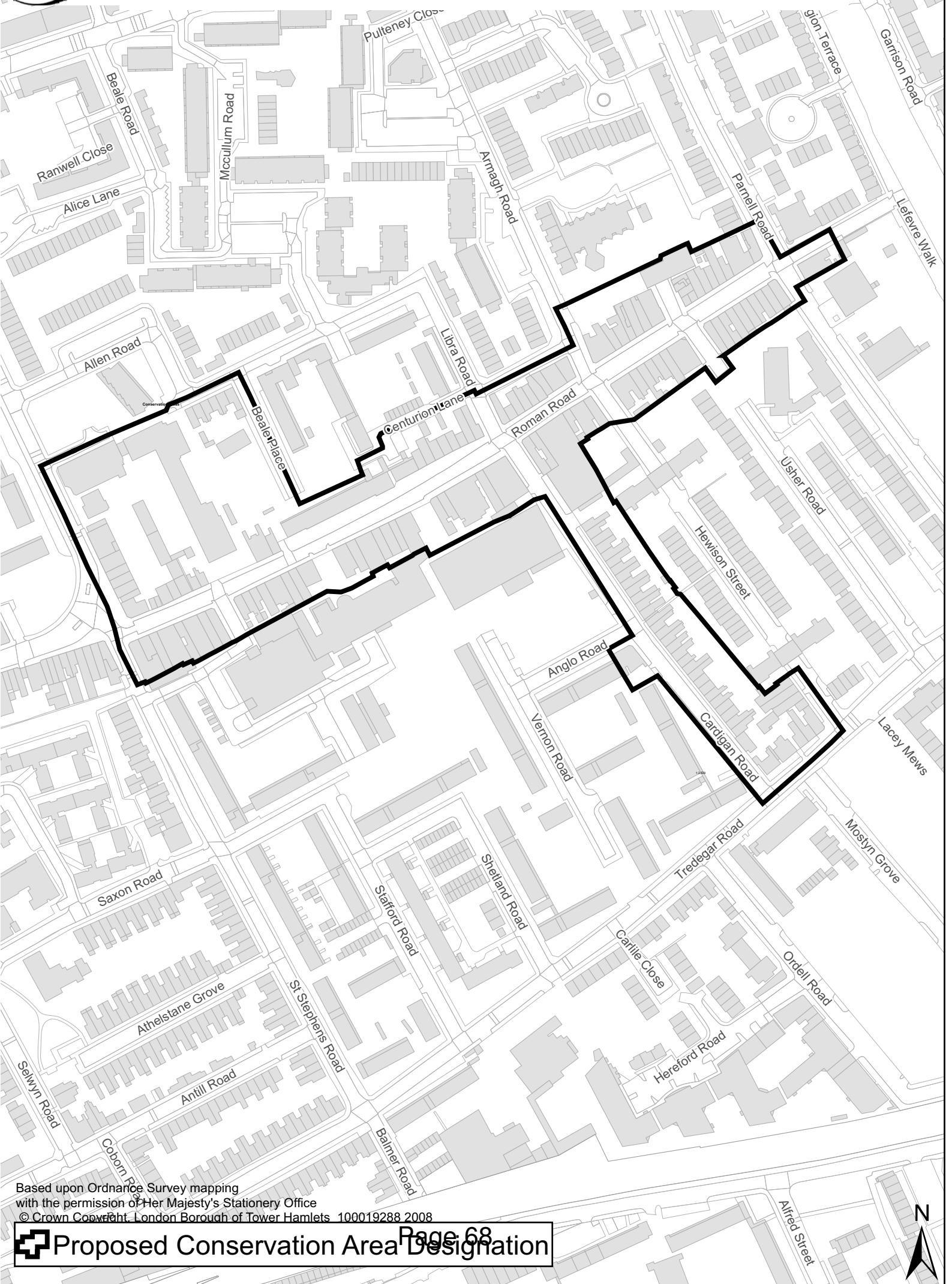
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationary Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008



Based upon Ordnance Survey mapping
with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008



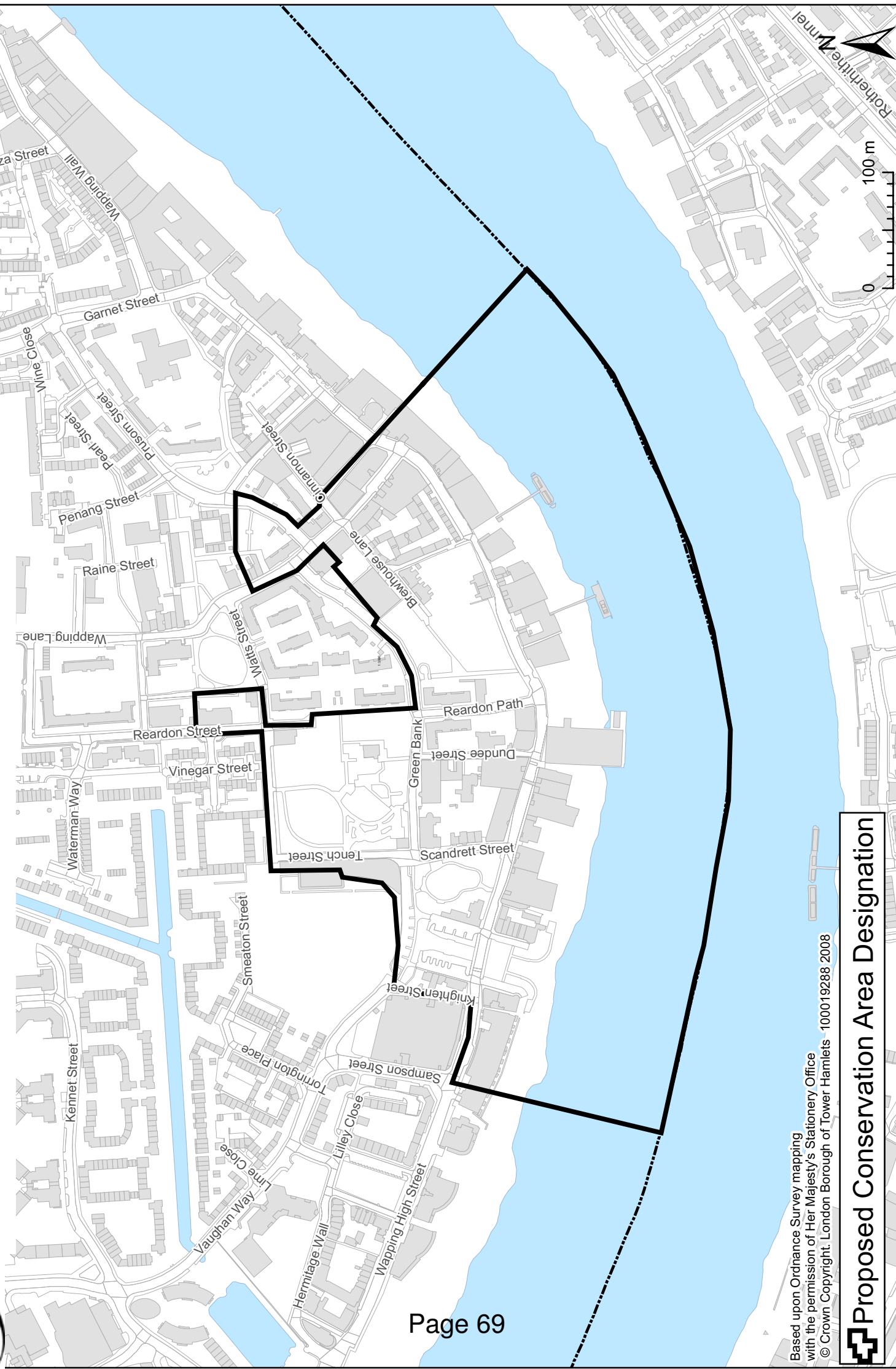
1:3,445



Based upon Ordnance Survey mapping
 with the permission of Her Majesty's Stationery Office
 © Crown Copyright, London Borough of Tower Hamlets, 100019288 2008



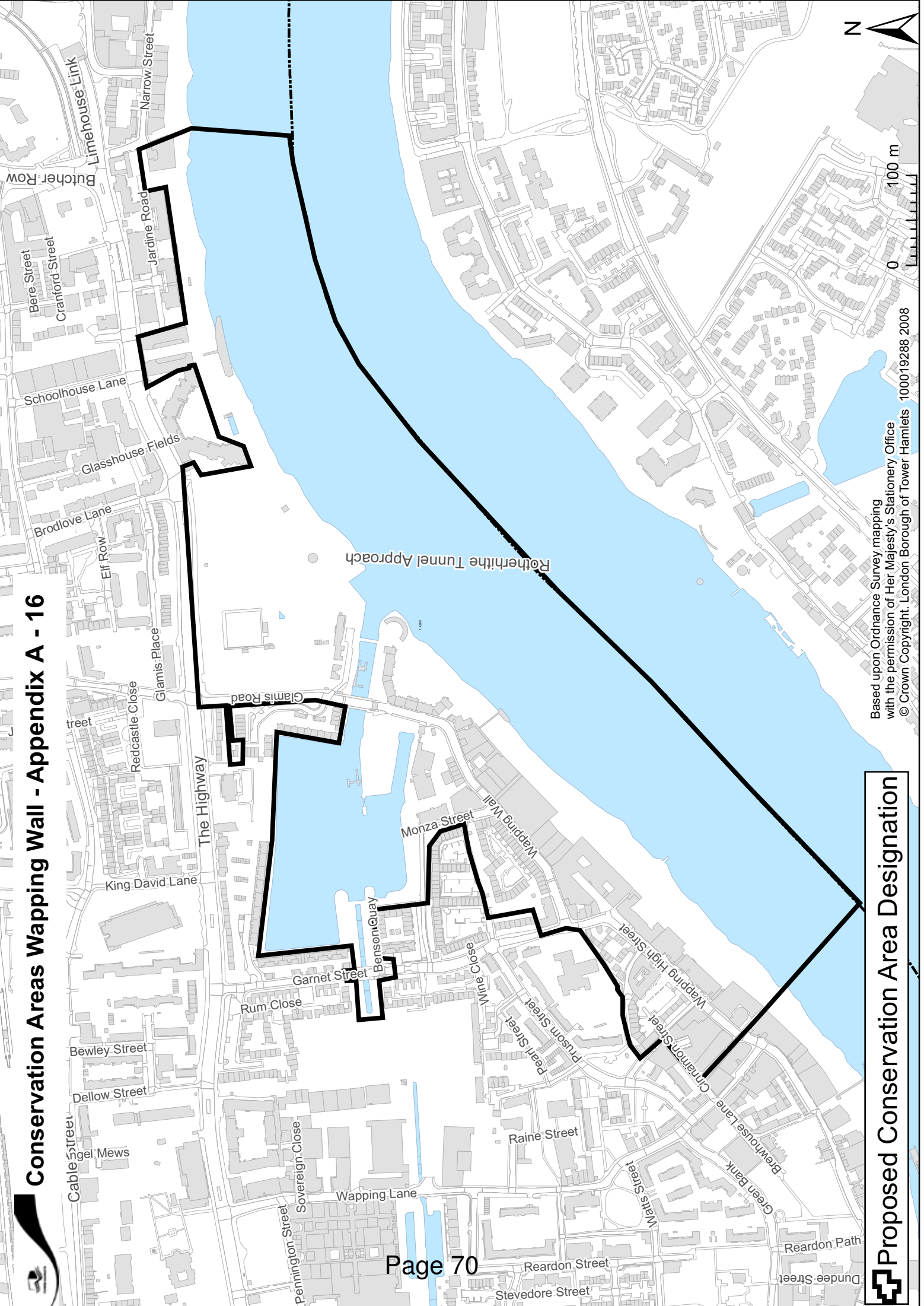
Conservation Areas Wapping Pierhead - Appendix A - 15



Proposed Conservation Area Designation

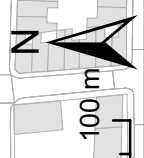
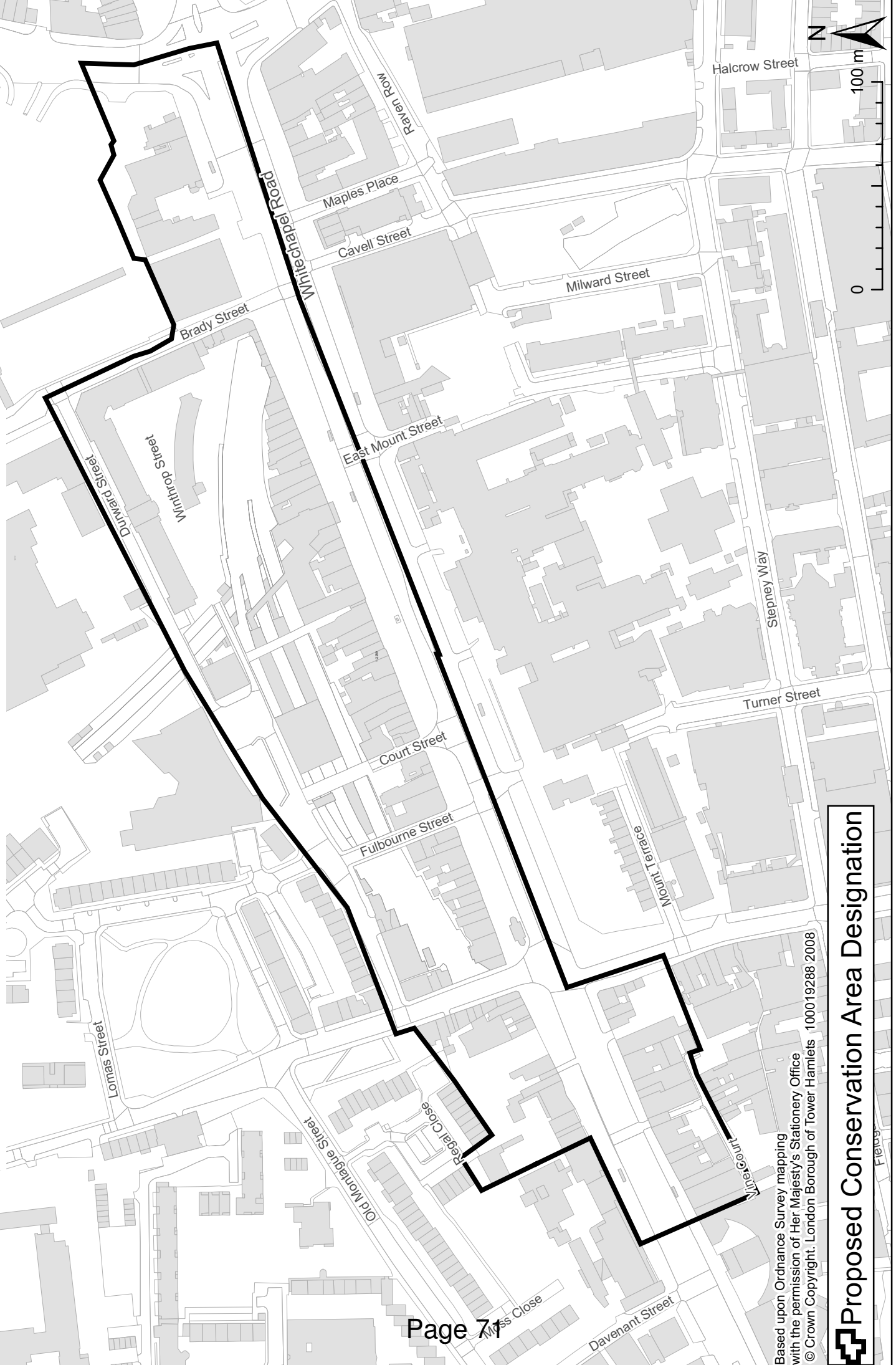
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Conservation Areas Wapping Wall - Appendix A - 16



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288, 2008

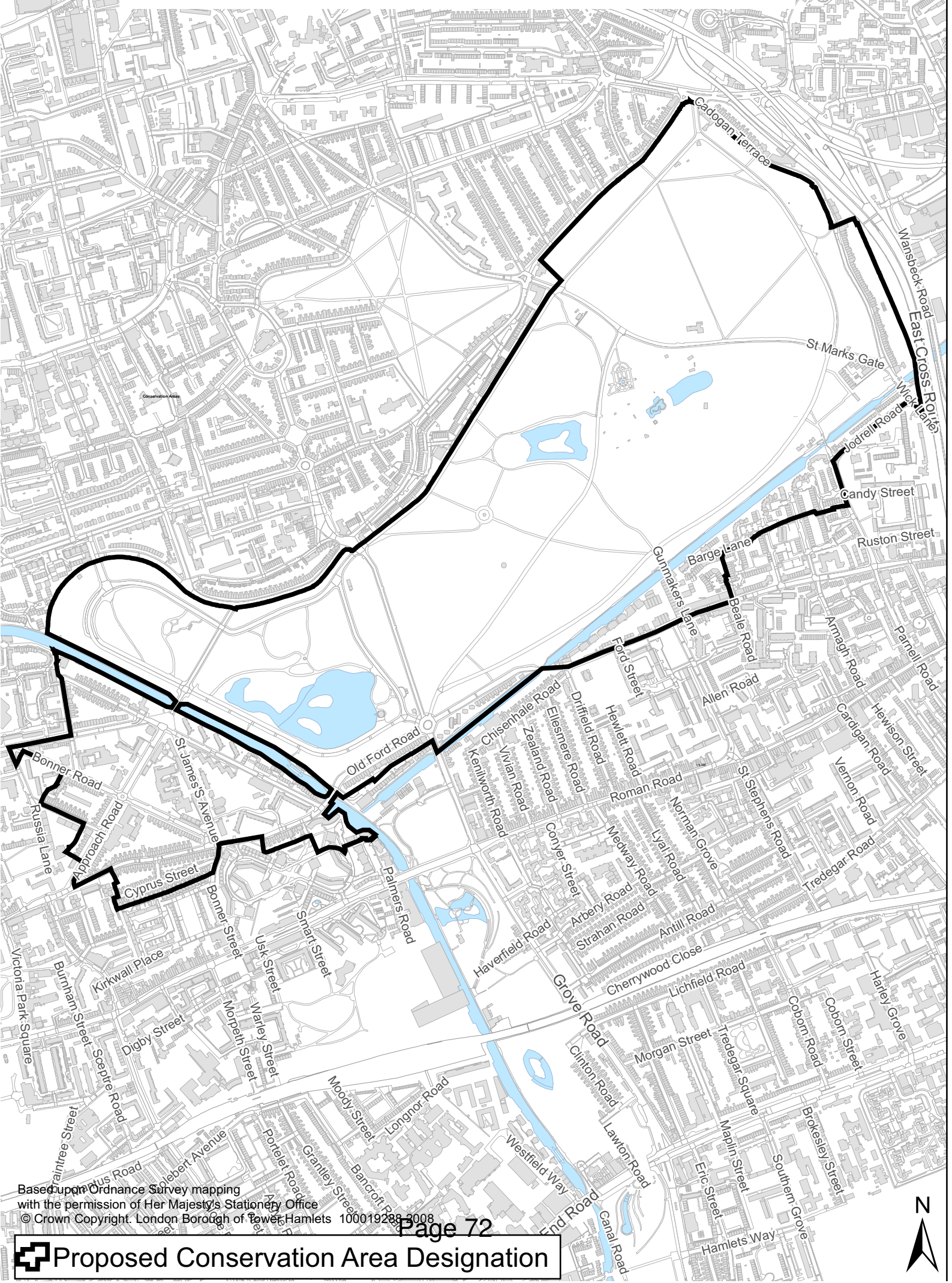
Proposed Conservation Area Designation



100 m
0

Based upon Ordnance Survey mapping
with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008

 Proposed Conservation Area Designation



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
 © Crown Copyright. London Borough of Tower Hamlets 100019288 3008

 Proposed Conservation Area Designation



Appendix B:

Designation Statements for the 7 Proposed New Conservation Areas

Brickfield Gardens:

This is an area which is situated to the north of Commercial Road and west of Burdett Road. The Gardens themselves were built in 1904 by the LCC on the site of an existing park, and thus have an early Edwardian character, but remnants of the surrounding area (such as the terraces on Burdett Road) survive from the nearby large Cotton Estate, which was established in the mid-Victorian period. The area also includes a Victorian public house, a terrace which adjoins Mile End Park, and a portion of the harmonious built frontages of Clemence Street.

This designation would protect a large stock brick warehouse in Pixley in 1910 as the Sanitas Disinfectant Factory. Designed by Arthur T. Bolton, ARIBA, the building was the work of local builders, Messrs Wood of Mile End. The warehouse is noteworthy for its steel frame, and reinforced concrete interior. (Is this building still there?)

This proposed Conservation Area is a fragment of old Poplar and has a unique character which forms part of the cherished and familiar local scene.

Fish Island:

This area is in the North East corner of the Borough, and lies adjacent to the River Lea, Newham and the Olympic Park. Today the district is primarily industrial in character, but the name 'Fish Island' is derived from the island shape which evolved from the location of the River Lea to the east and Hackney Cut to the west. The streets of this locality follow the names of freshwater fish, such as Smeed, Dace, Bream etc.

Much of the built fabric of Fish Island consists of 3 – 4 storey warehouses, a compact late Victorian/Edwardian industrial group of buildings, with austere brick frontages and consistent height, bulk and massing. The area is important in that it demonstrates the gradual evolution of roofing support and construction materials, viz. the use of cast and wrought iron to timber, steel and reinforced concrete.

The industrial character is particularly noticeable in Dace Road, which runs through the centre of the area.

Two examples are the Wick Lane Rubber Works, (1882) situated at the junction of Dace and Smeed Roads, and the Britannia Works & Folding Box Co. Ltd on the south side of Dace Road (1898-9 with later additions).

These small fragments of the area's late Victorian industrial heritage provide legible focal points for the area and pockets of dramatic streetscenes. Their protection will complement parallel development of the nearby Olympic Park.

Hackney Road:

This road runs along the Northern boundary of the Borough with Hackney, and is to be designated in partnership with the London Borough of Hackney, to protect historic buildings along this important historic route, which extends from Shoreditch Church to Cambridge Heath Road. The Tower Hamlets portion includes 11 Listed buildings and groups of terraced buildings dating from the late 18th and early 19th centuries. At the eastern end of the Conservation Area the former Great Eastern Railway Bridge forms a strong visual 'stop'.

The present east and western ends of the road form have a disparate character; however, building began on Hackney Road in the late 18th century. There is evidence that these street frontages remained until 1870. There are still some late Georgian

remnants, and early 19th century buildings near the former Queen Elizabeth Hospital for Children.

Modern examples in this proposed Conservation Area include the 1958 Dorset Housing Estate and Sivill House, both the work of the renowned Modernist architect, Berthold Lubetkin. The towers and spaces which they inhabit are architecturally significant. The Tabernacle Centre (near the Shoreditch Tabernacle Church Hall, 1890-1) is Grade II listed.

The Hackney Road corridor supports a varied and interesting townscape, which represents a historic whole with a character greater than the sum of its parts. It forms part of the cherished local scene in this northern part of the Borough that is worthy of protection and enhancement.

Old Bethnal Green Road:

This area is focused upon the grid of terraced houses and workshops that face on to Old Bethnal Green Road. Winkley Street bisects the quadrangle formed by Temple, Claredale & Teesdale Streets and Old Bethnal Green Road to the south. This area was originally called the Winkley Estate - Winkley Bros had a large furniture store here in the late nineteenth century.

The four street blocks of closely packed three-storey terraces seem designed to be a community in miniature, providing homes, jobs, shops and services in various forms in close proximity. The frontage to Old Bethnal Green Road is made up of Temple Dwellings (flats) and a shopping parade with residential above. There are substantial warehouse industrial buildings on Teesdale and Winkley Streets and the central core is individual terrace houses with corner shops.

The large shopfronts are typical of areas supporting the furniture trade, as goods made on the premises would be displayed and sold. At the centre of each of the four street blocks, is a yard containing a row of one or two storey workshops. These were designed to employ residents of the nearby houses. Records confirm that the 11 units in the Teesdale Street Parade were historically industrial not shops.

The Grade II* listed Keeling House (Denys Lasdun, 1954-1957) is located the eastern corner of the proposed Conservation Area and is included for its connection to the terraces. A second pocket of historic buildings just south of the terraces is included, which is focused around the Grade II listed Chalice Foundation Church.

All these buildings form an important, vibrant, diverse group worthy of protection and enhancement.

Redchurch Street:

This area forms a tight packed grid of streets, and sits between the Brick Lane and Fournier Street Conservation Area and the Boundary Estate Conservation Area. Redchurch Street which dates from the 17th century, is now lined with a number of later buildings, from the nineteenth century onwards. The street runs west to east, parallel with Old Nichol Street to the north and Whitby Street to the south. The character of this area is mixed, with some 1970s buildings north of Brick Lane alongside the earlier Victorian brick commercial warehouses, one of which is a handsome 1900 former Silk Factory in Old Nichol Street, built because the premises were required for the Boundary Estate.

The designation of a Conservation Area in this vicinity would protect this historic environment and would protect the setting of 21 Listed Buildings and protect 25 locally listed buildings. This is an area of considerable townscape interest which has a special architectural and historic character.

Regent's Canal:

This canal, which is managed by British Waterways London, cuts across the north western corner of the borough before running southwards to join the Limehouse Basin. The proposal to build the Canal received Royal Assent in July 1812, and was completed in 1820. It stands as a remarkable early 19th century civil engineering achievement.

The proposed designation would protect the special character of the banks of the Regent's Canal. It would also protect specific canal features such as the locks, and the towpath. The northern part of the canal is to be designated in partnership with the London Borough of Hackney, which is designating those parts of the canal which run through their Borough. The townscape quality of the Canal, its historic features and the associated built fabric, are recognised as part of the cherished familiar local scene.

Wilton's Music Hall:

This proposed Conservation Area is located in the south west corner of the Borough, and is designated to protect the Grade II* listed Wilton Music Hall, Grade II listed St Paul's C of E Primary School at the centre of Wellclose Square and Grace's Alley off Ensign Street, to the north west. This group of buildings form a cherished part of the local townscape.

The Music Hall which is situated in Grace's Alley, is believed to be the most important surviving example of this type of building. It was built in 1858-59 by architect Jacob Maggs for John Wilton. Originally the building was completely landlocked by surrounding property, and even today, must be reached by its parent pub. The main portion of the Hall is a big, rectangular room, with an apse at the back, and a high stage. There is a single balcony on three sides with a 'bombe carton pierre' front. This front is supported by unusual helical-twist ('barley sugar') cast iron columns. The side walls have paired arched recesses above the balcony. There is an elliptical vaulted ceiling with ornamental fretted ribs, a lantern skylight and gas chandeliers.

The building is presently in poor condition and needs a good deal of careful restoration.

In addition to its architectural and social significance, the Music Hall is also renowned as being the headquarters of the resistance to Mosley's Fascists in the 1930s in the renowned 'Battle of Cable Street'.

This page is intentionally left blank

Ms V Lambert
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London
E14 1BY

Your refs:

Our ref: LRS/

Contact: Andrew
Hargreaves

Direct Dial: 020 7973 3718

13 August 2008

Dear Vicki

Page 77

Proposed new Conservation Areas at Brickfield Gardens, Hackney Road, Old Bethnal Green Road, Regents Canal, Regents Canal Northern, Fish Island, Wilton Music Hall and Redchurch Street

Proposed alterations to Conservation Area boundaries at Albert Gardens (Limehouse), Coldharbour (Isle of Dogs), Fournier Street & Brick Lane, Jesus Hospital Estate (Bethnal Green), Narrow Street (Wapping), St George's Town Hall, York Square (Limehouse), Wapping Pier Head, Whitechapel Market, Bethnal Green Gardens, Driffield Road (Bow), Globe Road (Bethnal Green), Langdon Park Poplar, St Anne's Church, Stepney Green, Roman Road, Wapping Wall and Victoria Park

Thank you for consulting English Heritage with the regard to the proposed designation of the above conservation areas and also the proposed extension of existing conservation areas as outlined above. We apologise for the delay in responding.

English Heritage welcomes the comprehensive review of conservation areas undertaken by the Borough and fully acknowledges the efforts that have been put into the work which is particularly welcome at a time when many parts of Tower Hamlets are subject to ongoing, intense development pressure.

At this stage we have not been consulted with regard to any Appraisals or Management Guidelines and understand that these will be undertaken in due course. We would welcome further consultation as the process moves forward.

We wish to make the following specific points with regard to the proposed new conservation areas:

Brickfield Gardens

We welcome the proposed conservation area which will protect a valuable area of older properties which have survived amidst much post war development.

Old Bethnal Green Road

This is an area which contains Lasdun's, grade II* Keeling House, as well as a particularly interesting group of late nineteenth century residential properties. It well deserves conservation area status.

Fish Island

English Heritage particularly welcomes the proposal to designate a conservation area at Fish Island which was identified as a significant historic asset by English Heritage as part of its revue of areas in and around the wider Olympic site. We look forward to continuing to work with the Borough and other partners with regard to the evolving masterplan for a wider area, of which the proposed conservation area, with its significant remnants of London's industrial heritage, will form a key part.

Hackney Road

The decision to put forward the parts of the Hackney Road within your Borough as a conservation area is very welcome. This, coupled with the proposed designation across the boundary in the London Borough of Hackney, will give a coherent level of protection to this important historic route. It is important that you liaise with the Hackney with regard to the future management guidelines to ensure that both sides of the road receive a unified approach. The decision to change the boundaries of other conservation areas to ensure a continuous run of properties within the Hackney Road Conservation Areas appears sensible.

Redchurch Street

We particularly welcome this conservation area which helps to preserve a group of particularly vulnerable buildings, including those surviving relics of the historic weaving industry. We note that the London Borough of Hackney is currently consulting on proposed boundary extensions to the South Shoreditch Conservation Area. This will include an area to the east of Shoreditch High Street and north of Bethnal Green Road

which follow the Borough boundary and adjoin the proposed Redchurch Street Conservation Area. We suggest that in preparing an appraisal for Redchurch Street in the future, that you may wish to refer to Hackney's appraisal for South Shoreditch. The proposed Redchurch Conservation Area would include the group of Bethnal Green Road properties which are to be the subject of a forthcoming Partnership Scheme (123 to 161 [odd] Bethnal Green Road).

Regent's Canal and Regent's Canal (Northern Section)

We welcome these proposed conservation areas which would help to preserve the historic canal fabric and, coupled with carefully considered Appraisals and Management Guideline Documents, serve as a useful tool in helping to guide new development along the edges of the canal. The London Borough of Hackney recently designated their stretch of the canal as conservation area. We suggest that in preparing an appraisal for the Regent's Canal, in the future, you may wish to refer to Hackney's appraisal for their stretch of the canal which was designated as a conservation area in October 2007.

Wilton's Music Hall

We welcome this new conservation area which has Wilton's Music Hall, one of London's cultural gems at its heart, along with nearby historic Wellclose Square.

The English Heritage document 'Guidance on the management of Conservation Areas' states that 'A district-wide re-assessment of existing conservation areas is desirable from time to time, especially where there is increasing pressure for change' With regard to the proposed conservation area extensions we would make the following specific comments:

Bethnal Green Gardens

The proposed extension which helps to protect the wider setting of the Church of St John on Bethnal Green is welcome.

Fournier Street & Brick Lane

We welcome the various proposed extensions of the conservation area including the Grade II* St Matthews Church and also the Fruit & Wool Exchange and Grade II listed Spitalfields Market which together protect the setting of the magnificent listed Christchurch Spitalfields.

Jesus Hospital Estate

We welcome the proposed inclusion of St Peter's with St Thomas Church along with its related structures within the conservation area boundary.

St Anne's Church

We welcome the proposed extensions to the conservation area boundary which includes the landmark Mission Building at the junction of Salmon Lane.

Stepney Green

The proposed extension increases the extent of protected properties fronting the Mile End Road. This forms a key part of the High Street 2012 masterplan area.

Wapping Wall

We welcome the proposed extensions which include the historic dock and historic King Edward Memorial Park.

Whitechapel Market

We welcome the proposed extension of the conservation area. The market is likely to form the focus of a jointed funded enhancement scheme involving both Tower Hamlets and English Heritage.

Whilst we have no specific comments with regard to the extensions to Albert Gardens, Coldharbour, Driffield Road, Globe Road, Langdon Park, Narrow Street, Roman Road, Roman Road Market, St Georges Town Hall, Wapping Pierhead and York Square Conservation Areas, they are nonetheless welcome as a means of further helping to protect the Borough's built heritage.

We understand that the proposed changes to the Victoria Park Conservation Area boundary involve no additions to the protected area.

A survey of the borough with a view to identifying additions to Tower Hamlets local list may well be a useful means of affording some protection to those more isolated structures which it has not been feasibly possible to incorporate within extended Conservation Area boundaries.

We have been separately consulted with regard to the Local Development Core Strategy and its mechanisms for ensuring that conservation is at the heart of the planning process and will be responding in due course.

Yours sincerely

Andrew Hargreaves
Historic Buildings and Areas Adviser

cc Susie Barson English Heritage

This page is intentionally left blank

Consultation – Venues

Area	Venue	Number of people at each meeting
<ul style="list-style-type: none"> ◆ Coldharbour ◆ Albert Gardens ◆ Narrow Street ◆ St Anne’s Church ◆ St George’s Town Hall ◆ Wapping Wall ◆ Wapping Pier Head ◆ York Square 	Town Hall, Mulberry Place 5 Clove Crescent London E14 2BG	5
<ul style="list-style-type: none"> ◆ Old Bethnal Green – New ◆ Hackney Road – New ◆ Bethnal Green Gardens ◆ Redchurch Street - New ◆ Whitechapel Market ◆ Jesus Hospital Estate ◆ Fournier Street & Brick Lane 	Oxford House Derbyshire Street, London E2 6HG	30
<ul style="list-style-type: none"> ◆ Wilton Music Hall – New ◆ Fish Island – New ◆ St George’s Town Hall ◆ Roman Road ◆ Dirffield Road ◆ Victoria Park ◆ Globe Road ◆ Langdon Park ◆ Stepney Green ◆ Brickfield Gardens - New ◆ Regent Canal North – New 	The Ecology Pavilion Mile End Park Grove Road E3 5TW	25

Amount of letters sent to residence	6128
Letters sent to stakeholders	250
Reponses	33

Sample of Stakeholder letter

Lea Rivers Trust
The Lock Office
Gillender Street

London

E3 3JY

Date: 12 June 2008

Dear Sir/Madam

Development & Renewal

Mark Hutton – Team Leader
Development, Design & Conservation
Mulberry place (AH),
Po Box 55739, 5 Clove Crescent
Poplar, London E14 2BY

Tel **020 7364 5372**
Fax **020 7364 5412**

Email: mark.huttont@towerhamlets.gov.uk

Designation and Alteration of Conservation Areas

Tower Hamlets contains 50 Conservation Areas of which new Character Appraisals and Management Guidelines have been prepared and adopted after consultation with the local community.

The Council are proposing to designate 7 more conservation Areas and alter the boundaries of 18 existing ones.

The proposed new Conservation Areas are;

- | | |
|----------------------------------------|-------------------------------------|
| 1) Brickfield Gardens | 5) Fish island – Hackney Wicks |
| 2) Hackney Road | 6) Wilton Music Hall – Cable Street |
| 3) Old Bethnal Green Road | 7) Redchurch Street |
| 4) Regents Canal –
Cooperfield Road | |

The Conservation Areas being considered for alterations are;

- | | |
|--------------------------------------------|-------------------------------|
| 1) Albert Gardens- Limehouse | 10) Bethnal Green Gardens |
| 2) Coldharbour, Isle of Dogs | 11) Driffield Road, Bow |
| 3) Fournier Street & Brick Lane | 12) Globe Road, Bethnal Green |
| 4) Jesus Hospital Estate- Bethnal
Green | 13) Langdon Park - Poplar |
| 5) Narrow Street - Wapping | 14) St Anne's Church |
| 6) St George's Town Hall - | 15) Stepney Green |
| 7) York Square, Limehouse | 16) Roman Road Market |
| 8) Wapping Pier Head | 17) Wapping Wall |
| 9) Whitechapel Market | 18) Victoria Park |

The 1990 Planning Act requires every local Authority to consider whether it should designate new Conservation Areas, or alter existing ones. Legislation also requires a review of Conservation area boundaries and is an important element of the appraisal of a Conservation Area. At the Consultation surrounding the adoption of Conservation Area Character Appraisal and Management Guidelines an extension of a number of Conservation Areas were raised by members of the public.

To view the maps of the proposed Conservation Areas and the boundaries of the proposed alteration of existing Conservation Areas go to www.towerhamlets.gov.uk
A paper copy of the Maps can be provided if it is helpful, however the scale of the documents and the cost of printing preclude the Council sending them to you unless you request them.

Written comments should be sent to the Development Design and Conservation Team at the following address:-

Development Design and Conservation
Mulberry Place (AH)
PO Box 55739, 5 Clove Crescent
Poplar
London
E14 2BY

Comments must be received by Friday 25th July 2008.

Following consultation, comments received will be analysed, reported to committee and the documents amended accordingly.

If you have any queries regarding the documents, or would like to meet with officers in person to discuss any matters raised by them please contact Grace Omonitan by telephone on 0207 364 5371 or by e-mail, grace.omonitan@towerhamlets.gov.uk.

Yours sincerely



Mark Hutton
Team Leader
Development, Design and Conservation

Sample of Resident letter –Alteration

Development & Renewal

The Owner Occupier

5 Brushfield Street,
London, E1 6HB

Mark Hutton
Development, Design & Conservation
Mulberry place (AH),
Po Box 55739, 5 Clove Crescent
Poplar, London E14 2BY

Tel **020 7364 5372**
Fax **020 7364 5412**

Email mark.hutton@towerhamlets.gov.uk

Date: 10 June 2008

Dear Owner/Occupier

The council is proposing to alter Fournier Street & Brick Lane Conservation Area (see enclosed map for boundaries)

What is a Conservation Area?

- ◆ Conservation areas are areas of special architectural and historic character which the council wants to preserve and enhance. They protect our heritage provide an attractive environment for living and working in, and improve the quality of life.

Why alter the Conservation Area?

- ◆ Members of the public raised the issue of extending a number of Conservation Areas during the consultation for the adoption of Conservation Area Appraisals and Management Guidelines for the Council's existing Conservation Areas. As a result, the Council decided to review Conservation Area boundaries. These aim to take account of changes in perception of and physical changes to Conservation Areas that have occurred during the past decade. The Council also has a statutory duty to carry out a review of its Conservation Areas from time to time.

What will be altered?

- ◆ The Conservation Area will be extended to the west to incorporate the Grade II listed Spitalfield Market and the Fruit and Wool Exchange. The extension will also cover the setting of Hawksmoor's Grade I listed Christchurch Spitalfield which is one of Europe's most important neo-classical parish churches. An extension to the south west would include

Grade II* listed St Anne's Church and the 27 Grade II listed buildings. The Victorian terraces that lie within the setting will also be incorporated.

- ◆ The extension to the north will incorporate the Grade II Listed St Matthews Church and the Grade II Listed former Baths complex on Cheshire Street. The extension will also protect the trees within St Matthews Graveyard. An Extension to the south will include Grade II* Listed St Anne's Church and the 27 Listed Buildings, including the Victorian terraces that lie in the setting. Extending the conservation area to the west will incorporate the Grade II Listed Spitalfields Market and the Fruit and Wool Exchange and protect the setting of Hawksmoor's Grade II Listed Christchurch Spitalfields which is one of Europe's most important neo-classical parish churches.

Have your say

You are invited to attend a Public Meeting – Please come and tell the Council's Development Design and Conservation Team what you think about the proposal to extent or alter the Conservation Area. Have your questions answered.

When: Monday 9 July - 7pm to 9pm

Where: Oxford House, Derbyshire Street, London E2 6HG

If you would like further information, Please call us on 020 73645371, email us at conservation@towerhamlets.gov.uk or visit www.towerhamlets.gov.uk.

Yours faithfully



Mark Hutton
Team Leader
Development, Design and Conservation

Sample of resident letter – Designation

The Owner/Occupier
58
Canrobert Street
London
E2 6PX

Development & Renewal

Mark Hutton
Development, Design & Conservation
Mulberry place (AH),
Po Box 55739, 5 Clove Crescent
Poplar, London E14 2BY

Tel **020 7364 5372**
Fax **020 7364 5412**

Email mark.hutton@towerhamlets.gov.uk

Date: 09 June 2008

Dear Owner/Occupier

The council is proposing to designate old Bethnal Green (see enclosed map for boundaries) as a Conservation Area.

What is a conservation area?

- ◆ Conservation areas are areas of special architectural and historic character which the council wants to preserve and enhance. They protect our heritage provide an attractive environment for living and working in, and improve the quality of life.

Why designate?

- ◆ The 1990 Planning Act requires every local Planning Authority to consider whether it should designate new Conservation Areas, or extend existing ones.
- ◆ Designation will protect the grid of terraced houses and workshops that front Old Bethnal Green Road including Grade II listed Keeling House for its connection to the terraces. Designation will also protect a second pocket of historic buildings south of the terraces. These buildings form an important, vibrant, diverse group worthy of protection and enhancement.

What are the implications of designation?

Designating the area as a Conservation Area will;

- Enable the council to control more closely any changes that might affect the environmental quality of the area;
- Protect and enhance the 'special character' of the area for the benefit of all its residents and businesses.
- Introduce a general control over the demolition of unlisted buildings and provide bases for policies design to protect the special character or appearance that defines the area of special interest.
- Protect trees.
- Reduces some permitted development rights and
- Impose more stringent controls on advertisements.

Have your say

You are invited to attend a Public Meeting – Please come and tell the Council's Development Design and Conservation Team what you think about the proposal to designate your neighbourhood as a Conservation Area. Have your questions answered.

When: Wednesday 9th July 2008 – 7pm to 9pm

Where: Oxford House, Derbyshire Street, London E2 6HG

If you would like further information, Please call us on 020 73645371, email us at conservation@towerhamlets.gov.uk or visit www.towerhamlets.gov.uk.



Mark Hutton
Team Leader
Development, Design and Conservation

This page is intentionally left blank

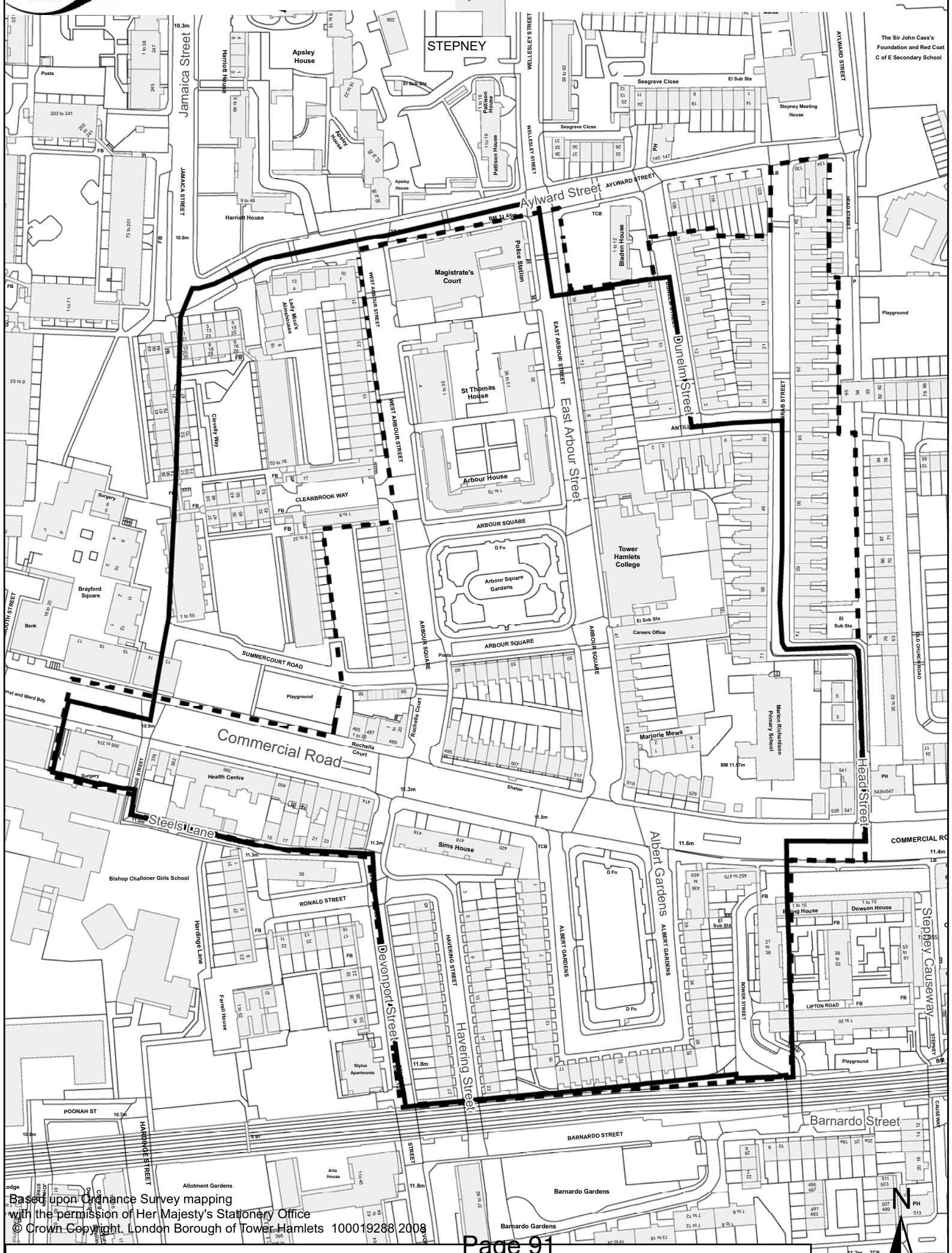


Conservation Areas

Albert Gardens

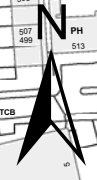
ney Way

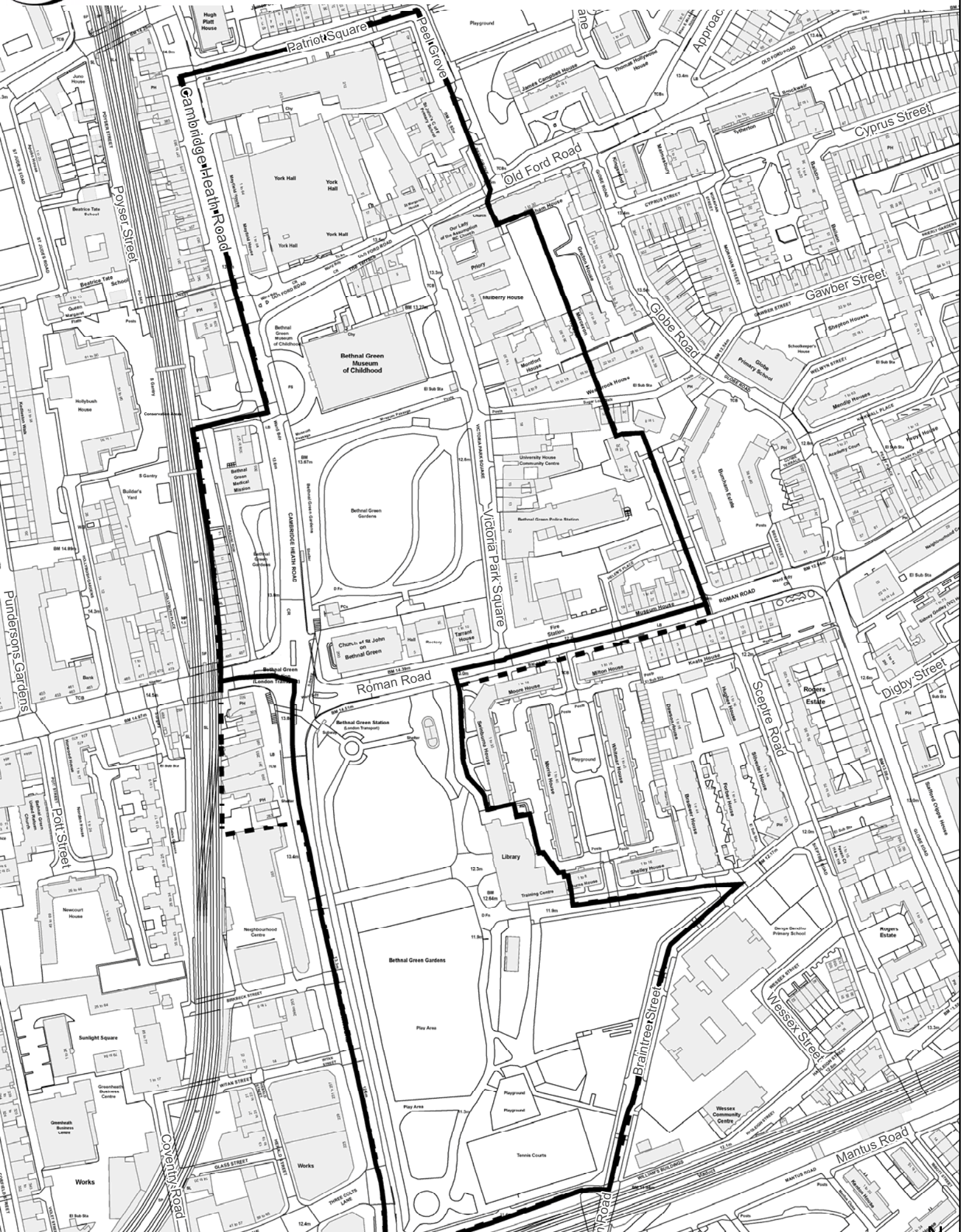
The Sir John Cass's Foundation and Red Coat C of E Secondary School



Based upon Ordnance Survey mapping
 with the permission of Her Majesty's Stationery Office
 © Crown Copyright, London Borough of Tower Hamlets 100019288 2008

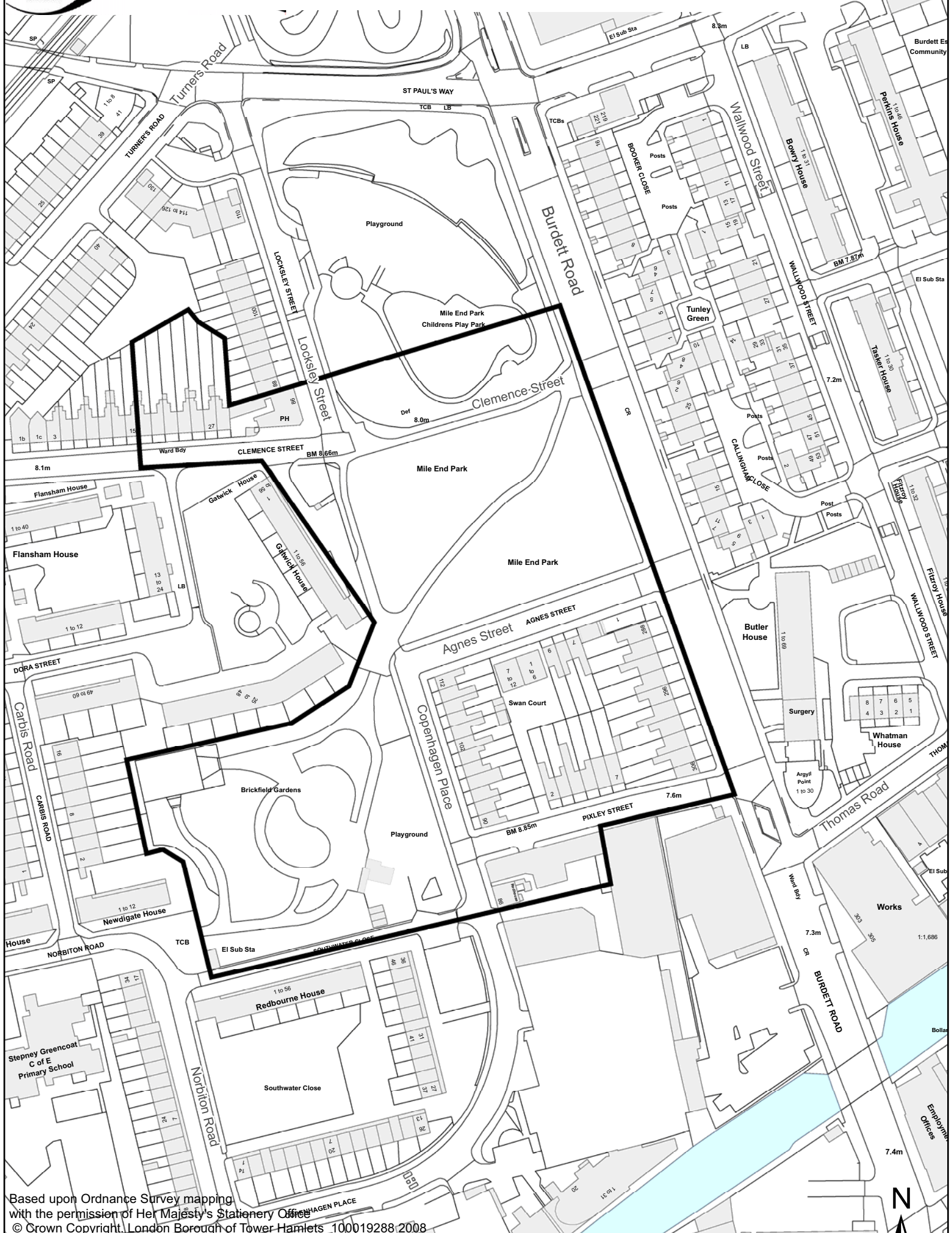
Existing Conservation Areas Proposed Conservation Areas





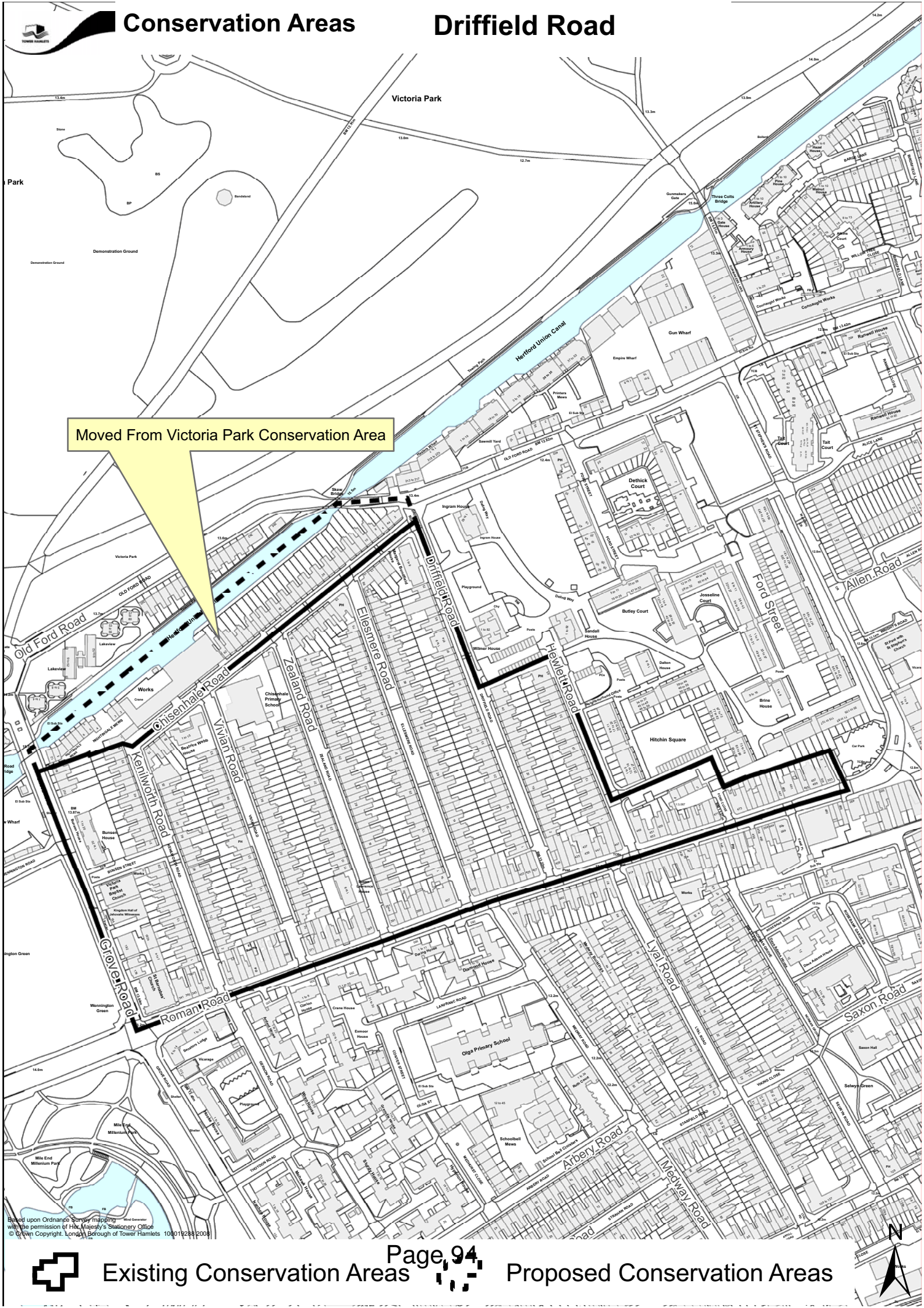
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. Ordnance Survey, Lower Hamlets, 100019288, 2006





Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
 © Crown Copyright, London Borough of Tower Hamlets 100019288 2008

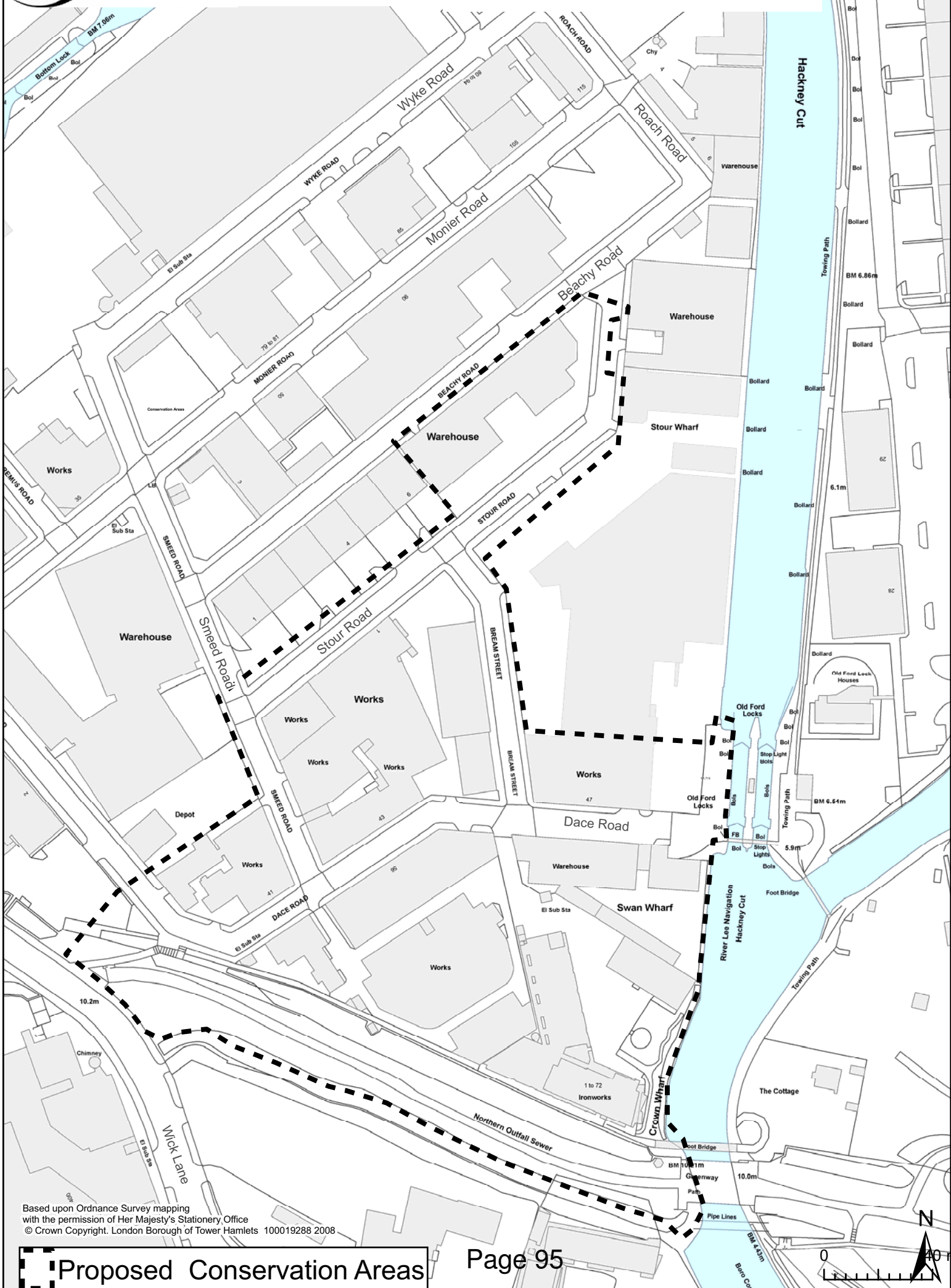




Moved From Victoria Park Conservation Area

Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright, London Borough of Tower Hamlets 10/01/2008





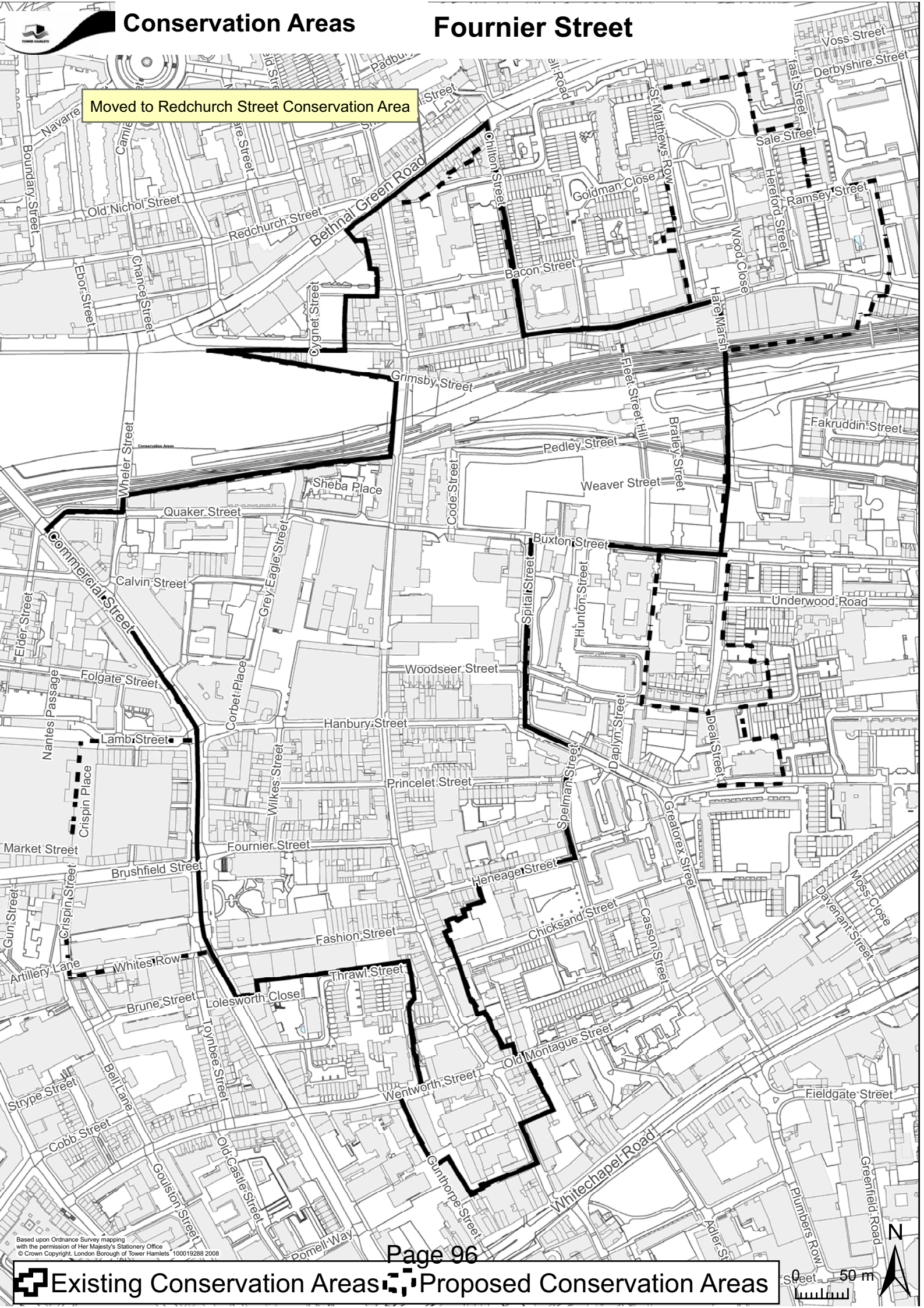
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Areas



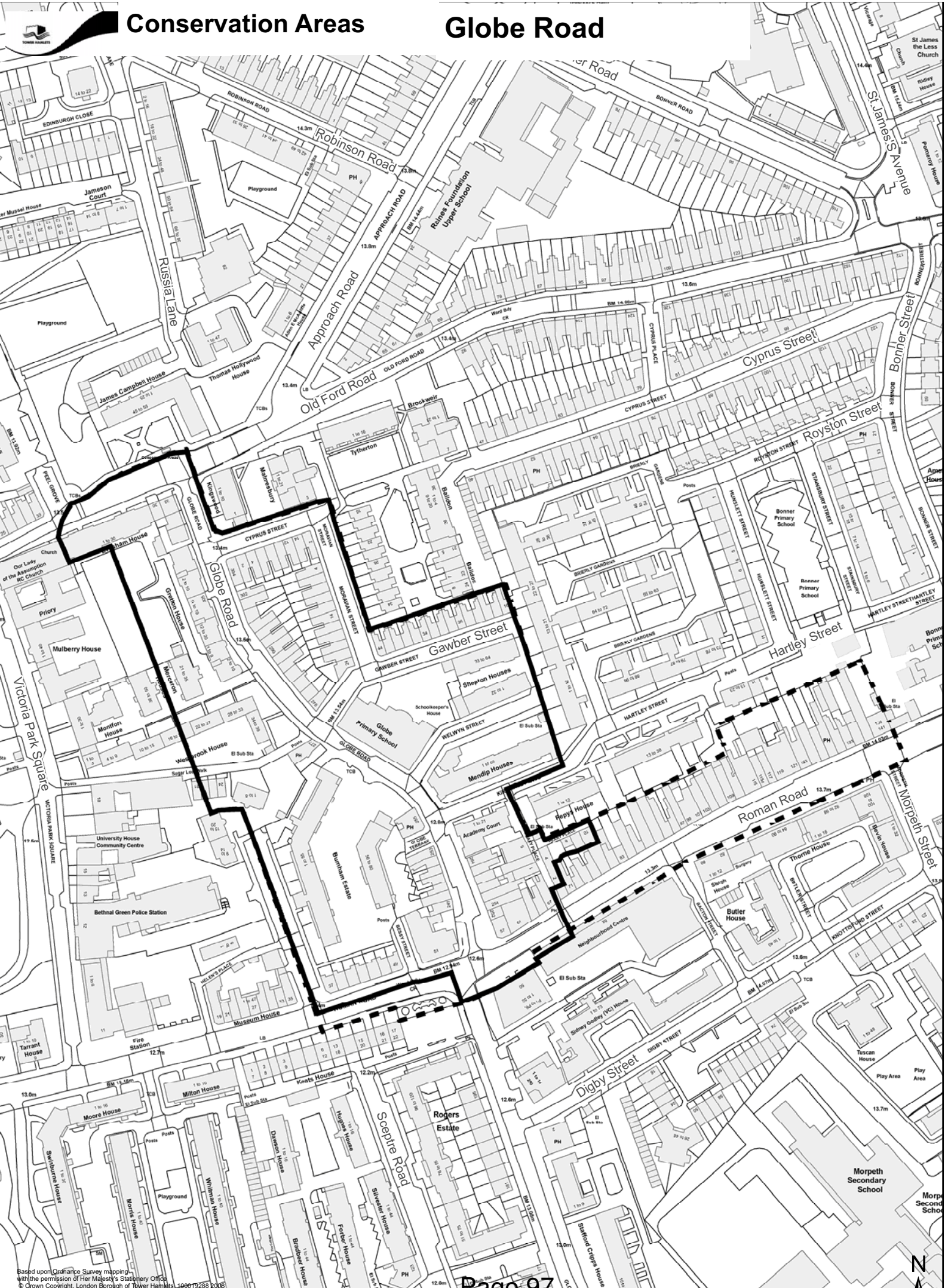


Moved to Redchurch Street Conservation Area



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008



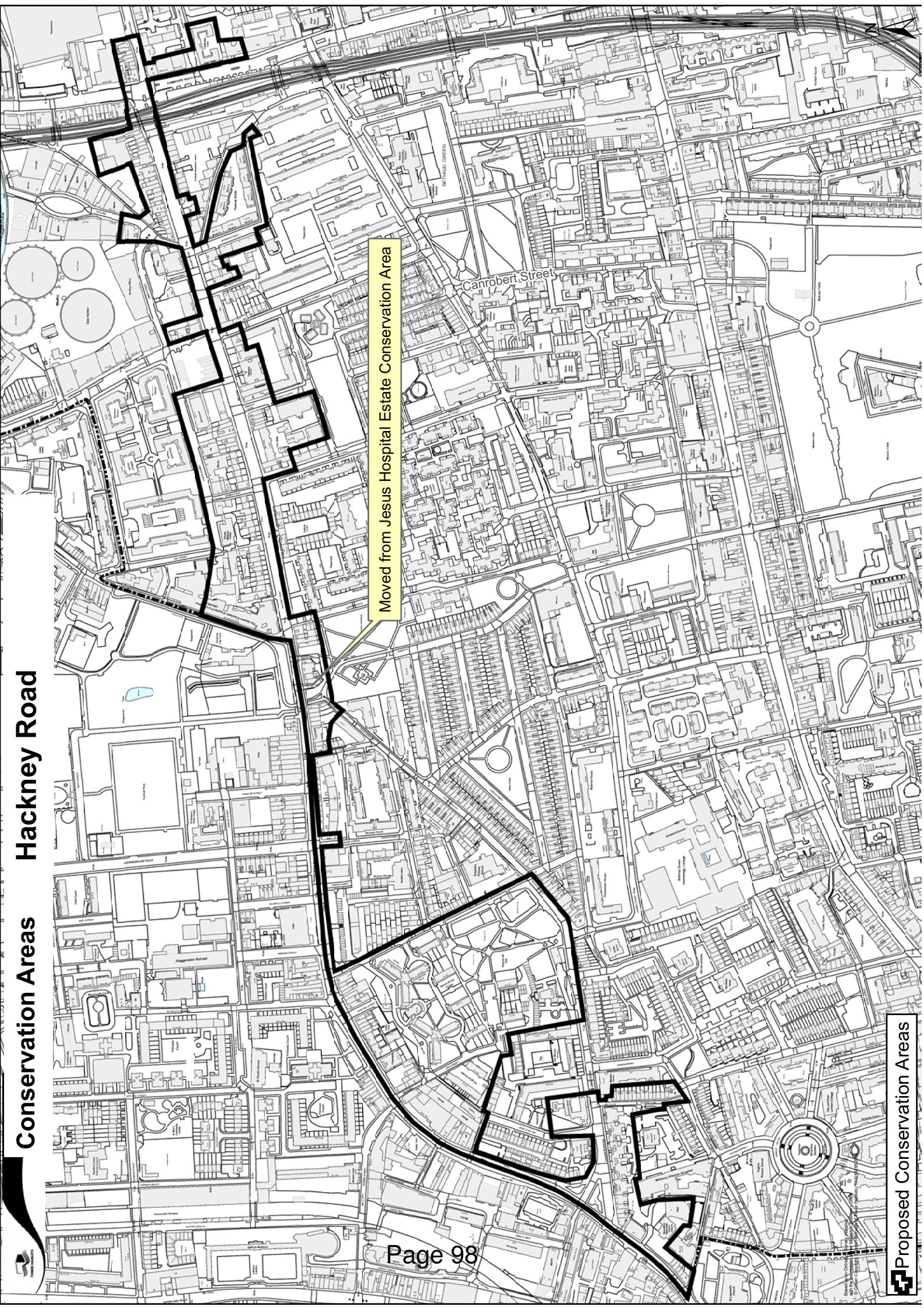


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. Crown Copyright. London Borough of Tower Hamlets 100019288 2008



Moved from Jesus Hospital Estate Conservation Area

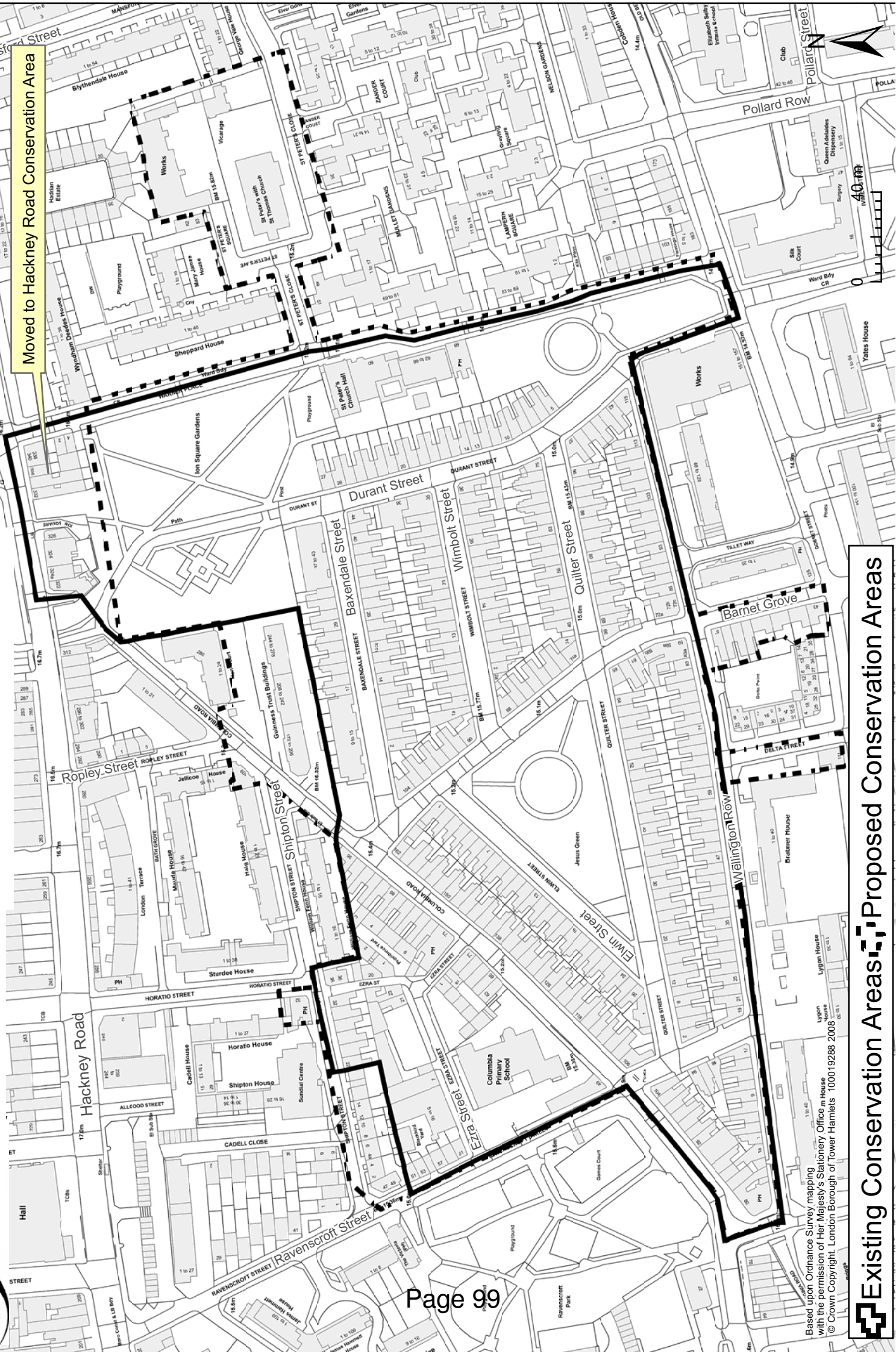
Canrobert Street



Conservation Areas

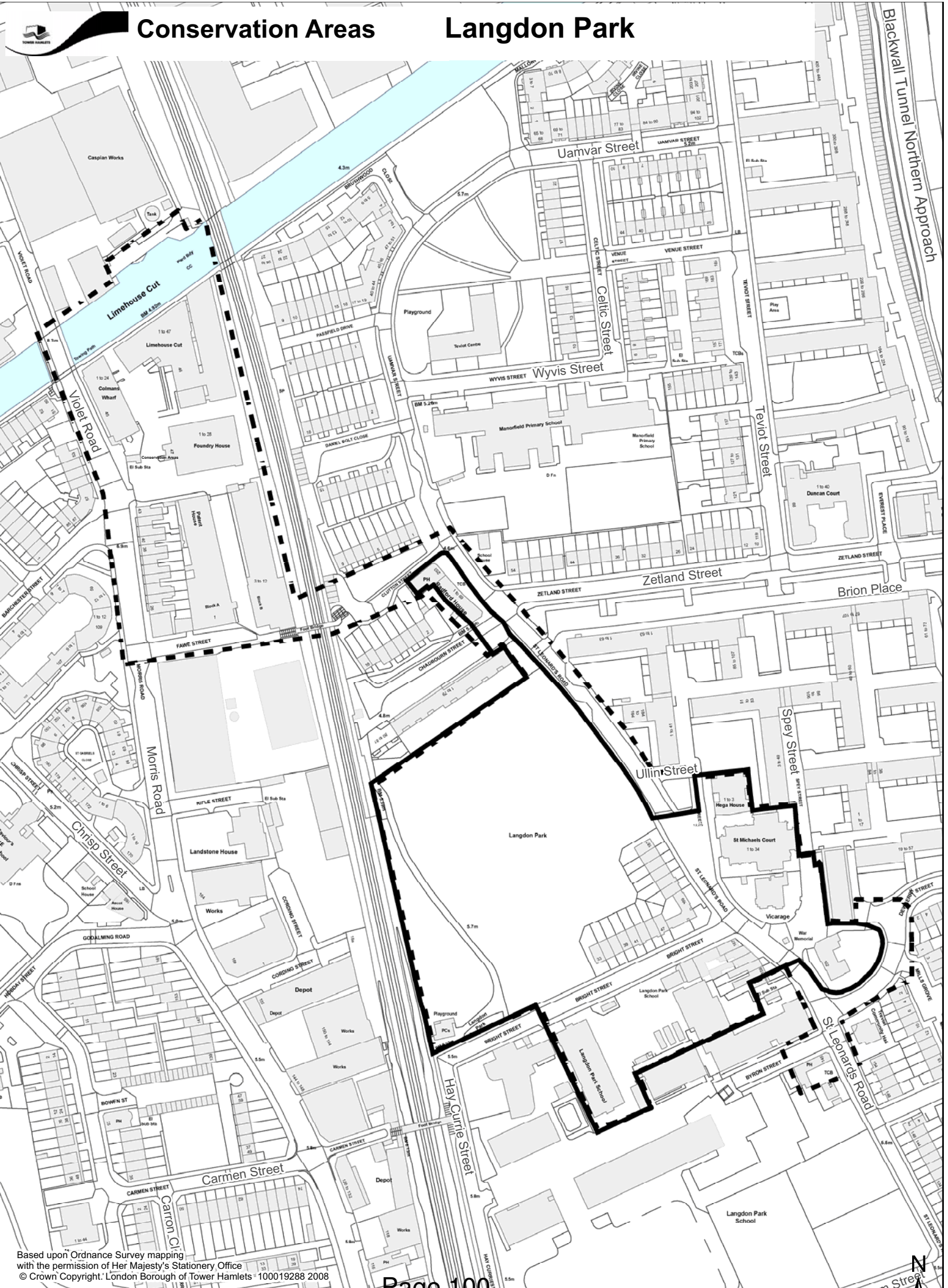
Jesus Hospital Estate

Moved to Hackney Road Conservation Area



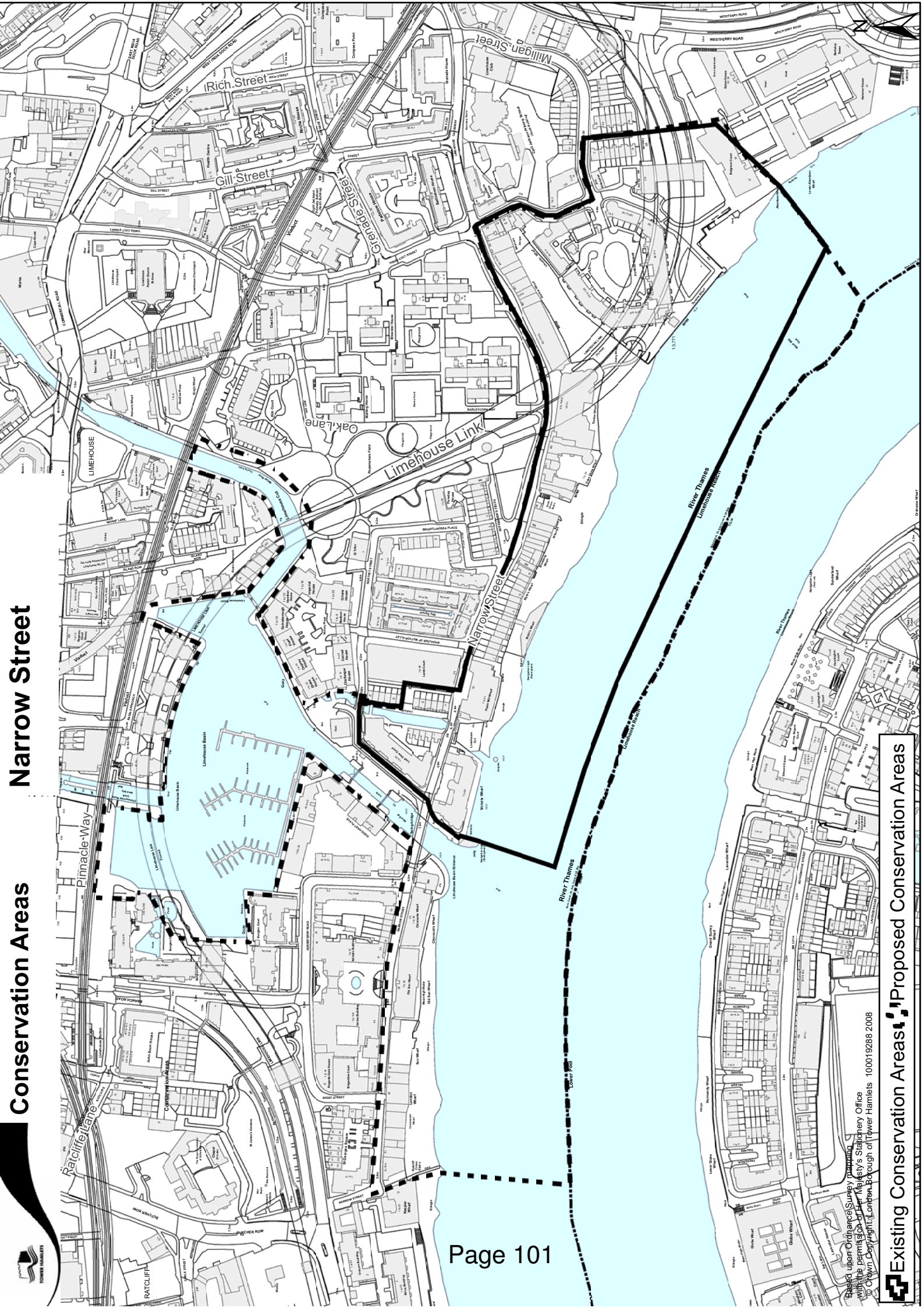
Existing Conservation Areas  Proposed Conservation Areas 

Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. © Crown Copyright. London Borough of Tower Hamlets 100019288 2008



Based upon Ordnance Survey mapping
 with the permission of Her Majesty's Stationery Office
 © Crown Copyright: London Borough of Tower Hamlets 100019288 2008





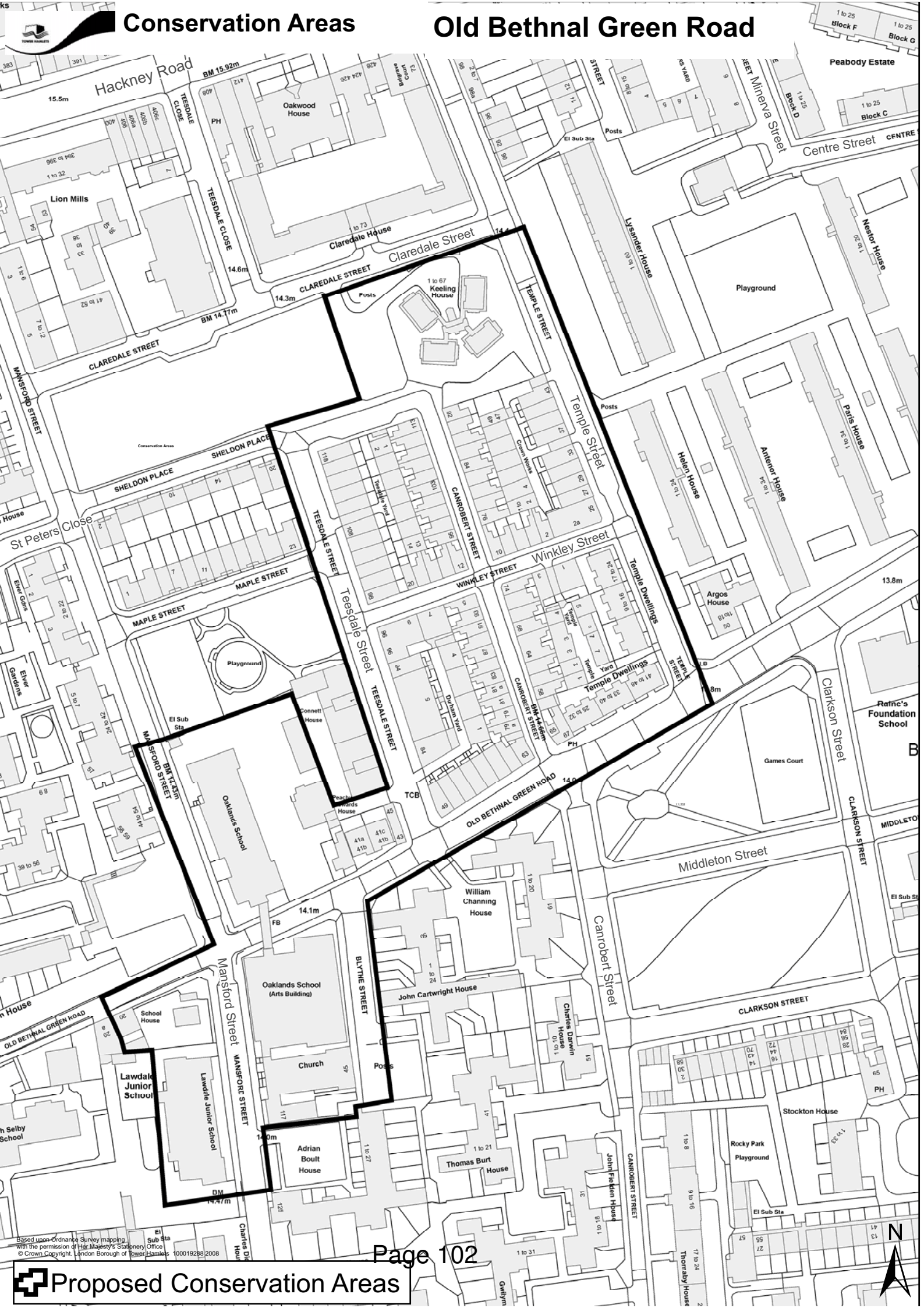
Conservation Areas

Narrow Street



Existing Conservation Areas **Proposed Conservation Areas**

Based upon Ordnance Survey data and the permission of Her Majesty's Stationery Office
 © Crown Copyright, London Borough of Tower Hamlets 100019288 2008



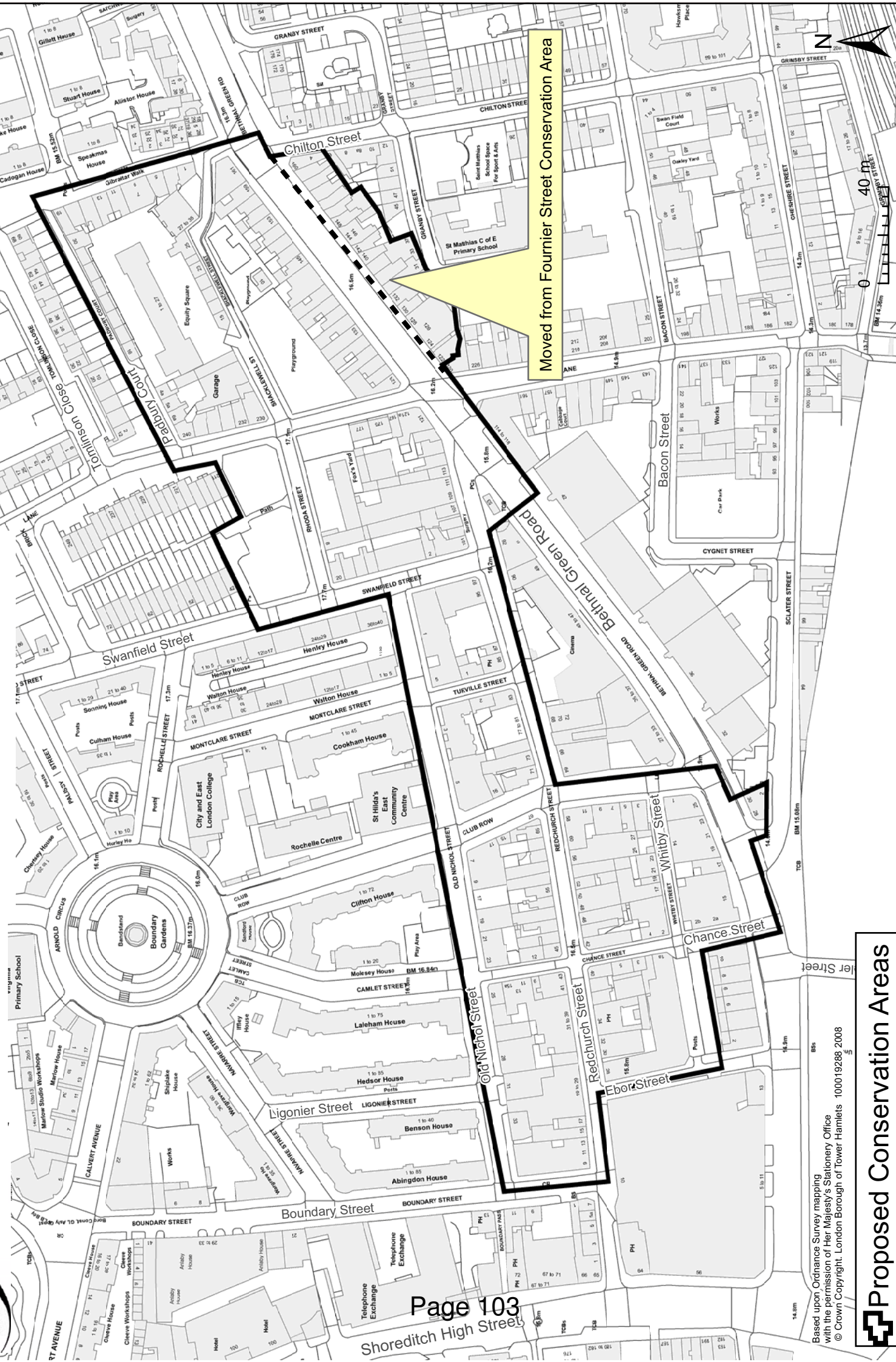
Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 10001928/2008

 Proposed Conservation Areas



Conservation Areas

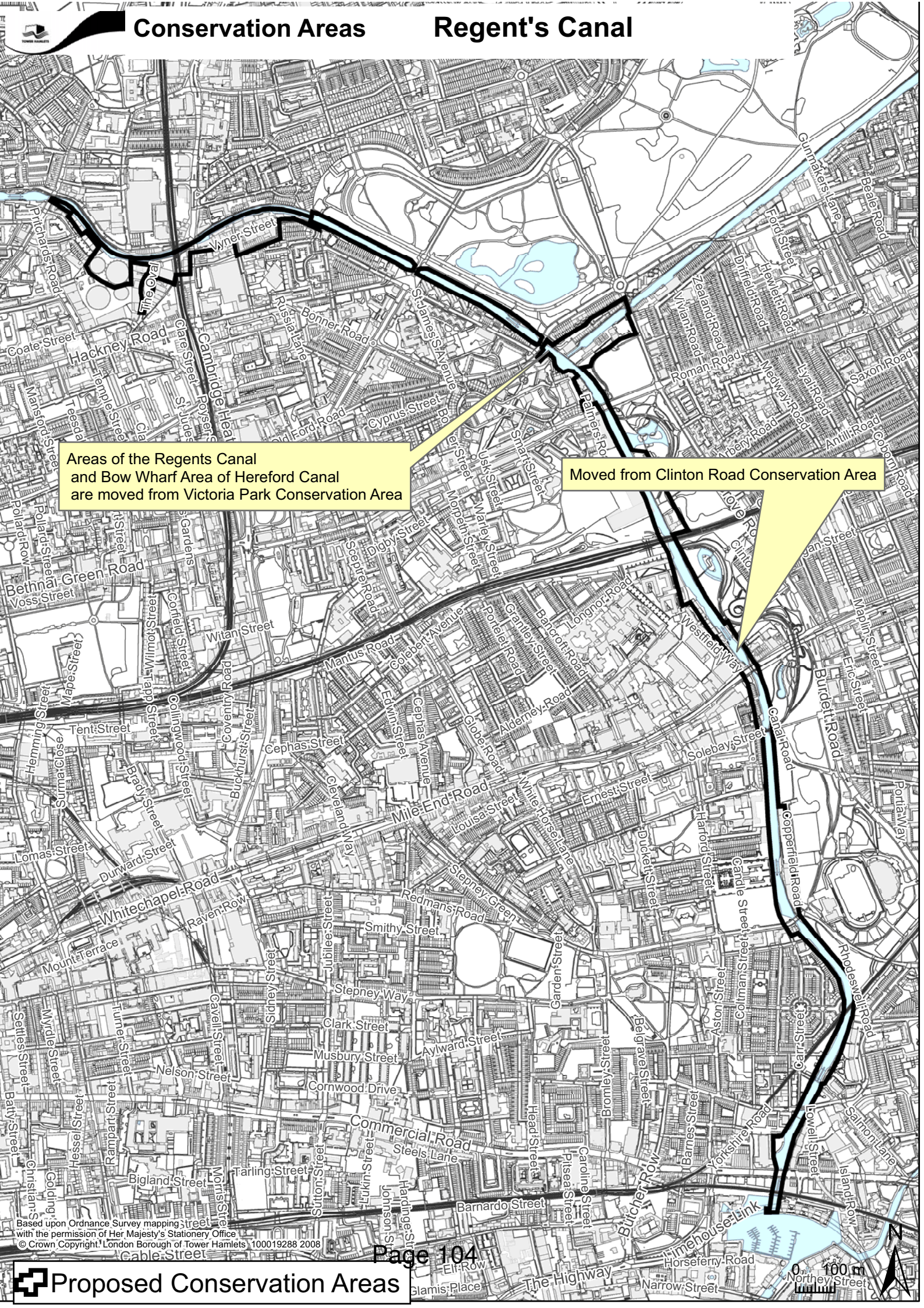
Redchurch Street



Moved from Fournier Street Conservation Area

Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288, 2008

Proposed Conservation Areas



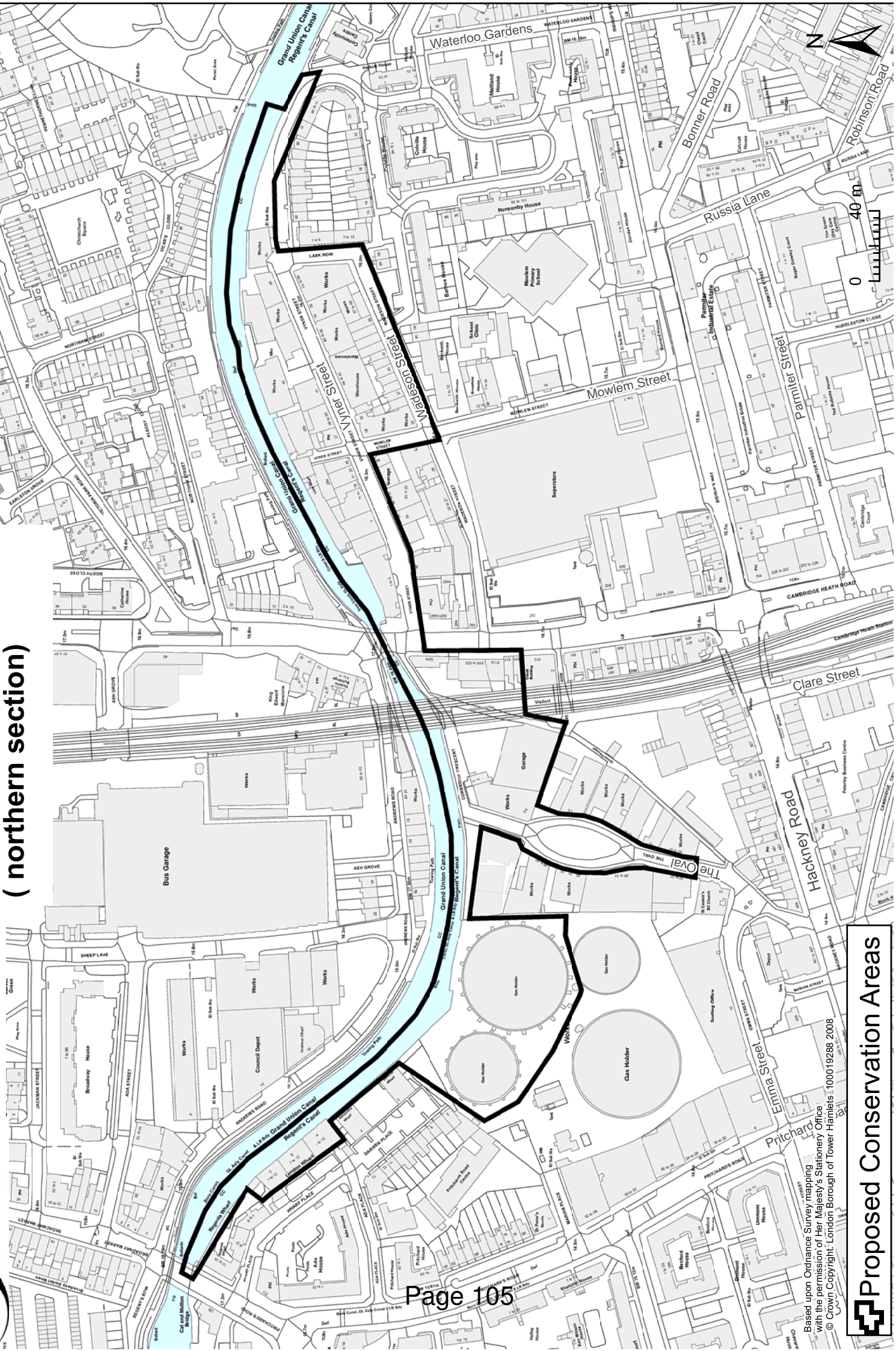
Areas of the Regent's Canal and Bow Wharf Area of Hereford Canal are moved from Victoria Park Conservation Area

Moved from Clinton Road Conservation Area

Based upon Ordnance Survey mapping, street names and other details with the permission of Her Majesty's Stationery Office © Crown Copyright London Borough of Tower Hamlets 100019288 2008

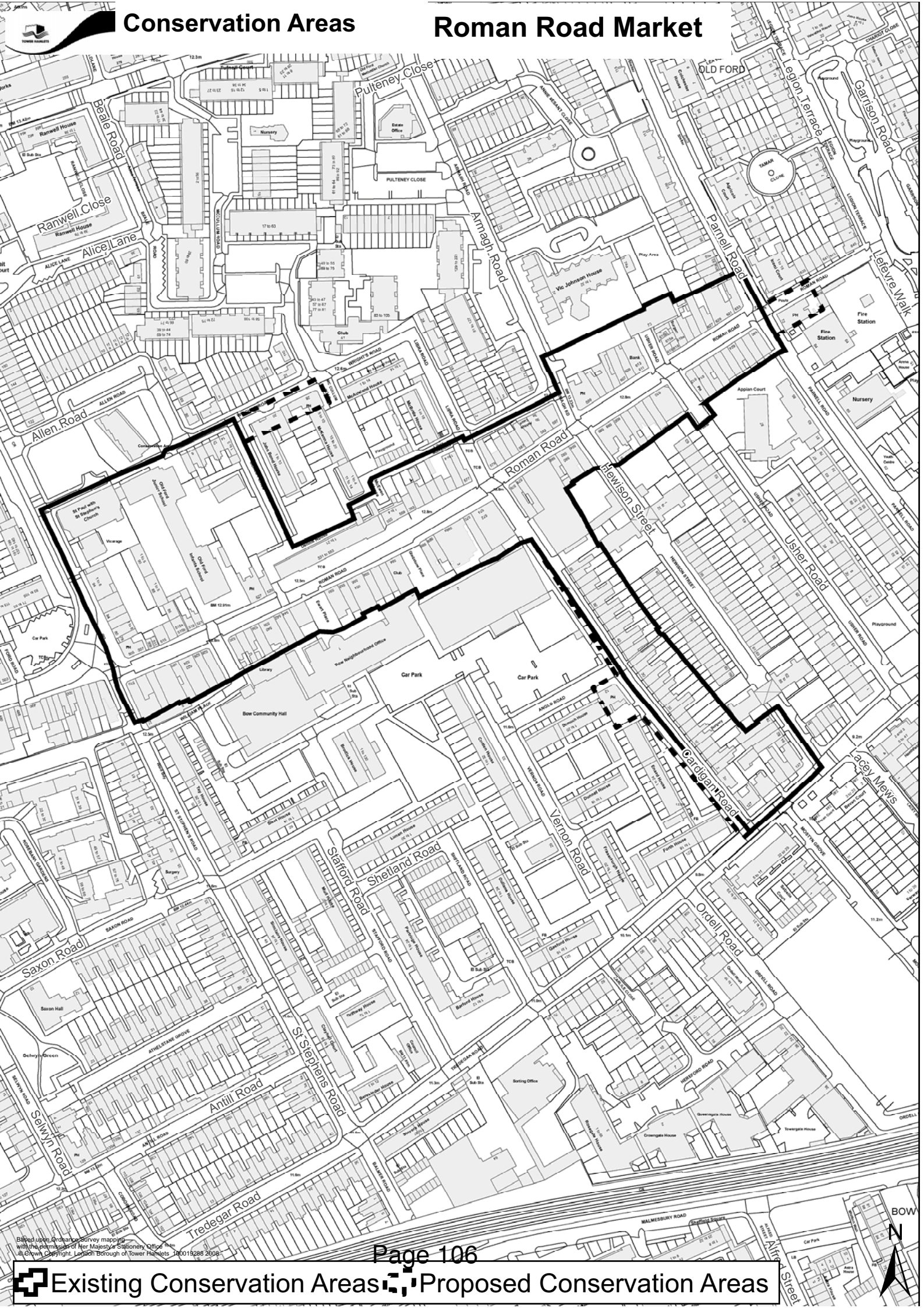
Conservation Areas

Regent's Canal (northern section)



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288, 2008

Proposed Conservation Areas

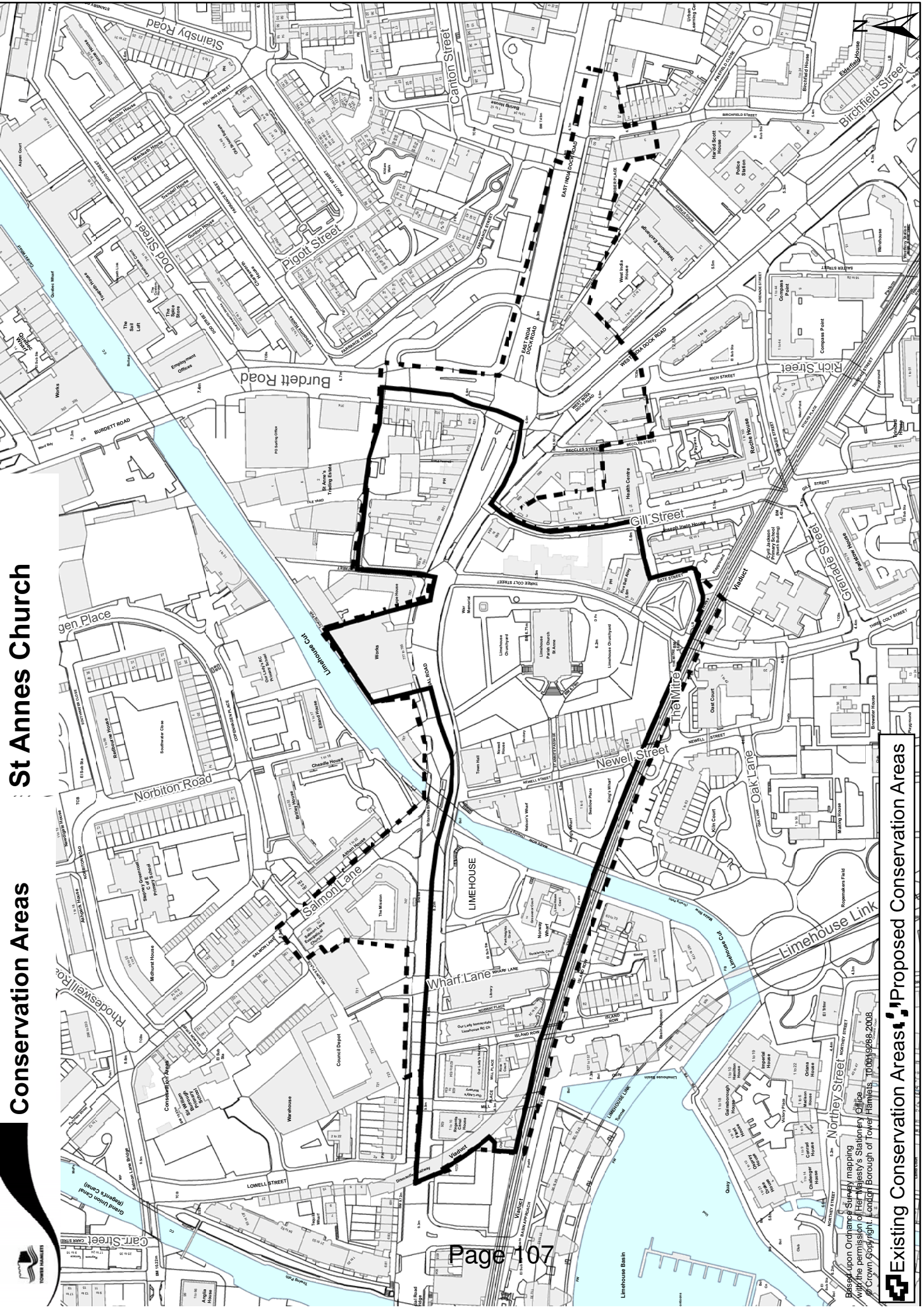


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. Crown Copyright. London Borough of Tower Hamlets. 100015288 2008



Conservation Areas

St Annes Church



Existing Conservation Areas

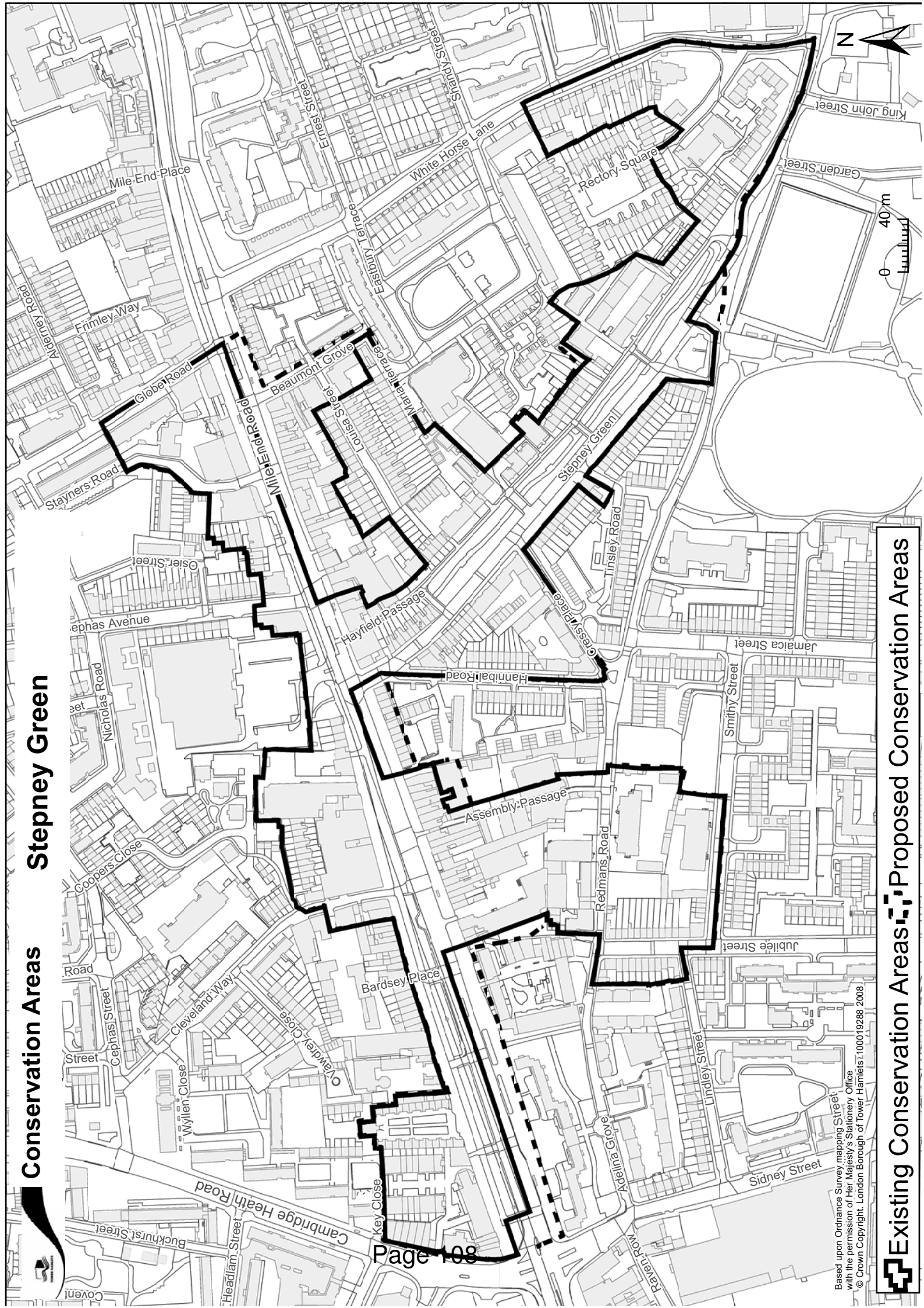
Proposed Conservation Areas



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. © Crown Copyright. London Borough of Tower Hamlets. 1001/0689 2008

Conservation Areas

Stepney Green



Based upon Ordnance Survey mapping Street
 with the permission of Her Majesty's Stationery Office
 © Crown Copyright. London Borough of Tower Hamlets 100019288 2008.

Existing Conservation Areas  **Proposed Conservation Areas** 

Conservation Areas

St George's Town Hall

Maddocks House

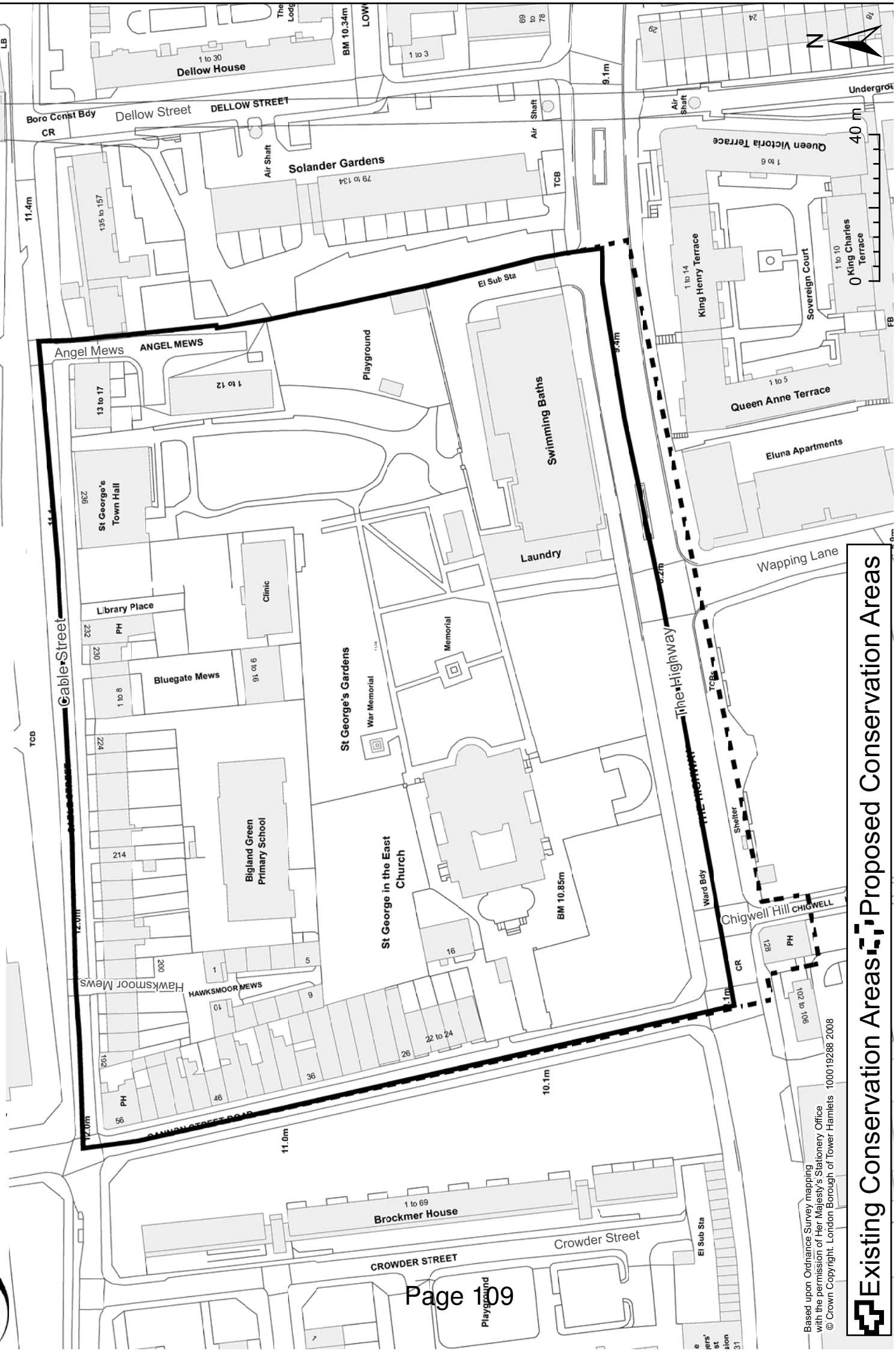
le House

1 to 18

Shadwell Sta (LT)

PO

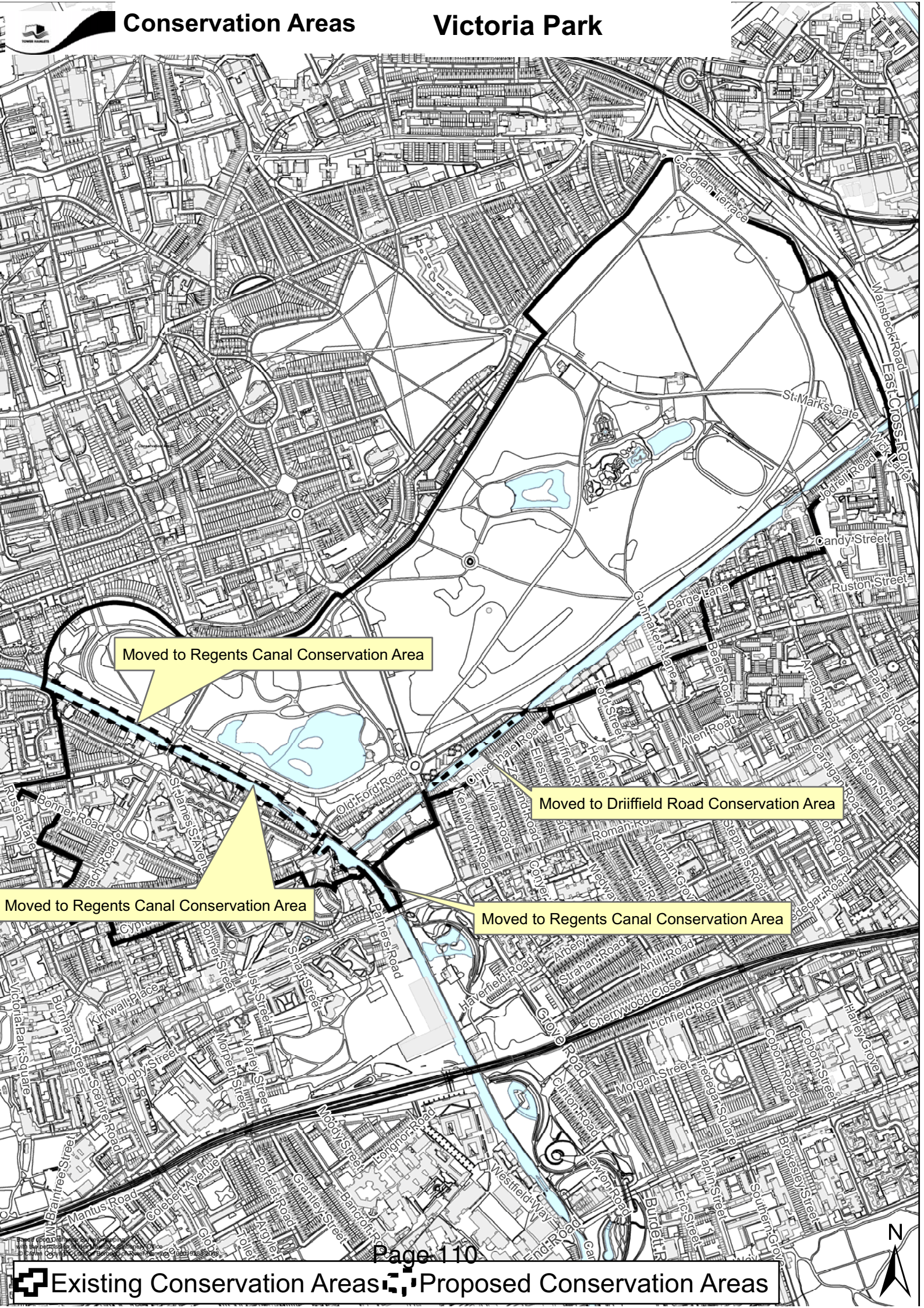
10 to 110



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Existing Conservation Areas





Moved to Regents Canal Conservation Area

Moved to Driffield Road Conservation Area

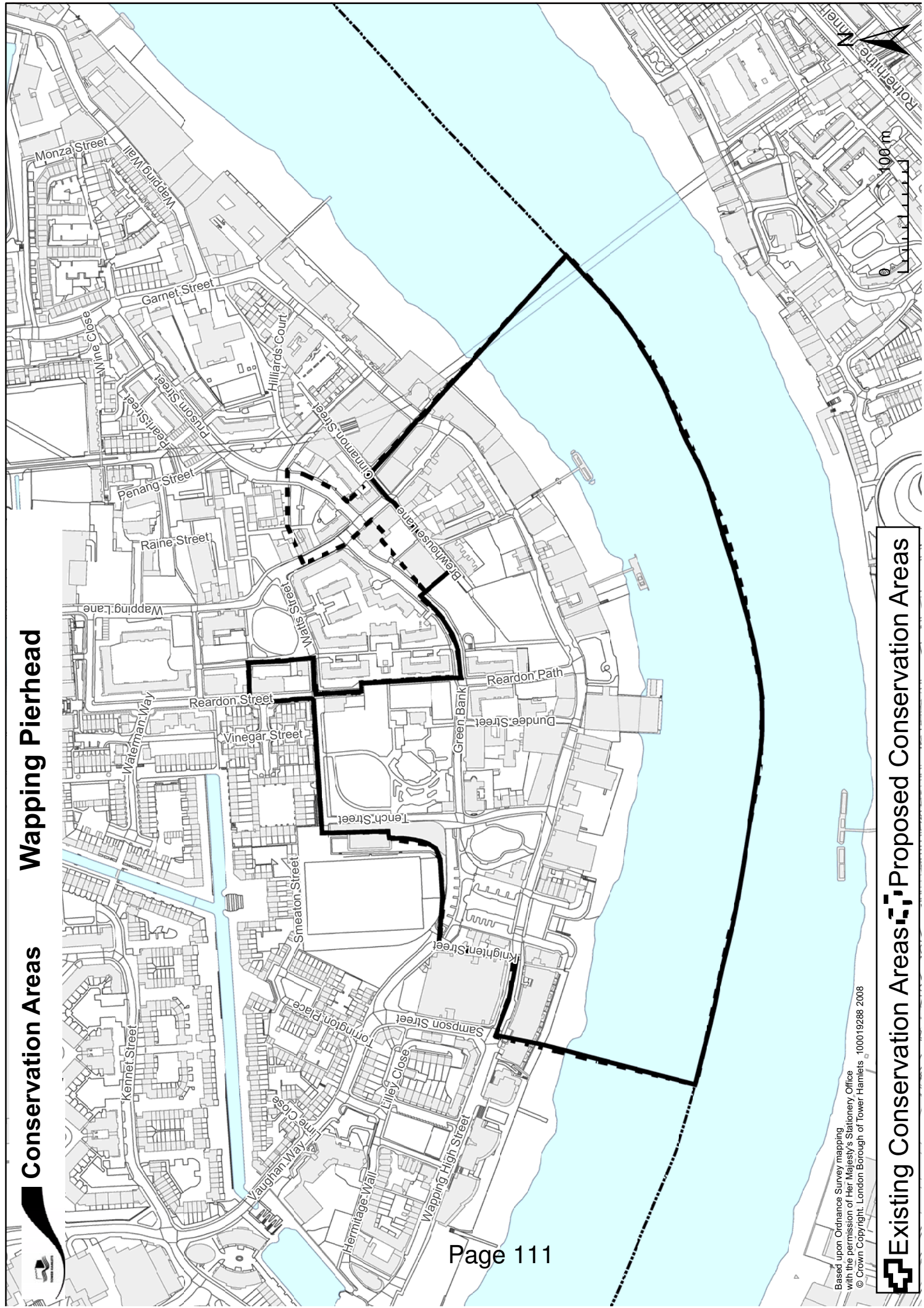
Moved to Regents Canal Conservation Area

Moved to Regents Canal Conservation Area



Conservation Areas

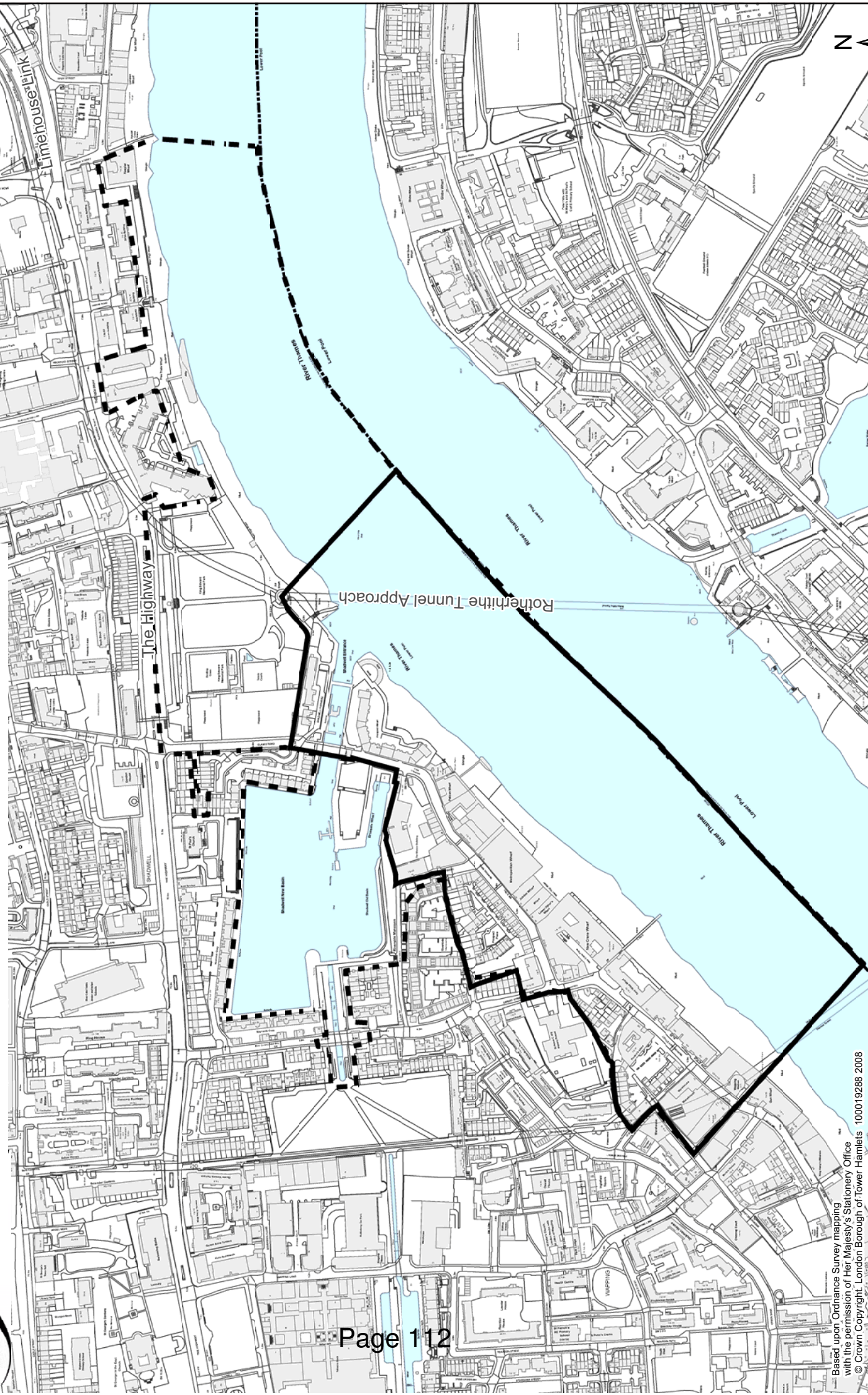
Wapping Pierhead





Conservation Areas

Wapping Wall

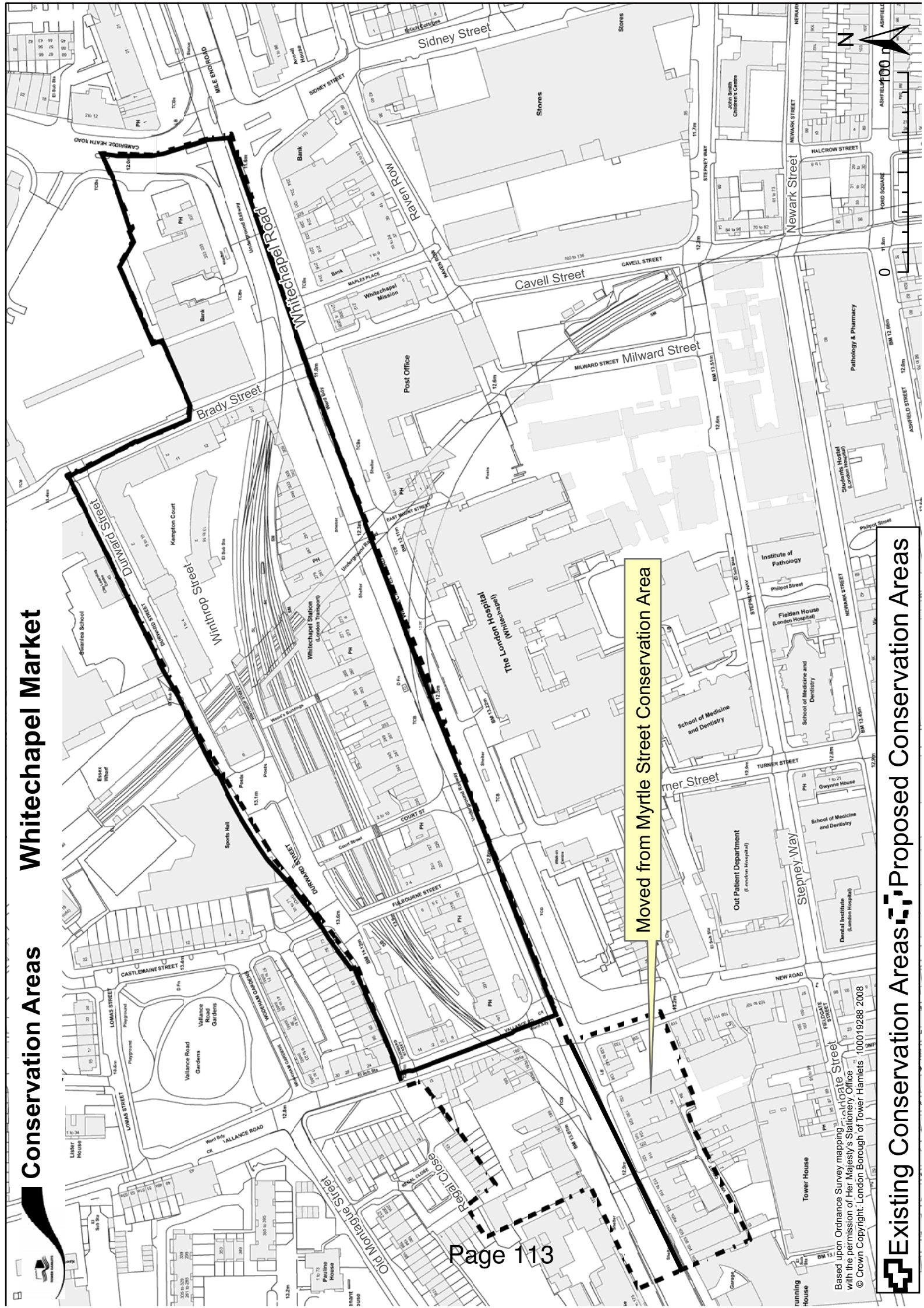


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Existing Conservation Areas  **Proposed Conservation Areas** 

Whitechapel Market

Conservation Areas



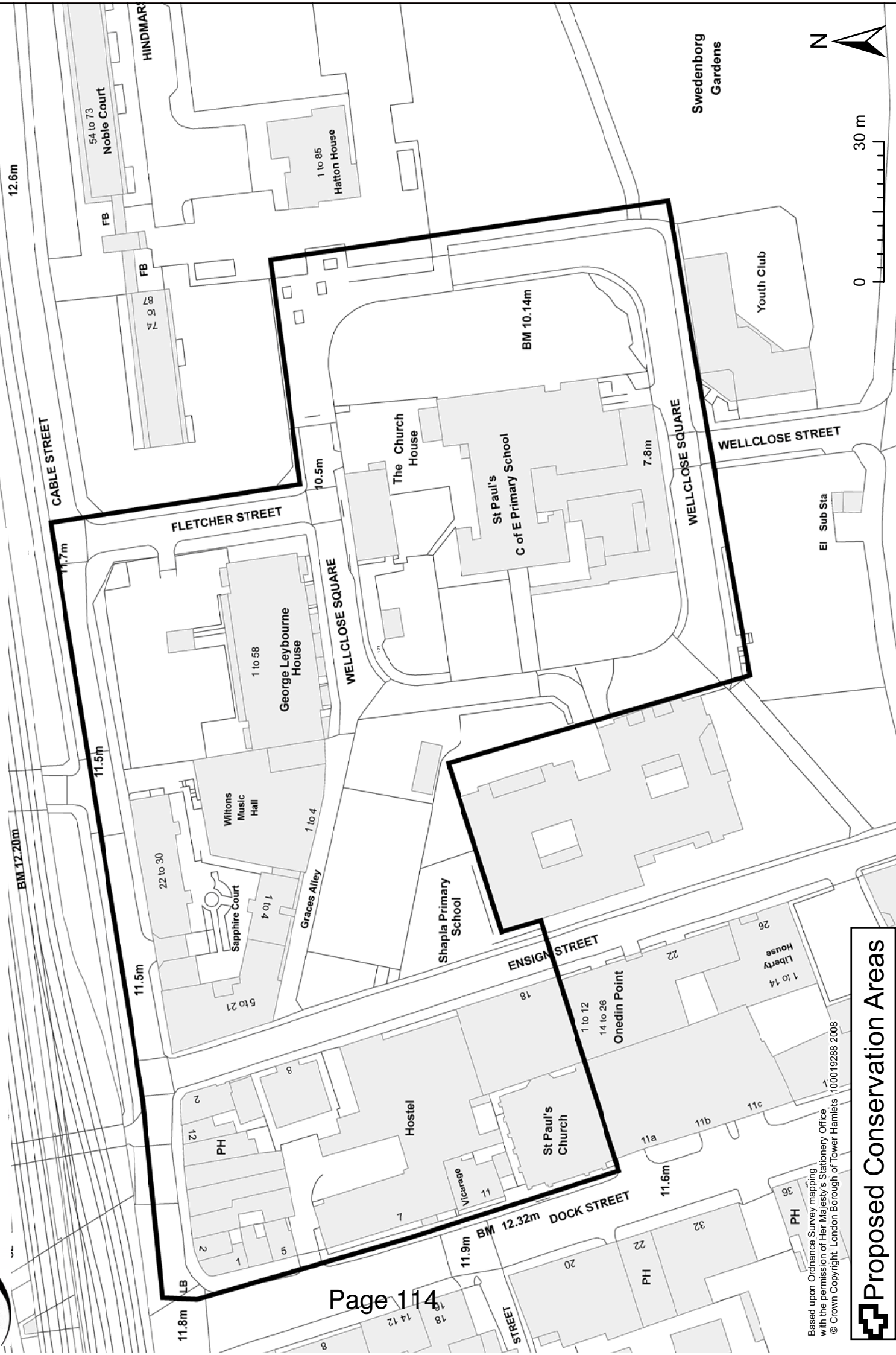
Moved from Myrtle Street Conservation Area

Existing Conservation Areas  Proposed Conservation Areas

Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Wilton's Music Hall

Conservation Areas

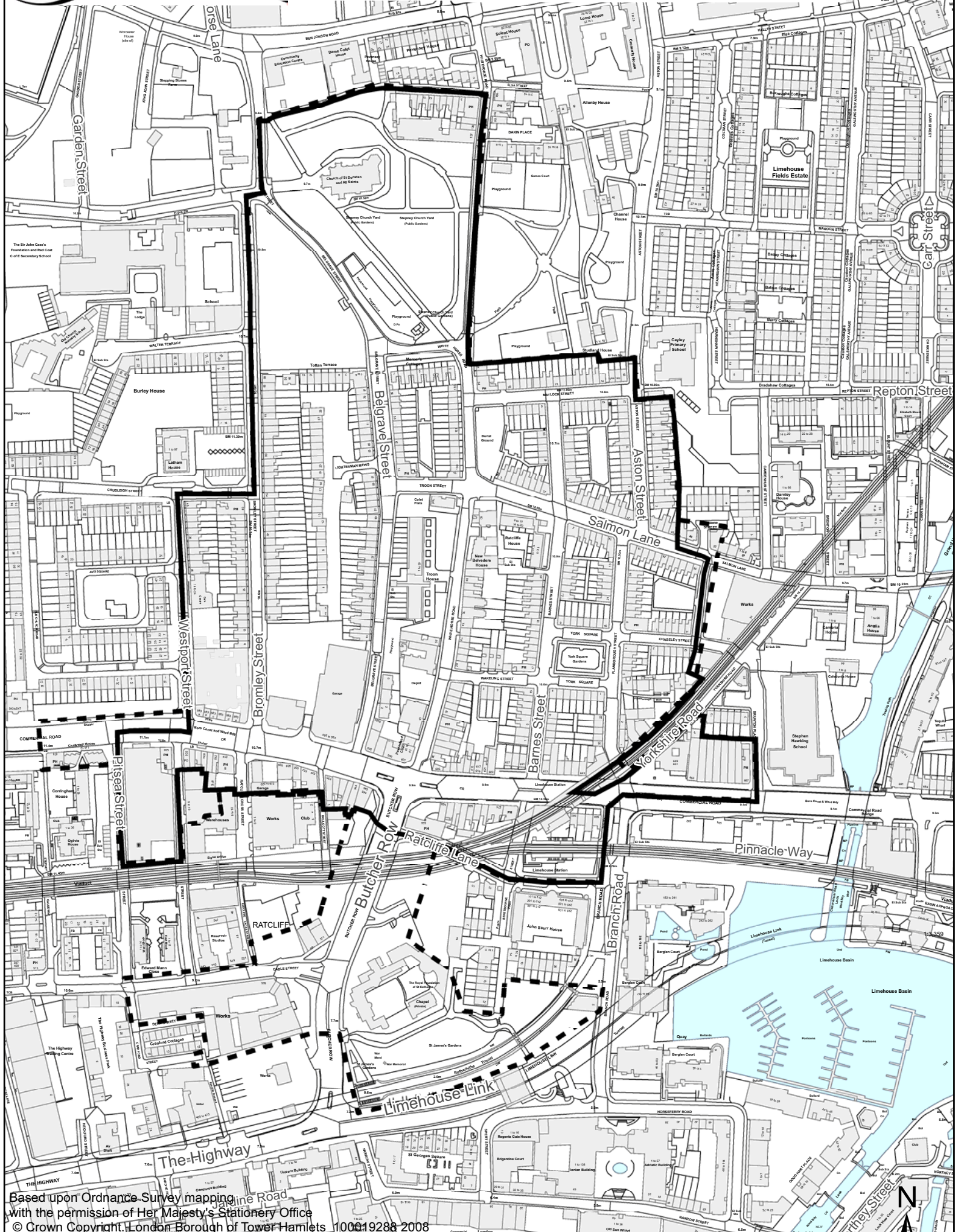


Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationery Office.
© Crown Copyright. London Borough of Tower Hamlets 100019288 2008

Proposed Conservation Areas



Conservation Areas York Square



Based upon Ordnance Survey mapping, with the permission of Her Majesty's Stationery Office © Crown Copyright, London Borough of Tower Hamlets 100019288 2008

Existing Conservation Areas Proposed Conservation Areas



This page is intentionally left blank

Agenda Item 6.2

Committee: Cabinet	Date: 8 th October 2008	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Corporate Director Development & Renewal Originating officer(s) Mike Windley – Team Leader Building Control		Title: The Provision of Structural Checking Consultancy Services for Building Control Contract No. DR3040 Building Control (Higher Value Works) - (Three Year Contract with 1 Year Extension) Contract No. DR3011 Building Control (Lower Value Works) - (Three Year Contract with 1 Year Extension) Wards Affected: All		

1. SUMMARY

Contract DR 3040

- 1.1 This report seeks cabinet approval for authority to appoint consultants under contract DR 3040 to check structural details submitted as part of Building Regulations for those projects with an estimated cost **greater than £20m**.
- 1.2 The precise value of the contract cannot be determined as this depends on the number and value of projects that are referred to the consultants for checking and is dependent on the general level of economic activity. Based on the projects referred in the past 18 months the estimated value of the contract is £300,000 which exceeds the threshold limit for delegated authority set under B8 of Financial Regulations. The term of the contract is 3 years, with an option to extend for a further year.
- 1.3 All costs are to be met from Building Control's Trading Account.
- 1.4 If approved the contract is due to commence after the mandatory period of a minimum of 10 days between communicating the award decision to all tenderers has lapsed.

Contract DR 3011

- 1.5 That cabinet note the award of contract DR 3011 to Waterman Civils Ltd. under contract DR 3011 to check structural details submitted as part of Building Regulations for those projects with an estimated cost of **less than £20m**
- 1.6 The precise value of the contract cannot be determined as this depends on the number and value of projects that are referred to the consultants for checking and is dependent on the general level of economic activity. Based on the projects referred in the past 18 months the estimated value of the contract is £150,000 which falls

within the threshold limit for noting by cabinet under B8 of Financial Regulations. The term of the contract is 3 years, with an option to extend for a further year. As the contract estimated value exceeds the EU threshold the contract was advertised in the Official Journal of the European Union (Ojec Ref: 07/S 223-272371/EN (Lot 1) - Publication date: 20th November 2007)

1.7 All costs are to be met from Building Control's Trading Account.

1.8 The contract commenced on 14th April 2008.

2. **RECOMMENDATIONS**

Cabinet is recommended to:-

2.1 Approve the selection and appointment of Monson Engineering Ltd as the Council's consultant under contract DR 3040.

2.2 Note the appointment of Waterman Civil Ltd. as the Council's consultant under contract DR 3011.

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

Contract DR 3040

3. BACKGROUND

- 3.1 The Building Control Section receives approximately 800 Building Regulation applications each year the majority containing some structural element and of these since 1st April 2008, 7 had a total estimated cost in excess of £20m. These were sent to our appointed consultants for structural checking under our previous contract (DR 2853) which was let on a similar basis to the current contract but for a term of 18 months.
- 3.2 For all projects we have received exceeding £20m Building Regulation fees have been determined by the total estimated cost of the work. It has therefore been decided that contracts for the employment of external consultants be sought by seeking quotations for fees based on a percentage of the total estimated cost of the work, as this would have a direct correlation to the fees that we receive.

4. INVITATIONS TO TENDER

- 4.1 As the contract estimated value exceeds the EU threshold the contract was advertised in the Official Journal of the European Union (Ojec Ref 2008/S 102-137172 Publication date: 28th May 2008).
- 4.2 Pre-qualification Questionnaires (PPQ) were sent out for return by 16.00 Hours on 2nd July 2008.
- 4.3 The PPQ's were scored when returned.
- 4.4 Eight consultants were invited to tender for the contract.
- 4.5 The tenders were sent out with a return date not later than 14.00 Hours on Thursday 28th August 2008.
- 4.6 Six tenders were returned.

5. RECOMMENDATION FOR APPOINTMENT

- 5.1 Previous similar contracts have been awarded solely on the basis of the lowest price submitted but this has led to problems in the quality of service delivery. To overcome this potential problem a questionnaire was included with the tender documents to elicit the information required to evaluate service delivery. The evaluation of the tenders is then considered in two parts, financial and service delivery.

5.2 Award criteria: The contract will be awarded to the consultant with the overall highest score which will reflect the most economically advantageous tender.

5.2.1 Price.

Weighting was applied to the tendered price and comprised 80% of the overall score.

The tender price will be calculated by applying the tendered rates to the estimated cost of works of those jobs sent to consultants for checking during the previous contract period.

The lowest tender was given maximum points and the other tenders allocated points on the basis of how their price compares with the lowest tender (i.e. Lowest Price / Tender Price).

5.2.2 Service Delivery.

The weighting given to service delivery comprised 20% of the overall score. Service Delivery was assessed on the answers provided to the following questions.

- i. Method Statement on fulfilling contract obligations.
- ii. Checking timetable
- iii. Issue of Compliance Certificates.
- iv. Specialist subcontractor.

5.3 The evaluation process scored the information contained within the tender. Headings against which a judgement was made were identified and a scoring system applied that recognised the relative importance of the question by weighting it accordingly.

COMPLIANCE SCORING CRITERIA	
0	Unacceptable
1	Poor
2	Fair
3	Good
4	Excellent

- 5.4 The following table illustrates how the weighted headings and compliance status were jointly used to establish a comparative score.

Subject	Compliance Score	Weighting	Weighted Score
Method Statement		5	
Compliance Certificates		4	
Checking timetable		3	
Sub-contractors		2	

- 5.5 The tendered rates were applied to the estimated cost of works of those jobs sent out to external consultants during the previous contract period of 18 months.
- 5.6 Three individual assessors scored the responses to the service delivery questionnaire. They were not made aware of the pricing information, in order that they could do their job objectively.

6 **EFFICIENCY STATEMENT**

- 6.1 The recommendation for the award of the contract is to the consultant offering the most economically advantageous tender who meets the minimum requirements of the service delivery assessment.
- 6.2 Taking into account the overall assessment of price and quality Monson Engineering Ltd. have submitted the tender providing the best value

Contract DR 3011

- 7 For projects of £20m and less the tendering procedure was similar as for contract DR 3010.
- 7.1 Waterman Civil Ltd submitted the most economically advantageous tender.
- 7.2 Following recommendation the Director of Development and Renewal has awarded contract DR 3011 to Waterman Civil Ltd.

8 **COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 8.1 Members are asked to approve the appointment of consultants to provide structural advice for Building Regulations applications for projects with an estimated cost in excess of £20 million, and to note the arrangements for contracts with estimated project costs below £20 million.

- 8.2 Both contracts have been tendered in accordance with EU regulations, with the contract for projects below £20 million (estimated value of £150,000) being awarded under the authority delegated to Corporate Directors. The contract for projects in excess of £20 million has an estimated value of £300,000 so approval to let it is sought in this report.
- 8.3 Building Regulations applications are accounted for within the Building Control Trading Account, with the structural advice charges being covered by the relevant fees generated by each project application. This contract has no financial implication for the Authority's mainstream revenue or capital resources.

9 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 9.1 The tendering procedure leading up to the recommendation to award the proposed contracts appears to accord with the requirements of the Public Contracts Regulations 2006. In accordance with Public Contracts Regulations 2006, there must be a minimum of 10 days standstill period between communicating the decision to award the contract to all unsuccessful bidders and the actual award to allow any aggrieved unsuccessful bidder to challenge the decision should any wishes to do so.
- 9.2 Following award of the contract, a formal contract award notice must be placed in the OJEU within 48 days of the award.

10 EQUAL OPPORTUNITIES IMPLICATIONS

- 10.1 There are no direct equal opportunity considerations in this report.

11 ANTI-POVERTY IMPLICATIONS

- 11.1 There are no anti-poverty implications in this report.

12 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 12.1 There are no S.A.G.E. implications in this report.

13 RISK MANAGEMENT IMPLICATIONS

- 13.1 The Council has a statutory duty under Section 91 of the Building Act 1984 to carry out the requirements of the Act in its area. A major part of this is to ensure

that all proposed structural alterations can be justified by calculation. Failure to do so would be a breach of statutory duty and could lead to the building of unsafe structures.

- 13.2 There would be the potential for loss of customers to the private sector leading to a loss of income if structural calculations were not checked in an efficient and timely manner.

This page is intentionally left blank

Agenda Item 7.1

Committee: Cabinet	Date: 8 th October 2008	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Corporate Director Children's Services – Kevan Collins Originating officer(s) Ann Sutcliffe – Service Head, Building Schools for the Future		Title: Building Schools for the Future (BSF) – Wave 5 Outline Business Case Wards Affected: All		

1. SUMMARY

- 1.1 This report is intended to provide Cabinet with an update on the Building Schools for the Future Programme (BSF) and to detail the Wave 5 Outline Business Case (OBC) in order to secure the funding of £199,495,969 construction and £19,791,050 for ICT.

2. RECOMMENDATIONS

Cabinet is recommended to:-

- 2.1 Approve the Building Schools for the Future (BSF) Wave 5 Outline Business Case (OBC) for submission to Partnership for Schools.
- 2.2 Endorse the Wave 5 OBC at a capital value of £199,495,969. (Inflated to funding start date), excluding ICT.
- 2.3 Authorise the Corporate Director of Children's Services in consultation with the Corporate Director – Resources after consultation with the Lead Member Children's Services to make any further amendments to the Wave 5 OBC consistent with its spirit in order to complete the approval process by Partnership for Schools.

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.

Ann Sutcliffe

0207 7364 4077

4th Floor, Mulberry Place

Clove Crescent, London, E14 3BG

3. BACKGROUND

- 3.1 BSF provides a significant opportunity for investment to transform secondary education and rebuild, refurbish and equip schools to deliver a curriculum that meets the needs of all the learners in the 21st Century. Its prime aim is to ensure that education attainment and opportunities for diversity in provision is achieved. BSF also provides the wider community with opportunities to have greater access to facilities and learning opportunities and establish community hubs across the borough.
- 3.2 The programme currently anticipates improvements at all secondary schools to varying degrees (with the exception of Mulberry and Bishop Challoner, which have already benefited or are due to benefit from significant capital investment and so will receive ICT investment only).
- 3.3 Tower Hamlets has been allocated BSF funding in two waves, wave 3 and wave 5. Wave 3 is currently in the procurement phase and wave 5 in the development phase. Wave 5 will be managed and delivered by the Local Education Partnership (LEP). The total funding requirement for Wave 5 is £199,495,969m for construction and £19,791,050 for the ICT managed service which creates a total funding envelope of £219,287,019.
- 3.4 There are capital and revenue costs to provide ICT the programme funds £1450 per pupil for the establishment of the managed services and related hardware. ICT revenue cost per pupil is £120. The capital costs will be funded by capital grants from the Government; the revenue implications will be funded from the Dedicated Schools Grant.
- 3.5 Members have received a number of reports about Building Schools for the Future (BSF); The Education Vision was approved by Cabinet on the 8 February 2006 and was approved by DCSF on 14 June 2006. The Wave 3 Strategic Business Case (SBC) was submitted to Cabinet on 7 June 2006 and was submitted to the DCSF on 31 July 2006. The Outline Business Case (OBC) was ratified by Cabinet on 8th November 2006 and approved by the DCSF on 6

February 2007

- 3.6 The Procurement of the Private Sector Partner (PSP) and the creation of the Local Educational Partnership (LEP) are moving forward and the July Cabinet recommended appointing Bouygues BPEC as selected bidder. The final procurement phase, contract/financial close, is to be achieved by December 2008 with construction work commencing on our first Wave 3 schools in January 2009.
- 3.7 Dialogue has now been closed with Bouygues and they have been notified of their selected bidder status.
- 3.8 The Wave 5 schools will be brought to a level of detail (stage 0) in order to hand them over to Bouygues prior to financial close in December. The process then used to manage school engagement, design and construction and is the new projects approval process and this is delivered by the LEP. Wave 5 construction commencement is planned for March 2010.
- 3.9 In December 2006, the DCSF decided that Tower Hamlets BSF programme would receive its second tranche of funding in wave 5 (FY 09/10). In order to secure this tranche of funding, the Authority is required to submit a:
- Strategy for Change (SfC) Part 1 (an updated Education Vision);
 - Strategy for Change (SfC) Part 2 (an updated Strategic Business Case); and
 - Outline Business Case (OBC).

Table 1 - Wave 5 DCSF Timeline

Item	DCSF Wave 5 Timescales
SfC Part 1	September 2007 - May 2008 (Completed)
SfC Part 2	October 2007 - July 2008 (Completed)
OBC	March 2008 – September 2008 (executive summary Appendix 1)
Programme Funding	FY 09/10

- 3.10 In August 2008, PfS confirmed the Tower Hamlets allocation of funding would be £199,495,969 (excluding ICT) this takes into account:
- indices and inflation (£14.7M)
 - projected pupil allocation
 - planned start on site dates
- 3.10 This represents a financial increase since the original funding allocation of 2006 taking into account the bullet points listed above. The individual school capital allocations are still being discussed with PfS as part of the OBC development and will be confirmed by the end of September. The strategy for individual school funding allocation is based on educational need and condition of the school which can be seen in the OBC school workbooks and the control options (designs) produced there in.

4. UPDATE ON WAVE 5 OBC

- 4.1 The aim of the OBC is to facilitate Partnerships for Schools (PfS) and the DCSF approval of the Local Authority's proposed approach to investment of the funding allocation for the Wave 5 schools. OBC approval marks the start of preparations for the new project approval process. The new project approval process is the agreed delivery method for the Wave 5 BSF programme. The delivery mechanism for the programme is the Local Education Partnership (LEP) where the Authority and the private sector work in partnership to deliver value for money for a contractual period of 10 years.
- 4.2 The Executive Summary to the OBC is attached as Appendix 1; this gives a more detailed summary of the key areas highlighted below.
- 4.3 *The OBC covers the following areas:*
- A strategic overview of the programme
 - Schools' vision and strategy for transformation, innovation and improvement in its educational outcomes, in light of the local authority's overarching education and strategy visions. This will translate into a brief for the learning environment that each school is aiming to achieve through the BSF investment; and
 - A more in depth development of the control options in the form of workbooks;
 - Detailed preparation for new projects strategy, including project management, consultation and statutory approvals, LEP relationship, resource and capacity;
 - Detailed financial deliverability and VfM of the proposed control options;
 - Formal approvals at detailed project level from the Authority, Governing Body and other stakeholders (e.g. Diocese) where relevant.
 - ICT Strategy
 - FM/Lifecycle Strategy
- 4.4 The pupil place planning report highlighted the need for a new school and additional 6th form places. Additional 6th form places have been allocated to schools to meet this need. The new school is not included in the wave 5 OBC, as a site is still to be identified, a separate mini OBC will be developed once the new school site is confirmed.
- 4.5 Following discussions with the bidder the wave 5 programme has been split into phases alongside non sample wave 3 schemes; the proposed phasing is shown in the executive summary attached.
- 4.6 We are required to outline, at OBC, a strategy which demonstrates an ongoing commitment to the BSF capital expenditure; this may be through a commitment by the Authority/Schools and the inclusion of Facilities Management (FM) within the LEP.

- 4.7 There have been a wide range of engagement activities with schools on ICT and FM including finance briefings for Headteachers.
- 4.8 The OBC will also demonstrate the on-going process for the integration of the managed ICT service. For example, school Senior ICT leads are meeting regularly to discuss how schools can prepare for BSF ICT investment. This group will act as the interface on ICT matters between the Project Team and relevant stakeholders and will support and develop the implementation of schools' ICT visions. The group will use self review to develop ICT solutions, prepare Subject leads for the Design Development Process, begin to examine the rationalisation of existing software and hardware and establish a process for the sustained use of change management

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 6.1 Building Schools for the Future (BSF) is the Government's capital investment programme for secondary schools. The national programme is organised in Waves and is projected to take 15 years – Wave 5 funding allocations have been announced.
- 6.2 Tower Hamlets has been allocated BSF funding in two waves, wave 3 and wave 5. Wave 3 is currently in the procurement phase and wave 5 in the development phase. Wave 5 will be managed by adopting the new project approval process (Appendix 11 of the OBC), delivered by the Local Education Partnership (LEP). This funding includes ICT investment and will be entirely funded by capital grant. There are capital and revenue costs to provide ICT; the capital requirement is £1450 per pupil for the establishment of the managed services and related hardware.
- 6.3 The £199.496m for construction represents a financial increase since the original funding allocation of 2006 taking into account the bullet points listed in paragraph 3.9.
- 6.4 Close control of the scope of projects will be exercised and control options will be scoped in priority order to enable any risks to the Funding Allocation Model (FAM) to be managed. The Wave 3 and 5 BSF Project Board have agreed that the total programme must remain affordable at all times and not be contingent upon identifying funding from other parts of the Council's capital programme or revenue budget. The principle on which the contract will be constructed will be that, in the event of unforeseen circumstances, the specification for works will be varied to stay within the available funding.
- 6.5 During the OBC preparation phase, a detailed analysis was undertaken to investigate the capital affordability position, including an assessment of the PfS funding allowances and proportions of new build and refurbishments in the

school schemes. These cost estimates also include allowances for abnormal costs and other contingency factors that the Authority believes is both appropriate and legitimate to include in the projects. All of the above costs are included within the revised funding envelope of £199m. Therefore, the capital expenditure on the D&B schemes is affordable and within the capital funding envelope that we have.

- 6.6 The Facilities management elements of the contract have been assessed as part of the development of the Outline Business Case. Facilities management and building lifecycle costs will be met from schools budgets, funded by Dedicated Schools Grant.
- 6.7 The approach to ICT affordability has been to model different scenarios that could be delivered by the ICT managed services provider that meet the school needs providing a tool for educational transformation. The analysis has been undertaken on this basis to demonstrate that for a similar level of contribution very different services could be procured. How schools allocate their capital allocation will be established with the ICT provider, bearing in mind the level of existing equipment transferring across from the existing ICT provision. The on going revenue costs of ICT will be met from schools budgets, funded by Dedicated Schools Grant.
- 6.8 LBTH BSF Schools currently commit resources to ICT at a level toward the upper end of the range of benchmarked managed services costs identified by PfS. As demonstrated in the letters of support from school governing bodies in Appendix 9 of the OBC, all schools in Wave 5 have agreed in principle to fund the costs of the ICT Managed Services at a level of £120 per pupil per annum.
- 6.9 Schools have committed ICT resources in principle, details of which are provided in the OBC, from their revenue (Dedicated Schools Grant) budget and from their Developed Formula Capital (DFC) allocations. These contributions have been agreed in principle at the levels mentioned earlier on in this letter. The proposed financial strategy for paying for the FM and lifecycle costs will be to establish a sinking fund using the school budget and DFC allocations. No additional Council contributions are expected in the delivery of this service.
- 6.10 The Authority's approach to managing the affordability of the LBTH BSF Project to meet the programme commitments, including the client team, are being factored into the Authority's medium and long term financial strategy in respect of the Authority's and individual Schools budgets.
- 6.11 The affordability and value for money of the project will be kept under the continuous review as we progress with the procurement
- 6.12 The Group and Mulberry PFI contract schools are to receive a significant investment through this wave of the programme. This will require the existing PFI

contract to be reviewed and modified as necessary to allow the capital investment to take place, and it is likely that there will be a cost associated with these changes which will need to be funded by the authority. Negotiations with the PFI provider have not been concluded and the financial implications are therefore unknown. Further reports will be submitted in due course; however it is advised that it is not necessary to delay submission of the Wave 5 OBC.

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

- 7.1 There are no legal implications of this report. Subject to completion of the contract/financial close with the Selected Bidder any future work under the BSF programme will be procured through the LEP subject to the requirements of the New Project Approval Process and the satisfactory performance in wave 3.

8. EQUAL OPPORTUNITIES IMPLICATIONS

- 8.1 BSF investment aims to improve training, educational and employment opportunities for the residents of the Borough. This improvement will be delivered by improved learning environments, access for community learning, better ICT and through the partnership vehicle, the LEP, opportunities for apprenticeships.
- 8.2 The main focus for the programme is to make improvement to education environments in order to support and secure improved attainment for all students.

9. ANTI-POVERTY IMPLICATIONS

- 9.1 Building Schools for the Future will improve the stock of secondary Schools across the borough and ensure that all young people are taught in high quality learning environments. The programme will also make available to our communities a wide range of facilities to support their growth and regeneration. This will include developing community learning facilities, embedding BSF within other developing policy areas such as our Local area Agreement, the Extended Schools programme and the wider work of the Children's Services Directorate.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 A formal risk register is maintained for this project and reviewed at each meeting of the Project Board. Building Schools for the Future is managed centrally through a 4Ps Gateway Review process. These independent gateway reviews are held at key stages throughout the programme to ensure that value for money and detailed risk mitigation are being delivered. The next gateway review for wave 5 is scheduled to review the OBC in October prior to submission.

11. EFFICIENCY STATEMENT

11.1 The approval of the OBC and appointment of the preferred supplier organised in the form of the LEP ensures value for money and quality of service by the agreed use of Key Performance Indicators (KPI's) which will cover: Quality, Partnering, Customer Satisfaction, Added Value and Timeliness. Targets have also been set for continuous improvement of each the KPI's. BPEC and the Authority have now reached a commercial agreement which provides for a Guaranteed Minimum Saving (GMS) over the life of the programme.

11.2 Managed FM and Lifecycle for each school will ensure efficiencies by using the LEP's economies of scale and expertise of delivering these services to the commercial world. Senior school teams will also be released from asset based work to focus on core activity.

12. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

12.1 A key part of this process will be actively working towards a sustainable, cleaner and greener future for Tower Hamlets. We are aware that acting locally is not only vital to improving the quality of the local environment and quality of life in the borough now, but also to ensure a viable environment for future generations. Delivering environmental sustainability will help make the Borough a Greener place to live and work and help reduce the Council's costs in the Long term and deliver real best value over time during the building design. We will be aspiring to achieve a very good BREEAM rating for all of the schools in BSF.

13. APPENDICES

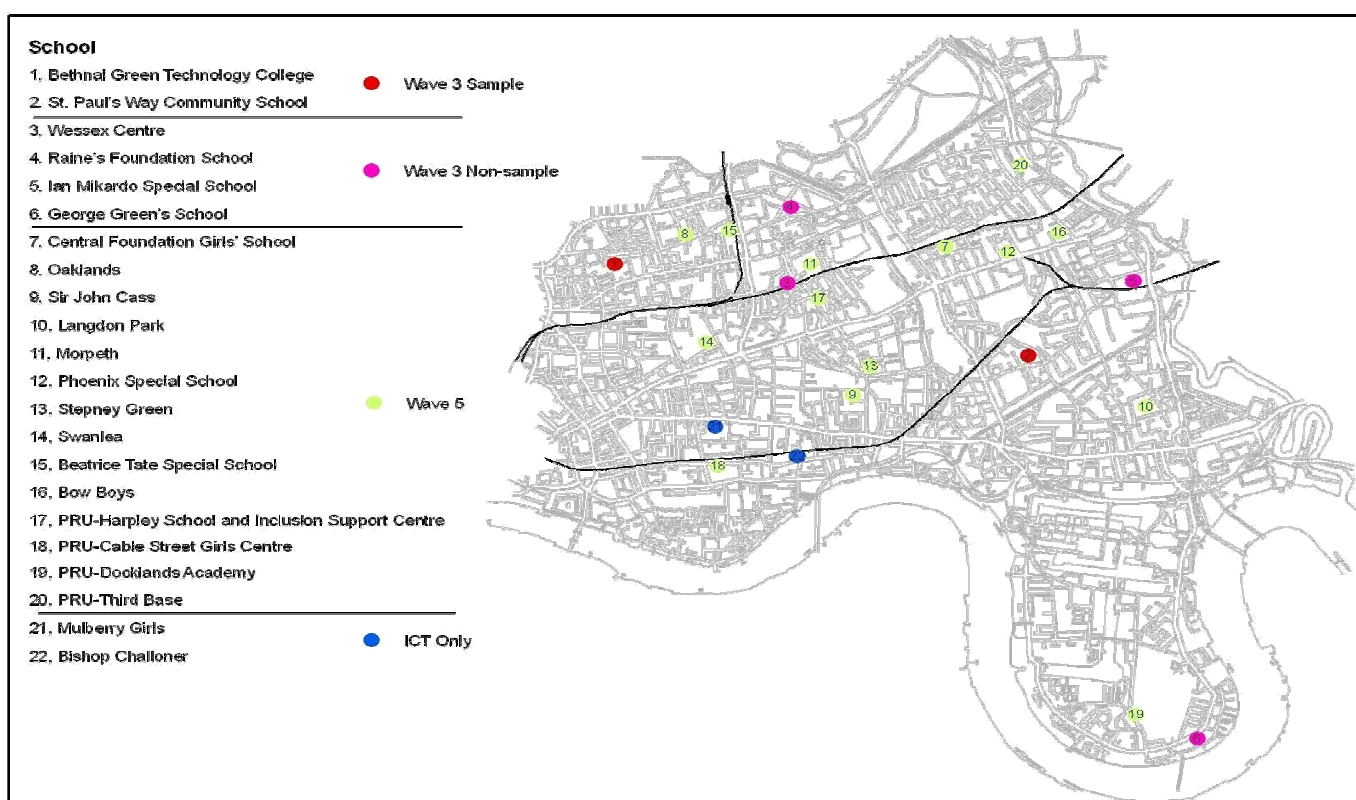
13.1 Appendix 1: Outline Business Case Executive Summary

Appendix 1:

1. Executive Summary

1.1 Background

1.1.1 The Tower Hamlets BSF project structure is set out in our Strategy for Change, part 2, (SfC2). In developing our Outline Business Case there has been substantial analysis and review of needs and priorities as part of SfC1 and SfC2 and we can confirm that the priorities established remain unchanged, but never the less remain highly relevant. SfC will drive educational and community change and deliver our intended outcomes. A key driver for this change in LBTH is to improve life chances for young people and we believe that the BSF project will make a significant contribution to realising this outcome. The schools that will benefit from BSF Wave 5 investment are highlighted in green in the diagram below



1.1.2 The London Borough of Tower Hamlets is a young, diverse and dynamic borough; ambitious for its communities. Tower Hamlets has a rich and colourful history. Although geographically small, the borough is a densely populated urban area in the heart of the East

End of London. Bursting with culture and character, Tower Hamlets is an area of contrasts and inequality with immense wealth sitting alongside some of the most deprived and demographically diverse areas in the country.

- 1.1.3 An area of spectacular growth, the current population of the borough is over 200,000, with projections anticipated to reach 300,000 by 2020 – one of the fastest increases in the UK. This population is much younger than the regional and national average, with 24% of residents under the age of 18, compared to 18% across the rest of London. Diversity is part of the identity of Tower Hamlets. As a historic entry point to London, we have a long history of welcoming new communities - 67 languages are spoken and last year over 70% of the children starting school were from minority ethnic communities, the majority of Bangladeshi origin. The latest waves of arrivals include communities from Somalia and Eastern Europe.
- 1.1.4 The Borough faces the challenge of marked economic inequality. Alongside unprecedented growth and wealth creation, many in our community live in poverty. More children from Tower Hamlets are eligible for free school meals than any other local authority, levels of economic inactivity and worklessness is too high and many of our children live in overcrowded properties.
- 1.1.5 Despite these challenges, we have seen significant success in delivering outcomes for its community. A recent inspection by the Audit Commission in July 2008, named the borough as one of the ten most improving councils in the country, and awarded us a 4 star rating. This accolade recognises the significant achievement and continuing improvements in performance through sustained focus on delivery and exceptional partnership working.
- 1.1.6 The 4 star rating follows a Corporate Performance Assessment (CPA) and Joint Area Review (JAR) of Children's Services in April 2008. Across all of the 'Every Child Matters' outcomes Tower Hamlets have shown that poverty does not necessarily lead to poor performance. Building on our excellent Annual Performance Assessment judgement in 2007, our recent Joint Area Review (JAR) awarded the authority, (specifically Children's Services) and partners an overall grade of "outstanding". The broader challenge is to create a curriculum offering within the borough where young people can attend different schools for different elements of that curriculum. This collaboration has been a focus for the BSF programme and will ensure young people within the borough no longer have to travel to other Authorities for key elements of their education.
- 1.1.7 The LBTH BSF programme (Waves 3 & 5) will deliver a 4 phased programme of activity which will provide new build, refurbishment and refresh projects to existing secondary schools. With significant

investment in improving the school estate, the scope of the LBTH Local Education Partnership (LEP) will also include an integrated approach to both ICT and FM services.

1.2 Repeat Authority

1.2.1 Allocated as a repeat authority within Wave 3 and Wave 5 of the Building Schools for the Future Programme (BSF), this Outline Business Case (OBC) takes forward our priority for delivering a step change in educational outcomes; building upon work to date in Wave 3 and our priorities for Wave 5. The development of the Wave 5 OBC has confirmed that our strategic aims as established within LBTH Strategy for Change (SfC) documents, Part 1 and 2 remain our core priority.

1.2.2 Our Education Vision (Appendix 19) was approved by Cabinet on the 8 February 2006 and was also then approved by the DCSF. The links between the Corporate Vision and the BSF Vision are developed further in section 2 of this OBC.

1.2.3 Integral to our Wave 5 programme, like Wave 3, is a clear focus upon delivering an educational step change whilst narrowing the gap. Working in partnership with the Education Business Partnership (EBP), the authority and secondary school estate has made clear progress towards educational improvements. However, this has been incremental rather than transformational and we are looking to BSF to drive forward this change. The BSF programme will support the authority in delivering this strategy and achieving our Wave 5 remit for change areas:

- Improving standards;
- Increasing diversity;
- Furthering inclusion;
- Building upon our 14-19 campus offer,
- Building capacity to lead and manage change; and
- Ensuring the provision of sufficient school places, including +16.

1.2.4 Working in close collaboration with our key partner Bouygues, now our selected bidder, we have a strong culture of self-challenge. The LEP will continue this partnership and enable other capital programmes to be delivered through this same mechanism. The BSF programme will propel the authority to continue in its proven ability to transform the life chances for children, young people and the wider community and our LEP will assist us in delivering a step change for young people.

1.3 Procurement Strategy

1.3.1 In 2006 Cabinet agreed to adopt the standard Local Education Partnership (LEP) model and standard contract documentation. In addition, it was agreed that subject to value for money and affordability being demonstrated as part of the procurement process, the scope of the LEP would include:

- Standard Partnering Services;
- Design and Build Services;
- Hard Facilities Management (FM);
- Production of a Lifecycle Plan; and
- A secondary estate wide ICT Managed Service.

1.3.2 Soft FM is to be included as a variant bid in order to offer a 'Local Choice' option to the schools. With each school being able to decide how soft and hard facilities management will operate on completion of the building work. Schools will be provided with options that could mean existing staff transferring to the LEP FM provider or remaining employed directly by the school. However, Hard Facilities Management is included for each school and is not optional for schools.

1.3.3 Our public private partnership vehicle, the LEP, will exclusively deliver the Wave 3 and Wave 5 programme. As a repeat authority and following the publication in the Official Journal of the European Union (OJEU) in February 2007, the preceding Wave 3 programme has appointed a selected bidder; Bouygues. The appointment of the selected bidder was approved by Cabinet in July 2008 with a contract close date to be achieved by December 2008 (Appendix 20).

1.3.4 Subsequent to the selected bidder appointment in September 2008, the shadow LEP and SPB will be set up and established in November 2008, ready to hand over to the LEP post financial close in December.

1.3.5 Subject to final negotiations between ourselves and the selected partner, we will progress to contract close and form our new LEP in December 2008. The LBTH LEP will have three main stakeholders,

the Private Sector Partner (80%), BSFI (10%) and the Local Authority (10%). LBTH will enter into a long term (10 year) Strategic Partnering Agreement with the LEP, with an option to extend this agreement for a further 5 years.

1.3.6 The LBTH LEP will actively contribute to the transformation of teaching and learning in Tower Hamlets. A dynamic driver to achieve the Tower Hamlets Education vision, its objectives will be:

- To act as a procurement vehicle for the delivery of construction, refurbishment , facilities management and ICT services to a defined group of secondary schools in Tower Hamlets;
- To deliver the Partnering Services Specification; and
- To manage its supply chain and to deliver continuous improvement through the schools renewal programme.

1.3.7 Once deployed in January 2009, our LEP will deliver the Design & Build (D&B), Facilities Management (FM), hard and soft, as well as ICT contracts. The LEP will focus on the delivery of the BSF programme in the first instance; however, as the procurement vehicle demonstrates value for money and efficiencies in procurement, additional Capital Projects and Services may be brought into the scope of the LEP. Subject to meeting mobilisation Key Performance Indicators (KPI's), we would expect the LEP to deliver new or additional services, including:

- Development of Extended Schools estates service;
- Design and Construction services (primary capital programme & children's centres);
- ICT Managed Service for primary schools;
- Maximising the impact of the schools' sport strategy on improving children and young people's health; and
- Increasing the number of 16-19 year olds in full time education, training and/or employment.

1.4 Outline Planning Application

1.4.1 Letters of Comfort have been received for all first and second phase wave 5 schools (See Appendix 9) and letters of comfort for phases 3 and 4 are expected in September. Because Bowden House School is located in East Sussex Lewes County Council Planning department had provided a further letter of comfort which can be found in Appendix 9. Where schools have been allocated over £10m there will be a requirement for outline planning permission and the detail required for planning is currently being developed. Traffic Impact, Air Quality and Flood Risk Assessments are being carried out as part of this application in line with the requirements of an Environmental Impact Screening Report produced by the

Planning Department. The accommodation schedules have been developed to best meet BB98, the school's individual vision and future anticipated curriculum delivery. Key information from Planning is included as an Appendix to the Individual School Workbooks (Appendix 1a).

- 1.4.2 Future planning issues will be managed via the LEP and will, therefore, need to comply with the New Projects Approval Process (See Appendix 20).

1.5 The Project

- 1.5.1 Tower Hamlets already has a diverse secondary estate encompassing 9 mixed, 3 single girls schools, 3 single sex boys' schools, 4 mixed special schools (including Bowden House; an out of borough SEBD residential school) and a PRU located across 5 sites. The Wave 5 programme captures 15 of these schools, the remaining included within Wave 3. However, there will be no Academies as part of this BSF programme.
- 1.5.2 Tackling underachievement and narrowing the gap is a core priority of our Children and Young People's Plan (CYPP). Although we have achieved notable success, there is more to do; BSF investment will assist us in raising achievement and providing opportunities throughout the secondary school estate.
- 1.5.3 The BSF schools will be introduced into the programme in phases, with construction work commencing in 2009 for our Wave 3 programme, and completion of the final Wave 5 school is due in 2014 (refer to Appendix 16). The detailed process to deliver the OBC will reiterate the context and priorities laid out in both SfC1 and 2 and will show that this strategy remains both relevant and of a high priority.
- 1.5.4 The LEP will support us in the strategic planning of the secondary school estate. As agreed during the procurement process, in addition to General LEP duties (Section 2.4), the LEP will be established with the capability to undertake Partnering Services and Additional Services. Partnering services will deliver the Wave 3 requirements (defined in the SBC 2006) and the Wave 5 requirements (as defined in the SfC). Additional services will be delivered only upon request (by the authority) and agreement (by the LEP).
- 1.5.5 The required Partnering Services of the LBTH LEP are to deliver the following:
- New Project Approval Process (NPAP); Stages 1 and 2 and Contractual Close for each of the non-sample schools;
 - Delivery of approved projects; and
 - Monitoring KPI's, CPT's and Continuous Improvement.

- 1.5.6 The Wave 3 programme will be delivered in 2 phases, with the Wave 5 programme subsequently delivered in 3 further phases. The Wave 3 Sample schools; St Paul's Way (STPW) and Bethnal Green Technology College (BGTC) will begin on site in January 2009, it is at this point that the LEP is handed the next tranche of schools (a combination of Wave 3 and Wave 5 non-sample schools) to begin the NPAP. Each non-sample school will be released to the LEP under the NPAP, as detailed within Section 2.4; LEP Services and Project Status.
- 1.5.7 Each Wave 5 school has developed their own individual School Strategy for Change (SSfC) supported by the Authority. Each of these SSfCs reflects their support and commitment to the authority's vision for improving and enriching learning opportunities, improving basic skills – literacy and numeracy at all phases of learning – and improving access to vocational opportunities in the borough for students of all abilities. It is these key areas that the strategy for improving secondary education across the borough and individually within schools will focus upon, and we believe that only through a collaborative approach across the borough can we address them with the speed and urgency demanded.

1.6 ICT and FM Services

- 1.6.1 The ICT vision for Tower Hamlets proposes an ICT infrastructure that supports a connected campus wide learning community. In order to accomplish this anywhere, anytime learning, a centrally managed service will be provided by the LEP.
- 1.6.2 The Tower Hamlets ICT vision maintains a clear emphasis on pedagogy and effective learning methodologies to be supported by 21st century learning environments. BSF will provide this through the ICT Managed Service (MS) and will support the delivery of a step change in educational attainment through a transformed and more personalised KS3 and KS4 offer and provision of improved spaces will create flexibility, supporting new flexibilities in the curriculum and in teaching methods.
- 1.6.3 The ICT infrastructure and learning platform, supported by a powerful and flexible Management Information System (MIS), will give teachers immediate access to data, inform parents and carers of progress, allow the convergence of information and resources and provide real and virtual personalised learning experiences.
- 1.6.4 Infrastructure alone will not provide a complete solution; pupils are engaged through a blend of computer and human interactions. Tower Hamlets will support the development of classroom professionals' skills in the use of all technologies, so that they can focus on their core functions of teaching, learning and innovative curriculum development with confidence and are equipped to meet the learning needs of all pupils. The change management strategy

includes continuing professional development that embeds a sound pedagogical approach for all classroom professionals.

- 1.6.5 Facilities Management and Lifecycle will also be managed by the LEP with the authority taking Lifecycle risk and the LEP using its economies of scale to deliver a value for money vision focused service. The approach to FM services will include the provision of Hard Facilities Management (FM) as a requirement of the capital funding and Soft FM as an optional extra. The Hard FM offering will include planned maintenance, with reactive maintenance, lifecycle works and new works being billed using a national schedule of rates. High value works will require closed bid tenders, which will be managed by the LEP.
- 1.6.6 The procurement and operation of Hard Facilities Management services are presently undertaken by schools on an individual basis. Each school manages its own devolved Revenue and Capital budgets to support hard FM and lifecycle, with capital allocated and apportioned against annual prioritisation based on need. Day to day services and maintenance are managed by the Head Teacher and governors, supported by the school bursar/deputy head. Large scale lifecycle and capital items are the responsibility of the Authority or the VA governing body, where applicable. The Council maintains an Asset Management Plan (AMP) for each school, informed by regular condition surveys required by the DCSF. Therefore, by introducing FM services across all BSF schools it will ensure a consistency of service and a singular approach on planned, reactive and lifecycle work. The service is delivered through the LEP providing transparency of cost and regular engagement around quality of service.
- 1.6.7 The Council will roll out a managed facilities management service across its BSF estate and the LEP will be commissioned to provide the managed service. Schools refurbished under D & B contracts will be offered a package of managed FM services, in line with standards provided by PfS. The costs of a managed facilities management service are to be tested as part of the LEP procurement process and ongoing revenue provision is to be set aside from schools devolved budgets of 5% for BSF D&B schools from January 2009 to cover lifecycle and facilities management costs. Further programme delivery, such as primary schools, will be encouraged and it is expected that the LEP will provide an economic and efficient service that delivers value for money and high levels of service for end users.
- 1.6.8 All BSF schools will be expected to have more economic and effective maintenance and lifecycle systems designed into them wherever possible. Design quality and environmental indicators will be used to evaluate the effectiveness of the design elements, including the testing of whole life costings, and all proposals will be expected to demonstrate how FM and lifecycle provision is to be

delivered through the economic life of the assets created or refurbished. The Council expects all FM proposals to reflect recognised industry norms such as the HVCA guidelines for Building Services maintenance

- 1.6.9 Monitoring and review of the performance of LEP FM provision will be undertaken by the Council's clienting service. Performance indicators and Service Level Agreements (SLA's) for all sites (whether PFI or traditionally procured) will be developed to monitor the cost and effectiveness of the LEP's FM services. These will be reviewed and benchmarked against Performance Indicators in the standard suite of documents and will be a key determining factor in whether the LEP retains exclusivity for the provision of these services
- 1.6.10 Where appropriate, high standards set within the BSF programme will be rolled out across other parts of the Council's other capital programmes, and across elements of its programme where it jointly commissions capital works with partner organisations. The LEP will be encouraged to deliver proposals that provide opportunities for access to and economic use of the supply chains by all partners or by the Council corporate FM provider, or provide cashable procurement efficiencies.

1.7 Value for Money

- 1.7.1 Where appropriate, high standards set within the BSF programme will be rolled out across other parts of the Council's other capital programmes, and across elements of its programme where it jointly commissions capital works with partner organisations. The LEP will be encouraged to deliver proposals that provide opportunities for access to and economic use of the supply chains by all partners or by the Council corporate FM provider, or provide cashable procurement efficiencies.
- 1.7.2 Tower Hamlets has decided to embark on a programme with two 100% new build schemes, one in wave 3 and a new school (separate outline business case to follow) and the remainder of the estate as a mixture of new build/remodel and refurbishment. In considering the value for money (VfM) of the programme, and taking into account the BSF programme level assumption that new build schools should be delivered via the PFI procurement route, Tower Hamlets carried out an extensive review of the best procurement route for St Paul's Way (sample scheme wave 3). Following extensive discussions with PfS and the DCSF during the development of wave 3, it was agreed that progressing with a D&B procurement route will best enable us to progress with our vision for a truly affordable and accessible community facilities, thus a 100% conventionally funded programme has been approved by the DfES.

- 1.7.3 The VfM of the Design and Build (D&B) contracts and the ICT Projects has been tested throughout the procurement phase of the project and will be demonstrated at Final Business Case.
- 1.7.4 Key to the Value for Money of this solution is the development of the LEP as a true partner: working towards a common purpose, sharing expertise and best practice, engendering transparency of working, and creating combined incentivisation to achieve long term strategic goals. The exact nature and value of the works which may be delivered through this vehicle in addition to the BSF programme are not quantifiable at present; however, the Borough is committed to using the LEP vehicle as a long term strategic vehicle and is engaged in discussion to fully investigate and embrace its broader remit pending successful delivery of the BSF programme.

1.8 Affordability

- 1.8.1 Section 5 of this OBC, together with the Funding Allocation Models (FAM) presented at Appendix 6 demonstrates that the total capital expenditure of the Tower Hamlets BSF programme is deliverable within the £298m funding envelope allocated by the DCSF (formerly DfES); this OBC presents a wave 5 capital expenditure of £199,495,969 and an ICT hardware expenditure of £19,791,050 (a combined total expenditure of £219,287,019).
- 1.8.2 The affordability envelope for each school has been maintained through design development in order to ensure the most transformational outcome for each of the schools given the priority order and expenditure expectations generated at SBC. The original FAM figures were set with our Architects as their design budget and this figure has remained the individual project budget figure.
- 1.8.3 We are committed to maintaining an affordable programme through robust risk management and controlled design development throughout development. We have also worked closely with technical advisors and interrogated cost estimates at all stages to ensure the reasonableness of the estimates and gain firm understanding of the key cost drivers.
- 1.8.4 Any additional unforeseen costs associated with the programme will be managed through the refinement of the designs in order to manage the programme within the original budget allocation. Any such refinement will be agreed in conjunction with the Change Management Group encompassing Educational Delivery Champions, Headteachers and School Development Advisors to ensure that the Educational Vision is still achieved.
- 1.8.5 The programme presents a total ICT hardware expenditure of £25m; of this, £19m is allocated to the wave 5 schools.

- 1.8.6 In terms of revenue affordability, the approach has been to secure the best possible understanding of the costs of:
- 1.8.7 Maintaining a high standard of managed ICT service, including an appropriate provision of physical resources in schools and measures to maintain reasonable ratios of devices to students through refresh; and Securing a high quality, consistent approach to lifecycle and facilities management for D&B schools that will ensure that remodelled schools are maintained on a sustainable and affordable basis following a significant level of investment.
- 1.8.8 Costings on the affordability of the ICT managed service have indicated that the bespoke Tower Hamlets ICT output specification is deliverable for £120 per pupil per annum. Schools have committed to this ongoing revenue expenditure.
- 1.8.9 There is no requirement for additional funding sources to deliver the wave 5 schemes; however, ongoing discussions with other agencies/bodies may enable additional funds to be sourced for the schemes in order to further enhance the opportunities available at the sites.
- 1.8.10 The whole life and annual costs associated with the revenue and capital commitments to Hard FM and Lifecycle as calculated by the Funding Allocation Model (appended to the OBC). The schools and the Authority have committed to the revenue and capital implications of containing the Hard FM spend within existing school budgets and surrendering existing capital budgets provided for by the Asset Management Plan (AMP) and the Devolved Formula Capital (DFC) for the provision of a proposed lifecycle sinking fund managed by the Authority.
- 1.8.11 It is recognised that BSF funding is not eligible for the following two aspects of the BSF programme as a whole: Highways works and any commercial costs arising from negotiating a commercial solution for the works to be carried out at the existing PFI schools. In the first instance, Highways costs will be contained within existing budgets for regeneration within the local area. Potential costs relating to the existing PFI schools will need to be met by the council and schools.
- 1.8.12 This issue does not affect the affordability of the wave 5 programme and OBC and is noted to assist transparency across the whole programme and highlight that we are engaged and committed to developing a solution to this element of the wave 5 programme.
- 1.8.14 The updated Section 151 Officers letter can be found in Appendix 9, Approvals. This letter will be signed after internal diligence and has been presented to members post sign off and official FAM sign off.

1.9 Eradicating BSF Blight

- 1.9.1 There are a number of actions that we will take to avoid schools becoming disadvantaged by forthcoming BSF investment within our asset management plan we are committed to managing the school estate to ensure that existing facilities are suitably sustained until our schools centres are developed through the BSF programme.
- 1.9.2 We will continue to ensure that programmes to ensure health and safety and to progress eradicating access issues at all schools be continued with acknowledgement of BSF timescales. We will continue to utilise all available resources, where suitable, in the most co-ordinated, joined up and cost effective where possible. We will also honour current commitment where proposals continue to be consistent with our SFC vision.

1.10 Preparation for New Projects

- 1.10.1 We have continued to develop the experience and expertise of the team responsible for the development and implementation of the BSF project. The project organisational and governance structures are as described in the SFC2, and are summarised in section 6 of the OBC. The approach has been based on conventional Prince 2 project management methodology and significant effort is invested in maintaining effective links with advisors and the PfS Project Director, who is seen as part of our extended BSF Project Team.
- 1.10.2 In delivering the BSF programme for Tower Hamlets, Service Head BSF and team have top level commitment and involvement through the Project Board from Members (Lead Member for Children's Services and Lead Member for Resources), Senior Users (Headteachers, Tower Hamlets Education and Business Group, Community Plan Action Group), Senior Suppliers (Director Children's Services, Director Resources, Assistant Chief Executive Legal Services, Director Development and Renewal, Service Head for Resources (C.S), Head Property Development and Head Education Building Development) and External Advisors (Programme Management, Technical, Legal, and Financial).
- 1.10.3 Throughout the business case development, the BSF team has consulted with Planning and Highways colleagues, Sport England, English Heritage, and the DCSF (with respect to Section 77 Approvals). There is no requirement for SOC approval or Section 77 Approval within the BSF programme.
- 1.10.4 The Gateway 1 review in October will examine the progress of the project and ensure that the OBC is addressing all necessary areas. Specific issues from the Gateway 1 will be addressed in revisions to the OBC.

- 1.10.5 Through the development and delivery of the consultation and engagement strategy, engagement has taken place with external and internal stakeholders, including: schools and Governors; students and young people; Parents, Carers and Local Community Residents; Partners; Elected Members and Trade Unions. Stakeholder engagement will continue to be a priority, to maintain high levels of commitment and interest within schools which is needed to sustain the significant change management programmes essential for the success of BSF.
- 1.10.6 The Service Head for BSF undertakes the management of the BSF Programme and is directly accountable to the BSF Project Board. The BSF project development team is to undertake the business case and project development for the Wave 5 programme, overseeing delivery and clienting the LEP in accordance with the project plan.
- 1.10.7 We have PfS agreement that this OBC will also form the stage 0 for the first two phases of the programme. The logic in seeking this approval is three fold:
- We have a selected bidder on board who will be delivering the sample projects from January 2009;
 - The next phase of schools to be issued to the LEP (Stage 0) in January included Wave 5 schools, and ;
 - It is a better use of public funds to use the OBC as our Stage 0 submission, as it reduces unnecessary expenses on fees duplicating work just undertaken.

1.10.8 The New Project Approval Process (more details in section 6 of the OBC) has the following key stages:

- Prior to issuing a New Project Proposal (NPP), our client team will need to agree and work up a solution which is in line with the Strategic Partnering Board's requirements. This will involve early feasibility work being carried out to come up with a client brief (output specification) within a set funding envelope. For the BSF programme, this output specification will be based on the exemplars developed for the Sample Schools.
- The LEP will then have the opportunity to confirm that it wished to submit a proposal. The LEP will then carry out further feasibility in order to submit a proposal which includes: a proposed Solution; how the project sits into the delivery strategy set in the SBC; the proposed contract route (including a value for money assessment);; consideration of TUPE issues (if applicable); and a fixed project management fee.
- Following receipt of a NPP, and the LEP having passed the annual Track Record Test, we are obliged to procure the new project through the LEP. At this stage, and prior to granting Stage 1 Approval, we must have Outline Business Case approval to proceed with the procurement.
- In order to submit a New Project Final Approval Submission, the LEP is required to produce detailed solutions including: draft contract documents; planning permissions/approval; school Governors' approval; how NP meets criteria project management fee, value for money (vfm), and estimated TUPE cost; and time table and method statement.
- Following receipt of Final Submissions, we are obliged to respond within 3 months. The LEP has the right to then approve the submission, request that it be resubmitted with amendments, or reject the submission. Following Stage 2 Approval, the schedule allows for the finalisation of contract documentation prior to contract close

1.10.9 Details of the BSF client team structure and an organisation chart are set out in Appendix 12. These resources will be organised as follows:

- Workstreams for: Education Vision and Strategy; ICT; Communication and Consultation; Design Quality; Estates and Facilities Management; Procurement, Legal and Finance; Change Management; Sports & PE.
- The Council's Wave 5 project development team will act as client to the LEP for the commissioning of capital works and ICT provision and will oversee commissioning and delivery of construction projects and ICT during the early phase of the

construction programme. This will include mobilisation of Council resources and management of approvals processes through Mayor and cabinet.

- The LEP's facilities management will be cliented by the Facilities Management Project Manager (BSF Client Team).
- The LEP's ICT managed services will be cliented by the ICT Project Manager (BSF Client Team).
- Monitoring of the LEP's performance will be undertaken by the Performance Manager (BSF Client Team) who will monitor performance against the Output Specifications, Continuous Improvement and Collective Partnership Targets to ensure both effective partnering and continued educational transformation.

1.10.10 This is to ensure that the work of the LEP, development of the business cases, risk management and reporting to board and cabinet are undertaken within the corporate good practice procedures. This includes independent quarterly update reports to CMT for consideration on performance and risk management.

1.11 Leading and Managing Change

1.11.1 Tower Hamlets' received a 4 star rating in the 2008 Corporate Performance Assessment (an improvement from 3 stars in 2005 and was cited as one of the ten most improving in the country). The 2008 JAR inspection rated Children's Services as outstanding with particular praise for the way 'innovative and creative leadership and strong partnerships, underpinned by high ambitions, drive improvement.

1.11.2 At the heart of this success is our ability to deliver change management as part of our core business. This ability is due to a real commitment to joint working and a focus on the delivery of better outcomes as evidenced by first our strategic approach to 14 – 19 and the creation of the secondary schools joint delivery of the curriculum offer through the HUB and secondly operationally on our work through the EBP targeted at specific students in such programmes as business mentoring, reading and number partners and mutual training on equalities. In both instances schools have adopted new ways of management and implementation to capitalise on these opportunities. The embedding of change management within the delivery of the BSF programme is key to ensuring a transformational outcome for education delivery within Tower Hamlets.

1.11.3 Lessons learned around school engagement and transition to change from the BSF wave 3 process and best practice in education delivery will be cascaded throughout the BSF estate, for example, one of the consultant's time has been allocated to

specifically guide the 2 wave 3 schools through the interim phase of establishing the alternative accommodation required and to interface between the school, the construction company and the LA to ensure clear communication. Within wave 5 and wave 3 governors and other stakeholders are included in the briefings and communications to ensure all parties understand the processes and implementation of change. Preparation for Change briefings are held for wave 5 schools and education and BSF teams work together to provide support and guidance to each tranche of schools. Two strategic workstreams – one for change management and one for education. Both chaired by the head of YPL, with key LA staff sitting on both, dovetail to lead on change management within the schools. Membership from education and BSF ensures that there is cohesive practice to drive forward development. Four education consultants have been employed to provide additional capacity to the LA school improvement team. Working with LA link advisors they will challenge and advise schools on change management rooted in meeting curriculum needs. It is fundamental to the BSF project that the needs of the students and the delivery of an appropriate curriculum drives forward changes in building, facilities, staffing and technology and not the reverse.

- 1.11.4 The Client Design Advisor and team of architects will also play a key role in facilitating change within the schools; working with the schools to develop their output specifications, arranging visits to exemplar schools, developing Design Quality Indicators (DQI's) and sharing experience and best practice. Again these professional advisors will work with the BSF Team Change Champions maintain continuity at all school development meetings. This work will always link back to Authority education and school visions of change, incorporating use of space, pedagogy, curriculum, extended schools and community use.
- 1.11.5 Training and support for school management teams, who essentially champion change, will ensure projects are delivered with minimal impact on the smooth running of the school. School management teams will be supported by training and advice to enable them to work through the school restructuring, for example, ICT staff transferring to the ICT provider and further to ensure that any future TUPE implications will be carefully managed.
- 1.11.6 We have developed a comprehensive change management programme (attached as Appendix 15) which will coordinate with all strands of our BSF programme and a comprehensive change management plan will be delivered. This flow of information will be facilitated by three former Headteachers who will act as education delivery champions for the BSF programme and will initially be enabled through cohorts of Headteachers from schools in the same phase of the BSF programme working together. As the programme progresses, this structure will enable a continuous improvement

cycle within the secondary school estate, with a broadening of focus from BSF learning to best practice in educational delivery.

- 1.11.7 We are in an advantageous position to continue to support radical change in workforce remodelling as part of the BSF programme. A cohesive strategy has been developed to address the transformation in school culture required to overcome institutional barriers to change. Remodelling the workforce will be central to achieving this cultural shift. We are is dealing with the key themes of curriculum change, teaching and learning, extended services and integrated provision, SEN and inclusion, pastoral and transition arrangements, collaboration, leadership, governance, LA/School relationships, parental involvement and developing student participation and student voice.
- 1.11.8 We will ensure that educational transformation happens by providing strategic guidance through the consultancy team. This can be sustained through the creation of strong change management processes, based around the principles at the beginning of this section, mirrored by robust change management approaches within each school. The ICT element will be developed to facilitate personalised learning opportunities with elements such as making learning materials available on school websites, accessing materials from other schools and allowing for virtual attendance and working from home, use of alternative technologies.
- 1.11.9 Within the BSF Change Programme there will be a Leadership workstream to enable BSF Headteachers to work as a group to move transformation forward and deliver the overall school and educational visions. All secondary heads are encouraged to take part in on going Becta training and forums to ensure they have an understanding of the opportunities provided by ICT as it develops in individual schools and across the authority.
- 1.11.10 Staff well-being is a priority in the LA's recruitment and retention strategy. Tower Hamlets will ensure that schools are even more rewarding places in which to teach and learn within a Borough which is an exciting and vibrant place to work, a place where teachers and Heads are encouraged to innovate and collaborate. Investment in a range of specific programmes to support recruitment and retention in the Borough's schools will continue.

This page is intentionally left blank

Agenda Item 7.2

Report to: Cabinet	Date 8 October 2008	Classification Unrestricted	Report No	Agenda Item No
Report of Corporate Director (Children's Services)		Title Consultation on the Admission Arrangements		
Originating officer Terry Bryan, Pupil Services Manager		Wards affected: all		
Helen Jenner, Service Head: Early Years, Children and Learning				

1 SUMMARY

- 1.1 The local authority (LA) is the admission authority for the maintained community and voluntary controlled schools in Tower Hamlets. It is responsible for consulting upon and setting the admission arrangements taking account of the Secretary of State's statutory guidance, the School Admissions Code, February 2007.
- 1.2 It is important that the oversubscription criteria and all aspects of the admission arrangements are periodically reviewed. This allows for consideration of changes that have occurred arising from the demand for school places and any other factors that are having an adverse impact on the admissions process.
- 1.3 This report contains recommendations for the annual consultation on the admission arrangements to community and voluntary controlled nursery, primary and secondary mainstream schools in Tower Hamlets. A further report with details of the results of the consultation will be made to Cabinet in March 2009.

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

LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"	Tick if copy supplied to register	If not supplied, name and telephone number of holder
DCSF (DfES) Statutory Guidance <i>School Admissions Code</i> February 2007		Terry Bryan 020 7364 4304
Template Schemes for Co-ordinated Primary & Secondary Admissions		Terry Bryan 020 7364 4304
Scholars Travel Report April 2007		Hania Franek 020 7364 4302

2 RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Agree that the annual consultation be undertaken on admissions for the 2010/11 academic year in relation to nursery schools, classes, early years units and primary admissions (paragraphs 4.2 and 4.3), secondary admissions (paragraph 6.1) and generic issues (paragraphs 7.1 and 7.4).

3 BACKGROUND

- 3.1 There are requirements in legislation for admission authorities to consult on the admission arrangements. The local authority (LA) is the admission authority for the community and voluntary controlled schools. The governing bodies of the voluntary aided (VA) schools are the admission authorities for their schools and decide the oversubscription criteria for their schools within statutory requirements. Before deciding the arrangements, the LA must by law consult firstly the governing bodies for which it is the admission authority and then other admission authorities (e.g. VA school governing bodies), neighbouring LAs and the Admission Forum.
- 3.2 All local authorities are required to establish an Admission Forum to discuss local admission arrangements and advise admission authorities on ways in which they can be improved (Schools Standards and Framework Act 1998). The Forum's statutory role, membership and terms of reference are stipulated in Regulations. The Tower Hamlets Admission Forum has representatives from the community primary and secondary schools, voluntary aided primary and secondary schools, the Collective of Bangladeshi Governors, a parent governor, the Council of Mosques, the Church of England and Roman Catholic Dioceses, the Early Years Development and Childcare Partnership, the Parents' Advice Centre (SEN) and an LA Officer.
- 3.3 It is also important to ensure that parents, community groups, other statutory and voluntary agencies are appropriately consulted and contribute their ideas and comments where policy changes are proposed. The consultation about the admission arrangements for nursery, primary and secondary schools for the 2010/11 admissions must be completed by 1 March 2009 and the LA must determine the arrangements before 15 April. A further report to Cabinet with the results of the consultation will be available in March 2009.
- 3.4 The Authority's Home to School Travel pass policy is normally reviewed at the same time as the admission arrangements. However, this policy was reviewed in April 2007 by Cabinet and the revisions that were approved to take account of the new duties imposed on local authorities by the Education and Inspections Act 2006 widened the potential for eligibility. That policy is taking effect for the admissions in the 2008/9 academic year and there are no proposals to amend the scheme for 2010/11.

3.5 The DCSF launched a wide consultation on school admission arrangements and appeals in June 2008, which ends on Thursday 2 October. The proposals, if adopted, could result in significant changes. It would therefore not be expedient to introduce major amendments to local arrangements until the results of the consultation are known and any pending mandatory requirements.

4 ADMISSIONS TO NUSERY SCHOOLS, NURSERY CLASSES AND EARLY YEARS UNITS

4.1 Most Tower Hamlets primary schools have nursery classes. Applications for admission to the Reception Class are dealt with separately and there is no right of progression. At the last review it was agreed to harmonise the admission timetable in 2009/10 with that for primary schools. Schools will be working to implement this effectively during the current academic year as applications are received and need to be determined.

4.2 In the oversubscription criteria for nursery schools, classes, EYUs and primary schools priority for admission can be given on proven social/medical/educational priority and there is guidance to ensure consistency of the application of this criterion. It is proposed to consult on an additional ground:

- where one or both parents of the child has a disability that would make travel to a school further away significantly more difficult.

4.3 The policy currently states that children being admitted from Children's Centres should if possible be given priority for a full-time place. This needs to be clarified to explain that it applies to the 5 Children's Centres with day care provision. This would remove the potential for misunderstanding where parents attend other children's centres with their children and could be included in the consultation paper for information purposes. A summary of the admission policy to community nursery schools, classes and early years units is attached as Appendix 1

5 ADMISSIONS TO PRIMARY SCHOOLS

5.1 The co-ordinated primary admissions scheme was inaugurated for the admissions to the Reception year group in the 2006/7 academic year. The purpose of co-ordinated admissions is to ensure that on the same day all parents applying to a Tower Hamlets primary school, if possible, receive one school offer only. It is proposed to re-adopt the scheme, rolling forward the timetable to the corresponding dates in 2010/11. The current template scheme including a summary of 2009/10 admission policy for community primary schools is attached as Appendix 2. The policy for 2010/11 will be updated to include a further definition of exceptional medical and social need as follows:

cont..

- 5.1 cont *'children or their parent(s) who are disabled within the definition of the Disability Discrimination (DDA) Act 2005. The DDA defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities'.*

6 ADMISSIONS TO SECONDARY SCHOOL

- 6.1 The co-ordinated secondary admissions scheme has operated since the September 2005 intake and now enters its fifth year. The procedures, which include the Pan London arrangements across the 33 London boroughs and neighbouring authorities, continue to work well. It is proposed to re-adopt the scheme for 2009/10 rolling forward the timetable to the corresponding dates in 2010/11. The current template scheme including a summary of the 2009/10 admission policy for community secondary schools is attached as Appendix 3.
- 6.2 Cabinet is advised that following the review of arrangements last year, discussions with secondary Heads have resulted in all but one school agreeing that there would be benefits in reviewing how pupils at risk of permanent exclusion and permanently excluded pupils are reallocated to schools, with the aim for the process to be more equitable and more efficient than had been the case. An addendum to the Fair Access Protocol involves over-subscribed secondary schools agreeing to admit above the published admission limit to ensure a more efficient system and fairer distribution of permanently excluded pupils. This system has been supported by 14 secondaries since the beginning of June 2008. It has reduced the pressure on schools with vacancies to admit disproportionate numbers of hard to place pupils and has improved access for these groups pupils to alternative mainstream provision.

7 GENERIC ADMISSION ISSUES

- 7.1 The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 place a responsibility on LAs to determine relevant areas, after due consultation. The current relevant area is Tower Hamlets, the LA's administrative area. It is proposed that Tower Hamlets remains the "relevant area" for admissions purposes. The proposal for this to continue to be the case would be included in the consultation.
- 7.2 For the 2009/10 admissions the Authority consulted on whether the method of measuring distance to school should be by the "shortest walking route" (the current method) or by a "straight line" taken from the home address to the school. 40.6% (13) supported "shortest walking route" and 59.4% (19) a "straight line" measurement. Amongst the comments received was the observation that if the distance rule is about ease of access, straight line measurements could distort this where there are geographical barriers. Another was that there ought to be exceptions to straight line measurements where there are major roads to cross.

7.2 Cont In the light of these reservations and the small number of respondents (41) it was agreed to sample the Reception and Year 7 2008/9 admission intakes for a selection of oversubscribed primary schools and secondary schools. The purpose was to analyse the effects of straight line measurements and to see how the decisions would differ from those using the shortest walking route. This analysis has now been carried out and the results show that changing the method of measurement for these schools does not significantly change the pattern of admissions or cause any evident disadvantage to pupils in the areas from which the schools intakes are drawn. Overall less than ten percent of the decisions in either phase of school were affected by the change in the method of measurement. The results of the sample require that further consideration is given to changing the method of measurement, particularly if it brings the benefit of a more objective and transparent process for parents and one that is less likely to cause dispute or bring challenge. It is therefore proposed that we include this issue in the consultation, with stakeholders now having the benefit of the additional information drawn from the results of the analysis.

7.3 Admission authorities are required to consult on the published admission numbers to schools. These are attached at Appendix 4 for all schools, including voluntary aided. There are proposals to increase the Reception intakes at Arnhem Wharf and Marner community primary schools in 2010/11 from 2 (60 places) to 3 (90 places) forms of entry.

7.4 These additional primary places are both in areas of the borough that have experienced a shortfall of Reception places in recent years and will help parents with gaining admission for their children at local schools. The increase in admission number will take effect at reception year only until all year groups have filled. Ben Jonson School will increase its intake to 3 forms of entry from September 2009.

8 COMMENTS OF THE CHIEF FINANCIAL OFFICER

8.1 This report informs Cabinet of the proposals for consulting on the admission arrangements to Tower Hamlets maintained mainstream schools.

8.2 The proposals for consultation focus on the admissions process for the 2010-11 academic year and, as such, there are no financial implications for future years both in respect of pupil numbers (fully funded by the Dedicated Schools Grant) and the administration of the process.

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

9.1 Section 89 of the School Standards and Framework Act 1998 as amended by the Education Act 2002 and the Education (Determining School Admission Arrangements) Regulations issued pursuant to that legislation require the admission authority for a maintained school to determine before the school year the admission arrangements which are to apply for that year. Normally this annual determination must be preceded by consultation.

- 9.2 The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 provide that consultation must be based on “relevant areas”. The LA has to determine the relevant area for its locality, having consulted all other admission authorities in its own administrative area and neighbouring LAs. The LA should review the relevant area at least once every 2 years. The Report proposes that, subject to consultation, Tower Hamlets remains the relevant area for admissions purposes.
- 9.3 Consultation must include informing those consulted about the admission arrangements that are proposed and asking for their views and comments. The LA must consult with governing bodies for which it is the admission authority, neighbouring LAs and the Admission Forum. Good practice also requires consultation with the other groups detailed in Paragraph 3 of the Report. Paragraph 3.3 of the Report details the timescale for consultation and final determination of the admission arrangements. Cabinet is asked to agree consultation on the proposals contained in the report.

10 EQUAL OPPORTUNITIES IMPLICATIONS

- 10.1 The LA's admission policy seeks to use objective criteria which maximise equal opportunities and access to education. Admission policies are circumscribed by law and statutory guidance. They must be compatible with equal opportunities legislation, promote racial equality and as far as possible be inclusive of the local community. Whilst there is a duty to comply with parental preference where possible, some schools are more popular than others and parents do not always obtain places in the schools that they prefer, even after exercising the right of appeal.
- 10.1 A full Equalities Impact Assessment on admissions was undertaken in 2008.

11 ANTI POVERTY IMPLICATIONS

- 11.1 There are no specific anti-poverty implications.

12 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

- 12.1 The underpinning principle for the admission policy to community schools is proximity to encourage support for local schools. This should reduce the need for pupils to travel long distances to school. However, as there is pressure on primary school places in parts of Tower Hamlets many children are travelling out of their immediate areas to access a school place.

13 RISK MANAGEMENT IMPLICATIONS

- 13.1 Admission arrangements must be reviewed periodically in accordance with the DCSF School Admissions Code. Failure to do so could lead to legal challenge and a loss of confidence in the Council as an admission authority.

14 CONCLUSIONS

- 14.1 The Council is the admissions authority for the community and voluntary controlled schools. It must undertake a review of the arrangements in accordance with statutory requirements and consult before any variation is adopted.
- 14.2 The contents of the consultation need to be approved and will be reported back to Cabinet for final decisions.

15 APPENDICES

- 15.1 Appendix 1 – Summary of the 2009/10 Policy for Admission to Community Nursery Schools, Classes and Early Years Units.
- 15.2 Appendix 2 - The Tower Hamlets Scheme for Admission to Primary School in 2009/10.
- 15.3 Appendix 3 – The Tower Hamlets Scheme for Admission to Secondary School in September 2009.
- 15.4 Appendix 4 – Published Admission Numbers for Primary and Secondary Schools.

Summary of Admission Policy to Community Nursery Schools, Classes and Early Years Units

Parents who would like a nursery place for their children should get in touch with the school preferred when the child reaches the age of 2. The actual age at which children can start will depend on the number of places available but will not be before the age of 3.

This also applies to places in Early Years Units (EYUs). EYUs accept children aged 3 to 5 inclusive, depending on the availability of places. For children of nursery age a place in an EYU may be either full or part-time. Parents wishing their child to be considered for a nursery place should contact the school when the child reaches the age of 2.

Where there are insufficient nursery places, priority in the 2009/10 school year will be given by the Headteacher in the following order: -

- (i) to children looked after by a local authority (children in care)
- (ii) to children with agreed exceptional social/educational/medical needs. Parents/carers must provide a report from a professional to support the application e.g. from a doctor or social worker
- (iii) to children with brothers or sisters in the school at the time of admission
- (iv) to those living nearest the school as measured by the shortest walking distance to the nearest available entrance in constant use.

In categories (iii) and (iv) places will be offered firstly to children in the oldest admissions age group.

In the case of nursery schools, the priority for older applicants will only apply if the application is to the nearest nursery school.

The length of time that a child's name has been on the waiting list does not give the child priority over other applicants.

**TOWER HAMLETS PRIMARY CO-ORDINATED
ADMISSION SYSTEM**

THE SCHEME FOR ADMISSION TO PRIMARY SCHOOL

IN 2009/10

April 2008

THE TOWER HAMLETS LA SCHEME FOR CO-ORDINATED ADMISSION TO PRIMARY SCHOOL IN 2009/10

Definitions

“the Application Year”	the academic year in which the parent makes an application, i.e. 2008/9.
“the Common Application Form”	this is the form that each authority must have under the Regulations for parents to use to make their applications, set out in rank order
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is offered a place at more than one school within an LA, the rankings are used to determine the single offer by selecting the one ranked highest of the places offered
“the Home LA”	the LA (local authority) in which the applicant/parent is resident
“the Local Admission System	the IT module for administering admissions and for determining the highest offer within Tower Hamlets
“the Maintaining LA”	the LA which maintains a school to which an applicant has applied
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary school, which is attached as Schedule 2
“the Timetable”	the framework for making and processing applications attached as Schedule 3
“the Qualifying Scheme”	the scheme which each LA is required to formulate pursuant to section 89B(1)(a) of the School Standards and Framework Act 1998 and the Regulations for co-ordinating arrangements for the admission of pupils to primary schools

When children can start primary school in Tower Hamlets

Children are normally able to start school in either Sept 2009 (if their 5th birthday falls between 1st September 2009 and the end of February 2010) or January 2010 (if their 5th birthday falls between the 1st March and the end of August 2010). Some schools admit all Reception aged children in September. This information is published in the Starting School brochure

Applications

1. All primary schools, nurseries and early years centres will advise Tower Hamlets LA of all children on roll that are eligible for admission in the following academic year.
2. Applications must be made on the Tower Hamlets LA Common Application Form (CAF), which will be available from 1 December 2008 and will be able to be submitted on-line. The form will include all the fields and information specified in Schedule 1.
3. Tower Hamlets LA will take all reasonable steps to ensure that the parent(s) of a child living in Tower Hamlets due to start primary school in 2009/10 receives a copy of the Starting School booklet and CAF, including details of how to apply online. The admission booklet and CAF will also be available to parents who do not live in Tower Hamlets.
4. Applicants will be able to express a preference for up to three maintained schools in Tower Hamlets. Applicants applying to schools outside Tower Hamlets must apply direct to the maintaining LA using that LA's CAF. Applications for schools outside Tower Hamlets named on the Tower Hamlets CAF will not be processed and the applicants will, where practicable, be advised to contact the relevant LA.
5. The separate admission authorities (i.e. VA schools) within this LA will use supplementary information forms where there is not sufficient information on the CAF for consideration of the application against the published oversubscription criteria. This will normally only be in circumstances where schools require additional information relating to membership of a particular faith. The supplementary form should be completed and returned to the school concerned. The LA will seek to ensure that supplementary forms only collect information that is required by the published oversubscription criteria, in accordance with the Admissions Code of Practice (February 2007).

Where a school in Tower Hamlets receives a supplementary information form, it will not be considered as a valid application unless the parent has also listed the school on the Tower Hamlets CAF, in accordance with the Admissions Code of Practice (February 2007).

- 6.
7. All preferences expressed on the CAF for maintained schools in Tower Hamlets will be valid preferences. The order of preference given on the CAF will not be revealed before the offer date.

8. Applicants must return the CAF, which will be available and can be submitted on-line to this LA by **13 February 2009**.
9. Schools which receive the CAF (whether or not the family live in Tower Hamlets) must send these to Tower Hamlets LA by the closing date for applications - 13 February 2009.
10. Late applications will only be accepted if they are late for a good reason. Examples of what will be considered as "good reasons" include: when a single parent has been very ill during the relevant period, or has been dealing with the death of a close relative; a family has just moved into the area. Other circumstances will be considered and each case decided on its own merits.

Processing

11. Tower Hamlets LA in consultation with voluntary schools has determined the dates for processing applications and the application of the oversubscription criteria. The timetable is set out as schedule 2 in this document.
12. All preferences will be considered by Tower Hamlets LA and the admission authorities of voluntary aided schools within Tower Hamlets without reference to rank order. When the admission authorities within Tower Hamlets have provided a list of applicants in criteria order to the LA, the LA shall, for each applicant for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make, subject to the provisions in the Admissions Code of Practice. Lower ranked preferences will be "cancelled" or "withdrawn".
13. Tower Hamlets LA will send a file to the E-Admissions portal with outcomes for all applicants who have applied online no later than **30 April 2009**.
14. Tower Hamlets will inform schools of all pupils to be offered places by **Thursday 30 April 2009**.

Offers

15. On **Friday 1 May 2009** Tower Hamlets LA will send a letter notifying parents of the school place provisionally offered. The letter will advise the following:
 - The name of the school at which a place is provisionally offered
 - The procedure and documentation required for the parent(s) to accept the offer
 - If applicable, the reasons why the child is not being offered a place at any of the schools they nominated on the CAF
16. Parents who do not obtain an offer at a preferred school may apply to schools that still have vacancies. Children who have not been offered a

place at any school and late applicants will be offered a place at a school with places remaining.

17. Tower Hamlets LA shall use various forms of the notification letter set out in Schedule 3. Parents will be required to accept or decline the offer with the school at which the place is being offered.
18. If the LA is notified that a pupil offered a place at a Tower Hamlets school is also offered a place at a school in another LA the parents will be contacted and asked to confirm which place they are accepting.

Appeals

19. Parents have the right of appeal against the refusal of a place at any of the schools for which they have applied. Parents wishing to appeal to a Tower Hamlets community school must do so by Friday **22 May 2009**. Tower Hamlets voluntary schools may have different arrangements and parents will be advised to contact the individual school for information.

Post Offer

20. Parents who wish their children's names to be placed on the waiting list of a higher ranked school to the one offered or to any of the preferred schools if an offer has not been possible must notify Pupil Services by **15 May 2009**. This information will be passed to VA schools as appropriate in the week beginning 25 May 2009.
21. Tower Hamlets will seek to ensure that a place is not offered at a school which is ranked on the CAF as a lower preference than any school already offered to a parent.
22. In the period **5 May to 31 August 2009**, this LA will inform the home LA of pupils offered places at schools within Tower Hamlets.
23. From Monday **1 June 2009**, Tower Hamlets will identify school places for any Tower Hamlets pupils who are unplaced.
24. From September 2009, mid-year applications must be made direct to community primary schools using the PA1 form and to VA schools using the PA1 or the admission form used by the school.

This LA's Common Application Form will contain the following fields as a minimum:

Child's details:

Surname
Forename
Date of Birth
Gender
Ethnic origin
Name of current nursery, school or under 5s provision
Name of brother or sister also applying

Parent's details:

Title
Surname
Initials or Forename
Address
Telephone Number (Home, Daytime, Mobile)
Email address
Relationship to child

Preference details (x 3 recommended):

Name of Primary school
Preference ranking
Reasons, if any, for application

Additional information:

Any medical or social reasons for the application, report(s) to be attached
Is the child undergoing statutory assessment of SEN? Y/N*
Is the child in the public care of a local authority / looked after? Y/N
If yes, name of responsible authority
Surname of sibling
Forename of sibling
DOB of sibling
Name of school sibling attends

Other:

Declaration and signature of parent or carer
Date of signature

Tower Hamlets Primary Co-ordinated Admission Scheme

Template Outcome Letter

From: Home LA

Date: **1 May 2009**

Dear Parent,

Admission to Primary School 2009/10

*I am writing to advise you that there is a place for «pupil_firstname» «pupil_surname» at _____ School in the Reception Year for 2009/10. This offer is subject to you providing the school with proof of your child's date of birth and current address by **Friday 15 May** at the very latest.*

This was the school you named as your _____ preference on the application form. If you named any lower preferences on your form these applications have been withdrawn (cancelled) in accordance with the arrangements set out in the 'Starting School' booklet.

The Headteacher of _____ will soon be in contact with you to confirm the arrangements for «pupil_firstname» to start school.

I am sorry that a place could not be offered at _____ your _____ preference. This is because there were more applications than places available and other applicants had a higher priority than your child under the school's admission policy. If this school is a community school the admission policy is published in the 'Starting School' booklet. If it is a church school the admission policy is available from the school.

If you would like your child's name to be placed on the waiting list(s) you must contact Pupil Services **by 15 May**, telephone 020-7364 4308/1927 or e-mail: pupil.services@towerhamlets.gov.uk

You have the right of appeal against the decision not to offer a place at your preferred school(s). Please use the enclosed appeal form and return it in the reply paid envelope by **Friday 22 May 2009** if the refusal is for a community school. You should use a separate appeal form for every school you appeal for. If you wish to appeal for a church school (voluntary aided), please contact the school for information.

If you are unable to take up the place at _____ for any reason, please contact the school immediately or Pupil Services on 020-7364 5006.

Yours sincerely

(First preference offer letters should include the paragraphs in italics only)

Key dates in the timetable for admission to Tower Hamlets Primary Schools in 2009/10

<p>Week beginning 1 December 2008 Tower Hamlets Primary Admissions Booklet with the CAF is distributed to parents of pupils at Tower Hamlets nursery classes, schools and under fives centres and other provision.</p>	<p>Friday 24 April 2009 Final date for schools to notify Tower Hamlets LA (Pupil Services) of any amendments.</p>
<p>Friday 13 February 2009 Closing date for applications. On line applications can be made up until midnight. Hard copy applications must be received by Pupil Services by 5.00pm at Mulberry Place.</p>	<p>Friday 1 May 2008 Notification day – Tower Hamlets LA to send letters to parents advising them of the outcome of their application(s). Refusal letters with the right of appeal will be sent in respect of community schools by Pupil Services.</p>
<p>Friday 6 March 2009 Tower Hamlets LA emails primary schools details of all applications received.</p>	<p>Tuesday 5 May 2009 Primary schools send offer letters to parents. VA schools also send refusal letters with right of appeal.</p>
<p>Monday 9 March – Wednesday 25 March Governors of VA schools meet to reach admission decisions by ranking all applications, including any where the supplementary form was not completed.</p>	<p>Friday 15 May 2009 Final date for parents to take proof of date of date of birth and address to schools and to notify Pupil Services if they wish their child's name to be placed on the waiting list for a higher ranked school to the one offered.</p>
<p>Friday 27 March 2009 Schools return lists to Pupil Services of who can and cannot be offered places in order of priority for admission.</p>	<p>Friday 22 May 2009 Closing date for appeals against refusal of admission to community schools.</p>
<p>Monday 20 April 2009 Provisional lists of acceptances, refusals and withdrawals sent to schools for final check.</p>	<p>From Monday 1 June 2009 Tower Hamlets LA notifies parents of unplaced pupils of school places available.</p>

Tower Hamlets Children's Services Directorate

Community Primary Schools Admissions Policy for 2009/10

Children with a statement of special educational need which names the school applied to must be allocated a school place, (Section 324 of the Education Act 1996).

If a school is oversubscribed for the reception age group, priority for places is given in the following order:

- I. to children looked after by a local authority (in public care);*
- II. to brothers and sisters of a child who is on the roll of the school **when the child is due to be admitted to the school**, including nursery or of the other school of separate infants and junior school. This is providing the family lives within 1½ miles of the school as measured by the shortest walking distance;*
- III. to pupils who live in the priority admission area of Stepney applying to their designated school. Within this category priority will given to pupils who live nearest the school, as measured by the shortest walking distance; (please see map of Stepney priority admission areas)*
- IV. to children living nearest to the school, as measured by the shortest walking distance*

Priority can be given, at the discretion of the Headteacher, to children with an exceptional medical or social need for that particular school. These applications must be supported by at least one report from a professional, e.g. a doctor or social worker.

Exceptional medical or social need is defined as follows:

- children whose names are either on or at risk of being placed on the 'At Risk' register;
- children who are considered by the Local Authority to have special educational needs; this will include children with statements of special educational needs and those undergoing assessment. Referrals from Tower Hamlets Child Development Team should be considered under this criterion;
- children who are subject to statutory supervision;
- children who are or have been children and young persons looked after (in public care) within a year prior to the admission date;
- children whose parents own abilities or circumstances are seriously limiting their capacity to provide care without the support of services;
- children who are HIV positive or have aids;
- children who commit offences and are at risk of care or custody.

Sibling definition

Sibling refers to brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent/carer's partner, and in every case, the child should be living in the same family unit at the same address.

Measurements

Home to school distances will be measured using a computerised digitised map from the home address to the nearest available pupil entrance in constant use by the shortest walking route.

Confirmation of Address

Parents will be required to provide acceptable independent proof of their child's address. They must make sure that the application form they complete is accurate and to contact Pupil Services or tell their child's school if there are relevant changes to their application after it has been submitted. Places may be withdrawn if false information is entered on the application form. Parents who do not provide evidence of their child's address as requested, or provide conflicting or inconclusive information, may have the place withdrawn, even if it has already been accepted. When parents live separately, the address used should be the one that their child usually lives at and attends school from. If a child lives equally with both parents at different addresses, it is the parents' responsibility to make this clear on the application form. Parents may be asked to provide acceptable proof that this is the case.

Changing Preferences

Parents and carers may not change their preferences unless there is a genuine reason for doing so, or example, change of address. Requests to change preferences must be made in writing giving the full reasons.



APPENDIX 3

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM TOWER HAMLETS LA SCHEME FOR ADMISSION TO SECONDARY SCHOOL IN SEPTEMBER 2009

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

TOWER HAMLETS LA SCHEME FOR ADMISSION TO SECONDARY SCHOOL IN SEPTEMBER 2009

Definitions

“the Application Year”	the academic year in which the parent makes an application i.e. in relation to the academic year of entry, the year preceding it
“the Board”	the Pan-London Admissions Executive Board, which is responsible for the Scheme
“the Common Application Form”	this is the form that parents must use to make their applications, set out in rank order
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is offered a place at more than one school within an LA, the rankings are used to determine the single offer by selecting the one ranked highest of the places offered
“the Home LA”	the LA (local authority) in which the applicant/parent is resident
“the Local Admission System (LAS)”	the IT module for administering admissions in Tower Hamlets and for determining the highest offer both within and between participating LAs
“the Maintaining LA”	the LA which maintains a school to which an applicant has applied
“the Mandatory Elements”	those elements of the Template LA Scheme to which authorities must subscribe in order to be considered as ‘Participating Authorities’ and to benefit from the Pan-London Register and related funding
“the Notification Letter”	the agreed form of letter sent to applicants on the prescribed day (2 nd March 2009), which is attached as Schedule 2
“the Offer (Prescribed) Day”	1st March or first working day thereafter.

“the Pan-London Register (PLR)”	the computer database which will transmit application and offer data between each LA’s Local System
“the Pan-London Timetable”	the framework for processing of application data which is attached as Schedule 3
“the Participating LA”	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Co-ordinated admissions Scheme presented here.
“the Qualifying Scheme”	the scheme which each LA is required to formulate pursuant to section 89B(1)(a) of the School Standards and Framework Act 1998 and the Regulations for co-ordinating arrangements for the admission of pupils to secondary schools.

Applications

1. Tower Hamlets LA will advise home LAs of their resident pupils on the roll of this LA’s maintained primary schools and whose parents are eligible to make application in the forthcoming application year.
2. Applications from residents of Tower Hamlets will be made on the authority’s Common Application Form (CAF), which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1. These will be supplemented by any additional fields and information where deemed necessary by this LA.
3. Tower Hamlets will take all reasonable steps to ensure that every parent who is resident in this LA and has a child in their last year of primary education within a maintained school, either in this LA or any other maintaining LA, receives a copy of this LA’s admissions booklet and CAF, **including details of how to apply online**. The admissions booklet will also be available to parents who do not live in Tower Hamlets, and will include information on how they can access their home LA’s CAF.
4. Tower Hamlets LA and the admission authorities within this LA i.e. Bishop Challoner, Raine’s and Sir John Cass Foundation Schools will use supplementary forms to collect information which is required by the school’s published oversubscription criteria, in accordance with the Admissions Code of Practice (Feb 2007, para 1.73).
5. Where Tower Hamlets or the other admission authorities within the LA receive a supplementary form (Schedule 6), it will not be considered to be a valid application unless the parent has also listed the school on their home LA’s CAF, in accordance with the Admissions Code of Practice (Feb 2007).

6. Applicants will be able to express a preference for six maintained secondary schools within and/or outside Tower Hamlets.
7. The order of preference given on the CAF **will not be revealed to a school within the Authority area in accordance with para 2.13 of the School Admissions Code 2007** However, where a parent resident in this LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where a child is eligible for a place at more than one school in that LA's area.

Processing

8. Applicants resident within Tower Hamlets must return the CAF, which will be available and able to be submitted on-line, to this LA by **24th October 2008**. This closing date applies to all LAs participating in the Pan London co-ordinated admissions arrangements.
9. Application data for Tower Hamlets pupils applying to schools in other Participating LAs will be up-loaded to the PLR by **17 November 2008**. Supplementary information mistakenly sent with the CAF will be sent to maintaining LAs and TH admission authorities by the same date, where possible.
10. Tower Hamlets has, in consultation with the admission authorities within its area and within the framework of the Pan-London Timetable, determined its own timetable for the processing of application data and the application of admission criteria. Please see Schedule 4.
11. All preferences for schools within Tower Hamlets will be considered by the relevant admission authorities without reference to rank order. Applications for schools where Tower Hamlets LA is the Admission Authority will be considered in accordance with the criteria set out in Schedule 5. Applications for Bishop Challoner, Raine's and Sir John Cass Foundation school will be considered in accordance with criteria set by the individual schools. Once each admission authority has ranked its applicants in criteria order, Tower Hamlets shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. (School Admissions Code, Feb 2007, para 2.13)

12. Tower Hamlets will accept late applications only if they are late for a good reason. Examples of what will be considered as good reason include: when a single parent has been ill during the relevant period, or has been dealing with the death of a close relative; a family has just moved into the area. Other circumstances will be considered and each case decided on its own merits.
13. Where such applications contain preferences for schools in other LAs, Tower Hamlets will forward the details to maintaining LAs via the PLR as they are received. Tower Hamlets will accept late applications which are considered to be on time within the terms of the home LA's scheme, providing they are uploaded to the PLR by the latest date i.e. **12 December 2008**.
14. If after submitting an on-time application, a parent moves from Tower Hamlets to another participating LA or vice versa, it will be accepted and treated as on-time up to **12 December 2008**. This is on the basis that an on-time application already exists within the Pan-London system.
15. Tower Hamlets will participate in the application data checking exercise scheduled between **15 December 2008 and 2 January 2009** in the Pan-London timetable.
16. Tower Hamlets LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.
17. Tower Hamlets will upload the highest potential offer available to an applicant for a maintained school in this LA to the PLR by **4 February 2009**. The PLR will transmit the highest potential offer made by the Maintaining LA to the Home LA.
18. The LAS of this LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of information between the LAS and the PLR (in accordance with a specified iterative timetable) which will continue until a steady state is achieved (which the PLR will indicate), or until **17 February 2009** if this is sooner. Tower Hamlets LA will transmit to the PLR information about final offers no less than 5 working days before **2 March 2009**. The PLR will in turn transmit this information to the LAS of the relevant Maintaining Authorities for their information.
19. Tower Hamlets LA will participate in the offer data checking exercise scheduled between **18 and 25 February 2009** in the Pan-London timetable.
20. Tower Hamlets LA will send a file to the E-Admissions portal with outcomes for all residents who have applied online no later than **25 February 2009**. (33 London LAs only).

Offers

21. **On 2 March 2009 (being the first working day after 1 March 2009)** Tower Hamlets LA will inform, by letter sent by first class post, all its residents who have made on-time applications of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in Tower Hamlets or participating LAs. Lower ranked offers will be 'cancelled' or withdrawn. Tower Hamlets LA will use the form of notification letter set out in Schedule 2.
22. For Tower Hamlets residents for whom a place cannot be offered on the 2nd March 2009, there will be an opportunity to state further preferences between March and Mid-April. Parents of pupils still unplaced by the week ending Friday 17th April 2009 will be notified of a school at which a place is reserved.
23. Tower Hamlets will provide its primary schools with destination data of its resident applicants by the end of February and provide updates at regular intervals throughout the summer term of 2009.

Post Offer

24. Tower Hamlets secondary schools will contact parents of pupils between 3rd and 20th March 2009 to confirm the offer of a place and the arrangements for admission. Schools will notify Tower Hamlets LA of any pupils for whom an offer of place is declined and the reasons for this.
25. Where a parent resident in Tower Hamlets LA accepts or declines a place in a school maintained by another LA by **16th March 2009**, Tower Hamlets will forward the information to the maintaining LA by **23rd March 2009**. Where such information is received from parents between **16th March** and **31st August 2009**, Tower Hamlets LA will pass it to the maintaining LA as it is received.
26. In the period **2nd March to 31st August 2009**, Tower Hamlets LA will inform the relevant home LA of any change to an applicant's offer status as soon as it occurs.
27. In the period **2nd March to 31st August 2009**, Tower Hamlets LA will accept new applications (including additional preferences) for its schools from home LAs.
28. The Tower Hamlets Secondary Transfer brochure explains how waiting lists will operate and the arrangements for mid-term admissions.

SCHEDULE 1

This Tower Hamlets Common Application Form will contain the following fields as a minimum.

Child's details:

Surname
Forename
Date of Birth
Gender
Name of primary school
Address of primary school (if outside home LA)
Name of brother or sister also transferring

Parent's details:

Title
Surname
Initials or Forename
Address
Telephone Number (Home, Daytime, Mobile)
Email address
Relationship to child

Preference details (x 6):

Name of secondary school
Address of secondary school
Preference ranking
Local Authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)
Is the applicant undergoing statutory assessment of SEN? Y/N
Is the applicant a child looked after? Y/N
If yes, name of responsible authority
Is this the eldest child?
Is this the eldest Son?
Is this the eldest daughter?
Child's Year 5 Optional SATs score (Reading, Maths)?
Child's Band?
Surname of sibling
Forename of sibling
DOB of sibling
Gender of sibling
Name of school sibling attends

Other:

Signature of parent or guardian
Date of signature

SCHEDULE 2

Pan-London Co-ordinated Admission Scheme

Tower Hamlets Letter

From: Home LA

Date: **2nd March 2009**

Re: Transfer from Primary to Secondary School 2009

I am writing to advise you that there is a place for _____ at _____ for September 2009. This was the school you named as your _____ preference on the application form.

If you named any lower preferences on your form i.e. 4th 5th 6th, these applications have been withdrawn (cancelled) in accordance with the arrangements set out in the 'Moving to a Secondary School in Tower Hamlets' booklet.

If you made your application online you will have had the opportunity to log on to the Your London website and view these details in advance of this letter.

The Headteacher of _____ will soon be in contact with you to make the necessary arrangements for your child's admission in September. In the meantime, the Headteacher of your child's primary school has been sent this information.

I am sorry that it was not possible for your child to be offered a place at the schools you listed as your higher preferences on your application form. This is because there were more applications than places available, and other applicants had a higher priority than your child under the school's admission policy. If this school is within Tower Hamlets the admission policy will be set out in the 'Moving to a secondary school in Tower Hamlets' booklet, which you received in September. The names of children refused places at Tower Hamlets schools, other than Raine's, Bishop Challoner and Sir John Cass, will automatically be placed on the waiting list.

More information about the reason why your child was not offered a place is available from the Pupil Services Team on Tel 020 7364 5006. If the school is not one where Tower Hamlets is the admission authority we will advise you on who to contact.

You have the right of appeal against the decision not to offer a place at your preferred school(s). Raine's, Bishop Challoner and Sir John Cass schools will include the appeal and waiting list procedures in the refusal letter that they will send. For all other Tower Hamlets schools, if you wish to appeal please use the enclosed appeal form and return it in the reply paid envelope by the **23rd March 2009**.

Where your preferred school is not in Tower Hamlets, you should contact the admission authority for that school within the next few days for information on the waiting list and appeal procedures.

Please contact either Abdul Malik or Claire Keeley on 020 7364 5006 in the Pupil Services Team if you are unable to take up the place at _____ for any reason.

Yours sincerely

Pupil Services Manager

(First preference offer letters should include the paragraphs in italics only)

The following paragraph will be included for Tower Hamlets parents who receive offers of places at out-borough schools:

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

SCHEDULE 3

Pan-London Timetable for the determination of applications to secondary school:

24th October 2008	Deadline for submission of Common Application Form by parents to home local education authority.
24th November 2008	Deadline for the transfer of application information by the Home LA to the PLR.
12th December 2009	Deadline for the upload of late applications to the PLR.
4th February 2009	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR.
2nd March 2009	The Offer Day – the date on which notification letters are sent out.

Tower Hamlets LA Timetable for Transfer from Primary to Secondary School in September 2009

The timetable schedules the key dates in the arrangements for secondary transfer in Tower Hamlets and incorporates the mandatory elements of the Pan London Co-ordinated Admissions Timetable.

JULY 2008

Primary schools and Cherry Trees send Pupil Services an electronic listing (CTF file) of all Year 5 pupils.

Pupil Services send other LAs details of known out-borough pupils attending Tower Hamlets primary schools.

SEPTEMBER 2008

Secondary transfer booklet delivered to all Tower Hamlets schools for distribution to the parents of pupils transferring.

Pupil Services send Primary Schools listings of their pupils who are transferring for checking.

Primary headteachers provide parents of pupils living outside Tower Hamlets with a letter from Tower Hamlets advising them to contact their home LA for an application pack including City of London parents.

Guidance on secondary transfer policy and procedures sent to schools

Monday 1st September – Monday 13th October

Secondary schools visits.

Thursday 18th September

Meeting for parents on secondary transfer arrangements

By Friday 19th September

Pupil Services will send primary schools (by e-mail) individual notifications of the pupil Optional SATs test scores and Band.

By Friday 26th September

Primary schools and Pupil Services send application packs to parents.

OCTOBER 2008

Wednesday 1st October – Friday 24th October

Parents to complete the secondary transfer form, on-line or by hard copy

Friday 24th October – 5.00pm

CLOSING DATE for applying to all maintained secondary schools in the Pan London area.

Half Term (27th – 31st October inclusive)

NOVEMBER 2008

The SEN Panel will meet to consider requests from parents for a school to be named on their child's statement.

By Friday 28th November

Pupil Services will send an electronic file with details of applicants to the Bishop Challoner Schools, Sir John Cass and Raine's.

DECEMBER 2008

Pupil Services will send primary schools listings of their pupils and their applications for checking.

Secondary schools receive information on number of applications for their school.

The SEN Team will consult Secondary Schools on the proposed placement of pupils with statements of SEN.

The Primary/Secondary Transfer Committee meets to consider applications for children on exceptional medical or social grounds.

CHRISTMAS HOLIDAYS (22nd December 2008 – 2nd January 2009 inclusive)

JANUARY 2009

Friday 23rd January

Latest date for the Bishop Challoner schools, Sir John Cass and Raine's to send offer and refusal lists in ranked order to Pupil Services.

Monday 23rd February

Pupil Services will return the list of applicants for the Bishop Challoner schools, Sir John Cass Foundation and Raine's, confirming those pupils who should be offered/refused places.

Half Term (16th – 20th February inclusive) Monday 23rd February

Deadline by which all London LAs will have confirmed listings of acceptances and refusals with each other.

Friday 27th February

The latest date by which the Pupil Services Manager will send Primary Schools the outcome of applications for their pupils. Pupil Services will also inform primary schools of the Tower Hamlets schools with vacancies that parents without an offer may apply to.

The latest date by which the Pupils Services Manager will send community secondary schools, George Green's and Central Foundation Schools the details of pupils who will be offered places.

March 2009

Monday 2nd March

Pupil Services will send out notification (offer) letters to Tower Hamlets residents

Tuesday 3rd – Friday 20th March

As soon as possible after the 2nd March and before the 20th March secondary schools write to parents to inform them of their admission procedures.

Monday 23rd March - 5.00pm

Closing date for parents to appeal against the decision to refuse a place at their preferred Tower Hamlets schools.

APRIL 2009

EASTER HOLIDAY (6th – 17th APRIL INCLUSIVE)

Pupil Services will process late and further applications for Tower Hamlets secondary schools.

Pupil Services will notify secondary schools of further offers and those pupils, if any, allocated (reserved) places.

Pupil Services will send primary schools updated listings of the secondary school destinations for their pupils.

By Friday 17th April

Pupil Services will send out acceptance and refusal letters to late applicants and those allocated (reserved) places.

Half Term (25th – 29th May inclusive)

MAY - JUNE 2009

Appeals will be heard for Tower Hamlets secondary schools.

Pupil Services will notify secondary and primary heads of the outcome of appeals involving their schools or pupils.

Pupil Services will send primary schools updated listings of the secondary school destinations for their pupils.

Pupil Services will send to secondary schools updated listings of pupils transferring to their schools.

JULY 2009

Year 6 pupils visit their secondary schools in Tower Hamlets*.

Transfer of primary school folders (records) to Tower Hamlets secondary schools*.

*** Date to be confirmed.**

Tower Hamlets LA admission arrangements for pupils transferring from primary to secondary school (secondary transfer) in September 2009.

Oversubscription Criteria for Tower Hamlets Community Secondary Schools, Central Foundation Girls' and George Green's schools.

Pupils with a statement of special educational needs that names the school applied to must be allocated a place. The place will be provided in the appropriate band (see note 1).

A quarter of the total places available at these schools are allocated to each of the four reading bands. If any of these are oversubscribed in any reading band, the admission criteria below will be used (in descending order of priority) to allocate places:

1. Children in public care (looked after). (See Note 2)
2. Pupils who have a strong medical or social reason to attend the school applied to. This can include the parents', carers' or other family members' medical conditions and the family's social needs. Parents must complete the relevant section on the application form and attach medical and/or social reports from a suitable professional (e.g. a doctor or social worker) to support the application. The reports must be received by **24th October 2008**. These applications will be considered by the Primary / Secondary Transfer Committee. (See note 3)
3. Pupils living nearest the school who are the first born of their sex in the case of a single sex school, or the eldest child in the case of a mixed school. The number of children admitted under this category will reflect 25% of the intake of the school in each band.
4. Pupils who have a brother or sister at the school at the time of admission. (See note 4)
5. Pupils who live nearest to the school by the shortest walking route. (See note 5)

In categories 3, 4 and 5 above, a higher priority will be given to pupils who live in the priority geographical areas of south Wapping or west Bethnal Green applying to one of the designated schools. (See 'Priority Areas' below)

Note 1: Parents of children with statements of special educational need should note that Tower Hamlets LA seeks to ensure that pupils with statements do not, at secondary transfer time, become unduly concentrated in a few schools. Experience indicates that this can compromise the efficient education of children and the efficient use of resources. This means that if any particular school receives a large number of applications for pupils with statements, some of these may be refused. All applications for pupils with statements will be considered by the Special Educational Needs Panel.

Note 2: A supporting statement from the social worker or foster carer should be received by the closing date for applications.

Note 3: Applications will be considered by the Primary/Secondary Transfer Committee, comprising a Headteacher, a member of the Attendance and Welfare Service and a school governor. The Committee will decide whether the application should be given priority under this category.

Note 4: Sibling refers to brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent/carer's partner, and in every case, the child should be living in the same family unit at the same address.

Note 5: Home to school distances will be measured by the shortest walking route from the home address to the nearest available pupil entrance in constant use to the school, using a computerised digitised map.

Priority areas

The south Wapping priority area is the area south of Cable Street and Royal Mint Street, west of Butcher Row, north of the Thames and east of Mansell Street and Tower Bridge Approach. Children living in this area will have priority for admission to the designated schools, which are Mulberry and Stepney Green.

The west Bethnal Green priority area is the area south of Quaker Street, west of Brick Lane, north of Whitechapel High Street and east of Middlesex Street. Children living in this area will have priority for admission to the designated school, which is Swanlea.

Exceptional Medical or Social Reasons

Where there is a very strong medical or social reason for attending a particular school priority may be given for admission. Parents must complete the relevant section on the transfer form and attach medical and/or social reports signed by a doctor or social worker to the form. These reports must be received by the closing date on 24th October 2008. The application will be considered by the Primary / Secondary Transfer Committee.

Confirmation of Address

Parents may be required to provide acceptable independent proof of their child's address. They must make sure that the application form they complete is accurate and to contact Pupil Services or tell their child's headteacher if there are relevant changes after it is submitted. Places may be withdrawn if false information is entered on the application form. Parents who do not provide evidence of their child's address as requested, or provide conflicting or inconclusive information, may have the place withdrawn, even if it has already been accepted. When parents live separately, the address used should be the one that their child usually lives at and attends school from. If a child lives equally with both parents at different addresses, it is the parents' responsibility to make this clear on the application form. Parents may be asked to provide acceptable proof that this is the case.

Measurements

Home to school distances will be measured from the home address to the nearest available pupil entrance to the school in constant use, using a computerised digitised map.

Changing Preferences

Parents and carers may not change their preferences unless there is a genuine reason for doing so, or example, change of address. Requests to change preferences must be made in writing giving the full reasons.

Supplementary form for out-borough pupils applying for Tower Hamlets Secondary Schools.

This supplementary form provides information needed for applications from parents who do not live in Tower Hamlets to the following schools:

Bethnal Green Technology College; Bow Boys'; Central Foundation Girls'; George Greens; Langdon Park; Morpeth; Mulberry; Oaklands; Swanlea; St Paul's Way; Stepney Green

You must complete the application form issued by your home Local Authority as well as this form. If you do not complete both forms your application cannot be fully considered.

Child's first names

Surname

Date of birth Is this your eldest child? Yes No

Male Is this your eldest son? Yes No

Female Is this your eldest daughter? Yes No

Child's address:
Home Local Authority: Telephone:

Name & Borough of primary school: Name: Borough:

Please enter your child's score from the Year 5 Optional SATs Tests

Reading Score Maths Score Band

Is your child undergoing a statutory assessment of Special Educational Needs? Yes No

Does your child have a statement of special educational needs? Yes No

Please list below the Tower Hamlets schools you are applying to and any brothers or sisters who attend or are also transferring to secondary school in September 2009.

1 st	<input type="text"/>	4 th	<input type="text"/>
2 nd	<input type="text"/>	5 th	<input type="text"/>
3 rd	<input type="text"/>	6 th	<input type="text"/>

I am the person with parental responsibility for the child named above and the information given is true. I understand that false or misleading information may result in the offer of a place being withdrawn.

Parent's Name, address and tel: (if different from above)

Signature of parent / carer Date

TOWER HAMLETS ADMISSION NUMBERS

APPENDIX 4

No.	Primary Schools	Address	Post code	No. of Places
1	Arnhem Wharf	Arnhem Wharf	E14 3RP	90 (+ 30 places)
2	Bangabandhu	Wessex Street	E2 0LB	60
3	Ben Jonson	Harford Street	E1 4PZ	90
4	Bigland Green	Bigland Street	E1 2ND	90
5	Blue Gate Fields Infants	King David Lane	E1 0EH	90
6	Blue Gate Fields Juniors	King David Lane	E1 0EH	90
7	Bonner	Stainsbury Street	E2 0NA	60
8	Bygrove	Bygrove Street	E14 6DN	30
9	Canon Barnett	Gunthorpe Street	E1 7RO	45
10	Cayley	Aston Street	E14 0NP	60
11	Chisenhale	Chisenhale Road	E3 5QY	45
12	Christ Church	Brick Lane	E1 6PU	30
13	Clara Grant	Knapp Road	E3 4BU	60
14	Columbia	Columbia Road	E2 7RG	60
15	Cubitt Town Infants	Manchester Road	E14 3NE	90
16	Cubitt Town Juniors	Manchester Road	E14 3NE	90
17	Culloden	Dee Street	E14 0PT	58
18	Cyril Jackson	Three Colt Street	E14 8HH	60
19	Elizabeth Selby	Old Bethnal Green Road	E2 6PP	75
20	English Martyrs	St Mark Street	E1 8DJ	30
21	Globe	Gawber Street	E2 0JH	45
22	Guardian Angels	Whitman Road	E3 4RB	30
23	Hague	Wilnot Street	E2 0BP	30
24	Halley	Halley Street	E14 7SS	30

25	Harbinger	Cahir Street	E14 3QP	45
26	Harry Gosling	Fairclough Street	E1 1NB	60
27	Hermitage	Vaughan Way	E1W 2PT	45
28	Holy family	Wade's Place	E14 0DE	30
29	John Scurr	Cephas Street	E1 4AX	65
30	Kobi Nazrul	Settles Street	E1 1JP	30
31	Lansbury Lawrence	Cordelia Street	E14 6DZ	60
32	Lawdale	Mansford Street	E2 6LS	75
33	Malmesbury	Coburn Street	E3 6LS	75
34	Manorfield	Wyvis Street	E14 6QD	90
35	Marion Richardson	Senrab Street	E1 0QF	60
36	Marnar	Devas Street	E3 3LL	90 (+ 30)
37	Mayflower	Upper North Street	E14 6DU	45
38	Mowlem	Mowlem Street	E2 9HE	30
39	Old Ford	Wrights Road	E3 5LD	90
40	Old Palace	St Leonard's Street	E3 3BT	60
41	Olga	Lanfranc Road	E3 5DN	30
42	Osmani	Vallance Road	E1 5AD	60
43	Our Lady	Copenhagen Place	E14 7DA	26
44	Redlands	Redman's Road	E1 3AQ	60
45	St Agnes	Rainhill Way	E3 3ER	30
46	St Anne's	Underwood Road	E1 5AW	45
47	St Edmund's	Westferry Road	E14 3RS	30
48	St Elizabeth	Bonner Road	E2 9JY	60
49	St John's	Peel Grove	E2 9LR	30
50	St Luke's	Saunders Ness Road	E14 3EB	30
51	St Mary & St Michael	Sutton Street	E1 0BD	60
52	St Matthias	Bacon Street	E2 6DY	30

53	St Paul's	Wellclose Square Whitechapel	E1 8HY	30
54	St Paul's with St Luke's	Leopold Street	E3 4LA	30
55	St Peter's	Garnet Street	E1W 3QT	30
56	St Saviour's	Chrip Street	E14 6BB	30
57	Seven Mills	Malabar Street	E14 8LY	30
58	Shapla	Wellclose Square	E1 8HY	30
59	Sir William Borough	Salmon Lane	E14 7PQ	45
60	Smithy	Smithy Street	E1 3BW	60
61	Stebon	Burdett Road	E14 7AD	60
62	Stepney Greencoat	Norbitton Road	E14 7TF	30
63	Stewart Headlam	Tapp Street	E1 5RE	60
64	Thomas Buxton Infants	Buxton Street	E1 5AR	60
65	Thomas Buxton Juniors	Buxton Street	E1 5AR	60
66	Virginia	Virginia Road	E2 7NQ	30
67	Wellington	Wellington Way	E3 4NE	45
68	William Davis	Wood Close	E2 6ET	30
69	Woolmore	Woolmore Street	E14 0EW	30

These schools have places reserved for hearing impaired children or those with speech and language SEN

No.	Secondary School	Address	Post Code	No. of Places
1	Bethnal Green Tech. College	Gosset Street	E2 6NW	180
2	Bishop Challoner Boys	Hardinge Street	E1 0AB	120
3	Bishop Challoner Girls	Hardinge Street	E1 0AB	150
4	Bow School for Boys	Paton Close, Fairfield Road	E3 2QD	150
5	Central Foundation Girls	Harley Grove Campus	E3 2AR	240
6	George Green's	100 Manchester Road	E14 3DW	210

7	Langdon Park	Byron Street	E14 ORZ	180
8	Morpeth School	Portman Place	E2 OPX	240
9	Mulberry School for Girls	Richard St, Commercial Road	E1 2JP	210
10	Oaklands	Old Bethnal Green Road	E2 6PR	120
11	Raine's Foundation	Approach Road	E2 9LY	150
12	Sir John Cass's Foundation	Stepney Way	E1 ORH	180
13	St. Paul's Way	Shelmerdine Close	E3 4AN	240
14	Stepney Green	Ben Jonson Road	E1 4SD	180
15	Swanlea	31 Brady Street	E1 5DJ	210

Agenda Item 7.3

Cabinet	Date: 8 October 2008	Classification Unrestricted	Report No.	Agenda Item No.
Report of: Corporate Director Children's Services		Title: Marners Primary School – Proposed Expansion		
Originating Officer(s): Pat Watson Head of Building Development		Ward(s) Bromley by Bow		

1. SUMMARY

- 1.1 This report explains the background to the proposals and informs Cabinet of the consultation that has taken place to date. The report recommends that statutory proposals are now published for the enlargement of the school.

2. RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Note the contents of this report;
- 2.2 Agree that statutory proposals should be published for the enlargement of Marners School to admit 90 pupils in each year from September 2010.

LOCAL GOVERNMENT ACT 1972 SECTION 100D (AS AMENDED)	
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT	
Brief description of "Background Paper"	Name and telephone number of holder and Address where open to inspection
	Pat Watson 020 7364 4328 Town Hall, Mulberry Place

3. PRESENT POSITION

- 3.1 Marner Primary School is in Devas Street, E3. At present it admits 60 pupils in each year group (two forms of entry) and has a maximum capacity of 420 pupils, plus 50 places in two nursery classes.
- 3.2 There is a rising need for primary school places in the borough. The greatest pressure for admission to primary schools is being experienced in the central and eastern areas of the borough. Children's Services has to ensure that there are sufficient school places available to meet the needs of the population.
- 3.3 A number of school sites have been investigated for their capacity to expand to accommodate more pupils. Marner School was identified as a school with the potential to expand.
- 3.4 A preliminary consultation has taken place on the proposal to expand the school. The feedback from this consultation supported the proposal. This report gives details of the consultation and the action that is now required to publish proposals formally.

4. PROPOSALS FOR CHANGES TO SCHOOL ORGANISATION – CONSULTATION AND DECISION-MAKING

- 4.1 There is a statutory framework for implementing certain alterations to schools, including enlargements, as in this case. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community schools, the Local Authority (LA) can propose certain alterations, including enlargements. The Act has abolished the School Organisation Committee, and the LA now decides a wider range of proposals than it was previously able to do.
- 4.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (usually four weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation.
- 4.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.
- 4.4 The timetable for the process is shown in paragraph 9 below, taking into account the legal requirements of the consultation and decision-making process.

5. THE NEED FOR ADDITIONAL PRIMARY SCHOOL PLACES

- 5.1 The LA keeps the need for additional school places under regular review to ensure that there are sufficient places to meet need. Annual school roll information is used to project the need for places in future years. The projection methodology takes into account the trend in school rolls, actual birth data and population projections. This information is compared with data on the capacity of existing schools and the extent of unfilled places in schools in order to assess if additional capacity has to be planned for, or if there is excess capacity which can be reduced.
- 5.2 It has been clear for some time that, in taking into account the anticipated scale of new residential development in the borough, new primary school places will be required. The LA has been experiencing pressure on admission to Reception year particularly in the areas in the centre and east of the borough where new residential development has been taking place.

	Current places available
Reception	3126
Total R-Y6	21882

	January 2008 actual roll	January 2011 projected roll
Reception	3064	3137
Total R-Y6	19873	20874

- 5.3 The pattern for many years has been that reception and lower year groups in schools are filled at or near capacity and upper years tend to have some unfilled places. This reflects some movement out of the borough by families as their children grow up. However, the LA has to plan for meeting the numbers of children needing reception class places.
- 5.4 In order to meet the rising need for places overall and the increased pressure for places in the eastern part of the borough, Marner Primary School has already increased the places available in each year from 45 to 60. A further review showed it would be possible to expand the school further to 90 places in each year.
- 5.5 The additional places now proposed at Marner School will contribute towards meeting the projected shortfall. A table is included as Appendix A to show the projected need for places.

6. IDENTIFICATION OF POTENTIAL SITES FOR EXPANSION

- 6.1 The Local Development Framework indicated that some new primary schools are likely to be required, even after allowing for some schools which are not now completely full and that some schools could be expanded on their existing sites. In managing the best use of its assets and the available finance, the LA has first considered which of the existing school sites could be expanded. Manorfield School was one of the earliest to be identified in this category and Cabinet agreed to implement a proposed expansion with effect from the September 2008 school year. Marner School is the next proposal to be considered.
- 6.2 In identifying potential sites for expansion, the following factors have been considered:
- the physical capacity of the existing site and buildings to be expanded;
 - the location of the school – is it in an area where the need is rising;
 - the practical implications of the scheme – can it be implemented with an acceptable level of disruption to the school;
- 6.3 In addition to the above factors, in taking the decision to proceed with the proposals at any site, the LA will consider the strength of the individual school, its popularity and success, and its capacity to adapt to the increase in size.

7. MARNER PRIMARY SCHOOL

- 7.1 The potential for Marner School to expand was identified and some initial work to assess the proposal was carried out. The governing body discussed the initial proposal and agreed to work with the LA to develop the proposal further and to consider the implications for the school and the neighbourhood.
- 7.2 In close cooperation with the Headteacher and governors, a proposal was developed to provide the additional accommodation to allow the school to expand by an additional form of entry (i.e. 30 places in each year group) and provide an additional nursery class. The plans include providing 7 new classrooms, new multi-purpose rooms, a new school meals kitchen, extra toilets and improvements to the early years area with an extra nursery class. The additional facilities include a large new school hall on the first floor which has been designed to also provide an outside covered play area. Circulation around the school will be improved and a lift will be installed to allow access for people with disabilities. There will be a new office and enhanced staff facilities, including a new, larger staff room and a work preparation room. Because of the need to carefully plan the works to manage the impact on the running of the school, the works will be phased over a period of time.
- 7.3 The building scheme sought to ensure that principles of sustainability are central to the design and this is reflected in the proposed use of materials

and improved heating systems. The design for the elevation facing the playground is of a bold design which will make a statement of the school's presence in the area.

- 7.4 The governing body has agreed to the scheme designed. The Headteacher and governing body have responded positively to the proposal in recognising the benefits that the increased size will offer to the school. The scheme will provide improved facilities for pupils and staff and the enhanced budget and staffing levels will allow greater curriculum flexibility and range of offer, and enhanced career prospects for staff in the larger school. The school is strongly identified with its local area and the projected residential development in the area will ensure that more children can obtain a place at their local school.
- 7.5 The existing school has a large external recreation area which is a valued amenity for the school. The design of the extension has sought to minimise the amount of the play area taken up. The existing play area is well in excess of the standard for a school of the current size and will meet the standard for the increased number of pupils when the expansion is implemented. The school recognises that some management arrangements will have to be put in place to manage the use of the play area in break and lunchtimes to ensure it is used effectively and safely.
- 7.6 The school is very close to the former St Andrews Hospital site. Planning approval is being sought for the redevelopment of the site which will include 964 new dwellings. This will generate more applications for admission to Marner School. As part of the process of dealing with the planning application, developer contributions will be sought towards the provision of additional school places to mitigate the impact of the development.

Financial Implications

- 7.7 At its meeting on 11 June 2008 Cabinet adopted a capital estimate for the scheme of £5.8 million. The funding available is within the allocation from the LA's capital funding from the DCSF (Department for Children, Schools & Families) specifically for the provision of additional school places. A contribution will also be made from developer contributions received in respect of expanding the provision of school places.
- 7.8 Additional revenue finding will be provided to the school through the LA's funding formula.

Implementation of the Expansion

- 7.9 It is proposed that the increase should take effect from the school year 2010/2011, subject to the approval of the statutory proposals. This means that the first increased year group of 90 will be admitted in September 2010. All phases of the building project will not be completed by September 2010, but the works will be planned to ensure that there is sufficient accommodation available to admit the additional pupils.

7.10 It is proposed to admit the extra pupils to the school at reception year only until all year groups are full to three forms of entry. This will mean that the school has time to gradually adapt to the increase in size and introduce any new management arrangements as the pupil numbers increase.

8. CONSULTATION

8.1 The initial consultation period was from 16 June to 25 July 2008. The proposed building design was on display in the school for parents and children to see. A copy of the consultation paper issued is included as Appendix B. The consultation paper was sent to:

- all parents and carers of children now at Marnier School
- all staff at Marnier School
- all governors of Marnier School
- all headteachers and chairs of governors of primary schools in Tower Hamlets
- all councillors in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney
- the London Diocesan Board for Schools and the Westminster Diocese Education Service
- local trades unions

8.2 Consultation meetings were held to discuss the proposals:

- with the governing body of the school
- with the staff of the school
- with parents of children at the school

8.3 The overall response to the proposed expansion of the school was positive. The consultation paper included a form to return and the analysis of those returned is as follows:

Received from	For	Against	Not sure
Parents	29	2	1
Chairs of other schools	3	0	0

In addition, the London Borough of Hackney responded to say that it considered the proposals would have no impact on schools in Hackney.

8.4 The response from parents who attended the consultation meetings was positive and they welcomed the proposal to invest in Marnier School and the local area and generally saw this as something positive for their children. There was discussion at the meetings about how the works would be managed on site to minimise the impact on the running of the school and on the effect on the playground. One parent responded on the return form to say they were opposed to larger schools.

9. FURTHER ACTION NOW PROPOSED

- 9.1 The outcome of the consultation has been reviewed and it is clear that there is support for the proposal in the local community. Officers are continuing to work with the Headteacher and governing body to plan the details of the building works scheme and the implementation of the works. A planning application was submitted on 24 June 2008 and permission was received on 19 August 2008.
- 9.2 The Cabinet is recommended to agree to publication of statutory proposals for the expansion of Marnier School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the four week period.
- 9.3 As referred to in paragraph 4, after the statutory representation period, there will be a further report to Cabinet. This will include details of any comments made during the representation period. Cabinet will be asked to take account of these and the detail of the report in reaching a decision on whether to proceed to implement the proposals. An appeal against the decision can be made to the Schools Adjudicator by the Roman Catholic or Church of England Diocese, or the governing body of the school concerned. If the Council is unable to reach a decision on the proposals within two months of the end of the representation period, they have to be referred to the Schools Adjudicator.
- 9.4 The timetable for the process is set out below:

Cabinet agrees the recommendation to publish statutory proposals	8 October 2008
Statutory proposals published with 4 weeks allowed for comments and representations	20 October to 14 November 2008
Cabinet considers any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	14 January 2009
Building works commence	Spring 2009
Additional pupils admitted to Reception year	September 2010

10. COMMENTS OF THE CHIEF FINANCIAL OFFICER

Capital funding

- 10.1 As indicated above in paragraph 7.7, provision has been made from within the available capital funding allocation for this project.

Revenue finding

10.2 The school's revenue budget will be increased to reflect the increased size of the building and the rise in pupil numbers. This funding is within the Dedicated Schools Grant which reflects increases in the total roll in the Borough.

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

- 11.1 Decisions on school organisation are taken by the Local Authority or the Schools Adjudicator. Section 21 of the Education and Inspection Act 2006 provides for regulations to set out who should decide any prescribed alterations to maintained schools, including expansion proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 provide that those bringing forward statutory proposals to expand a school must consult interested parties and in doing so must have regard to the Secretary of State's guidance. In addition under Section 176 of the Education Act 2002 local authorities and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them and guidance on how this duty can be achieved is available.
- 11.2 The Regulations and guidance state that those bringing forward proposals must ensure that the consultation must allow adequate time; provide sufficient information for those being consulted to form a considered view; make clear how the views can be made known. Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals. The Regulations prescribe which interested parties must be consulted
- 11.3 Paragraph 8 of the report sets out the consultation which has taken place and the responses to the views provided. In reaching its decision Cabinet must have regard to the responses received to the consultation.
- 11.4 The Regulations prescribe what information must be specified in the Proposals. Proposals should be published within a reasonable timeframe following consultation so that they are informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some other conspicuous place in the area served by the school (eg. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations otherwise it may be judged invalid.

12. EQUAL OPPORTUNITY IMPLICATIONS

- 12.1 The Local Authority has a key role in planning service provision to ensure there are sufficient school places to meet local need. The proposal to expand Marner School is part of this planning process to ensure access to education. The works to the school will include provision of a lift and improved accessibility.

13. ANTI POVERTY IMPLICATIONS

- 13.1 Strategies to raise educational attainment, including ensuring sufficient school places, support students in a successful period of statutory education and then moving into employment.

14. RISK MANAGEMENT IMPLICATIONS

- 14.1 The project has a high capital value and close monitoring of the project through its preparatory stages is in place and will continue through implementation stages with appropriate, experienced project management resources. If the proposals do not proceed, there will be a risk to be managed that some children will be without a school place local to their home.

15. EFFICIENCY STATEMENT

- 15.1 The Council is using its assets efficiently by seeking to extend and expand existing school sites to meet the needs of the rising school age population before acquiring land to build a new school.

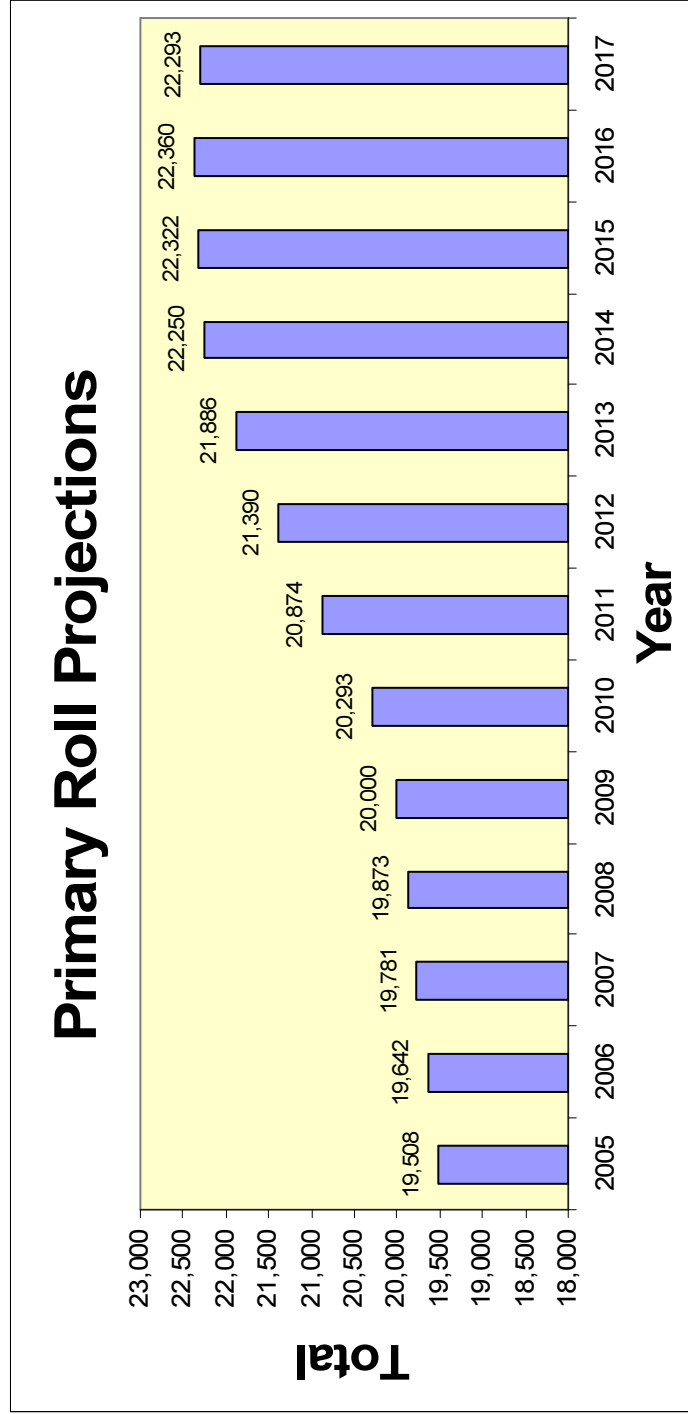
16. SUSTAINABLE ACTION FOR A GREEN ENVIRONMENT

- 16.1 The design of the building and materials proposed to be used, have taken account of sustainability and energy efficiency. Cladding products have been chosen that offer significant energy saving values; insulation products that have an approved environmental profile; and timber from certified sustainable sources.
- 16.2 The aim will be to ensure the building is sustainable in its operation and raw energy usage, waste and effect on the environment. Key sustainable elements include rainwater harvesting, passive ventilation for 80% of the building, and high efficiency boiler and heating systems.
- 16.3 The design must comply with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency. To conserve biodiversity it is also proposed to include a grassed sedum roof which it is hoped will encourage bird life and become a natural habitat for insects.

APPENDICES

- Appendix A Projections of need for primary places
Appendix B Consultation document on proposals to expand Marner School

PROJECTIONS OF NEED FOR PRIMARY PLACES



LB TOWER HAMLETS

CONSULTATION ON PROPOSALS TO EXPAND MARNER PRIMARY SCHOOL

Introduction

In Tower Hamlets there is a rising school age population. The Council has to ensure there are sufficient school places so that all resident children can attend school locally. The Council considers that Marner Primary School can be successfully developed to improve facilities and accommodate additional places and this paper is published for consultation on this proposal.

Consultation Process

This paper is being sent to:

- all parents and carers of children now at Marner School
- all staff at Marner School
- all governors of Marner School
- all headteachers and chairs of governors of primary schools in Tower Hamlets
- all councillors in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney
- the London Diocesan Board for Schools and the Westminster Diocese Education Service
- local trades unions

This consultation period runs from 16 June 2008 until 25 July 2008. A form is included at the end of this paper for the return of your views. Two meetings for parents will be held at the school to hear about the proposals and let us know your views. The meetings will be held on:

2 July at 9.00 am

9 July at 3.45 pm

Why are more school places needed?

In Tower Hamlets there has recently been considerable development to provide new homes and this is anticipated to continue for some time. The

London Mayor's Plan proposed that 42,000 new homes would be built in Tower Hamlets over a period of about 15 years. Approximately 3,000 new homes will be built each year in the next few years. Although many of these homes will be occupied by people who already live in Tower Hamlets, it is clear that the population trend is rising and that the Council needs to plan for the services that the population will need, including schools.

In 2008 there are 19,873 children on roll of our primary schools and there is a total of 21,672 primary school places in the borough. Our projections show that by 2011 - 2012 the need for places will exceed the existing capacity. This means that Council has to plan now to provide extra school places. It is already the case that some children living in the eastern part of the borough are not able to gain admission to their nearest primary school and have to travel to other areas of the borough.

The main areas where the need for school places is rising are in the east of the borough. This is an area which will benefit from a large amount of the new residential development. In time, the projections of the increase in the school roll will require one or more new primary schools to be built. However, because providing a new school is a very substantial investment, the Council has first considered if any of the existing schools could be expanded to take more children. Where this is possible, this is a good use of the Council's assets before the purchase of more land and building a new school is undertaken.

The site of St Andrew's Hospital is directly across the road from Marner School. This is due to be redeveloped and will include about 950 new homes, as well as open space and a new health centre. This will mean that there will be more people living close to the school who will require a school place.

Marner School

Marner School is in the area of the borough where the school age population is rising. The Council has considered the existing school site and buildings and, working with the headteacher and governing body, we have shown that it is possible to provide new accommodation and improvements to the existing school which will allow the size of the school to be increased. The Council considers this to be an exciting development opportunity for the school.

Marner is a successful school and the Council believes that the strong ethos and management of the school will enable the Headteacher and staff to effectively include the increased roll whilst maintaining the standards for all children and the character of the school which parents value. The admissions criteria for the school will not change and so the children at the school will continue to be those who live in the local area.

Expanding the school will bring additional resources to the school, so that the range of opportunities for children will be enhanced. In addition there will be

more teaching and support staff and increased professional development opportunities for existing staff.

The building plans for the school

The building plans for the school to accommodate the increased roll have been drawn up in close cooperation with the Headteacher and governors. The building plans are on display in the school during the consultation period. The plans include providing 7 new classrooms, new multi-purpose rooms, a new school meals kitchen, extra toilets and improvements to the early years area with an extra nursery class.

The additional facilities will include a large new school hall on the first floor which has been designed to also provide an outside covered play area. Circulation around the school will be improved and a lift will be installed to allow access for people with disabilities. There will be a new office and enhanced staff facilities, including a new, larger staff room and a work preparation room. Because of the need to carefully plan the works to manage the impact on the running of the school, the works will be phased over a period of time.

The existing school has a large play area, which is valued by everyone at the school. The proposed extension has been designed to take up as small an area of the playground as possible, but there will be more pupils using the recreation area. The recreation area for the expanded school will still conform to the standards set by the Department for Children, Schools & Families (DCSF).

Size of the increase in roll

The school now has 60 places in each year group with 2 nursery classes. Under the new proposals, there will be 90 places in each year and 3 nursery classes. The total school roll over time will eventually be 630, plus the nursery classes. There will be no change to the admissions arrangements to the school.

How will the increase take effect

The extra children will be admitted to the school in Reception year only, so that the full increase will arise after 7 years. Additional children will not be admitted above the total of 60 for a year group where 60 was the original year group number. (However, there may be admissions where there are vacancies in any year group). So that the disruption to the school during the building works to provide the new teaching accommodation is kept to the minimum, the works will be done in a phases but the additional accommodation for all the extra children will be in place before the school fills up to its new total roll.

Effect on children now at the school

The increase in roll will happen over a 7 year period which will allow the school to gradually absorb the changes. The children now on roll of the school will be in the school during the building works to create the new space. Very careful planning is continuing by the Authority and the Headteacher to ensure that the disruption to school life is kept to the minimum possible. The construction work will be planned with the highest priority given to the safety of everyone at the school.

Other expansion proposals in the area

The Council is considering other options for schools where it may be possible to expand. Consultation on proposals will take place as they are developed. The eastern part of the borough is one of the areas where the highest levels of new housing are anticipated and it is likely that a new primary school will eventually be built.

Timing

This consultation runs from 16 June until 25 July. The timetable for consultation and taking decisions following this stage of consultation is:

Initial consultation	16 June to 25 July 2008
The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	8 October 2008
Statutory proposals published with 4 weeks allowed for comments	20 October to 14 November 2008
The Council's Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	January 2008
Building works commence	Spring 2009
Additional pupils admitted to Reception year	September 2010

Next steps

During this current consultation period, the Council wants to hear from as many people as possible. Please let us know your views by completing and returning the form on the next page.

There will be parents' meetings at the school on 2 July at 9.00 am and on 9 July at 3.45 pm – we hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

MARNER PRIMARY SCHOOL

CONSULTATION ON THE PROPOSED EXPANSION OF MARNER SCHOOL

	Please tick as appropriate
I agree with the proposal to expand the school	<input type="checkbox"/>
I do not agree with the proposal to expand the school	<input type="checkbox"/>
I am not sure	<input type="checkbox"/>

Other comments

NAME	
PARENT, GOVERNOR, OTHER (please state)	
DATE	

Please return this page by 25 July 2008 to:

The school office; or
Pat Watson, Head of Building Development, Children's Services, Town Hall,
Mulberry Place, 5 Clove Crescent, E14 2BG, or
e-mail to: pat.watson@towerhamlets.gov.uk

This page is intentionally left blank

Agenda Item 8.1

Committee: Cabinet	Date: 8 th October	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Corporate Director Stephen Halsey Originating officer(s) Andy Bamber, Head of Community Safety Service		Title: ASBO Publicity Protocol Wards Affected: All		

1. **SUMMARY**

- 1.1 The ASBO Publicity Protocol (at Appendix A) sets out proposals for how we publicise ASBOs. It is proposed that the London Borough of Tower Hamlets will assess whether to publicise ASBOs on a case-by-case basis, and that there will be a policy to proactively publicise ASBOs against individuals over the age of 16 unless there are clear reasons not to.
- 1.2 The protocol also sets out the process that should be followed to ensure that any decision to publicise an ASBO balances the human rights of the individual subject to the ASBO, with the human rights of victims and the wider community.
- 1.3 The approach reflects the 2005 Home Office Guidance, and as such the protocol would implement central government policy. The policy has not been generated locally. Any recommendation to publicise an ASBO would be made by Council officers and agreed by Council management, during the broader ASBO application process.
- 1.4 This approach is already successfully practiced by a significant number of high-performing London boroughs and councils across England.

2. **RECOMMENDATIONS**

Cabinet is recommended to: -

- 2.1 Adopt the approach contained within the ASBO Publicity Protocol as a pilot for one year. If approved, an analysis of the results of the pilot will be presented to Cabinet in early 2010.
- 2.2 If this pilot is approved, it will be publicly launched by sending a press release to the local media and placing a story in East End Life.

3. BACKGROUND

- 3.1 The protocol would extend the publicity that is currently done around ASBOs to include the use of posters and distribution of leaflets within the ASBO prohibition area. This is in addition to the issuance of media releases, which is already standard practice in the Council. The protocol also sets out guidelines for inclusion of personal details in any press release.
- 3.2 This approach will not apply to individuals under 16 years of age, and there will be a presumption not to publicise ASBOs against those under 16 years of age.
- 3.3 If in exceptional circumstances it is believed necessary to publicise an ASBO against a child under 16 years of age, then a specific case, outlining the potential risks and balancing the human rights implications for the ASBO recipient and the wider community, will be made to Head of Community Safety Service for his approval (with delegated authority from LBTH Chief Executive).
- 3.4 Publicising ASBOs has numerous benefits, including:
- Supporting enforcement – local people will have the information they need to identify and report breaches.
 - Public reassurance – the community, especially victims and witnesses, will clearly see that action has been taken
 - Public confidence in local services – local people are reassured that if they report anti-social behaviour, action will be taken. This will increase the likelihood of reporting
 - Deterrent to the subject of the order – the perpetrator is aware that breaches are more likely to be reported because details of the order are in the public domain.
 - Deterrent to other perpetrators – publicity spreads the message that ASBOs are being used and is a warning to others who are causing a nuisance in the community
- 3.5 These assertions are supported by extensive anecdotal research (outlined in section 4, below) gathered at the request of Lead Members from other local authorities and organisations. This research demonstrates that publicity is required to enforce an ASBO, since it is a civil order, and the public must know about its existence to be able to report breaches. Additionally publicity is instrumental in alerting the public to the fact that action has been taken in response to their concerns, and in this way providing reassurance and ultimately improving perceptions of ASB and what the Council is doing to tackle it.
- 3.6 Publicising ASBOs in the way outlined in the protocol would therefore positively impact upon National Indicators 17 ‘Perceptions of anti-social behaviour’ and

National Indicator 21 'Dealing with local concerns about anti-social behaviour and crime issues by the local council and police', which are included in the LAA.

- 3.7 Details of Governance, human rights considerations, sign off process, are outlined in the actual protocol and proforma, which can be found at Appendices A and B.

4. EVIDENTIAL SUPPORT FOR APPROACH

- 4.1 A survey of other councils¹ yielded a substantial amount of anecdotal evidence that proportionate publicity of ASBOs leads to vastly improved perceptions of ASB amongst residents. The following evidence was gathered:

4.1.1 Bradford

In Bradford they issue press releases and leaflet drops, and put posters up in shops. They find this improves perception of ASB and of the council's actions to tackle it.

4.1.2 Bristol

In Bristol they do regular leaflet drops and anecdotally find that it improves perceptions, since those who feel informed about what is being done have better opinion.

4.1.3 Bromley

In Bromley, where appropriate, they issue leaflets showing photo of subject, details of ASBO and conditions this is backed up by Press releases issued by Community Safety Partnership with comments from Local Authority and Borough Police. They find this very effective in terms of public support and information

4.1.4 Camden

In Camden they issue press releases and do leaflet drops. They have found anecdotally that this improves perceptions.

4.1.5 Croydon

In Croydon publicity is not restricted to a press release, but can take many different forms on a local and borough-wide level:

- A partnership press release
- A leaflet drop in the locality, with and without photos
- A door knocking exercise in the locality
- Information in community magazines or newsletters
- Information at public or community meetings (e.g. neighbourhood watch, SNT Ward Panels etc)

¹ An email asking about policies for publicising ASBOs, and evidence of the impact of this policy, was sent to all Community Safety Units at London Boroughs, via the MPA Community Safety Forum, and also to all London Borough Community safety press officers, via the London Councils. Phone calls were also made to Press Officers and Community Safety Officers in key relevant Local Authorities outside London.

D:\moderngov\Data\AgendaItemDocs\7\0\7\AI00016707\ASBOPublicityProtocolFinal\CAB0810081.doc

-Media attendance at court or an operation
They have anecdotal feedback that publicity reassures the public and makes others think about their behaviour.

4.1.6 Hackney

Hackney has very recently agreed an ASBO publicity policy. In essence the policy is to publicise all ASBOs, unless there is an identified vulnerability. This is expected to encourage community members to inform the authorities, when they believe an ASBO is breached, and it is considered to demonstrate that the Council and its partners are taking action on ASB.

The publicity policy is implemented by their ASB Management Group, which makes a decision on the most suitable method of publicity on a case by case basis: localised (estate based) posters with or without names or pictures; localised leafleting with or without names or pictures; press with or without names.

4.1.7 Hammersmith & Fulham

Hammersmith & Fulham issue press releases depending on how newsworthy they consider a particular ASBO to be. They also put up posters and leaflet drops depending on whether they feel it's appropriate. They find that this has a positive impact on residents' perceptions of ASB.

4.1.8 Haringey

In Haringey they issue press releases and do leaflet drops and display photos in prohibition areas. They always use photos of the perpetrator. They feel this is instrumental in alerting the public to the fact that action has been taken, providing reassurance and ultimately improving perceptions of ASB and what the Council is doing to tackle it.

4.1.9 Islington

In Islington they follow the Home Office Guidance around publicity. They put out joint press releases with the police. These are usually picked up by two local papers. They do not put up posters but find they frequently are unable to prosecute for breaches as they lack evidence that would be provided by reports of breaches from the public.

4.1.10 Kirklees

In Kirklees they sometimes issue leaflets in conjunction with the police. They only ever issue those leaflets to specific parts of a community, that is, the people most likely to be affected. Anecdotally they find that this improves perceptions of ASB and what the council is doing to tackle it.

They stress the absolute necessity of including the person's name, age, and street address in any publicity to avoid libel/defamation (inadvertently naming the wrong person with the same name).

4.1.11 Leeds

In Leeds they regularly issues press releases about ASBOs. They cherry pick cases likely to interest journalists, and which can be used to promote key reassurance messages.

They prepare leaflets and distribute them to shops and homes, and put posters up on lampposts. Anecdotally they find that this improves perceptions of what the council is doing to tackle ASB, and increases reporting of breaches.

4.1.12 Liverpool

In Liverpool they use the Council Press Office to release to the media details of cases after they have been to court. Where there has been joint working with the police they link with Merseyside Police press office to issue a joint press release. They have developed a very good working relationship with the local evening paper by tipping them off about details of forthcoming court hearings. The local media therefore attend court and get the full details themselves of the case themselves. They also have a photographer present so as to photograph any individuals as they leave court.

They have also distributed leaflets to homes in the area that has been affected by the ASB. They find that publicity enables the community to see that their complaints have been taken seriously and dealt with in a positive manner, with a successful outcome at court. Sometimes communities do not know what is going on and therefore think that nothing is being done in relation to their complaints, so it is good to have positive news stories such as new ASBOs. Publicity also provides the opportunity to thank the community for their assistance in supplying evidence/intelligence re that ASB.

The leaflet should have full details of the prohibitions, a map of the area if there is an exclusion zone, and photographs of the individuals involved. It also includes prohibitions and telephone numbers to report breaches.

In a recent high profile case Merseyside Police hired an "Advan" and put photographs of three individuals on the van and drove it round the estate where they had been causing ASB. The feedback from the community over this van was very positive.

4.1.13 Manchester

In Manchester they do press releases and leaflet drops and they find that it is very reassuring for people in the local area. In particular older people find it reassuring in circumstances where they have been intimidated in the area where they live.

4.1.14 Southwark

Home Office guidance is followed. Posters and leaflets are used, though not press releases. Breaches have been reported by the public as a result of publicity, mainly by the business community.

4.1.15 Transport for London

Transport for London has a policy of publicising the ASBOs they are involved in, both externally to local media and internally via staff communications and

intranet. They say this is justifiable as the orders are a matter of public record, and it is necessary for the public to know of the existence of an order to know if it is being breached.

They say this approach has definitely improved reporting of breaches. They also feel this approach demonstrates to their staff and the public that they are taking ASB seriously, and this in turn acts as further encouragement to report matters. In fact, they have found that general reporting of issues is improved in these areas, not just issues relating to the ASBO case.

4.1.16 Westminster

In Westminster they regularly issue press releases about ASBOs. They also use a range of other communications techniques to publicise ASBOs, including posters and leaflets depicting photos of the ASBO recipient that are dropped to residential addresses and posted in local shops within the prohibition area. They find that this sends out a strong message to the local community and potential perpetrators that anti-social behaviour will not be tolerated, and will be appropriately dealt with. This has a very positive impact on perceptions of the council and police, and of ASB in general.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 No specific financial implications arise from the proposals as set out within the report other than the cost of paying for production and distribution of the printed publicity that is likely to be required as a result of implementation of the protocol. This will be met from within existing Community Safety Service Budgets.

6. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 6.1 Anti-social behaviour orders (ASBOs) were introduced by section 1 of the Crime and Disorder Act 1998 ("the Act"). The Act has since been amended by the Police Reform Act 2002, the Anti-social Behaviour Act 2003 and the Serious Organised Crime and Police Act 2005. The purpose of an ASBO is to protect the community from the anti-social behaviour of individuals. Its purpose is preventative to restrain future anti-social behaviour, not punitive. An order may be made by a magistrates' court sitting in its civil jurisdiction, the Crown Court, a magistrates' court or a youth court where it convicts a defendant of a relevant offence and a county court.
- 6.2 The court may also make an interim order. Where an interim order has been granted the council should bear in mind that at that stage no findings of fact have been made, the allegations have not been proved and the defendant has had no opportunity to challenge the allegations.
- 6.3 An application for an order may be made if any person aged 10 or over has acted in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself; and that such an

order is necessary to protect other people from further anti-social acts. Although the proceedings are civil the applicant must prove beyond reasonable doubt that the defendant has acted in an anti-social manner.

- 6.4 There is an implied power in the Act and the Local Government Act 2000 to publicise an ASBO so that the order can be effectively enforced. The effectiveness of the order will normally depend on people knowing about the order and that action has been taken in their area to tackle anti-social behaviour.
- 6.5 It is necessary to balance the human rights of individuals subject to an ASBO against those of the community as a whole. *The Home Office guidance: Working Together: Advice on Publicising ASBOs* advises that it is essential to publicise ASBOs if local communities are to support agencies tackling anti social behaviour. All the relevant courts, other than a youth court are open to the public.
- 6.6 Unless the court exercises its discretion not to allow publication of the name, details of the child or young person the subject of the order may be published. However, details of the criminal offence which led to the order being made would remain subject to automatic reporting restrictions. Under section 34A of the Children and Young Persons Act 1933 Act the court must obtain the attendance of a parent or guardian (which may include social services).
- 6.7 The court may allow reporting to the details if it considers all or some of the following factors apply:-
- Whether there are good reasons for naming the defendant;
 - In reaching that decision the court will give considerable weight to the age of the defendant and the potential damage to any young person of public identification as a criminal before he has the benefit or burden of adulthood;
 - The court must have regard to the welfare of the child or young person; the prospect of being named in court with the accompanying disgrace is a powerful deterrent and the naming of a defendant in this context serves as a deterrent to others: these deterrents are proper objectives for the court.
- 6.8 There is a strong public interest in open justice and in the public knowing as much as possible about what has happened in court, including the identity of those who have committed crime;
- 6.9 Officers should seek the court's permission to publish details. Other relevant considerations for the Council will include the nature of the conduct; its frequency and duration; its impact; the likelihood of repetition if not publicised; whether the defendant has breached any interim order; and the defendant's age, personal characteristics, potential for change and relevant previous convictions. Officers must balance these criteria with the Human Rights considerations before publishing the defendant's name.

7. EQUAL OPPORTUNITIES IMPLICATIONS

- 7.1 An Equalities Impact Assessment has been completed for the ASBO Publicity Protocol. This recommended that, once implemented, comprehensive equalities data be gathered on ASBOs publicised. Appropriate communications action would then be taken to address the risks stigmatising specific communities.

8. ANTI-POVERTY IMPLICATIONS

- 8.1 There are no anti-poverty implications.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 9.1 There are no sustainability implications.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 Risk centres on the potential for legal challenge of any decision made by the Council to publicise an ASBO. This risk will be mitigated by ensuring due consideration is given to the human rights of the individual subject to the order and of the human rights of the public including the victim(s) and potential victims, and that this consideration is recorded.
- 10.2 Appropriate and proportionate publicity is compliant with the human rights of the individual subject to the order, a fact that is enshrined in case law: the Stanley v Brent case accepted that publicity was needed for effective enforcement of the order.

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

None

11. APPENDICES

Appendix 1 - ASBO Publicity Protocol
Appendix 2 - ASBO Publicity Proforma

Appendix 1 - ASBO Publicity Protocol

Purpose

This document sets out how we will publicise ASBOs and interim-ASBOs. It also sets out roles and responsibilities. It is based on the 2005 Home Office Guidance.

Scope

The document applies to ASBOs obtained in the name of LBTH. It may be useful to RSLs inside the Borough as guidance, and other CDRPs and organisations outside Tower Hamlets.

Approach

The London Borough of Tower Hamlets will assess whether to publicise ASBOs on a case-by-case basis. However, it is our policy to proactively publicise ASBOs unless there are clear reasons not to.

We will make sure that all ASBO publicity is both appropriate and proportionate. This will include consideration of the impact of the publicity on anyone involved in the ASBO, especially victims. We will also consider the impact of the publicity on the wider community.

Rationale

The reasons for publicising ASBOs are as follows:

- Supporting enforcement – local people will have the information they need to identify and report breaches.
- Public reassurance – the community, especially victims and witnesses, will clearly see that action has been taken
- Public confidence in local services – local people are reassured that if they report anti-social behaviour, action will be taken. This will increase the likelihood of reporting
- Deterrent to the subject of the order – the perpetrator is aware that breaches are more likely to be reported because details of the order are in the public domain.
- Deterrent to other perpetrators – publicity spreads the message that ASBOs are being used and is a warning to others who are causing a nuisance in the community

Human Rights

There is an implied power in the Crime and Disorder Act 1998 and the Local Government Act 2000 to publicise ASBOs, so that they can be effectively enforced.

We will make sure that all ASBO publicity is appropriate and proportionate. As part of this process, when deciding the proportionate level of publicity, we will consider the human rights of all affected, including the alleged perpetrator of the anti-social behaviour, and those affected by the alleged anti-social behaviour. We will also

consider the personal circumstances and vulnerabilities of the individual against whom the ASBO is sought. This will involve obtaining factual information about any vulnerabilities and using it as the basis for deciding whether publicity should happen.

This decision-making process will be conducted and recorded by the ASBO Monitoring and Certification group.

Juveniles

This approach will not apply to individuals under 16 years of age, and there will be a presumption not to publicise ASBOs against those under 16 years of age. ASBOs are available against children as young as 10 years. However, the younger the child, the stronger the arguments are *against* publicity.

However if in exceptional circumstances it is believed necessary to publicise an ASBO against a child under 16 years of age, then a specific case, outlining the potential risks and balancing the human rights implications for the ASBO recipient and the wider community, will be made to Head of Community Safety Service for his approval (with delegated authority from LBTH Chief Executive).

In these circumstances we will check that no order has been imposed by the Court under s39 of the Children and Young Persons Act 1933 prohibiting publicity regarding the proceedings in which an ASBO was imposed before the fact of an ASBO are reported. If no s39 order has been made then the facts of the ASBO can be reported and agencies can issue publicity.

Use of Publicity

Type of Publicity

This will be agreed on a case-by-case basis and will involve 1 or more of following

- A media release to the target media.
- An article in East End Life.
- Leaflets. This will generally be distributed in the area to which the ASBO prohibitions apply, but may be widened if appropriate. This will be developed in a standard template and distributed to residential and commercial premises. We will ensure that publicity of this type does not become out of date or irrelevant.

Content

When deciding on content we will ensure that the publicity achieves its aims with the least interference with privacy that is possible.

As standard our publicity will include the following details:

- the perpetrator's name and the locality of their address (without disclosing the information that would enable the perpetrator's home to be identified – descriptions the estate or street name, without the house number or full postcode, will suffice)

- the ASBO prohibitions
- names of the agencies who obtained the ASBO
- information on how to report breaches.

Where appropriate, further information will be included, for example: perpetrator photograph, perpetrator description, summary of the anti-social behaviour, summary from the ASBO proceedings, map of the exclusion zone, order expiry date and key contact numbers.

Tone and wording

Publicity should be factual and consistent with the character of the ASBO itself: that is, a civil injunction (rather than a criminal order) As such, words such as "criminal" and 'crime' to describe the individual and their behaviour must be used with care and only when appropriate.

An interim ASBO will not be publicised unless it is of long duration. In such cases it will be stated that the order is temporary.

Timing

The publicity will be delivered in the first week of the order.

Decision Making Process

Governance

Decisions about whether to publicise specific ASBOs will be made at the ASBO Monitoring and Certification Group (ASBO group) meeting at least three weeks in advance of the court date. All publicity decisions must involve consultation with the following: those involved in obtaining the ASBO, Community Safety, Police, the Council's Legal Department and Communications Press Officers. Decisions made will be recorded.

This decision-making process will be recorded on the designated pro-forma, which will be kept as a record, and used to allow those responsible for final sign-off of publicity to make an informed decision.

Final sign off for the publicity in principle must be obtained from: the Chief Executive (authority delegated to the Head of Community Safety Service), The Borough Commander and the Council Legal Department.

Final sign-off of the actual publicity will be by the Head of the Community Safety Service, the Borough Commander, and the Legal department.

Sequence of events

1. Proportionality discussion about extent and content of publicity for a specific ASBO application is taken at ASBO M&C Group meeting, and recorded on proforma

2. Copy of ASBO case papers, including application documentation, draft order, hearing date, minutes and paperwork of ASBO M&C meeting (including completed proforma) sent to the Head of Community Safety Service (with delegated authority from LBTH Chief Executive) and their Assistant
3. ASBO court hearing
4. Copy of order granted, including electronic map showing any exclusion zone, distributed to relevant parties, including Community Safety Engagement Manager
5. Publicity drafted
6. ASBO served on subject
7. Authorisation to issue publicity sought from and provided by Head of Community Safety Service (with delegated authority from LBTH Chief Executive), and Borough Commander
8. Publicity is issued

Are the media to be informed of the ASBO court hearing date in advance to allow them to report on the proceedings? Why?

Type of Publicity

Which of the following types of publicity are sought, who are the target audiences of this publicity, and why is this appropriate?

A press release to the local media

An article in East End Life

Leaflets and posters

If leaflets or posters are to be used, in what geographical area will they be distributed?

Content of publicity

As standard our publicity will include the following details: the ASBO prohibitions, the perpetrator's name, address (without disclosing the information that would enable the perpetrator's home to be identified – descriptions the estate or street name, without the house number or full postcode, will suffice), names of the agencies who obtained the ASBO and information on how to report breaches.

In addition we may include further information if necessary. What further personal information is to be included in any publicity, and why?

Age of the individual

Photograph of the individual. If yes, application is to be made in accordance with police protocols and Human Rights and Data Protection considerations, with final decision being taken by Head of Community Safety Service (with delegated authority from LBTH Chief Executive), and Police Borough Commander.

Summary of the individual's anti-social behaviour

Prohibitions

Identification of any relevant exclusion zone (as illustrated on a map)

Sequence of events

1. Proportionality discussion about extent and content of publicity for a specific ASBO application is taken at ASBO M&C Group meeting, and recorded on proforma
2. Copy of ASBO application documentation, draft order, hearing date, minutes and paperwork of ASBO M&C meeting (including completed proforma) sent to the Head of Community Safety Service and their Assistant
3. ASBO court hearing
4. Copy of order granted, including electronic map showing any exclusion zone, distributed to relevant parties, including Community Safety Engagement Manager
5. Publicity drafted
6. ASBO served on subject
7. Authorisation to issue publicity sought from and provided by Head of Community Safety Service, and Borough Commander/Partnership Inspector
8. Publicity is issued

This page is intentionally left blank

Agenda Item 10.1

Committee: Cabinet	Date: 8 th October 2008	Classification: Unrestricted	Report No:	Agenda Item:
Report of: Corporate Director of Development & Renewal Originating officer(s) Dave Clark, Head of Programmes, Performance and Accountability; Beverley Campbell		Title: Priorities and Arrangement for Mainstream Grants 2009-2012 Wards Affected: All		

1. **SUMMARY**

- 1.1 This report presents Members with the proposed arrangements for the rollout of a commissioning approach to the allocation of Mainstream Grant to the third sector in Tower Hamlets, in accordance with the decision of Cabinet in August 2007. Cabinet's agreement is needed on the proposed arrangements and funding priorities for the 'mainstream grants commissioning' budgets for 2009-2012.

2. **RECOMMENDATIONS**

Cabinet is recommended to:-

- 2.1 Note that in accordance with the Cabinet decision of 1st August 2007, referred to at paragraph 3.6 of the report, all Mainstream Grant funding streams must use the adopted commissioning framework by 2009; as set out in paragraph 3.6;
- 2.2 Note the detail and lessons learned from the Advice Services Commissioning Pilot as set out in paragraphs 4.1 to 4.3 and Appendix A of the report;
- 2.3 Note the rollout to all funding streams of the new funding model as set out in paragraphs 5.1 to 5.7 of the report;
- 2.4 Note the indicative 2009/10 Budget allocation for mainstream grant, across all funding streams and in total, as set out in table 1 within paragraph 6.2 of the report, which is to be subject to a commissioning approach, and also note that this is subject to the Authority's budget process;

- 2.5 Agree in principle funding, subject to (a) and (b) below, for the 3 years of the service contract from April 2009 to March 2012, as set out in paragraph 6.2:
- (a) agreement on budget settlements
 - (b) delivery of agreed outputs/outcomes by the contracted organisations; and
- 2.6 Agree the Directorate funding priorities for 2009-2012 as set out in sections 6.5.1 to 6.5.4 of the report.

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

Brief description of “back ground papers”	Name and telephone number of holder and address where open to inspection.
Previous committee reports	Dave Clark 02073644644 Anchorage House Mulberry Place

3. BACKGROUND

- 3.1 The Council has long established arrangements for funding local third sector organisations through its ‘mainstream grants programme’ process. Over recent years the Council has introduced a progressive shift of mainstream grants from one-year to a three-year basis, alongside a stronger focus on outputs and outcomes
- 3.2 The Cabinet on 5th July 2006 agreed that officers review the existing framework for the allocation of mainstream grant aid to third sector organisations and examine how a commissioning approach might be adopted as the basis for the authority’s future funding relationship with the third sector. Internal mechanisms were considered and agreed proposals for a strengthened funding framework, based on Audit Commission guidance was approved by Cabinet in December 2006 – to support the delivery of improved outcomes for local residents.
- 3.3 The aim of the new funding model is to provide clarity about how we fund third sector organisations, bring about a more evenly balanced geographical distribution of mainstream grant funded service provision across the borough and support a culture where the third sector is dynamic enough to meet changing need.
- 3.4 The model seeks to move organisations to the point at which, either singularly or in consortia, they are able to successfully operate in a commissioning environment, providing services which are consistent with Community Plan

priorities. At the same time it aims to recognise organisations with new and innovative practice and small organisations which may not wish to expand but deliver effectively within their individual scope.

- 3.5 On 1st August 2007, Cabinet in considering the priorities and arrangements for mainstream grants for 2008/09 noted that in taking the new funding model forward, Advice Service provision was identified as the pilot for the commissioning effective from 1st April 2008.
- 3.6 The Cabinet meeting of 1st August 2007 agreed that all Mainstream Grant funding streams use the adopted [commissioning] funding framework by 2009..

4. LESSONS LEARNT FROM COMMISSIONING PILOT

- 4.1 The rollout of the MSG Commissioning model has been shaped by the lessons learnt from the pilot with Advice Services. The process of change started with the launch of the proposed funding framework at an Advice Conference in February 2007. There then followed a period of consultation ending in April 2007. Stakeholders responded positively to the new funding framework, generally supporting the principles behind the framework and agreeing that it was an opportunity to ensure a planned delivery of advice services across the borough to meet needs and address the distribution of funding on a more equitable basis.
- 4.2 The Advice Service pilot allocated funding based on a two stage application process, starting with an Expression of Interest phase. All proposals received by the closing date were assessed and scored. Following the completion of the pilot, an independent evaluation was carried out to assess the success of the adopted framework, process and arrangements.
- 4.3 The evaluation process has been a very useful resource in ensuring that lessons learnt from the pilot are carried forward as part of the rollout across the remaining funding streams. The Executive Summary of the findings and recommendations from the evaluation are set out in **Appendix A**.

5. ROLLOUT OF THE COMMISSIONING APPROACH

- 5.1 Building on the outcomes of the Advice Services pilot, the Funding Framework produced for the rollout of the commissioning approach across the remaining funding streams has used a two phase process as outlined below.

- 5.2 Phase One: the planning phase included organising and undertaking an extensive consultation process designed to give the voluntary sector a number of opportunities to respond to the proposed changes in the funding regime and also to enable organisations to be involved in helping to shape service specifications by providing feedback on the need for services and extent of demand across the borough. Phase Two: securing services focuses on the application and assessment process which is scheduled to come into effect from October 2008. The Commissioning Timetable is set out in **Appendix B**.
- 5.3 The Planning Phase started in April 2008, with the development of the draft framework and funding priorities for each of the funding streams. This was followed by a series of consultation workshops. Eight themed sessions were held between May 27th and June 30th – two sessions from each of the four directorates. The focus for both these sessions were those organisations currently receiving funding from the Council. The consultation sessions were held at a range of venues across the borough and at different times of the day to allow organisations the chance to access a session which suited them.
- 5.4 The draft consultation documents were made available via the Tower Hamlets website from 7th July 2008 until 25th July 2008. Third sector organisations and other interested stakeholders were able to access the documents as well as a consultation questionnaire to provide comment and feedback on the process. Details of the consultation website were notified to the third sector via email and also as part of an advertisement that appeared in East End Life.
- 5.5 In addition to the ‘themed’ workshops, an open consultation session took place at the Brady Centre on 21st July 2008, where, organisations were again given the opportunity to hear about the new funding approach and given a chance to provide feedback. Notice of the open consultation session was advertised in the East End Life and also sent out via the various network organisations, such as Tower Hamlets Community Empowerment Network (THCEN), Women In Tower Hamlets Inclusive Network (WITHIN), Community Organisations Forum (COF), and Tower Hamlets Somali Organisations Network (THSON).
- 5.6 Sixty two people signed up to attend the Open Consultation session, with 54 people representing 47 organisations actually turning up on the day. Where we were notified that an organisation was not able to attend they were emailed the link to the website to enable them to comment. A limited number of responses were received from the website link.
- 5.6 Following the consultation period work has been done to collate all the feedback and produce a Frequently Asked Questions document to respond to the common queries raised by the sector. The feedback was provided under four main headings as set out below:

- General Questions that organisations have about the funding framework – points of clarification
- Initial reactions to the proposed new approach – positive and negative
- Do you think there are any key omissions within the framework?
- LBTH is keen to see partnership working as part of the approach – what concerns do you have?

5.7 It has been possible to group the questions into six categories: Commissioning Process; Finance; Partnership Working; Capacity Issues; Application Process; General Questions. In total 120 questions were received and a written response has been drafted to each of these questions.

5.7 Details were also provided on the evidence of demand for services, both in terms of identifying new and emerging needs and exploring issues around geographical access to services. This information will be used in the next phase of the planning process to shape the service specifications.

6. **FUNDING STREAMS AND BUDGETS**

6.1 In accordance with the Cabinet decision of 1st August 2007, all existing Mainstreams Grants will cease as of 31 March 2009 and a commissioning approach will be implemented for future funding arrangements.

6.2 Table 1 below sets out the funding streams to be subject to commissioning together with the estimated budget provision for 2009-10 based on 2008 figures. In line with commissioning practice approval is being sought to agree funding in principle for the 3 years of the service contract to be awarded from April 2009 to March 2012, subject to agreement on budget settlement, which will be embedded within each directorate's general fund budget allocation.

Table 1

Directorate	Funding Stream	Indicative Budget
Adults Health & Well being	AHWB – Older People	£447,700
Children's Services	Children & Families	£187,000
Children's Services	Early Years	£717,425
Children's Services	Lifelong Learning	£87,700
Children's Services	Community Languages	£125,576
Children's Services	Study Support	£45,000
Children's Services	Youth Work	£266,079
Development & Renewal	Economic Engagement	£424,117
Development & Renewal	Housing (General Fund)	£98,300
Development & Renewal	Housing (Revenue Account)	£23,189
Communities, Localities &	Cultural Activities	£303,100

Culture		
		£2,725,186

Application and Assessment Process

- 6.3 As outlined in the Commissioning Timetable at Appendix A, it is proposed to have 10 week application period. Details will be advertised in East End Life, via the Council's website and other appropriate networks. It is intended to hold a range of workshop sessions during the period to support groups to complete the online application form process.
- 6.4 Organisations will be required to submit a proposal in line with the relevant service specification giving full details of the service to be delivered and the amount requested in the 3-year budget. All proposals received by the closing date will be assessed and scored by an Assessment Panel

Funding Priorities

- 6.5 In line with the borough's Commissioning Code of Practice, the change to a commissioning approach aims to ensure that:
- Services are available to those who need them
 - Priorities and outcomes are better informed and more specific
 - Funding is focused on the most effective ways of meeting needs
 - Resources are distributed and used efficiently

The proposed funding priorities for each of the funding streams are as follows:

6.5.1 Adults Health & Well Being

To support services that respond to the socially excluded issues faced by the borough's residents, in particular older people. It is anticipated that future funding will focus on the existing priority but with some flexibility to provide support in areas of new and emerging need where demand is identified. Our funding strategy acknowledges that the Council is one of a range of statutory agencies, including the Primary Care Trust and various Government bodies that are funding activity to support the multiple and complex social need of this client group.

The focus for Adult Services will be to make a contribution to the delivery of practical localised support services. This approach will help to ensure that the needs of those older people who are met, duplication is avoided and scope for additional funding from other sources is maximised.

NB: At this time the only element of the mainstream grants programme that Adult Services will commission in 2009 are those covering older people provision.

The directorate specifically wishes to fund services that address the following issues:

- contributing to making a difference in the life of older people in accordance with the objectives of the Tower Hamlets Community Plan and the Adult Services Older People Strategy
- the needs of the borough's most excluded communities
- greater networking/partnership between those agencies providing services to older people
- greater flexibility in service delivery methods and wider access to services

We propose to prioritise funding to the delivery of lunch club services to older people. It is expected that any provider will deliver services in a holistic manner:

- Providing support to enable older people to access mainstream
- Providing opportunities for older people to become more active members of the community
- Promoting healthy eating, exercise and activities to improve general well being
- Promoting lifelong learning and volunteering opportunities

6.5.2 Children's Services

The directorate wishes to support services that respond to the socially excluded issues faced by the borough's residents, in particular Children & Young People. It is anticipated that future funding will focus on the existing priorities but with some flexibility to provide support in areas of new and emerging need where demand is identified.

Our funding strategy acknowledges that the Council is one of a range of statutory agencies, including the Children's Centres, Education Services and various Government bodies that are funding activity to support the multiple and complex social need of this client group.

The focus for Children Services will be to make a contribution to the delivery of practical localised support services. This approach will help to ensure that the needs of those children and young people who are met, duplication is avoided and scope for additional funding from other sources is maximised.

We wish to fund organisations that will enable a consistency in service standards, increased participation and equality of opportunities for children and young people across the borough.

a) Youth Services

We wish to fund organisations that are part of our 'Youth Service Registration Scheme' and are able to deliver youth work activities which:

- Contribute to the priorities within the Tower Hamlets “Youth Offer” for young people, the Youth Service Plan and the relevant LAP Youth Work Plan;
- Are targeted at 13-19 year olds (or up to 21 for young people with special educational needs);
- Lead to accredited training opportunities and evidence (recorded outcomes) that young people are learning/ progressing;
- Involve young people in the design, delivery and evaluation of the youth work; and
- Meet the Ofsted youth work quality standards and requirements.

b) Lifelong Learning

We wish to fund organisations that are able to deliver the following:

- Lifelong learning activities for older people that may lead to participants joining Lifelong Learning courses that support health and well being
- ESOL provision at entry level 1 that lead to progression pathways for participants
- Support self directed learning for adults
- Provide support for older people to access volunteering opportunities
- Offer opportunities for family learning

c) Community Languages

We specifically wish to fund services that are able to deliver the following:

- a high quality out of school language and cultural service
- able to enhance the quality of provision for all pupils who attend after schools language classes that complement initiatives to raise school attainment levels
- provide coherent services through greater networking/partnership working between agencies providing services to children and young people

c) Study Support

We would wish to fund community agencies that are able to:

- deliver services that provide the opportunity for children to receive quality study support
- enhance learning through access to appropriately qualified adults
- enable children to access a range of support, such as IT facilities and quality curriculum resources

d) Early Years

We wish to fund community organisations that are able to deliver the following services:

- 1) a caring, stimulating and educational environment for children under the age of five

Any snacks or meals provided should be healthy, balanced, and nutritious that are sensitive to the needs of the diverse communities. Full-day care providers should provide hot meals.

Are registered with Ofsted, can deliver the Early Years Foundation Stage, and provide funded early years education.

Have received an inspection judgement of at least satisfactory at the most recent Ofsted inspection

- 2) Good quality, stimulating, out of school (before/after school and holiday play schemes) for children who are mainly in the 3 to 12 age group.

Providers should be registered with Ofsted

Where meals/snacks are provided these should be healthy, balanced, nutritious and sensitive to the needs of diverse communities.

e) Children & Families

We wish to support community based organisations that deliver a range of services for children in need and their families

- Family support services that ultimately contribute towards the personal and social development of children and young people in accordance with the objectives of the Tower Hamlets Children and Young People's Plan
- Services that ensure that children and their families receive appropriate support so that they achieve the best possible outcomes across all of the Every Child Matters key outcome areas
- Services that prevent social care interventions by supporting child/parent interaction to harness and maintain family life and enhance the confidence and skills of parents/carers

We specifically wish to fund services that address the following issues:

- contributing to making a difference in the life of Children and Young People in accordance with the objectives of the Tower Hamlets Children & Young People's Plan, Every Child Matters and Extended Schools initiative
- meeting the needs of the borough's most excluded communities
- greater networking/partnership between those agencies providing services to children and young people
- greater flexibility in service delivery methods and wider access to services

6.5.3 Cultural Services

We wish to commission community led services, which increase participation and engagement and foster excellence in cultural activity including sport and physical activity, parks and open spaces, and arts.

The directorate specifically wishes to fund services that address the following issues:

- Low levels of physical activity and associated health risks in some parts of the borough
- Need to develop pathways to excellence in sport for young people
- Increased participation in celebratory events which celebrate diversity and improve community cohesion
- Increased participation in art and cultural activity delivered through specialist facilities
- Raised awareness of the natural environment and of the need for individual contributions to address environmental change

We propose to prioritise funding to the range of services listed below with some flexibility to provide support in areas of new and emerging need.

- developing of pathways to excellence in specific sports
- improving the capacity of local sports clubs, in particular to improve the skills of coaches working with older people at all levels, of coaches at higher qualification levels for all age groups, and to enhance the sport offer for people with disabilities
- increasing the level of physical activity amongst those residents who are currently inactive
- street and carnival art initiatives which feed into the Council's festival and events programme and the Cultural Olympiad
- outreach and community initiatives which increase the usage of specialist arts facilities for new media and film, dance, and performing arts facilities for young people
- initiatives which enhance residents' understanding of the natural environment and encourage them to actively engage with the natural environment, e.g. city farms, food growing, wildlife walks, etc.

Wherever possible, but in particular in relation to arts activities, we expect the services we support to address the criteria for inclusion in the London 2012 Cultural Olympiad.

6.5.4 Development & Renewal

a) Economic Engagement

We wish to fund voluntary community sector organisations with a track record of working with unemployed and/or economically inactive adults to provide services that overcome complex and challenging barriers to bring about social and economic inclusion of adults, specifically one or all of the following:

- Foundation and soft skills training that overcome skills deficiencies and prepare individuals for workplace culture through the development of appropriate skills and knowledge.
- Informal learning and training through community development and engagement initiatives: that prepare individuals to take up opportunities which provide transferable experience and skills: for example, as a school governor or committee member of a local group.
- Supervised voluntary work as a route to preparing for employment: Outcomes of the provision must demonstrate increased skills, improved motivation and aspirations of participants. Specific outcomes would include:
 - increase the number of local people gaining the confidence to return to the labour market
 - increase the number of people in volunteering

b) Third Sector Development

We wish to fund infrastructure support organisations to provide specialist support that will improve the overall strength and quality of local third sector frontline groups delivering the following activities to adults:

- Working to tackle the barriers to accessing training and economic inclusion.
- Initiatives that promote active volunteering opportunities and contribute to an improvement in community cohesion.

c) Housing

We wish to fund third sector organisations with a track record of delivering services addressing the following areas:

- Supporting residents affected by harassment, vandalism and petty crime
- Working with residents dealing with/experiencing domestic violence
- Assisting residents to access mainstream support services

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report updates Members on the proposed arrangements for adopting a commissioning approach to the funding of third sector organisations in Tower Hamlets, and seeks agreement for the prioritisation of the Mainstream Grants Programme for 2009-10. Subject to resources being available and allocated as part of the budget processes, this approach enables effective targeting of the appropriate funding priorities and allows more timely assessment and approval of funding requests.
- 7.2 The financing available for the third sector will be cash limited and all grant funding must be contained within budgets which are yet to be agreed. The award and release of grant payments will be managed to ensure that resources are not exceeded.

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

- 8.1 There are a range of statutory powers under which local authorities may provide grant aid to organisations. In particular Section 2 Local Government Act 2000 enables an authority to do anything which is likely to achieve the promotion or improvement of the economic, social; or environmental well-being of its area. In exercising the power conferred by Section 2 a local authority must have regard to the Community Plan for the area.
- 8.2 The funding priorities for each of the funding streams draws on the priorities set out in the Strategic Plan and the Community Plan. This enables a strong link between the funding provided and the contribution to delivering outcomes from those plans and fulfils the Council's obligation in that regard.

9. EQUAL OPPORTUNITIES IMPLICATIONS

- 9.1 The Council is strongly committed to a funding process that is open and equitable and provides fair access to funding. An effective and thriving third sector has a good balance of organisations of different sizes and service focus. This helps to ensure that the sector is responsive to meeting local needs in a variety of ways. This diversity is also essential for the long term sustainability of the sector.
- 9.2 The Council is keen to ensure that its increased focus on performance, accountability and the move to a commissioning approach does not squeeze out all the opportunities for new and emerging groups which have yet to develop the capacity of the larger well established organisation. This is particularly important in relation to the proposed changes to grant funding arrangements and the consideration of moving to three-year funding.

10. ANTI-POVERTY IMPLICATIONS

- 10.1 The Council seeks to support a thriving third sector who is working to alleviate poverty among local people, building upon their capacity to develop local communities and increase their participation in decision making in Tower Hamlets. The adoption of the mainstream grant priorities and new funding model provision will aid a common purpose and vision for addressing anti poverty measures that is accessible to all residents.

11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 11.1 The funding priorities outlined in this report support the spirit of SAGE. The Council as a funder of third sector proposals that meet these priorities assists in the implementation of the strategic aims of SAGE along with its community and voluntary sector partners

12. RISK MANAGEMENT IMPLICATIONS

- 12.1 A number of different risks arise from any funding of external organisations. The key risks are:

- the funding will not be fully utilised – ie allocations remain unspent; or outcomes are not maximised
- the services being delivered do not continue to reflect local need
- the funding will be used for purposes that have not been agreed – ie in the case of fraud
- the organisations may not be able to secure the additional funding necessary to delivery the agreed activities
- the organisation may not in the event have the capacity to sustain the outputs and outcomes required

- 12.2 A range of mechanisms are already in place to address the above potential risks. These are:

- application of the formal eligibility criteria and terms and conditions of service agreement
- regular monitoring and peripatetic support as required to ensure that funded organisations maximise the use of their funding and ensure they are introduced to a range of funding and capacity building opportunities
- anti fraud clauses in terms and conditions of the service agreement which place a responsibility on funded organisations to be proactive in seeking out potential fraud
- ensuring that financial cost proposals are based on secured funding or by making the award conditional on the organisation submitting evidence of secured funding before payments are made

- working with organisations to ensure that outputs and targets are realistic and appropriate for the amount of funding secured

13. EFFICIENCY STATEMENT

- 13.1 The commissioning framework provides greater transparency and clarity in the delivery of desired outcomes along with cost of providing those outcomes to facilitate more efficient alignment of funding allocations.
- 13.2 The proposed funding priorities which are clearly linked to delivering outcomes as set out in the Strategic Plan and Community Plan will deliver better outcomes for local people within existing resources. Through for example:
- Increased leverage of external resources
 - Giving priority to organisations and schemes, that promote social inclusion by reducing social exclusion
 - Supporting service providers who deliver cost effective services that benefit the local community and meet the needs of the area

14. APPENDICES

- 14.1 **Appendix A:** Executive summary from Advice Commissioning Evaluation Report
Appendix B: Commissioning timetable

Appendix A

Executive summary from Advice Commissioning Evaluation Report

The London Borough of Tower Hamlets External Funding Team commissioned ADP Consultancy to conduct a short review to identify if the commissioning process undertaken with the advice sector achieved its aims.

This followed the Advice & Anti-Poverty funding programme moving from a mainstream grants format to a commissioning approach and consideration was given to its transferability to other third sector grants programmes.

The review is based on interviews involving key stakeholders based on an evaluation framework designed to assess how effective the process was in achieving the desired outcomes, the advice providers views of how they were supported through the process and what issues providers face in adopting the new funding model.

Key findings from the review

The drivers and process adopted for moving to commissioning met a number of Audit Commission good practice guidelines including:

- Develop an understanding of the needs of users and communities by ensuring that, alongside other consultees, the local authority engage with third sector organisations as advocates to access their knowledge of client needs.
- Consult potential provider organisations, including those from the third sector and local experts, well in advance of commissioning new services, working with them to set priority outcomes from that service
- Put outcomes for users at the heart of the strategic planning process
- Map the fullest practicable range of providers with a view to understanding the contribution they make to those outcomes
- Ensure contracting processes are transparent and fair, facilitating the involvement of the broadest range of suppliers, including considering subcontracting and consortia building where appropriate
- Seek to ensure long-term contracts and risk sharing wherever appropriate as ways of achieving efficiency and effectiveness.

Commissioning has brought about change in the creation of the lead provider role has effectively meant that the responsibility for some of the monitoring support and quality assurance of smaller organisation has transferred from the Council officers to third sector bodies.

The commissioning process has achieved a wider geographical spread of funding across the eight Local Area Partnerships and has introduced funding for specific language provision for minority languages provided on a Borough wide basis.

The commissioning process has been largely clear and easy to understand and providers have appreciated the support given. Some of the providers interviewed felt that there was a lack of clarity emerged between stages one and two of the process.

Whilst some providers feel that commissioning has not achieved change, the majority of consultees feel this first phase of commissioning of advice services has achieved a significant change in mindset that can be built on through an incremental approach towards greater co-ordination of advice services across the borough.

Recommendations

Lead providers are key and their role needs to be developed through resourcing support and capacity building. The transfer of responsibility for monitoring other consortia members outputs and quality needs to be recognised and the relative responsibilities of the council and lead providers needs to be made clear. Management costs are recognised the funding for each organisation but additional support needs to be identified to work with lead partners post the bidding process to create clear structures, standardised monitoring and consistent approach to consortium partners.

The partnerships created have a potential to enhance access to advice but are in an early stage of development. A mechanism needs to be identified to ensure specialist, generalist, borough wide generalist services and the smaller language based services work collaboratively and are able to gain benefits for themselves and clients from joint working.

A framework needs to be devised to review the impact of commissioning on the quality and delivery of advice. The monitoring of advice delivery is in place in the funding agreements with providers. Consistency needs to be achieved in order to effectively monitor outputs. Consideration should be given to designing a framework to monitor outcomes and the impact of advice. This should also consider how to identify both gaps and duplication and involve users of advice services.

When reviewing the transferability of the commissioning process to other third sector funding programmes consideration should be given to the appropriateness of services e.g. can they be measured and compared in relation to outputs and whether commissioning is an efficient and cost effective way of allocating resources.

It is recommended that the commissioning process be reviewed to enhance the planning stage to widen the opportunity to present gaps and needs of newer and emerging communities. The application should then be based on a specification that sets out what services the council wants to commission that providers can refer to when submitting an application to deliver specific services.

The review concluded that there were no clear benefits to having a two stage application process. It is recommended that for the next phase of commissioning that the application be just a one stage process. This process should also accommodate an appeals/review stage.

Appendix B

Commissioning timetable

ACTIVITY	TIMESCALE
Planning Phase:	
Consultation with funded third sector organisations (8 sessions)	May-June'08
Online consultation phase	7 th -25 th July 2008
Open consultation session	21 st July 2008
Deadline for receiving comments on framework and priorities	End July 2008
Draft Cabinet Report	August 2008
Scoping of service specification	August 2008
Preparation of application documentation	August 2008
Securing Services Phase:	
Service specifications available	September 2008
Cabinet Meeting	8 th October 2008
Application process open	23 th October
Application workshops to be held	Between October and December
Funder Fair event held	6 th November 2008
Application process closes	19 th December 2008
Applications verified as received and allocated to relevant funding programme	22 nd /23 rd December
Assessment Process takes place	5 th – 30th January 2009
Initial notification to groups	w/c 2 nd February
Appeals Phase	9 th – 13 th February

Finalise Report to Grants Panel with recommendations	20 th February
Grants Panel meeting	19 th March
Confirm funding awards/Negotiate agreements	March/April
Funding starts	April 2009

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

Document is Restricted

This page is intentionally left blank