

Meeting of the

# OVERVIEW & SCRUTINY COMMITTEE

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Tuesday, 3 November 2009 at 7.00 p.m.

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## A G E N D A

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### VENUE

M71, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London,  
E14 2BG

Members:	Deputies (if any):
Chair: Councillor Sirajul Islam Vice-Chair: Councillor Bill Turner	
Councillor Tim Archer Councillor Stephanie Eaton Councillor Alexander Heslop Councillor Ann Jackson Councillor Denise Jones Councillor Abjol Miah Councillor A A Sardar	Councillor Shahed Ali, (Designated Deputy representing Councillors Sirajul Islam, Alex Heslop, Ann Jackson, Denise Jones, A. A. Sardar and Bill Turner) Councillor Peter Golds, (Designated Deputy representing Councillor Tim Archer) Councillor Shiria Khatun, (Designated Deputy representing Councillors Sirajul Islam, Alex Heslop, Ann Jackson, Denise Jones, A. A. Sardar and Bill Turner) Councillor Fozol Miah, (Designated Deputy representing Councillor Abjol Miah) Councillor Harun Miah, (Designated Deputy representing Councillor Abjol Miah) Councillor M. Mamun Rashid, (Designated Deputy representing Councillor Abjol Miah) Councillor David Snowdon, (Designated Deputy representing Councillor Tim Archer)

Councillor Salim Ullah, (Designated Deputy representing Councillors Sirajul Islam, Alex Heslop, Ann Jackson, Denise Jones, A. A. Sardar and Bill Turner)

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

**Co-opted Members:**

Mr Ahbab Miah	– Parent Governor Representative
Mr Abdur Rouf	– Parent Governor Representative
Vacancy	– Church of England Diocese Representative
Vacancy	– Roman Catholic Diocese of Westminster Representative
Mr H Mueenuddin	– Muslim Community Representative

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:

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# LONDON BOROUGH OF TOWER HAMLETS

## OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 3 November 2009

7.00 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2. DECLARATIONS OF INTEREST

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 - 18

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 06 October 2009.

### 4. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

### 5. REQUESTS FOR DEPUTATIONS

To receive any deputations (to be notified at the meeting).

### 6. UNRESTRICTED REPORTS 'CALLED IN'

There were no unrestricted reports 'called in' from the meeting of Cabinet held on 07 October 2009.

### 7. SCRUTINY SPOTLIGHT

The Deputy Leader of the Council, Councillor Joshua Peck, will attend to report on his portfolio.

(Time allocated – 45 minutes)

### 8. BUDGET AND POLICY FRAMEWORK

#### 8.1 Gambling Policy

19 - 68

All Wards

(Time allocated – 15 minutes)

## **9. REPORTS FOR CONSIDERATION**

- 9 .1 Third Sector Strategy** **69 - 126** **All Wards**

(Time allocated – 15 minutes)

## **10. SCRUTINY MANAGEMENT**

- 10 .1 Scrutiny Challenge Session - Dangerous Dogs** **127 - 134** **All Wards**

(Time allocated – 15 minutes)

- 10 .2 Overview & Scrutiny Committee Recommendation Tracking Report** **135 - 212** **All Wards**

(Time allocated – 15 minutes)

## **11. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS**

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 10 minutes)

## **12. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**

To consider any other unrestricted business that the Chair considers to be urgent.

## **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 Papers)**

The exempt 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**

**213 - 216**

To confirm as a correct record of the proceedings the exempt/ confidential minutes of the meeting of the Overview and Scrutiny Committee held on 06 October 2009.

**15. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'**

There were no exempt/ confidential reports 'called in' from the meeting of Cabinet held on 07 October 2009.

**16. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL CABINET PAPERS**

To consider and agree pre-decision scrutiny questions/ comments to be presented to Cabinet.

(Time allocated – 5 minutes)

**17. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT**

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

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# Agenda Item 2

## DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE FOR MEMBERS OF THE OVERVIEW & SCRUTINY COMMITTEE

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.

**There are particular rules relating to a prejudicial interest arising in relation to Overview and Scrutiny Committees**

- You will have a prejudicial interest in any business before an Overview & Scrutiny Committee or sub committee meeting where both of the following requirements are met:-
  - (i) That business relates to a decision made (whether implemented or not) or action taken by the Council's Executive (Cabinet) or another of the Council's committees, sub committees, joint committees or joint sub committees
  - (ii) You were a Member of that decision making body at the time and you were present at the time the decision was made or action taken.
- If the Overview & Scrutiny Committee is conducting a review of the decision which you were involved in making or if there is a 'call-in' you may be invited by the Committee to attend that meeting to answer questions on the matter in which case you must attend the meeting to answer questions and then leave the room before the debate or decision.
- If you are not called to attend you should not attend the meeting in relation to the matter in which you participated in the decision unless the authority's constitution allows members of the public to attend the Overview & Scrutiny for the same purpose. If you do attend then you must declare a prejudicial interest even if you are not called to speak on the matter and you must leave the debate before the decision.



**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 7.05 P.M. ON TUESDAY, 6 OCTOBER 2009**

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present:**

Councillor Sirajul Islam (Chair)  
Councillor Alexander Heslop  
Councillor Ann Jackson  
Councillor Denise Jones  
Councillor A A Sardar  
Councillor David Snowdon

**Other Councillors Present:**

Councillor Ohid Ahmed – (Lead Member, Resources and Performance)  
Councillor Abdal Ullah – (Lead Member, Cleaner, Safer, Greener)

**Co-opted Members Present:**

Mr Ahbab Miah – Parent Governor Representative

**Guests Present:**

Mr John Biggs – (Metropolitan Police Authority – Link Member)  
Mr Paul Rickett – (Borough Commander – Metropolitan Police)

**Officers Present:**

Lutfur Ali – (Assistant Chief Executive)  
Michael Keating – (Service Head, Scrutiny & Equalities)  
Afazul Hoque – (Acting Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)  
David Galpin – (Head of Legal Services (Community))  
Andy Bamber – (Service Head, Community Service)  
Robin Beattie – (Acting Head, Strategy & Resources Communities, Localities and Culture)  
Jamie Blake – (Service Head of Public Realm)  
Stephanie Ford – (Interim Performance Manager, Strategy & Performance, Chief Executive's)  
Kate Taylor – (Communications Officer)  
Keiko Okawa – (Intern, Equalities & Scrutiny, Chief Executive's)  
Angus Taylor – (Scrutiny and Regulatory Team Leader, Democratic Services, Chief Executive's)

**COUNCILLOR S. ISLAM (CHAIR) IN THE CHAIR**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor T. Archer, Scrutiny Lead – Healthy Communities, for whom Councillor D. Snowdon was deputising.
- Councillor S. Eaton.
- Councillor B. Turner, Scrutiny Lead – Excellent Public Services
- Mr H. Mueen Uddin Muslim Community Representative
- Mr S Halsey, Corporate Director Communities, Localities and Culture, for whom Mr R. Beattie, Acting Service Head Strategy and Resources, Communities, Localities and Culture, was deputising.

Councillor O. Ahmed gave apologies for having to leave the meeting early in order to attend another meeting.

**Noted**

**2. DECLARATIONS OF INTEREST**

**Councillor D. Jones** declared a personal interest on the basis that she was:

- A member of the governing body of Tower Hamlets National Health Service Primary Care Trust.
- A representative of the Authority on the governing body of Tower Hamlets Homes.
- A member of the governing body at Mulberry Secondary School.

**Councillor A. Heslop** declared a personal interest on the basis that he was a representative of the Authority on the governing body of Tower Hamlets Homes.

**Noted.**

**3. UNRESTRICTED MINUTES**

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

**Resolved**

That the unrestricted minutes of the ordinary meeting of the Overview and Scrutiny Committee held on 1<sup>st</sup> September 2009 be approved and signed by the Chair, as a correct record of the proceedings.

#### **4. REQUESTS TO SUBMIT PETITIONS**

The Chair advised that the Assistant Chief Executive had received no requests to present a petition in respect of the business contained in the agenda.

#### **5. REQUESTS FOR DEPUTATIONS**

The chair advised that the Assistant Chief Executive had received no requests for a deputation in respect of the business contained in the agenda.

#### **6. UNRESTRICTED REPORTS 'CALLED IN'**

The Chair 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 2<sup>nd</sup> September 2009.

#### **7. SCRUTINY SPOTLIGHT**

The Chair welcomed Mr John Biggs, Metropolitan Police Authority Link Member, to the meeting, commenting that the Overview and Scrutiny Committee now had responsibility for scrutinising the Crime and Disorder Reduction Partnership, and Mr Biggs could add a regional perspective to this work. The Chair considered it both important and good practice to explore how the working relationship between the Overview and Scrutiny Committee, the Crime and Disorder Reduction Partnership, the Metropolitan Police Authority and the Police Community Consultative Group could be improved. In particular he saw a key role for the Overview and Scrutiny Committee in facilitating a regular “Community Question Time”.

The Chair also welcomed Mr Paul Rickett, Borough Commander (Metropolitan Police), to the meeting.

Councillor Abdal Ullah, Lead Member Cleaner, Safer, Greener, then gave a presentation on the key issues, successes and challenges arising from his portfolio; and Officers from the Communities, Localities and Culture Directorate supplemented this with aspects of detail. The presentation focused on the following points:

##### **Safer**

- Community Safety

- Reduced crime Tower Hamlets over 5 successive years.
- Recent praise from the Chair of the Metropolitan Police Authority/ Deputy Mayor (Mr Monkhouse) for the exemplary performance of Tower Hamlets in relation to crime reduction.
- Successful introduction of Tower Hamlets Environmental Officers (THEOs).
- A Reducing Reoffending Programme recognised nationally for its best practice and given a Beacon Award.
- Successful introduction of 8 new drug outreach workers.
- Continuation of the “Dealer a Day” initiative with its significant impact on drug dealing, with 440 arrests to date.
- Road Safety
  - 100 percent coverage of schools with School Travel Plans.
  - Road safety schemes and introduction of more reduced vehicle speed zones targeted at accident hotspots.
  - New higher visibility vehicle activated speed signs to raise driver awareness of speed.
- Transport
  - Partnership working to improve the Docklands Light Railway to a 3 car service.
  - Introduction of a bus service linking the Isle of Dogs to Chrisp Street Market free of charge for the elderly.
  - Residents could now renew their permits at any Council One Stop Shop improving access to the service.
  - Late night enforcement of parking regulations had been increased to deal with problem areas. CCTV surveillance for parking violations had also commenced in Brick Lane in late 2008. It was noted this had been suspended pending a review of the parking enforcement function.
  - The importance of recognising the parameters of the Council’s responsibilities and residents taking up issues with the appropriate Registered Social Landlords such as Poplar HARCA regarding streets and spaces managed by them.
- Trading Standards & Environmental Health
  - Successful and pending enforcement action/ prosecutions and premises closures undertaken relating to illegal trading, food safety, health and safety. A successful food safety event at the Royal Mint also with healthy options being examined by local restaurants was highlighted.
  - Council initiative to tackle illegal cabs and touting.

#### **Cleaner**

- Fantastic work to remove graffiti, with an additional £175, 000 invested in two extra graffiti teams (doubling the total, with 3 teams working in the day and 1 at night). The challenge in this area was acknowledged

however with reference to “an explosion” of graffiti in the west of the Borough primarily due to the promotion of “graffiti days” by certain private initiatives.

- Investment in the cleansing of Brick Lane with a daily enforcement sweep to address fly tipping and supplement the four collections now programmed during the day.
- Partnership working with Transport for London to improve the cleanliness of the A13 to improve perceptions of this gateway to the borough
- Annual Residents Survey had shown a significant improvement in perception of street cleaning since 2007/8, and was now above the London average.
- Improved partnership/ joined up working focussed on meeting inspection targets driven forward by the Public Realm Sub Group of the Great Place to Live Community Plan Delivery Group within the Local Strategic Partnership.
- A Public Realm Strategy promoting joined up working, with particular elements to address fly posting and fly tipping including closer linkage enforcement and surveillance.

#### **Greener**

- Recycling
  - Recycling was now more comprehensive and the cumulative recycling rate much improved as a result of an acceleration programme. The target for 2007/8 of 19 percent had been exceeded the direction of travel was one of continued improvement, and in July 2009 a recycling rate of 24 percent was recorded. The achievement was one to be proud of. Contributory factors included the success of the “Mr Robot” campaign in the local Community and the contribution of partners such as Tower Hamlets Homes and the Poplar HARCA.
  - The food waste recycling service had been successfully rolled out in September 2008 to a 19,000 of high and low rise properties and a further roll out to 3000 properties would take place in October 2009.
  - School food waste recycling had been introduced and now covered all secondary schools; this had contributed to the improvement in the aggregate recycling rate.
  - Recycling from street cleansing collections had been successfully introduced for example at Whitechapel Market.
  - The “We Can Recycle More” campaign was to receive an industry wide award.
- Parks / Open Spaces

- The extensive parks improvement programme already in place with 26 parks with £4.5 million being invested over two years.
- The successful development/ improvement of outdoor play spaces and adventure playgrounds with £3 million of funding, through the Path Playfinder Programme.
- Continued development of the Victoria Park Masterplan with consultation underway to inform the bid for Heritage Lottery Funding. Approximately £10m would be invested over the next 3 years. This “Jewel in the Crown” would need more extensive advertisement.
- Six parks retained their Green Flag status in 2009 and the Borough retained its Silver award for the London in Bloom competition

### **Crime**

Mr Paul Rickett, Borough Commander, informed the Committee that Tower Hamlets was seeing a 6<sup>th</sup> successive year in crime reduction including violence, robbery, burglary. There had been a 26 percent reduction in serious crime in Tower Hamlets when measured against the same period the previous year. This contrasted with the general trend across London, for example a 10 percent rise in burglaries in the rest of London with a 10 percent reduction in Tower Hamlets. However there had been some small rises in the level of some offences for example youth offending, but this was primarily due to re-categorisation offences. The direction of travel in Tower Hamlets was good and it was one of two London Boroughs meeting or exceeding its targets for crime. However reductions in crime were not of the same scale as the previous year, for example a 30 per cent reduction in burglary last year; and it was anticipated that the current level of reduction might be eroded by the impact of the recession on individual financial wellbeing and the acknowledged linkage of this to rises in crime.

Members of Overview and Scrutiny Committee then posed a series of detailed questions to which the Lead Member Cleaner Safer Greener, Council Officers and the Borough Commander responded. The question and answer session was centred on the following points:

- Perceived inequity in parking regulations across the Borough and in particular Banglatown counterbalanced with public support for parking control in response to consultation.
- The acceptability of graffiti tolerant zones with particular reference to St Andrews Wharf on the Isle of Dogs. Also the timescales for bringing forward the Public Realm Strategy, which would include a graffiti policy.
- The gap between the perception of crime by residents and the statistics showing an ongoing reduction in crime. In particular a strand of discussion on a significant resident perception of a drug dealing problem, initiatives to address this, and the positive outcome for crime rates of this.
- The importance of both multi-agency working and replication of good practice to tackle crime. The Crime Reduction Partnership was seen as

a strong driver for joined up working and confidence building in this context, and scrutiny by the local authority was also seen as a positive contribution to this effort.

- The importance of both a single point of contact to report crime and Anti Social Behaviour and in response “joint tasking”: jointly planned deployment of resources from all agencies charged with tackling this. The operational aspects of joint tasking: deployment of council services, Safer Neighbourhood Teams, Tower Hamlets Enforcement Officers, Uniformed Police. Implementation of ASB hotline highlighted and associated data capture/ analysis. Highlighted
- The aspiration of the police to move to a local neighbourhood management model: identification of concerns locally and deployment of resources accordingly. How this had model had been seen to work elsewhere. The importance of correctly prioritising issues/ offences, and working to address these to the benefit of residents for example low level ASB if tackled quickly paid dividends. It was noted that discussions with Tower Hamlets Homes were underway with a view to raising the priority level of ASB.
- The challenges as seen by the Lead Member:
  - Drugs – tackling dealing hence the investment of additional resources and actioning the “prevent” agenda.
  - Underage drinking seen at the hotspot of St Georges Churchyard and resulting ASB including confrontation related to faith.
  - Dangerous Dogs as a weapon – being addressed through scrutiny.
  - Prevention of youth reoffending – initiatives underway and scrutiny examining this.
- The challenge anticipated by the Borough Commander of unprecedented and severe resource constraints in the public sector and the impact of this on police resourcing and front line service delivery. Also whether there was an adequate mechanism within the local strategic partnership to discuss this and how the differing priorities of the partners could be met. How well the Borough was placed to meet this challenge.
- Clarification/ assurance in relation to recent incidents of homophobic crime and their impact on community cohesion due in part to a perception that this was less of a priority for the police than other crimes. The need in this context to improve street lighting and implement move obvious uniformed policing up to 11pm and consideration that police targets should be adjusted to match the Council’s priorities.

- How partnership working could be improved to expeditiously address transport and environmental issues such as pollution and noise etc.
- Clarification/ assurance in relation to the good work undertaken by the in house waste education team, and the inclusion in a report to Cabinet of a delegation to officers to vary the Council's waste contract with its contractor Viola to include this function.
- Clarification/ assurance regarding concerns raised by residents about Viola's Palestinian connections/ contracts. Lead Member to provide Councillor Heslop with the Council's communication rebuttals in this matter.
- Current Communities, Localities and Culture Directorate performance, and that of its contractors, in respect of Workforce to Reflect the Community.
- Council performance in relation to detritus targets and also food waste recycling, the latter given perception that recycling containers provided by the Council were used for other purposes.
- Clarification/ assurance regarding enforcement action undertaken to mitigate illegal taxi ranks.
- Details of the deployment in Local Area Partnership Areas of the 17 additional police officers funded by the Authority. Mr Biggs, MPA Link Member emphasised the importance of complimentary services given the increasingly stretched resources of the MPA.
- Mechanisms and criteria for deployment in relation to joint tasking, in particular tapping local intelligence through consultation with LAP chairs.
- Progress made in engaging people (and in particular employees) out and about as the eyes and ears of the Council for example reporting rubbish dumping.

The Chair thanked Councillor Abdal Ullah for his presentation and also thanked Mr Paul Rickett Borough Commander (Metropolitan Police) and Mr John Biggs, Metropolitan Police Authority Link Member, for their contributions.

## **8. PERFORMANCE MONITORING**

### **8.1 Tower Hamlets Index - June to July 2009**

Ms Stephanie Ford, Interim Performance Manager, at the request of the Chair, in introducing the report, summarised the salient points contained therein.

A discussion followed which was centred on the following points:



- Consideration that the units of measure for data relating to some of the performance indicators required additional clarity. Indicators particularly referenced included:
  - RES058 Strategic 110 – ‘Average waiting time for calls to Hot Lines to be answered’
  - LAA Local 213 – ‘The number of households who considered themselves as homeless, who approached the local authority’s housing advice services and for whom housing advice casework intervention resolved their situation’

Ms Ford undertook to provide a written response to Councillor Snowdon and to address the point in the next report to the Committee.

- Clarification was sought and given as to why some targets for July were identical for the annual 2009/10 target whilst others were different. Further clarification to be provided in writing.
- With reference to CE 046a RES 046 Strategic 105 ‘Number of working days/ shifts lost to sickness absence per employee’, consideration that whilst a narrative explanation for the rise in sickness had been detailed, there may be an underlying issue regarding sickness management and a comparative data regarding annual appraisals undertaken between 2008/9 and 2009/10 would be helpful in gauging this. Ms Ford undertook to provide a written response to Councillor Heslop.
- Clarification was sought with reference to Strategic 225 ‘Average time to re-let property (days) (ex BV212)’ as to whether an unchanged target for Tower Hamlets Homes was a typographical error. Ms Ford undertook to provide a written response to Councillor Heslop.
- With reference to LAANI 151 National 151 Strategic 111 ‘Overall Employment Rate (working age)’ clarification was sought regarding the numbers comprising the increase of 1 percent since the previous month in the Job Seekers Allowance claimant count yet the traffic light indicator remained green.
- With reference to LAANI 117 National 117 Strategic 308 ‘16 to 18 year olds who are not in education, employment or training (NEET)’ consideration that whilst the detailed narrative explanation was welcome, a sense of numbers would also be helpful in relation to this important target.
- With reference to CE 001a Strategic 106 ‘Response time to Members enquiries - % completed within 10 working days – Corporate’ clarification was sought and given regarding the steps being taken with Registered Social Landlords to improve performance, referred to in the narrative. Further clarification to follow in writing.
- Consideration that data entered in month columns should relate to that month and not be the data entered in that month an 8 month timelag was unacceptable ie July being the collection point for data relating to

December. Ms Ford undertook to detail additional information in the next report to address this.

- Ms Ford was thanked for including a section in the report which responded to requests for clarification from the Overview and Scrutiny Committee at their previous meeting.

The Chair **Moved** the recommendation, as contained in the report, and it was

### **Resolved**

That the performance against targets for June- July set out in Appendix 1 to the report be noted.

## **9. VERBAL UPDATES FROM SCRUTINY LEADS**

### **Scrutiny review – Preventing Childhood Obesity**

- Councillor David Snowdon, deputising for Councillor Archer, Scrutiny Lead – Healthy Communities, updated those present in relation to the Scrutiny Review ‘Preventing Childhood Obesity’:
- Two review meetings had been held since last update:
  - The first a fact finding session to understand the extent of childhood obesity in Tower Hamlets. The Working Group had been joined by NHS Tower Hamlets who advised that the focus of the review should be around increasing the availability of healthy options. Accordingly the review now had the aim “To promote healthy eating by increasing the availability of and access to healthy food choices and reducing the availability of and access to foods that are high in fat, sugar and salt”. The review also now had the key focus to develop appropriate recommendations to ensure the issue around prevention of an over-concentration of fast food outlets could be operationalised.
  - The second a session that evaluated the response of the Planning Department to childhood obesity, with consideration given to local planning policy, in particular the LDF Core Strategy which provides specific responses to childhood obesity, including: “Reduction of the over-concentration of uses that are negative to the health of local people”.
- The next review meeting in October would consider ways in which schools can encourage healthy eating through the food they provide.
- Councillor Heslop considered it might be useful if the review looked at the benefit of food cooperatives which the Tower Hamlets PCT had invested in for a number of years.
- The Chair considered it would be helpful to examine the linkage between child obesity and poor educational attainment
- The Chair also considered the engagement of Praxis would add value to any review/ recommendations particularly in the context of the

challenges faced by new communities to the borough in accessing services.

**Noted**

**Scrutiny review – Strengthening Local Community Leadership**

- Councillor Ann Jackson, Scrutiny Lead – One Tower Hamlets, updated those present in relation to the Scrutiny Review ‘Strengthening Local Community Leadership’:
  - The review would focus on developing and supporting local councillors in community leadership.
  - Her experience from the 2008/9 Child Poverty review was that capturing local level information to inform service development was a challenge for any community leader who wanted to make change. Another challenge was how changes needed to deliver better outcomes for residents increasingly required working across a range of organisations.
  - The review would examine how the arrangements in place to deliver better outcomes for residents could be strengthened, and also how to strengthen the role and powers of councillors, and scrutiny more generally, across the work that could be undertaken with partners.
  - Councillor Call for Action has been discussed for some time and a proposal had been developed for implementing this locally. The review was a useful opportunity for Members to test and shape how well this would work and how councillors could be meaningfully engaged in a less adversarial way.
  - The review would endeavour to engage residents, talking to them about their concerns and how solutions could be developed to these, addressing any barriers which limited the ability of residents to influence the Council, exploring how councillors could be supported to talk to and manage residents concerns and would look at how neighbourhoods worked and community cohesion.
  - The first meeting of the review group would be in late October.

**Noted**

**Scrutiny review – The Private Rented Sector**

- Councillor Alex Heslop, Scrutiny Lead – A Great Place to Live, updated those present in relation to the Scrutiny Review ‘The Private Rented Sector’:
- Two review meetings had been held to date:
  - The first session looked at current Council policies in relation to the private rented sector and heard from the Lead Member Housing

- and Development and Council Officers from Housing and Environmental Health.
- The recent second session looked at the concerns of tenants residing in private rented sector accommodation, and presentations were delivered by the National Homelessness charity Crisis as well as Officers from the Councils Housing Advice and Environmental Health Enforcement Teams.
  - The planned third session would look at student accommodation, the merits of provision on specialist sites versus dispersed accommodation borough-wide and in particular it would consider concerns regarding disreputable lettings agencies. It would hear from The National Landlords Association, Queen Mary College, medical students of the London Hospital and the Councils current Landlords Forum.

### **Noted**

#### **Scrutiny review – Youth Offending – Supporting Our Most Vulnerable Young People**

Councillor Denise Jones, Scrutiny Lead – Safe and Supportive, updated those present in relation to the Scrutiny Review ‘Youth Offending – Supporting Our Most Vulnerable Young People’:

The key aim of the review would be is to consider the effectiveness of the partnership arrangements in place for preventing youth offending. In forming a view the review would be informed by the examination of the reasons why young people offend and re-offend, identified through seeking/ listening to their own views and experiences. Also through listening to young people about what preventative measures might work future support for them might be further developed.

A number of discussion sessions were planned with small groups of young people to make them feel comfortable in speaking. Also one to one interviews with young people in age ranges 10 to 14 and 14 to 16 years old. The Young Mayor had agreed to be involved in the facilitation of these sessions.

Parents and families had a key role to play and a visit to the Pupil Referral Unit was planned to speak with parents who have children who were at risk of re-offending to explore how they could be better supported.

A visit to a young offenders institute at Henley was also planned to examine the facilities and programmes to support young people; hearing from staff and also speaking to young people there, some of whom will be from Tower Hamlets. It was hoped to achieve a better understanding of the outcomes for young people who entered the youth justice system and the message that might be conveyed to other young people about this.

The first meeting of the Working Group would be in November and another would take place in February.

**Noted**

**Scrutiny review – Reducing Worklessness Amongst Young Adults 18 - 24**

- Councillor Abdul Aziz Sardar, Scrutiny Lead – A Prosperous Community, updated those present in relation to the Scrutiny Review ‘Reducing Worklessness Amongst Young Adults 18 – 24’:
- Two review meetings had been held to date:
  - The first session looked at the national and regional context and the issues that exist in reducing worklessness, and heard from representatives from the London Development Agency, Learning and Skills Council and Host Boroughs Unit.
  - The second session looked at what the Council was currently doing to reduce worklessness within the borough and presentations were heard from Council Officers from Human Resources, the Partnership, Skillsmatch and Job Centre Plus.
- Future planned sessions included a joint meeting with the Diversity Working Group looking particularly at equalities and worklessness and also one in the Community with Third Sector Organisations to look at their role in tackling worklessness. The review was keen to hear from local residents and practitioners who worked in the community and accordingly had co-opted three local people to the working group.

**Noted**

**10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS**

The Chair informed members of the Overview and Scrutiny Committee that a sheet of pre-decision questions/ comments in respect of the unrestricted business contained in the agenda for consideration by the Cabinet, at their meeting to be held on 7<sup>th</sup> October 2009, had been **Tabled**, a copy of which would be interleaved with the minutes.

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

That the following pre-decision questions be submitted to Cabinet for consideration:

**Agenda Item 6.1 - The Leisure Facilities Strategy(CAB 050/090)**

1. A key recommendation from the ‘Scrutiny Review on Young Peoples Participation in Sports Leading Up to the Olympics’ undertaken in 2007 was to review the pricing policy of leisure services. Can the Cabinet

outline how this has been considered in the development of this strategy and in particular the development of any new leisure facility?

2. Can the Cabinet provide a breakdown of the figures provided in paragraph 5.4.2 and also explain how this was worked out?
3. To what extent has this strategy considered access to the Olympic Aquatic Centre in increasing the supply of leisure facilities and can the Cabinet update us where we are with the legacy use of this facility for Tower Hamlets residents?

**Agenda Item 6.2 - An Overcrowding Reduction Strategy for the London Borough of Tower Hamlets (200912) (CAB 051/090)**

1. Is it legally possible for someone receiving cash incentive scheme grant to purchase a shared ownership property and if not, can this be investigated as this may increase the number of people taking advantage of the scheme?
2. The strategy does not address the issue of car free developments. Many overcrowded families do not bid for large family housing due to the property being designated within a car free zone and the fact that they will lose the benefit of having a resident parking permit. As a possible solution could Cabinet agree as part of this strategy that existing tenants transferring into car free zone developments retain and enjoy the usage of their existing resident parking permit?
3. The strategy does not make reference to mutual exchanges. A good management of mutual exchange system could contribute towards reducing overcrowding. Will the Cabinet consider developing a higher profile mutual exchange system?

**Agenda Item 7.2 Bishops Square Amended Programme – adoption of capital estimates (CAB 055/090)**

1. Regarding the new proposal for a capital estimate of £0.60m for the Chicksand Ghat Playspaces and the revised estimate of £1.850m for the Banglatown Culture Trail, which projects have been replaced or deleted from the original programme of works agreed by Strategic Development Committee on 10 May 2007 on Bishops Square?
2. Did any of the projects rely on the section 106 financial contribution as matched funding and are any of those projects now unable to go ahead. If this is the case how will local people and third sector organisations in Tower Hamlets be affected?

3. Can the Cabinet provide the full list of proposals for the revised budget and are there any third sector organisations that will benefit from the revised scheme?

**Agenda Item 9.1 Improving Health and Wellbeing Strategy: a Strategy for Primary and Community Care Services (CAB 056/090)**

- 1 Recently the Care Quality Commission raised concern with quality of service provided by Out of Hour GP's. Can you outline how this will be addressed by this strategy?
- 2 There seems to be a lack of joined up thinking and synergy between this strategy and agenda item 6.1 (Leisure Facilities Strategy). There are no references to each other in either report when both strategies are aimed at improving health and wellbeing of local residents. Can the Cabinet outline how they will develop links between both these strategies?
- 3 Can the Cabinet undertake a feasibility study to ascertain the benefits and practicalities of accommodating primary and community care services within any future leisure centre developments?

**11. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**

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

**12. 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.

**SUMMARY OF EXEMPT/ CONFIDENTIAL BUSINESS**

**13. EXEMPT/ CONFIDENTIAL MINUTES - TO FOLLOW**

Minutes of Cabinet meeting held on 28<sup>th</sup> July 2009 **Tabled** and agreed.

**14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'**

Nil items

**15. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL CABINET PAPERS**

Nil items.

**16. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT**

Nil items.

The meeting ended at 8.55 p.m.

Chair, Councillor Sirajul Islam  
Overview & Scrutiny Committee



# Agenda Item 8.1

<b>Committee:</b> Cabinet	<b>Date:</b> 4 November 2009	<b>Classification:</b> Unrestricted	<b>Report No:</b>	<b>Agenda Item:</b>
<b>Report of:</b> Corporate Director Communities Localities and Culture  <b>Originating officer(s)</b> Colin Perrins Head of Trading Standards and Environmental Health (Commercial)  Jacqueline Randall Acting Licensing Services Manager		<b>Title:</b> <b>Gambling Act 2005 – Three year review of Gambling Policy</b>  <b>Wards Affected: ALL</b>		

## 1. **SUMMARY**

- 1.1 All Local Authorities have to review and adopt a Policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005.
- 1.2 A statutory consultation process has taken place and the comments received have been analysed and incorporated into the policy.
- 1.3 The Policy has also been to Licensing Committee on 28<sup>th</sup> September 2009 and to Overview and Scrutiny Committee on 3 November 2009. Any comments made are included in this report (to be added if appropriate)
- 1.4 The Policy is now before Cabinet for comment and approval.

## 2. **RECOMMENDATIONS**

Cabinet is recommended to:-

- 2.1 Note that the Gambling Policy will be presented to Full Council on 9 December 2009.
- 2.2 Recommend that Full Council approve the Gambling Policy.

### **3. BACKGROUND**

- 3.1 All relevant local authorities have to review their gambling policy this year (2009) and adopt a new reviewed policy by the end of 2009, as one of the responsibilities they have to administer under the Gambling Act 2005.
- 3.2 The purpose of the policy is to define how the responsibilities under the Act are going to be exercised and administered.
- 3.3 A statutory consultation process has taken place and in addition there was the opportunity for the local community to comment on it if they wished.
- 3.4 Following consultation to the Licensing Committee, these will be tabled at the Cabinet meeting, the amended policy will be presented to Cabinet for adoption.

### **4. GAMBLING POLICY**

- 4.1 The Gambling Act 2005 gives local authorities a range of responsibilities relating to gambling. The Gambling Policy expresses how the Licensing Authority will exercise its authority.
- 4.2 This policy covers the following:
  - How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute.
  - The main licensing objective for the authority is protecting the vulnerable.
  - The Licensing Authority approach to regulation
  - The scheme of delegation
- 4.3 The content of a gambling policy is heavily prescribed by central government and the Gambling Commission. The policy produced has to comply with guidance issued by both of these bodies. The current policy is compatible with this advice and guidance.
- 4.4 Members should note that some of the major issues and concerns about gambling are not addressed in the policy and in any consultation. For example, gambling addiction is outside the remit of the consultation, as are arguments about the public benefits, or otherwise, of a more liberal gambling regime.

- 4.5 In addition, 'noise nuisance' is not a licensing objective, so the regime will not consider the impact of licensed premises on nearby residents. Any issues relating to noise and nuisance will be dealt with by the Council's Environmental Health Service.
- 4.6 Consultees have not been asked whether they were for or against Casinos. When the Gambling Act came into force there was an opportunity for Councils to bid to be the venue for a limited number of Casinos. At that time this Council decided not to bid. The selection process has now closed and the Gambling Commission has now selected sixteen local authorities that can host either a large or small casino. There is no indication if a further opportunity will arise. If it does the Council will again have to decide if it wants to bid, and if it does, a separate consultation will have to take place.

## **5. CONSULTATION**

- 5.1 As a result of the statutory consultation, details of which are in **Appendix 2**, the Licensing Authority received two responses.
- 5.2 The Fire Brigade state they have no formal comments but ask that the Licensing Authority contact them if, in granting a premises licence under the Gambling Act 2005, we are made aware that this is likely to lead to an increase in the risk to the occupants of the premises. This is a process, not a policy, issue.
- 5.3 The second response was from GamCare (National Association for Gambling Care Educational resources & Training). GamCare advise they are pleased that section 1.5 of the gambling policy requires as a condition, that operators are to display GamCare leaflets, stickers and the helpline number in the premises.
- 5.4 At its meeting on 29 September 2009, the Licensing Committee endorsed the Gambling Policy without amendment. Some issues were raised concerning gambling on the Internet, but these were outside the scope of the policy.
- 5.5 None of the responses received will lead to changes in the policy. If no further amendments or additions come from the programme of Committees that will consider this matter, the Policy will be unchanged except for an updated forward by the Lead Member – Cleaner Greener Safer
- 5.6 The responsibilities the Council have under the Gambling Act 2005 have not generally been controversial. 80 licences have been issued to primarily to betting shops and adult amusement arcades. These businesses are nearly all national companies that have conducted their business within the legal requirements. There have been only 6 contested applications for Gambling Licences. Only 1 has gone on appeal to a magistrates' court.

- 5.7 The draft Gambling Policy is in Appendix 1 to the report. No changes have been made from the current policy. A new foreword by the Lead Member will be added to the policy. This matter is due to be considered by the Licensing Committee. If any changes are proposed they will be included and advised to Cabinet.

**6. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 6.1 No specific Financial Implications emanate from this report which seeks Cabinet's agreement to the draft gambling procedure, prior to ratification by full Council.

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

- 7.1 Pursuant to the Gambling Act 2005, the Council is a responsible authority for the licensing of premises used for gambling.
- 7.2 Section 349 of the Gambling Act 2005 requires the Council to prepare a statement of the principles that it proposes to apply in exercising its functions under the Act and to determine and then publish this statement. This statement is more commonly known as a gambling policy. The preparation of the statement of principles is to be undertaken every 3 years. The appointed day for the publication of the Council's first statement was 31<sup>st</sup> January 2007 and therefore before 31<sup>st</sup> January 2010, the Council is required to publish a fresh statement although there is no reason why this statement cannot be in the same form as the previous statement as is proposed.
- 7.3 Prior to publishing the statement, the Council must undertake the statutory consultation as provided by section 349(3) of the Gambling Act 2005 and any Regulations made under the Act. Paragraph 5 of the report deals with that consultation and Annex 2 to the draft gambling policy identifies who was consulted. The consultation that has been conducted complies with the legislative requirements.
- 7.4 The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 set out the required form of the statement and the draft gambling policy complies with that form.
- 7.5 The 2006 Regulations set out a process that must be followed in respect of publishing the statement and before the statement comes into effect and due to these steps, a minimum of 4 weeks is required between publication and the statement coming into effect.

## **8. ONE TOWER HAMLETS CONSIDERATIONS**

- 8.1 The Equalities Impact Assessment carried out when the Gambling Policy was adopted is being reviewed. The results of this review will be included in the final report to Full Council.
- 8.2 When the policy was first adopted an assessment was made to see if there was a link with deprivation and location of gambling premises. **Appendix 3** shows a deprivation map of the Borough with gambling premises charted on it. Comparison with the situation three years ago shows that there is still no apparent correlation. The map however does not contain the two most common types of retail gambling outlets are not shown namely Lottery outlets (which the Licensing Authority will not regulate at all) and public house with machines, which are granted permits, but not a premises licence. Most of the outlets identified are based in retail areas there is no apparent correlation between gambling premises location and deprivation
- 8.3 A recent report to the Scottish Executive concluded that "disadvantaged social groups who experience poverty, unemployment, dependence on welfare and low levels of education and household incomes are most likely to suffer the adverse consequences of increased gambling. Within these groups, those who are male, single and under thirty are also more likely to be at risk from developed problems with their gambling. In addition, problem gamblers are more likely than non-problem players to have heavy and/or problematic consumption of drugs, alcohol and cigarettes."

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

- 9.1 There are no SAGE implications for this report

## **10. RISK MANAGEMENT IMPLICATIONS**

- 10.1 There are no risk management issues with the revised policy. When the policy was first adopted there was a financial risk because the statutory fee structure was not set. There was a concern that the fees would not be set at a rate that would ensure full cost recovery.

## **11. EFFICIENCY STATEMENT**

- 11.1 There are no efficiency issues relating to this report

12. **APPENDICES**

**Appendix 1** Draft Gambling Policy

**Appendix 2** List of Consultees

**Appendix 3** Deprivation Map of Gambling Premises in LBTH

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

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

Gambling Commission Guidance for Local      Jackie Randall 0207 364 5109  
Authorities

# **Gambling Act 2005**

**New Introduction by Lead Member to be drafted**





## **Summary of Local Authority Gambling Policy**

1. Licensing local authorities in England and Wales have all been required by the Gambling Act 2005 to adopt a gambling policy following consultation.
2. The following policy was adopted after consultation, including but not confined to the consultation required by the legislation.
3. The policy has to be reviewed every three years and consequently it is now being sent out for a new round of consultation. Again the consultation will include but not be confined to the statutory consultation.
4. The policy sets out in detail how the licensing authority will discharge its licensing functions under the Licensing Act 2005.
5. There are three licensing objectives set out in the Act, as follows:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable people from being harmed or exploited by gambling
6. The main area of involvement for the licensing authority is protecting the vulnerable, and the licensing policy is largely devoted to seeking to achieve this, across the range of premises licences and permits which the authority will administer.
7. The licensing authority approach to enforcement is defined.
8. The scheme of delegation that defines the responsibility for decision making, administration and enforcement is also included.



# Contents

<b>Item</b>	<b>Page</b>
<b>Forward</b>	1
Summary of Local Authority Gambling Policy	2
<b>Contents</b>	3
<b>Part A</b>	
1. The licensing objectives	4
2. Introduction	4
3. Declaration	5
4. Responsible Authorities	5
5. Interested parties	6
6. Exchange of information	7
7. Enforcement	7
8. Licensing authority functions	9
<b>Part B - Premises licences and Other issues</b>	
1. General Principles	10
2. Adult Gaming Centres	15
3. (Licensed) Family Entertainment Centres	16
4. Casinos	16
5. Bingo	17
6. Betting premises	17
7. Tracks and other matters	17
8. Travelling fairs	19
9. Provisional Statements	20
10. Reviews	20
<b>Part C – Permits / Temporary and Occasional Use Notices</b>	
	21
1. Unlicensed Family Entertainment Centre gaming machine permits	22
2. (Alcohol) Licensed premises gaming machine permits	23
3. Prize Gaming Permits	24
4. Club Gaming and Club Machines Permits	25
5. Temporary Use Notices	25
6. Occasional Use Notices	
<b>Part D – Scheme of Delegation</b>	
1. Administration, Exercise and Delegation of Functions	26
2. Table of Delegations of Licensing Functions	26
<b>Appendices</b>	
<b>Appendix 1</b> - Map of the Borough (not currently included)	
<b>Appendix 2</b> - A list of consultees	
<b>Appendix 3</b> –Consultation responses	



## **PART A**

### **1. The Licensing Objectives**

- 1.1 In exercising most of their functions under the Gambling Act 2005, (the Act) licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable people from being harmed or exploited by gambling
- 1.2 The Gambling Commission's guidance emphasises that moral objections to gambling, or a view that it is generally undesirable are not licensing objectives and cannot inform any decisions by the licensing authority. Also neither public safety nor public nuisance are licensing objectives. These issues will largely be dealt with by the Council's Environmental Health Service
- 1.2 This authority recognises that in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:-
- in accordance with any relevant code of practice issued by the Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives in accordance with the authorities statement of licensing policy

### **2 Introduction**

- 2.1 The London Borough of Tower Hamlets is a single tier authority on the East side of inner London. The Borough is shown in the map in **Annex 1**.

- 2.2 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re consulted upon. The statement must be then re-published.
- 2.3 Tower Hamlets Council has consulted widely upon its policy statement before finalising and publishing it. A list of the persons and organisations consulted is provided in **Annex 2** of the Policy adopted by the Council. We have consulted businesses, elected representatives, community and third sector organisations and responsible authorities.
- 2.4 The Gambling Act requires that the following parties are consulted by Licensing Authorities:
- The Chief Officer of Police
  - One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority’s area
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.
- 2.5 The consultation took place between 6th May 2009 and 31st July 2009. The results of the consultation are summarised in **Annex 3**
- 2.6 The policy has to be approved at a meeting of the Full Council published via our website as well as being available in the Town Hall and Idea Stores.
- 2.7 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence. Each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

### **3 Declaration**

- 3.1 In producing this licensing policy the Authority has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission. The policy has also had regard to any responses from those consulted on the policy statement.

## **4 Responsible Authorities**

- 4.1 The licensing authority is required to state the principles it will apply to designate a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area
  - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group
- 4.2 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose. This is the statutory body charged with coordinating the activities of organisations in Tower Hamlets who are instrumental in safeguarding and promoting the welfare of children.
- 4.3 The contact details of all the responsible authorities are found on the Council's website at [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

## **5 Interested parties**

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. Interested parties are defined as a person who in the opinion of the licensing authority
- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
  - b) has business interests that might be affected by the authorised activities,
  - c) represents persons who satisfy paragraph (a) or (b)
- 5.2 The licensing authority is required to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party.
- 5.3 These principles are that :-
- Each case will be decided upon its merits.
  - This authority will not apply a rigid rule to its decision making.
  - It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities.
  - It will also consider the Gambling Commission's advice that "business interests" should be given its widest possible meaning and includes partnerships, charities, faith groups, and medical practices.

- 5.4 The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- 5.5 Interested parties can be persons who are democratically elected, such as Councillors and MP's. Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorities activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 5.6 Individuals may wish to approach Councillors to ask them to represent their views. If Councillors take on a representative role they will not be able to be part of the decision making process. If they are a member of the Committee they will withdraw for the hearing.

## **6. Exchange of Information**

- 6.1 Licensing Authorities have a number of responsibilities relating to the control and exchange of information that has been gained in carrying out its duties and responsibilities under the Act.
- 6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened.
- 6.3 The licensing authority will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. Any protocols that are adopted will be made available if requested.

## **7. Enforcement**

- 7.1 Licensing authorities are required to state the principles to be applied by the authority in exercising the functions with respect to the inspection of premises; and the powers to institute criminal proceedings in respect of the offences committed under the Gambling Act 2005.



- 7.2 This Licensing Authority's principles are that we will be guided by the Gambling Commission's Guidance for local authorities and we will endeavour to be:
- **Proportionate:** regulators should only intervene when necessary: Remedies should be appropriate to the risk posed, and costs identified and minimised;
  - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
  - **Consistent:** rules and standards must be joined up and implemented fairly;
  - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
  - **Targeted:** regulation should be focused on the problem, and minimise side effects
  - **Avoid duplication** with other regulatory regimes so far as possible.
- 7.3 This licensing authority has, as recommended by the Gambling Commission's Guidance for local authorities, adopted a risk based inspection programme.
- 7.4 The local authority does expect that premises that are licensed are aware of and keep to the terms of their licence. The Authority will take appropriate enforcement action to ensure that this is the case, and is especially concerned to ensure that the licensing objective relating to children is met in full.
- 7.5 The main enforcement and compliance role for this licensing authority will be to ensure compliance with the Premises Licences and other permissions which is authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 7.6 This licensing authority also intends to monitor non-licensed gambling, and is especially concerned to stop non-destination gambling by children and young adults. Non destination gambling is where the destination is not primarily a gambling premises and is mainly visited for a different purpose. This typically (but not exclusively) involves gaming machines in premises open to the public such as public houses
- 7.7 This Licensing Authority will continue to keep informed of developments with the work from Central Government and sister organisations on the principles of Better Regulation Executive in its consideration of the regulatory functions

- 7.8 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department and on the Council's web site. Our risk methodology will also be available upon request. (A charge may be made for hard copies).
- 7.9 The authority recognises that bookmakers and other operators may have a number of premises within its area. In order to ensure that compliance issues are recognised and dealt with at the earliest possible stage, operators are requested to give the authority a single named contact., who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise. The authority however, reserves the right to institute proceedings, or take other action as necessary and consistent with its general policies.

## **8 Licensing Authority Functions**

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements ("in principle" licences where premises are not yet developed)
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs (Commercial Clubs are member clubs that operate on a "for profit" basis)
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres (Premises where low level gambling is permitted for children)
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Grant Licensed Premises Gaming Machine Permits for premises licensed to
- sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange)
- Maintain registers of the permits and licences that are issued under these functions

- 8.2 This list may be added to on the advice of the Gambling Commission
- 8.3 Local licensing authorities will not be involved in licensing remote gambling. (Remote gambling is via the internet or interactive television). This will fall to the Gambling Commission via Operator Licences.



## **PART B - Premises Licences and other matters**

### **1 General Principles**

1.01 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

#### **1.1 Premises**

1.11 Premises are defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However it is possible for a single building to be subject to more than one premises licence provided they are for different parts of the building. Different parts of the building can reasonably be regarded as separate premises will always be a question of fact in the circumstances. However areas of a building that is artificially or temporarily separate can be properly regarded as different premises.

1.12 This licensing authority will take particular note of the Gambling Commission’s Guidance to local authorities that: -

- "Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not “drift” into a gambling area"
- "Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed), especially if this raises issues in relation to children. There will be specific issues that authorities should consider where children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act."

- 1.13 An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to “the premises” are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

## **1.2 Location**

- 1.21 This licensing authority is aware that demand issues (for example whether or not there is sufficient customer demand to make a site commercially viable) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. In line with the Gambling Commission’s Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 1.22 It is the licensing authorities' view that premises should not normally be licensed which are close to schools, playgrounds, or other educational establishments such as museums. However any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.

## **1.3 Duplication with other regulatory regimes and licensing objectives**

- 1.31 This authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

## 1.4 Licensing Objectives

- 1.41 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 1.42 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions. These will be addressed by the relevant regulatory authority e.g. Environmental Health.
- 1.43 Ensuring that gambling is conducted in a fair and open way. This licensing authority has noted that ensuring that gambling is conducted in a fair and open way is a matter for the Gambling Commission. This will not be the case if the licensing authority becomes involved in licensing betting track operators.
- 1.44 Protecting children and other vulnerable persons from being harmed or exploited by gambling. This licensing authority has noted the Gambling Commission Guidance to local authorities that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/ machines, segregation of areas.
- 1.45 This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

1.46 As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

## **1.5 Conditions**

1.51 Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises: and
- reasonable in all other respects.

1.52 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures, this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas.

1.53 There are specific comments made in this regard under each of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively. The licensing authority will consider the following specific measures in relation to all licensed premises, to the extent that they are relevant to a specific application:

- Leaflets aimed at giving assistance to problem gamblers clearly displayed in prominent areas and also more discreet areas such as toilets
- Self exclusion forms available
- The odds clearly displayed on all fixed odds machines



- All ATM or other cash terminals to be separate from gaming machines, so that clients have to leave the machines for more funds as required. They should also display stickers with GamCare (or replacement organisation) Helpline information prominently displayed.
- There must be clear visible signs of any age restrictions in any gaming or betting establishments. Entrances to gambling and betting areas must be well supervised and age verification vetting operated.
- Posters with details of GamCare's (or replacement organisation) telephone number and website

The above list is not exhaustive.

1.54 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of Gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

1.55 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

1.56 These considerations will apply to premises including buildings where multiple premises licences are applicable.

- 1.57 This licensing authority is aware that betting tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 1.58 It is recognised that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition
  - conditions relating to gaming machine categories, numbers, or method of operation;
  - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
  - conditions in relation to stakes, fees, winning or prizes
  - Applicants will however need to demonstrate social responsibility and adhere to best practice in the protection of the vulnerable

## **1.6 Door Supervisors**

- 1.61 The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- 1.62 The Private Security Industry Act 2001 exempts door supervisors for casinos and bingo halls from requiring a Door Supervisors Licence. Irrespective of the provision this authority will require door supervisors used at these premises to be licensed.
- 1.63 For other premises, where supervision of entrances/machines is appropriate any requirements for door supervisors or others will be on a case by case basis. In general betting offices will not require door supervisors for the protection of the public. A door supervisor will only be required if there is clear evidence that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

## **2 Adult Gaming Centres**

- 2.01 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.

Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/ helpful numbers for organisations such as GamCare

- 2.03 This list is neither mandatory nor exhaustive, and is merely indicative.

## **3 (Licensed) Family Entertainment Centres:**

- 3.01 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self barring schemes
- Provision of information leaflets/ helpful numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

- 3.02 This list is not mandatory, nor exhaustive, it is merely indicative.
- 3.03 This licensing authority will, in accordance with the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C. Category C machines give a higher payout than children are permitted to use should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

#### **4 Casinos**

- 4.01 This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. The resolution will be a resolution of the Full Council, following considered debate, and the reasons for making the resolution will be given at the time.

#### **5 Bingo premises**

- 5.01 This licensing authority recognises that the Gambling Commission's Guidance states:

"It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that::

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18."

- 5.02 This licensing authority is aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

## **6 Betting Premises**

- 6.1 Betting Machines - This licensing authority will have regard to the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## **7 Tracks – (This section refers to where racing takes place, such as horse or greyhound racing) and other matters**

- 7.01 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 7.02 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided

7.03 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-baring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

7.04 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

7.05 Gaming machines - Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use their entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young people are not prohibited from playing category D gaming machines on a track.

7.06 Betting machines - This licensing authority will, having regard to the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number /nature / circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

- 7.07 Condition on rules being displayed - The Gambling Commission has advised in its Guidance for local authorities that “licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”
- 7.08 Applications and plans - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission’s suggestion “To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”) and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities.” And that “Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.”
- 7.09 This licensing authority also notes that in the Commission’s view that it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## **8 Travelling Fairs**

- 8.01 It will fall to this licensing authority to decide whether, and where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, provided that the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.02 The licensing authority will expect applicants to show how they will meet the licensing objectives, in particular in relation to children and young persons.
- 8.03 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

8.04 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **9 Provisional Statements ("in principle" licences where premises are not yet developed)**

9.01 This licensing authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could if necessary inspect it fully".

9.02 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances.

9.03 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters: -

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

## **10 Reviews:**

10.01 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;



- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.
- The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.



## **PART C - Permits / Temporary & Occasional Use Notice**

### **1 Unlicensed Family Entertainment Centre Gaming Machine Permits**

- 1.1 Where premises do not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use
- 1.2 A licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission
- 1.3 The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permit. Licensing authorities will want to give weight to child protection issues."
- 1.4 Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centres, and if the chief officer of police has been consulted on the application. Licensing authorities might wish to consider asking applicants to demonstrate:
  - a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres;
  - that the applicant has no relevant convictions and
  - that staff are trained to have a full understanding of the maximum stakes and prizes.
- 1.5 It should be noted that a licensing authority cannot attach conditions to this type of permit.

- 1.6 Statement of Principles - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. Location will also be expected to be dealt with, and it is the licensing authorities view that premises should not normally be licensed which are close to schools, playgrounds, or other educational establishments such as museums and places of worship.
- 1.7 This licensing authority will also expect that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

## **2 (Alcohol) Licensed premises gaming machine permits**

- 2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D (See appendix 3 for the definition of Gaming Machine Categories) . The premises merely need to notify the licensing authority. In relation to all applications the licensing authority will use nationally recommended forms from LACORS as far as possible. The licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
  - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
  - the premises are mainly used for gaming; or
  - an offence under the Gambling Act has been committed on the premises.

- 2.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant..” The licensing authority will require that an application for more than two machines is considered against the above and the matters in 2.3 below before it is granted or refused.
- 2.3 This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18. Notices and signage may also be help.
- 2.4 As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 2.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.6 The licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for conditions (other than these) cannot be attached.
- 2.7 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3 Prize Gaming Permits**

- 3.1 The licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

- 3.2 This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations;
  - and that the gaming offered is within the law.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 3.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
  - participation in the gaming must not entitle the player to take part in any other gambling.

#### **4 Club Gaming and Club Machines Permits**

- 4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.
- 4.2 A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

- 4.3 Gambling Commission Guidance states: “Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.”
- 4.4 The Commission Guidance also notes that “licensing authorities may only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - b) the applicant’s premises are used wholly or mainly by children and/or young persons;
  - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
  - d) a permit held by the applicant has been cancelled in the previous ten years; or
  - e) an objection has been lodged by the Commission or the police.
- 4.5 There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission’s Guidance for local authorities states: “Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.” And “The grounds on which an application under the process may be refused are:
- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
  - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
  - (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.”

- 4.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **5 Temporary Use Notices**

- 5.1 The granting of a temporary use notice allows premises without a premises licence to be used by a gambling operator temporarily to provide facilities for gambling
- 5.2 Licensing authorities are being asked to mindful of the restrictions that allow premises to be licensed for at the most 21 days per year under Temporary Use Notices
- 5.3 It is possible licence part of a building or set of premises if the location can be rightfully regarded as being separate in terms of ownership, occupation and control.
- 5.4 This authority will object to a Temporary Use Notice application if it appears that regular gambling is taking place in locations the could be described as one set of premises.

## **6 Occasional Use Notices**

- 6.1 Occasional Use Notices relate to occasional "track" uses. Betting Track is usually thought of as horse or dog racing. These notices will be for events like point to points on agricultural land.
- 6.2 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.



## **PART D**

### **1 Administration, Exercise and Delegation of Functions**

- 1.1 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 1.2 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with them.
- 1.3 Further, with many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications where no representations have been made has been delegated to Council Officers. All such matters dealt with by Officers will be reported for information and comment only to the next Committee meeting. The decisions cannot be reversed.
- 1.4 The following Table sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committees and Officers.
- 1.5 This form of delegations is without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Full Committee, if considered appropriate in the circumstances of any particular case.

### **2 TABLE OF DELEGATIONS OF LICENSING FUNCTIONS**

<b>MATTER TO BE DEALT WITH</b>	<b>BY WHOM</b>
Three year licensing policy (responsibility shared with Cabinet)	<b>THE FULL COUNCIL</b>
Policy to permit or not to permit casinos	
Fee Setting- (but when appropriate Corporate Director) Application - for a premises licence, variation of a premises licence, transfer of a premises licence, application for a provisional statement in connection with a premises, in all cases where representations have been received and not withdrawn. Review- of a premises licence.	<b>LICENSING COMMITTEE/ SUB-COMMITTEE</b>
Application for, or cancellation of club gaming /club machine permits where representations have been received and not withdrawn Decision to give a counter notice to a temporary use notice	
For a premises licence, variation of a premises licence, transfer of a premises, application for a provisional statement in	<b>OFFICERS</b>

<p>connection with a premises, in all cases where no representations have been received/ or representations have been withdrawn.</p> <p>Application for a club gaming machine/ club machine permit where no representations received/ representations have been withdrawn.</p> <p>Applications for other permits</p> <p>Cancellation of licensed premises gaming machine permits</p> <p>Consideration of temporary use notice</p>	
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## **Annexes**

**Annex 1** Map of London Borough of Tower Hamlets

**Annex 2** Details of those consulted.

**Annex 3** Results of Consultation

## **Appendix 2**

List of consultees:

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<b>BETTING PREMISES</b>	<b>Address</b>	<b>Postcode</b>
Leisure World (UK) Ltd	Unit 3 Offerspool Way Watford	WD25 8HL
Frankice Ltd	Unit 3 Offerspool Way Watford	WD25 8HL
Agora	Unit 3 Offerspool Way Watford	WD25 8HL
T.W.L. Holdings Ltd	Court Road London	SW5 9RF
Talarius Ltd	Salbury Court 368 Silbury Boulevard Milton Keynes Buckinghamshire	KT9 2AF
Grove Leisure Ltd	9 Station Parade Barking Essex	IG11 8ED
Collins Bookmakers	158 Major Road Stratford London	E15 1DY
Ladbrokes Betting and Gambling Ltd	Imperial House Imperial Drive Raynes Lane Harrow	HA2 7JW
Canary Wharf Sports Exchange Ltd	165 Cannon Workshops 3 Cannon Drive Off Hertsmere Road London	E14 4AS
Betting Shop Services Ltd	24 The Broadway Toleworth Surrey	KT6 7HL
William Claridge Ltd	41 New Road Rainham Essex	RM13 8DR
Tote Bookmakers Ltd	Westgate House Chapel Lane Wigan	WN3 4HS
Coral Racing Ltd	Glebe House Vicarage Drive Barking Essex	IG11 7NS
Joe Jennings Bookmakers Ltd	59-60 The Stow Harlow Essex	CM20 3AH
William Hill Organisation Ltd	Greenside House 50 Station Road Wood Green London	N22 7TP
Roar Betting	25a Bassein Park Road London	W12 9RN

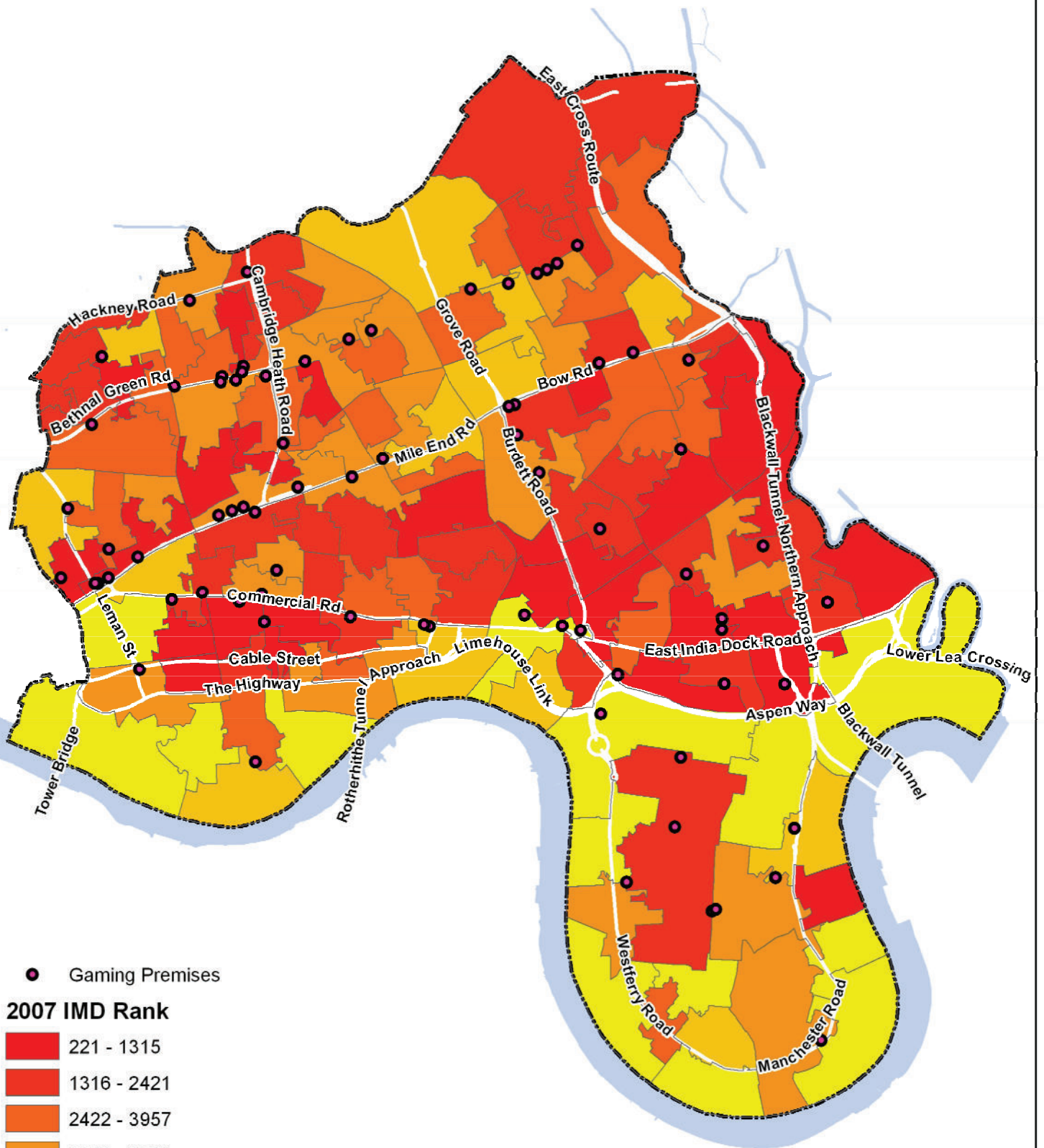
Done Brothers (Cash Betting Ltd)	Spectrum 56-58 Benson Road Birchwood Warrington	WA3 7PQ
<b>COUNCILLORS</b>	<b>First Name</b>	<b>Sur Name</b>
Cllr	Carli	Harper-Penman
Cllr	Motin	Uz-Zaman
Cllr	Rajib	Ahmed
Cllr	Peter	Golds
Cllr	Rajib	Ahmed
Cllr	M. Shahid	Ali
Cllr	Rupert	Eckhardt
Cllr	Fazkyk	Haque
Cllr	Clair	Hawkins
Cllr	Alexander	Heslop
Cllr	Waiseul	Islam
Cllr	Abdul	Matin
Cllr	Fozol	Miah
Cllr	M. Mamud	Rashid
Cllr	Rachael	Saunders
Cllr	David	Snowdon
<b>RESPONSIBLE AUTHORITY</b>	<b>Address</b>	<b>Postcode</b>
The Gambling Commission	Victoria Square House Victoria Square Birmingham	B2 4BP
Metropolitan Police Service	Tower Hamlets Division Licensing Office Bethnal Green Police Station 12 Victoria Park Square London	E2 9NZ
Her Majesty's Revenue and Customs	National Registration Unit Portcullis House 21 India Street Glasgow	G2 4PZ
London Fire & Emergency Planning Authority	Tower Hamlets Fire Safety Team 43 Westferry Road London	E14 8JH
Directorate of Development and Renewal	Development Control Mulberry Place (AH) PO Box 55739 5 Clove Crescent London	E14 1BY
London Borough of Tower Hamlets	Environmental Protection Administration Section Mulberry Place (AH) PO Box 55739 5 Clove Crescent London	E14 1BY
Jane Cook (Group Manager)	Child Protection	

	CPRS Unit 2 <sup>nd</sup> Floor Mulberry Place London	E14 2BG
London Branch	c/o The Maritime and Coastguard Agency Spring Place 105 Commercial Road Southampton Hants	SO15 1EG
British Waterways Board	1 Sheldon Square Paddington Central London	W2 6TT
The Environment Agency	Millbank Tower 25 <sup>th</sup> Floor 21-24 Millbank London	SW1P 4XL
<b>THIRD SECTOR</b>	<b>Address</b>	<b>Postcode</b>
GamCare	2 <sup>nd</sup> Floor 7-11 St. John's Hill London	SW11 1TR
Gamblers Anonymous	PO Box 5382 London	SE1 8EN
Responsibility in Gambling Trust	The Blackfriars Foundry 156 Blackfriars Road London	SE1 8EN
NSPCC	Weston House 42 Curtain Road London	E2A 3NH
Oxford House	Derbyshire Street Bethnal Green London	E2 6HG

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# Indices of Multiple Deprivation 2007



● Gaming Premises

## 2007 IMD Rank

- 221 - 1315
- 1316 - 2421
- 2422 - 3957
- 3956 - 6461
- 6462 - 11373
- 11374 - 24253

Borough Boundary



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# Agenda Item 9.1

<b>Committee:</b> Overview & Scrutiny	<b>Date:</b> 3 <sup>rd</sup> November 2009	<b>Classification:</b> Unrestricted	<b>Report No:</b>	<b>Agenda Item:</b>
<b>Report of:</b> Lutfur Ali, Assistant Chief Executive  <b>Originating officer(s)</b> Jon Underwood, Alice Wallace, Strategy and Performance		<b>Title:</b>  <b>Third Sector Strategy</b>  <b>Wards Affected:</b> All		

## 1. **SUMMARY**

- 1.1 Following a rigorous development process and widespread consultation and engagement, the final Third Sector Strategy and Action Plan is attached for agreement.

## 2. **RECOMMENDATIONS**

The Overview & Scrutiny Committee is recommended to:-

- 2.1 Note the Third Sector Strategy and Action Plan, and provide comments to Cabinet.

## 3. **BACKGROUND**

- 3.1 Tower Hamlets benefits from a diverse, vibrant and engaged Third Sector. The Sector plays an essential role in delivering the Community Plan to 2020 and in achieving the objective of One Tower Hamlets. This is delivered through the Third Sector's key role in service provision and the Sector's unique ability to engage the local community.
- 3.2 Due to the Sector's importance, National Indicator 7 – an environment for a thriving third sector – has been included as a target in the Local Area Agreement. Baseline performance against this indicator from 2008/09 was 5% better than the national average, with high levels of engagement being highlighted as a particular strength. A 6% improvement target over the LAA period has been agreed with Central Government. This has acted as a driver for the Council to refresh its Third Sector Strategy. The Strategy is currently a Council document but it is planned to quickly expand it to cover key partners, especially NHS Tower Hamlets.

## 4. **DEVELOPMENT OF THE STRATEGY**

- 4.1 The development of the Strategy has been overseen by the Assistant Chief Executive who has brought together a Third Sector Delivery Group with officers across the Council and NHS Tower Hamlets. The Strategy has been fully informed by extensive and on-going engagement with the Third Sector. Key elements of this have included:
- A consultation event on the 18<sup>th</sup> August 2009 attended by 85 representatives from 70 organisations
  - The establishment of a Third Sector Advisory Board with representatives from 17 key Third Sector partners
  - Web questionnaire and written responses from 32 organisations

## **5. KEY PROPOSALS**

- 5.1 Analysis of the key drivers of NI7 and consultation responses has identified 5 key areas where the Council can make a real difference to the Third Sector. These are:
- Infrastructure
  - Volunteering
  - Voice and representation
  - Commissioning and Funding; and
  - Premises

### **Infrastructure**

- 5.2 In order for Third Sector organisations to maximise their potential benefit to local people they need appropriate support. In a national survey of Third Sector organisations the local Third Sector clearly highlighted a lack of support as their key issue. In high performing areas, a Council for Voluntary Services (CVS) is the key agency in providing support to the sector.
- 5.3 Tower Hamlets doesn't currently have a CVS. In the analysis work that informed the development of the Strategy this has been consistently identified as a key barrier for both the Third Sector and the Council. As such, a key element of the Strategy is to establish a new CVS. This will be a key strategic partner for the Council and play a key role in supporting the local sector, including small organisation.

### **Volunteering**

- 5.4 The Council recognises that volunteers play a key role in improving the Borough and establishing One Tower Hamlets and as such has a keen interest in promoting volunteering. To do this the Strategy proposes that the Council:
- Strengthens the implementation of the Volunteering Code of Practice
  - Explores the development of employer supported volunteering
  - Explores how to increase the capacity of statutory agencies to host volunteers

## **Voice and Representation**

- 5.5 The Third Sector has a key role in enabling community representation. This includes supporting services and service users to get involved at their local level and ensuring that vulnerable and marginalised groups are appropriately represented. At the moment representation at the Local Strategic Partnership is quite variable. As such the Strategy proposes that the Council establish formal and transparent processes for selecting representatives for Community Plan Delivery Groups and other key forums. These processes will particularly focus on ensuring that the voices of small organisations are heard.

## **Commissioning and Funding**

- 5.6 The total value of grants and contracts from the Council to the Third Sector is over £55m a year. A key element of this is the £3.875m Mainstream Allocation. With regard to this the Strategy proposes that the application and allocation processes are improved and assessed to ensure they take account of equalities issues. In addition it was found that there was a need for a flexible small grants funding pot. As such the Strategy suggests the introduction of a Community Chest.
- 5.7 Though the Strategy found much excellent practice in terms of Third Sector commissioning, the consistency and co-ordination could be further improved. The Strategy proposes a range of measures in respect of this including better guidance, training and information exchange. The Strategy also recognises the challenges that the economic downturn is likely to present to the sector. It commits the Council to being proactive in managing these issues through ongoing dialogue with the sector.

## **Premises**

- 5.8 Access to the right space in the right location and at the right cost is crucial to the success of Third Sector organisations. The Council will explore this by undertaking research to identify current asset use by the Third Sector and future needs. This will inform a Third Sector Asset Plan.

## **6. Financial Implications**

- 6.1. The Third Sector Strategy includes a number of resource commitments. Specifically these are to establish a Council for Voluntary Services (CVS), establish a Community Chest and to provide resources to oversee the delivery of the Strategy overall. These elements have been examined in detail by both members and officers and clear proposals are now in place, subject to Cabinet agreement.

- 6.2. With regard to the CVS it has been considered that a clear commitment to 2 years funding is required to establish the organisation as viable. Following benchmarking with the relevant national body (NAVCA) and 11 CVS across London it is proposed that annual funding of £232,500 should be allocated. Similar benchmarking has been undertaken with regard to the Community Chest and it is proposed that £300,000 a year would be an appropriate level of resource. With regard to funding of officers to oversee the delivery of the Strategy it is proposed that 3 officers are needed – 1 manager supported by 2 officers. Allocations in accordance with this are contained within the Accelerated Delivery Programme which also forms part of the Cabinet agenda.
- 6.3. In addition there is a clear need to look to the sustainability of these initiatives. It is proposed that sustainable funding is sourced from a small 'levy' on Third Sector commissioning exercises that are worth £55m a year. There is a commitment in the Strategy and action to explore this.

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

- 7.1 The financial implications of this report are set out in paragraph 6.1-6.3 above. A report elsewhere on this agenda relating to the Accelerating Delivery programme is covers funding of this strategy and details are summarised in the table below.

**Table One**

<b>Description</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
	CVS £105,000	CVS £232,500	CVS £117,000
Revenue- General Fund	Community Chest £300,000	Community Chest £164,000	Delivery Team £82,000
	Delivery Team £68,000	-	-
HRA	0 0	0 0	0 0
<b>Total</b>	<b>£473,000</b>	<b>£396,500</b>	<b>£199,000</b>

- 7.2 Funding is from one-off resources available for the accelerated development programme in addition to £270,000 virement from other third sector budgets across the Council.

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

8.1 The report seeks approval for the Third Sector Strategy and Action Plan. Whilst the Council does not have a specific power under statute to grant fund the Third Sector, it is clear that Third Sector involvement is critical to the delivery of the sustainable community strategy under the Community Plan and each of the key Community Plan themes. It is also important for delivering on the local area agreement under the Local Government and Public Involvement in Health Act 2007. The close alignment between an active third sector and the Community Plan objectives is such that the Council should be able to rely upon its well-being power in section 2 of the Local Government Act 2000 to support the proposed measures. It will be for officers to ensure that any action under the Strategy is carried out according to law.

## **9. ONE TOWER HAMLETS CONSIDERATIONS**

9.1 The contribution of Third Sector organisations to delivering One Tower Hamlets is explicitly recognised in the Strategy. Not only do organisations play a key role in delivering services that address inequality, improve cohesion and increase community leadership, the simple fact of people coming together to improve their environment is a real example of One Tower Hamlets in practice. As the Strategy is aimed at creating an environment for a thriving Third Sector it has a key role in delivering the aims of One Tower Hamlets.

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

10.1 The Third Sector play a key role around sustainability issues and active partnership working is already in place. The Third Sector Strategy is intended to strengthen this further, primarily through improving the effectiveness of infrastructure, representative and commissioning and funding functions.

## **11. RISK MANAGEMENT IMPLICATIONS**

11.1 The aim of the Third Sector Strategy is to provide an environment for a thriving Third Sector. The policy proposals contained within the Strategy provides mitigation of a range of risks:

- Non-delivery of LAA target NI7 – Environment for a Thriving Third Sector
- Non-delivery of key services due to a lack of Third Sector capacity and support
- Non-delivery of key services due to reductions in funding
- Reduced community cohesion due to a lack of funding for small Third Sector organisations

## **12. EFFICIENCY STATEMENT**

12.1 The resources required for delivery of the Strategy for the next 2 years have been allocated from existing Council resources. There are proposals within the Strategy regarding how this capacity is to be maintained in the medium and long-term. More broadly, there are proposal in the Strategy that are aimed at delivering significant improvements in the use of Council funding to commission services from the sector.

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

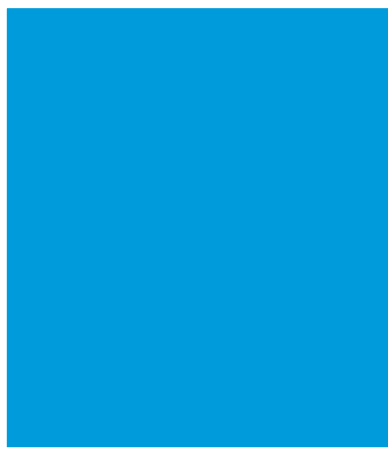
Brief description of “back ground papers”      Name and telephone number of holder and address where open to inspection.

Jon Underwood x 3186

**12. APPENDICES**

Attached Third Sector Strategy and Action Plan





# Tower Hamlets Third Sector Strategy 2009–2011



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“ Third Sector Organisations have a vital role to play within our community. They have the ability to engage local people and help residents have a voice and influence the decisions that affect them.”

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**Councillor Lutfur Rahman**  
Leader, Tower Hamlets Council

## Leaders Introduction

We're proud to have a vibrant and active Third Sector here in Tower Hamlets. Estimates suggest that there are over 2,500 groups working within our borough, delivering a wide range of services to local people. The Council provides over £55m of funding for the delivery of services through the Third Sector.

Our Third Sector Organisations have a vital role to play within our community. They have the ability to engage local people and help residents have a voice and influence the decisions that affect all our lives.

Our Third Sector Organisations also make an essential contribution to delivering our shared Community Plan, which outlines the ambitions for the borough to 2020 and is underpinned by the vision of achieving One Tower Hamlets. This involves tackling poverty and inequality, strengthening community cohesion and building community leadership. They are also a 'critical friend', providing feedback and advice on our ideas. In short the importance of the critical work of the Third Sector cannot be underestimated. This is why this Council has included National Indicator 7, an environment for a thriving Third Sector, as one of our Local Area Agreement targets.

This Third Sector Strategy, developed in consultation with our Third Sector Organisations, will help create an environment for a thriving Third Sector in our borough. It aims to improve the way in which the Council works with local groups. We plan to quickly extend the Strategy to our partners, beginning with NHS Tower Hamlets.

We're starting from a strong foundation in creating a thriving Third Sector. In a recent survey, significantly more Third Sector groups in Tower Hamlets than

nationally, felt that local statutory bodies helped them to succeed. We scored well on listening and encouraging, but have more to do with providing support.

However, we know that this doesn't represent the views of all Third Sector Organisations in Tower Hamlets and we want to continue improving.

This is why we've been listening to local views to shape this Strategy and we'll continue to listen. Many Third Sector Organisations have told us that the most important things are funding, asset management, infrastructure, volunteering, voice and representation, so that's what we've focused on. We will strengthen our work in these areas whilst maintaining our respect for the independence of local organisations.

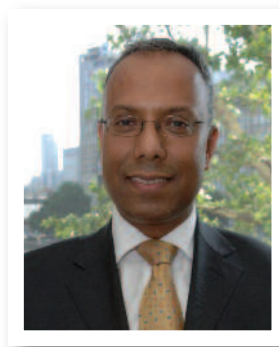
We recognise that it may not always be possible to have consensus on how best to move forward, but I hope we can all agree on our shared goal: to improve services for everyone living and working in the borough.

I look forward to working together with you to deliver this Strategy.

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“Many Third Sector Organisations have told us that the most important things are funding, asset management, infrastructure, volunteering, voice and representation, so that's what we've focused on.”

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**Councillor Lutfur Rahman**  
Leader, Tower Hamlets Council



## Foreward

Here in Tower Hamlets we recognise that the diversity of organisations that working within the Third Sector locally is what makes the borough so special.

Whether they are small self-help groups run entirely by volunteers or larger voluntary organisations which are delivering public sector contracts, this Strategy addresses areas which will improve working relationships between the Council and all Third Sector Organisations regardless of size or capacity.

To achieve this, we're looking to develop a new Community Chest and to improve our procurement practice. We're also developing Third Sector representation on the Community Plan Delivery Groups and looking at ways of hearing the voices of smaller community organisations.

We believe that improving the support available to Third Sector Organisations, and undertaking research around the premises needs of Third Sector Organisations, will benefit organisations of all sizes.

The Third Sector makes a key contribution to tackling poverty and inequalities, strengthening cohesion, and building leadership in this borough - what we now know as 'One Tower Hamlets'.

It is essential that the Council continues to build on existing positive working relationships with Third Sector Organisations, and does all it can to create an environment where the Third Sector in Tower Hamlets can thrive.



**Councillor Rania Khan**  
Leader Member for Regeneration,  
Community, Partnership and Localisation  
Tower Hamlets Council

# Contents

Leader's Introduction	3
Foreward Cllr Khan	5
01. Executive Summary	7
02. Introduction	8
<ul style="list-style-type: none"><li>• Purpose of the Strategy</li><li>• Development of the Strategy</li></ul>	
03. The Importance of a Thriving Third Sector	15
<ul style="list-style-type: none"><li>• Definition</li><li>• National drivers</li><li>• Local context</li></ul>	
04. Our Approach to Developing a Thriving Third Sector	19
<ul style="list-style-type: none"><li>• Infrastructure</li><li>• Volunteering</li><li>• Voice and Representation</li><li>• Commissioning and Funding</li><li>• Asset Management</li></ul>	
05. Delivering the Strategy	41
<ul style="list-style-type: none"><li>• Resources</li><li>• Responsibility for the Strategy</li><li>• Development of action plan</li><li>• Monitoring and evaluation</li></ul>	

01

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# Executive Summary

“The aim of the Strategy is to create an environment for a thriving Third Sector in Tower Hamlets.”

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The aim of this Strategy is to create an environment for a thriving Third Sector in Tower Hamlets. This Strategy is a Council document and is focused primarily on improving Council practice. However, the Action Plan goes a long way to delivering a partnership approach towards developing the Third Sector in the Borough.

Tower Hamlets has an extremely vibrant and diverse Third Sector. Though there are data restrictions, it is estimated that there are over 2,500 active organisations in the Borough. Analysis undertaken for the development of the Strategy indicates that around 1 in 8 of these receive resources from the Council, amounting to over £55m a year.

Consultation and data analysis has highlighted 5 key areas in which the Council can make a real difference to the Third Sector. These are as follows:

- 1 Infrastructure:** Third Sector Organisations need access to good quality affordable support in order to fulfil their potential. The Council recognises this and will work with partners to develop a new Council for Voluntary Services [CVS].
- 2 Volunteering:** People giving their time and energy, unpaid, for the benefit of society, and is seen by the Council as a powerful force for change. The Council will support the Third Sector to achieve the highest standards when involving volunteers.
- 3 Voice and Representation:** The Third Sector has a key role in improving service delivery and enabling the voices of the community to be heard. We will establish clear processes that enable the Third Sector to be effectively represented. This will include making sure that the voices of small organisations are heard.
- 4 Commissioning and Funding:** Our objective for the funding of Third Sector Organisations is that the process should be transparent, efficient and reflect local needs. We will improve our procurement practice and also establish a small grants funding scheme. We will review our Mainstream Grants process to make it more accessible, and undertake an Equalities Impact Assessment.
- 5 Premises:** Our objective is to support high quality premises. In order to do this we will undertake research to establish the key premises requirement priorities of the Third Sector.



02

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# Introduction

## Purpose of the Strategy

This Strategy has been produced by the London Borough of Tower Hamlets. The Council recognises that a thriving Third Sector is essential for the delivery of the Community Plan. The Council also recognises that the work of Third Sector Organisations is vital to transforming life locally and to realising the objective of One Tower Hamlets. Third Sector organisations do this through their values, the kinds of services they provide, and their unique ability to engage the local community. This makes a key contribution to tackling poverty and inequalities, strengthening cohesion and building community leadership in the borough.

The importance of the local Third Sector is explicitly acknowledged by the Tower Hamlets Partnership by the inclusion of National Indicator (NI) 7 - an environment for a thriving Third Sector - in the Local Area Agreement 2008/11. The role of Third Sector Organisations is recognised within a number of other Council strategies. This Strategy has been developed to provide a strategy framework for working with the Third Sector.



Participants at the Third Sector consultation event. 18th August 2009.

**In this context the aim of this Strategy is to create an environment for a Thriving Third Sector in Tower Hamlets.**

The Strategy highlights the contribution the Third Sector can make to delivering the priorities set out in the Community Plan, and has been informed by the following guiding principles:

- Efficiency – recognising and responding to future challenges in relation to resources
- Openness – the need for a more effective and mature dialogue with the Third Sector
- Personalisation – giving local people choice and control in the way they access services.

The Council values the contribution of all Third Sector Organisations, particularly that of small groups. One of the drivers for the development of this Strategy has been the Council's desire to support Third Sector Organisations, especially smaller organisations, access resources and support.



*Third Sector Organisations provide community events.*

## The Development of the Strategy

This Strategy has been developed over recent months by:

- Talking to a variety of stakeholders from both the Third Sector and the Council;
- Developing a profile of Third Sector Organisations funded by the Council;
- Reviewing key Council documentation; and
- Considering national guidance and good practice across sectors.

The Council also analysed the drivers of NI 7 as identified by the national survey undertaken by The Office of the Third Sector. A comparison of Tower Hamlets and national performance against these is provided on page 11 in the order of their impact on developing an environment for a thriving Third Sector.

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“In developing this Strategy the Council has reviewed the way it works with the Third Sector and established an Action Plan.”

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Participants at the Third Sector consultation event. 18th August 2009.

Driver	Tower Hamlets		National Average	
	Positive	Negative	Positive	Negative
Ability to influence decisions locally	20%	29%	16%	27%
Current dealings with local statutory bodies	33%	64%	26%	69%
Local statutory bodies valuing the work of your organisation	37%	16%	38%	14%
Satisfaction with the support available in your local area	18%	28%	22%	20%
Statutory sector bodies acting on organisations' concerns and in response to consultation	15%	29%	13%	27%
Respect for organisations' independence	37%	12%	37%	11%
Satisfaction with local statutory grant funding/contract bidding arrangements	12%	29%	13%	19%
The level of help and support available when applying for grants/bidding for contracts	16%	30%	15%	19%

Confidence Interval - 6%

The key findings of this were that Third Sector engagement with statutory bodies in Tower Hamlets is perceived as being much stronger than the national average but support, especially around funding arrangements, is weaker.



In developing this Strategy, the Council has reviewed the way it works with the Third Sector and established an Action Plan. This will be regularly reviewed to ensure effective delivery.

The development of the Strategy has been a positive process. Knowledge and understanding of the Third Sector has increased across the Council, and there is renewed commitment to working effectively with all Third Sector Organisations.

In developing the Strategy, the Council has attempted to acknowledge a number of key principles. These have included acknowledging that:

- The Third Sector is independent, and that providing services for the Council is not its primary purpose.
- The Third Sector is not a homogenous entity and can be characterised by its diversity.
- The Council and Third Sector Organisations sometimes may not agree, and that this diversity of opinion is a strength.

The development of the Strategy has been over-seen by a Third Sector Strategy Delivery Group. Local Councillors have also played an active role. Whilst this is a Council Strategy, it will quickly develop into a wider Partnership approach to working with the Third Sector.

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“Knowledge and understanding of the Third Sector has increased across the organisation...”

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Third Sector Organisations play a key role in improving the environment.

03

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# **The Importance of a Thriving Third Sector**

**For the purposes of this Strategy we are using the following definition:**

“The local Third Sector is made up of non-governmental organisations that are value-driven and which principally invest their surpluses to further social, environmental or cultural objectives that bring significant community benefit to Tower Hamlets.”

The Third Sector in Tower Hamlets is diverse in terms of size, activity, demographics and in terms of the different roles it plays. In particular the Council recognises that the Third Sector is:

- **A strategic partner:** contributing to shaping local priorities and the development of plans to meet these priorities. Third Sector Organisations, especially locally based ones, are often deeply embedded in local communities and can have a good understanding of the needs of specific groups of local people.
- **A service deliverer:** improving service outcomes through responding to local and diverse needs. Third Sector Organisations have an important role in delivering key services and reaching excluded or disadvantaged groups.
- **An enabler of voice and community representation:** by encouraging and supporting local service users and citizens – especially those who are vulnerable and marginalised - to get involved in decision making.
- **A key contributor to cohesion and equalities:** by building social capital and strong community networks.

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“Third Sector Organisations have an important role delivering key services and reaching excluded or disadvantaged groups.”

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The Third Sector also has a significant role as employer and in supporting local people towards employment by providing training, learning and volunteering opportunities.

Over the last ten years there has been a drive from central government to create a local environment which will enable the Third Sector to contribute and to thrive. Various policies and programmes, such as Futurebuilders and Capacitybuilders [ChangeUp], have been introduced. These have been aimed at supporting the Third Sector to develop its capacity and to develop the infrastructure support required to ensure the delivery of quality services.

Tower Hamlets Council will ensure that effective, value for money services are provided for our residents. The Council acknowledges that a thriving Third Sector is essential for the delivery of the Community Plan and One Tower Hamlets, and that the Council has a role in ensuring support is available to Third Sector Organisations to enable them to achieve the best for local people.

The Council recognises the diversity of the Third Sector and the differing needs of small community groups compared to those of larger, service provider organisations, and also that those needs will change as organisations evolve.

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“the Council recognises the diversity of the Third Sector ”

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*Third Sector Organisations play a key role in language provision.*

# **Our Approach to Developing a Thriving Third Sector**

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The actions in this Strategy will help create an environment in which the Third Sector can thrive.

Developing the Strategy has involved comprehensively reassessing the way the Council works with the Third Sector. The Council acknowledges the importance of the Third Sector's independence and recognises the Third Sector's role in contributing to policy and service development. The Council anticipates a continuing role for the Third Sector in local representation and engagement, and in service delivery.

Consultation with key stakeholders has identified 5 key areas where the Council can significantly support the achievement of the aim of this Strategy - to create an environment for a Thriving Third Sector in Tower Hamlets.

**The 5 key areas are:**

- 1 Infrastructure and Support** - developing both strategic and technical support to enhance the work of the Third Sector
- 2 Volunteering** - supporting the Third Sector to achieve the highest standards when involving volunteers
- 3 Voice and Representation** - making sure that the voice of the Third Sector is heard effectively across the Tower Hamlets Partnership
- 4 Commissioning and Funding** - improving the financial relationship with the Third Sector
- 5 Premises** - supporting Third Sector Organisations to access high quality premises.

## Infrastructure

### Key Issues:

- Third Sector Organisations need appropriate support
- The lack of an infrastructure organisation such as a Council for Voluntary Services [CVS] is seen as a barrier to delivery and engagement for both Third Sector organisations and the Council
- There is strong support across sectors to develop a new CVS in this borough

In order for front-line Third Sector Organisations to successfully contribute to the delivery of the Community Plan, the Council recognises the need to good quality affordable support. This includes support to:

- Develop quality services: project development, good governance, quality and compliance standards
- Improve service delivery: financial sustainability, premises, technical support and specialist policy advice and information
- Increase communication and collaboration: both within the Third Sector, and between the Third Sector and statutory agencies.

Tower Hamlets is currently the only London borough without a CVS. Conversations with both Third Sector Organisations and statutory agencies have indicated wide support for the development of a new CVS. The on-going need for specialist support agencies and for specific Third Sector networks has also been recognised.

The new CVS will be a key Strategy partner within the Local Strategic Partnership, and will provide:

- **Leadership:** championing the needs and views of the Third Sector in Tower Hamlets at a strategic level.
- **Advocacy and representation:** providing mechanisms for local Third Sector Organisations to be involved in the planning and delivery of policy and services. There would be a particular focus on representing small Third Sector Organisations.
- **Partnership building:** supporting collaboration between Third Sector Organisations, including consortia bids.
- **Organisational capacity building and technical support:** ensuring the coordination of support to front-line organisations, identifying gaps, and working with other organisations to address them. There will be a particular emphasis on supporting small Third Sector Organisations.
- **Enhanced communication:** within the Third Sector, and between the Third Sector and statutory agencies.

'Working Together' is the Compact for Tower Hamlets. This document sets out a number of principles which both the Council and the Third Sector agreed in terms of roles, rights and responsibilities. This document was agreed in 2004 and the Council thinks that now is an appropriate time to review it. The Council anticipates that this will further clarify expectations for both the Council and the Third Sector.

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“Championing the needs and views of the Third Sector in Tower Hamlets at a strategic level”

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**Key Actions:**

The Council will work with partners to:

- Develop a new CVS
- Ensure support is available to local Third Sector Organisations
- Refresh the Tower Hamlets Compact

## Volunteering

### Key Issues:

- Third Sector Organisations are amongst the largest providers of volunteering opportunities
- The Volunteering Compact Code sets out commitments for all sectors to develop best practice
- Infrastructure organisations, like the local Volunteer Centre, provide valuable support to enable Third Sector Organisations to engage with and support volunteers

Volunteering, where people give their time and energy, unpaid, for the benefit of society or the environment, is a powerful force for change, both for those who volunteer and for the wider community. Whilst volunteering is not solely undertaken within the Third Sector, it is amongst the largest provider of volunteering opportunities and we recognise that volunteers form the lifeblood of many Third Sector Organisations, whether as trustees or as contributors to service provision and support.

'Volunteering: Tower Hamlets Compact Code of Best Practice', was published in 2007 by the Tower Hamlets Partnership and the Volunteer Centre Tower Hamlets. This document sets out expectations for both the Council and the Third Sector and commits partners to using the Volunteers' Charter as a basis for developing best practice within their volunteering programmes. We think that now is a good time to review the implementation of the Code and to publish an action plan to support its promotion to Third Sector Organisations and other partners.

The Council is committed to supporting the Third Sector to achieve the highest standards when involving volunteers. This includes promoting, developing, funding and celebrating volunteering. One of the ways we will measure our success is by using National Indicator 6 – supporting participation in regular volunteering – although we recognise that this is an imperfect indicator.

The Council is keen to employ local people and recognises that volunteering can be a useful stepping stone into work for many residents. Volunteering opportunities in local statutory agencies do exist and the Council is interested in exploring how it can increase the capacity of statutory agencies to host volunteers.

The Council also recognises that volunteering by employees makes a big difference – to the organisations where they volunteer, to the organisations that employ them, and to the individuals volunteering. The Council currently encourages staff to volunteer with local projects, but recognises that this could be developed further. The Council will therefore look to further explore the development of employer supported volunteering.

### Key Actions:

The Council will work with partners to:

- Review the implementation of the Volunteering Compact Code
- Develop an action plan to support the promotion of the code
- Ensure support is available to local Third Sector Organisations
- Explore the development of employer supported volunteering
- Explore how it can increase the capacity of statutory agencies to host volunteers

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“The Volunteering Compact commits partners to using the Volunteers’ Charter as a basis for developing best practice within their volunteering programmes”

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## Voice and Representation

### Key Issues:

- Third Sector Organisations have an acknowledged role in enabling the voice of the community to be heard
- Third Sector involvement in strategy and policy development can lead to improvements in service delivery
- There is a need to develop a cohort of Third Sector representatives
- These representatives need support in order to fulfil this role effectively

The Third Sector has a key role in enabling the voice of the community, especially excluded groups, to be clearly heard. This role includes encouraging and supporting local service users and citizens to get involved in decision making. Also, the Third Sector has a wealth of experience and talent that can be of great benefit to those making policy in the statutory sector. The Council acknowledges that hearing the voice of the Third Sector invariably leads to improvements in the way policy and services are developed in the borough.

Representation on key decision making groups is currently variable. In some areas it is excellent whilst other areas need significant improvement. In general, the limited resources available to Third Sector Organisations has meant that they have not had the capacity to undertake a representative role. There is a clear need to develop a cohort of Third Sector representatives who have both the legitimacy and support to fulfil this role effectively.

The Council anticipates that once a CVS is established, it will have a central role in:

- Ensuring strategic representation of the local Third Sector
- Supporting Third Sector representatives to influence strategic decision making

In the meantime, the Council will establish formal and transparent processes using existing networks where possible, to select Third Sector representatives for the Tower Hamlets Partnership. The Council will also ensure that appropriate support is available both to Third Sector reps and to networks so that information and views can be gathered from, and disseminated to, the wider Third Sector and to Tower Hamlets Partnership.

The Council will also work to establish a process for including the views of smaller community groups and/or communities of interest who might not have formal community organisations and/or the capacity to be involved in network meetings. This will include improving links through e-networks, ensuring that the Partnership website maximises engagement with Third Sector groups, and explore web-based social networking.

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“The Third Sector has a wealth of experience and talent that can be of great benefit to those making policy in the statutory sector.”

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## Key Actions:

The Council will:

- Establish formal and transparent processes for selecting representatives from the Third Sector
- Provide support for networks Third Sector representatives
- Establish a process for including the views of smaller community groups and/or communities of interest
- Improve the use of web- based social networking.



*Third Sector Organisations play a key role in supporting vulnerable people.*

## Commissioning and Funding

### Key Issues:

- The total value of grants and contracts from the Council to the Third Sector is over £55m
- The £3.785m Mainstream Grant programme is effective, though it needs an Equalities Impact Assessment and a process review
- Some commissioning processes are excellent but there is a lack of consistency and co-ordination across the Council

The last decade has seen the Third Sector playing an increasingly significant role in the provision of mainstream services in a 'mixed economy', whilst striving to maintain their traditional roles of innovation and campaigning for social change. It is estimated that around 300 Third Sector Organisations receive funding from the Council to deliver Community Plan targets. Many more contribute to Community Plan objectives but are not commissioned or funded directly by the Council.

The total value of grants and contracts from the Council to the Third Sector is over £55m - approximately 5% of the total Council budget. Figure 1 below breaks down this expenditure by amount of funding and Figure 2 shows the number of projects being funded for each amount.

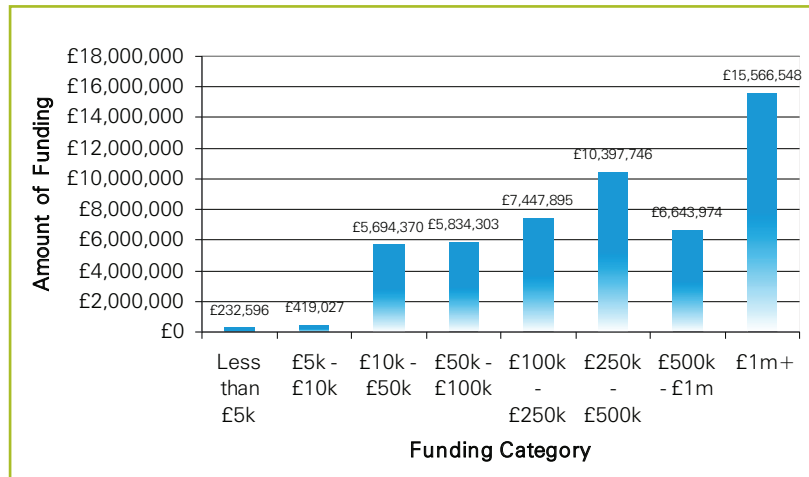
In addition to this the Council recognises the enormous inward investment which is brought in by the Third Sector.

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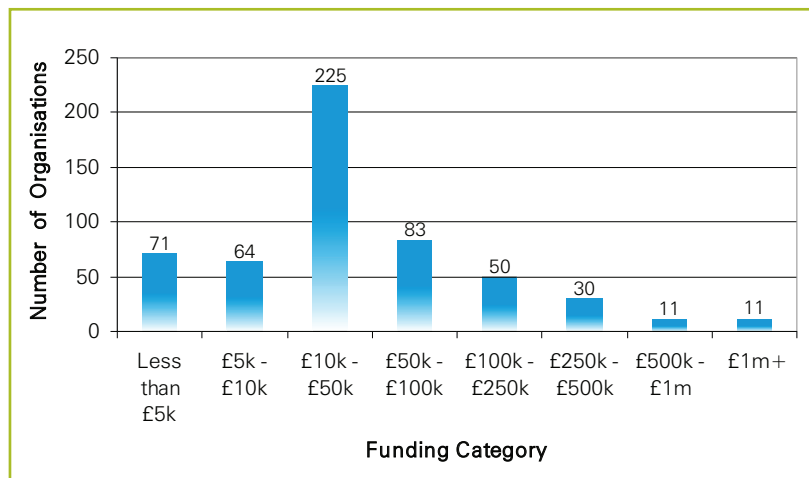
“The last decade has seen the Third Sector playing an increasingly significant role in the provision of mainstream services.”

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## Amount of Funding by Funding Category



## Number of organisations by Funding Category



### Our objectives for the funding of Third Sector Organisations are that it should:

- **Be transparent:** There will be fair processes with clear decision making criteria
- **Be efficient:** We will deal with Third Sector Organisations consistently and ensure that we get maximum value for money
- **Reflect local needs:** Where possible we will involve residents in decision making and ensure that funding reflects local aspirations.

The Council recognises that obtaining maximum value from the Third Sector requires a combination of funding. These include:

- Giving grants to support valued activities
- Commissioning a particular service using commissioning and procurement approaches
- Investing to support the long term development of strategically important organisations, networks and services.

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“The Council recognises that obtaining maximum value from the Third Sector requires a combination of funding.”

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Third Sector Organisations provide employment and training services.



Third Sector Organisations provide services for people with disabilities.



## Grant Funding

The Council provides the Mainstream Grants programme, worth £3.785m a year, to provide small and medium sized grants to the Third Sector Organisations. It was agreed by the Council's Cabinet in August 2007 that all elements of the programme would switch to using a commissioning framework by 2009.

The switch to commissioning has ensured that resources are clearly focused on need. However, consultation has revealed that the commissioning process may exclude some, especially small Third Sector Organisations, and may lack flexibility.

As the Mainstream Grants process is only just completing its switch to a commissioning model, the new processes should be given time to bed down before being subject to a full evaluation and review. However, the Councils will undertake an Equalities Impact Assessment by the end of 2009/10, and also ensure that processes for applying are reviewed and improved.

The Council will also establish a Community Chest which will be available to any Third Sector Organisation, providing grants for the purchase of specific items, to undertake specific pieces of work, or to support the development of the organisation.

### Key Actions the Council will:

- Undertake an Equalities Impact Assessment by the end of 2009/10 ensure that processes for applying are reviewed and improved
- Establish a Community Chest

## Commissioning

The Council published a Third Sector Commissioning Code of Practice in 2005. The development of the Third Sector Strategy has offered an opportunity to review the success of the current approach.

Consultation with Third Sector Organisations indicates that there are elements of our commissioning process that are valued and should be built on:

- Commissioning on the basis of needs assessment is resulting in the better directing of resources to the right things in terms of local priorities, real needs and emerging issues
- There are many examples of well run processes, with good practice including open access events and clear explanatory material
- Council staff are frequently considered to be helpful, open and well informed, enabling interested groups to have valuable opportunities to talk through their proposals and views of what provision would be most effective
- The support to develop the capacity of various provider networks is delivering real benefits. This includes the funding for a Voluntary Sector Children and Youth Forum Coordinator funded by the Children's, Schools and Families Directorate

However, consultation with the Third Sector has also brought into focus a range of areas where current practice could be more consistent and co-ordinated. Key concerns include lack of consistent practice in areas including the communication of opportunities, commissioning processes and policies and monitoring arrangements.

It was also identified that it is not unusual for some Third Sector Organisations to have several contracts with different parts of the Council. This presents a difficulty from the perspective of Third Sector Organisations as these contracts will often have different lengths, monitoring processes and policies around full cost recovery. However, it also presents an issue for the Council as the situation prevents us obtaining economies of scale and making the most of synergies between different commissioning exercises.

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“...consultation with the Third Sector has also brought into focus a range of areas where current practice could be more consistent and co-ordinated.”

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Consequently, the Council will strengthen partnerships with relevant Third Sector partners in order to ensure that commissioning and funding opportunities are promoted appropriately to the Third Sector. New ways of working will be communicated to Third Sector Partners through dedicated Third Sector provider days. Support will also be provided to Third Sector Organisation who want to be successful in tendering for contracts. This will be provided by a range of appropriate Third Sector agencies alongside the Council's Procurement Help-line.

The Procurement Toolkit will be refreshed to ensure that it is appropriate for procuring services from Third Sector Organisations. The Procurement Toolkit will introduce minimum standards, including requirements for monitoring visits and internal audit. The Third Sector Commissioning Code of Practice will also be reviewed to ensure that it aligns with the Funding Framework.

In addition the Council will provide a new full-day training for Council officers around Effective Commissioning from the Third Sector. This will be mandatory for all officers who undertake commissioning from Third Sector Organisations.

The Council will endeavour to speed up the payments processes across the board, and to examine Third Sector expenditure in forensic detail. This information will be used to improve value for money and service delivery.

**Key Actions the council will:**

- Strengthen partnerships to ensure commissioning and funding opportunities are promoted appropriately to the Third Sector
- Refresh the Procurement Toolkit
- Review the Third Sector Commissioning Code of Practice
- Provide a new full-day training course for Council officers around Effective Commissioning from the Third Sector.
- Communicate new ways of working to Third Sector partners
- Provide support for Third Sector Organisations on tendering for contracts
- Speed up the payments processes
- Examine Third Sector expenditure to improve value for money and service delivery

**Tower Hamlets Funding Framework**

The approach detailed above should enable the Council to have a flexible and appropriate approach to funding and commissioning the Third Sector. This can be summarised in the table on the next page.

Approach	Commissioning	Commissioning/ Investing	Investing/ Giving
<b>Commissioning Method</b>	<b>Competitive Procurement</b>	<b>Grants Commissioning</b>	<b>Small Grants</b>
<b>Most applicable when any of the following apply</b>	<ul style="list-style-type: none"> <li>• Non-sector specific</li> <li>• Contestable market</li> <li>• Statutory or required service</li> <li>• Defined outcomes</li> <li>• Service spec. based on needs analysis</li> </ul>	<ul style="list-style-type: none"> <li>• Third Sector Specific</li> <li>• Some market</li> <li>• Strategically important activity</li> <li>• Defined outcomes</li> <li>• Service spec. based on needs analysis</li> </ul>	<ul style="list-style-type: none"> <li>• Third Sector specific</li> <li>• Weak market</li> <li>• Need to grow or support key organisation</li> <li>• Pilot or one-off projects</li> <li>• Broad definition of outcomes</li> </ul>
<b>Guide Amount</b>	Usually over £20,000 per annum	£500 – £200,000*	Less than £15,000
<b>Key Council Process</b>	<b>Commissioning Process</b>	<b>Mainstream Grants</b>	<b>Community Chest</b>
<b>Standard Resulting Processes</b>  [Proportionate approach in line with value and risk]	<ul style="list-style-type: none"> <li>• Tollgate [for contracts over £250,000]</li> <li>• Pre-Qualification Questionnaire</li> <li>• Tender</li> <li>• Contract</li> <li>• Regular monitoring and quality assurance</li> <li>• Exit Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Open bidding against specified priorities</li> <li>• Funding agreement with SLA</li> <li>• Appropriate monitoring</li> </ul>	<ul style="list-style-type: none"> <li>• Open application for grant aid against criteria</li> <li>• Monitor organisational health and evaluate delivery</li> <li>• Exit Strategy</li> </ul>
<b>Full Cost Recovery Key Guidance</b>	Yes	For reasonably apportioned costs	Usually not
	<ul style="list-style-type: none"> <li>• Procurement Toolkit</li> <li>• EU procurement directives</li> </ul>	Commissioning Framework (to be reviewed)	Funding guide (to be produced)

\* Awards over ~£139,000 will be considered on a case-by-case basis in relation to EU procurement directives.

## Personalisation

Delivering personalised services for local people is a challenge for both the Council and Third Sector. This will mean supporting the Third Sector to become a central part of a wide-ranging market of local services and options that people will choose to make use of, and those with social care needs may be able to pay for on an individual basis through personal budgets.

## Future Challenges

It is clear from the mapping of our work with the Third Sector that the sector relies on a wide range of funding streams. Many of these are time limited grant funding, such as the Area Based Grant and Working Neighbourhood Fund, which will come under considerable pressure in future years. There is a real risk of key elements of the Council's work with the Third Sector being the victim of the economic downturn and its long-term consequences. Looking at the breadth of current partnerships, it is suggested that this will put our ability to deliver the Community Plan to 2020 at risk.

The Council acknowledges that it needs to be proactive in managing these challenges. This will require a mature and on-going dialogue with the local Third Sector.



Attendees at the Third Sector consultation event.  
18th August 2009.

### Key Actions:

- A risk analysis of the anticipated impact of changes in funding will be undertaken, identifying:
  - Anticipated changes in funding 2010 – 2013
  - Anticipated impact on Third Sector
  - Mitigation of risk
- The council will support Third Sector Organisations to become more enterprising and broaden their funding base
- The council will explore how commissioning budgets might be used to provide an on-going resources to support Third Sector Infrastructure.



Third Sector Organisations provide sports and youth services.



Third Sector Organisation plays a key role in providing services for early years.

## Premises

### Key issues:

- Third Sector Organisations need to have access to appropriate and affordable space
- The Council has an Asset Management Plan which sets out a number of commitments
- There is a need for a more strategic approach to the premises needs of Third Sector Organisations and need to undertake research before being able to develop any support arrangements.

Access to the right quality space, at the right cost and in the right location is a key factor in the development of Third Sector Organisations. The Council's objective is to play a key role in supporting the Third Sector access high quality accommodation.

The Council realises that the accommodation needs are different for different groups.

The Council is also keen to explore the value in developing community hubs. There may be real benefits to service users by co-locating Third Sector Organisations, perhaps alongside public service providers. There could also be tangible benefits for Third Sector Organisations in the development of services and in sharing back-office costs. The Council will work with other statutory partners to identify appropriate premises. This might include the new Health and Wellbeing Centres which potentially provide a great opportunity for Third Sector Organisations to work alongside public sector providers.

Some accommodation will be owned by the Council, in which case it will be governed by our Asset



Management Plan 2008/09 – 2010/11. This states our commitment to having an asset portfolio that is:

- Fit for purpose
- Sustainable and compliant with statutory regulations
- Maintained to an appropriate and defined standard
- Managed and owned corporately
- Used efficiently
- Funded adequately
- Reviewed regularly
- Held only where supported by an informed business case for doing so

The Council is committed to working with the Third Sector and other partners to create an environment for a thriving Third Sector by:

- Undertaking a programme of research to bring together a full understanding of:
  - The organisations that are currently using community buildings and the services which are being delivered from them.
  - The accommodation needs of Third Sector Organisations in the borough, including looking at the needs of smaller community organisations.
  - Future commissioning and service delivery priorities



Third Sector Organisations play a key role in providing services for older people.

On the basis of this information we will develop and deliver a Third Sector Asset Plan as a strand of the Asset Strategy which will explore:

- Appropriate mechanisms to allow shared use, including development of 'micro-leases', leases or licenses to enable a variety of organisations to share a property / community hubs, with high quality facilities available for hire by the day, or hour
- The 'Social Return on Investment (SROI)' model, which involves quantifying the contribution the organisation makes to the community and considering this as a contribution towards rents
- Undertake research examining criteria for proposals around asset transfer.

### **Key Actions:**

The Council will:

- Undertake programme of research around the needs of the Third Sector.
- On the basis of this information we will develop appropriate support arrangements.



Cllr. Rania Khan, Lead Member Regeneration, Community Partnerships and Localisation, addresses the Third Sector Consultation Event on the 18th August 2009.



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# Delivering the Strategy

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**Governance:**

It is recognised that all Community Plan Delivery Groups contribute to the delivery of National Indicator 7. However, the Prosperous Communities Community Plan Delivery Group [CPDG] has the over-all responsibility for the delivery of National Indicator 7. Accordingly, although this is a Council Strategy, the Third Sector Strategy Delivery Group, which is comprised of statutory sector officers, will report regularly to this Group.

The Council has also established a Third Sector Advisory Board which will help support the further development and delivery of this Strategy. Membership is drawn from a range of Third Sector Organisations and is chaired by the Assistant Chief Executive of Tower Hamlets Council.

**Development of an Action Plan:**

An Action Plan has been developed, showing initial activity and identifying appropriate leads who will take responsibility for specific activity focused around the five themes within set timescales. This will be regularly reviewed to ensure effective delivery.

**Monitoring and Evaluation:**

One key measure of our success in developing an environment for a thriving Third Sector will be performance against National Indicator 7. This is measured by a national survey of Third Sector Organisations who are asked "Taking everything into account, overall, how do the statutory bodies in your local area influence your organisation's success?" In autumn 2008, The Office of the Third Sector undertook a base-line survey for NI 7 in which Tower Hamlets had a score of 21.1%, compared to a national average of 16.2%. Our target for 2010/11 is 27% - as agreed by central government.

In addition, the Action Plan will be monitored regularly by the Third Sector Strategy Delivery.





## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
1. Appropriate <b>Infrastructure</b> to support the Third Sector	1.1	Develop a new Council for Voluntary Services for the borough	£105,000	Accelerated Delivery Fund (allocation to be confirmed)	<ul style="list-style-type: none"> <li>• CVS interim Board in place by Dec 2009</li> <li>• CVS incorporated by Jan 2010</li> <li>• CVS Director in post by March 2010</li> <li>• CVS funding strategy agreed by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>• CVS Director and Board recruited</li> <li>• CVS Incorporated</li> <li>• Draft CVS Funding Strategy</li> </ul>	Louise Russell
	1.2	Co-ordinate resources to improve the support the Council offers to the Third Sector	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Produce a directory of support available and publicise in East End Life by end January 2010</li> <li>• Ensure the delivery of courses on Project Management and Funding Strategies and Bid Writing aimed specifically at the Third Sector by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>• 1,000 Support Directories distributed</li> <li>• 2 x courses on Project Management delivered</li> <li>• 2 x courses on Funding Strategies and Bid Writing delivered</li> <li>• 50 people working or volunteering in the local Third Sector benefit from courses</li> </ul>	Louise Russell

## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
2. The highest standards when working with <b>Volunteers</b>	2.1	Review and improve the implementation of the TH Volunteering Compact Code of Best Practice	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Scope and commission review by November 2009. To include appropriate consultation with key stakeholders from all sectors especially organisations using volunteers</li> <li>• Agree report and action plan with Advisory and Delivery Groups by March 2010</li> </ul>	Volunteering Code Action Plan	Shazia Hussain
3. Effective processes that enable Third Sector <b>Voice and Representation</b>	3.1	Work closely with the Third Sector Advisory Group to develop practical proposals to improve Third Sector involvement in key decision making processes	Within proposed CVS budget	Accelerated Delivery Fund (allocation to be confirmed)	<ul style="list-style-type: none"> <li>• Approach agreed, following discussions with the Advisory Group, by November 2009</li> <li>• Voice and Representation policy and action plan agreed by December 2009. This to include process for selecting, supporting and remunerating representatives as well as methods for ensuring that the views of small groups are heard.</li> </ul>	<ul style="list-style-type: none"> <li>• Agreed protocols for representation agreed by Advisory Group</li> <li>• Representative Third Sector attendance at Partnership Board, Partnership Executive and all Community Plan Delivery Group meetings</li> </ul>	Shazia Hussain

## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
4. Improved Third Sector Commissioning and Funding processes	4.1	Further improve the Mainstream Grants process	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Review allocations process (using lessons learned during 2009/10) and agree proposals for improvement with the Grants Panel by October 2009</li> <li>• Complete full Equalities Impact Assessment by December 2009</li> </ul>	<ul style="list-style-type: none"> <li>• Revised Mainstream Grant Allocation process</li> <li>• Completed Equalities Impact Assessment</li> </ul>	Louise Russell
	4.2	Establish a Community Chest	£300,000	Accelerated Delivery Bid (allocation to be confirmed)	<ul style="list-style-type: none"> <li>• Agree scope in terms of size of Community Chest, allocation process, responsibilities and communications plan by November 2009</li> <li>• Officer to manage Community Chest in post by December 2009</li> <li>• Community Chest advertised by December 2009</li> <li>• First Community Chest allocations made by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>• Community Chest scope</li> <li>• Community Chest allocation</li> </ul>	Louise Russell

## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
4. Improved Third Sector Commissioning and Funding processes	4.3	Improve internal Third Sector Commissioning and Procurement procedures	Within existing resources	N/A	<ul style="list-style-type: none"> <li>Refresh Procurement Toolkit to ensure that it is appropriate for the Third Sector, and Third Sector Commissioning Code of Practice by January 2010</li> <li>Scope, launch and begin delivery of a new mandatory 1-day course for Third Sector Commissioners by April 2010</li> </ul>	<ul style="list-style-type: none"> <li>Procurement Toolkit includes minimum standards for monitoring as well as revised templates for PQQs, tender documents, contracts and monitoring forms, and clear guidance on decommissioning, all in accordance with best practice</li> <li>25 officers complete 1 day course by end 2010/11</li> </ul>	Richard Parsons
4. Improved Third Sector Commissioning and Funding processes	4.4	Increase co-ordination and cost-effectiveness of Third Sector commissioning and procurement	Within existing resources	N/A	<ul style="list-style-type: none"> <li>Scope and establish a Third Sector commissioners group involving commissioners across the Partnership by December 2009</li> <li>Complete in-depth analysis of Third Sector contracts larger than £50k per year to identify links, overlaps and opportunities for efficiency by January 2010</li> </ul>	<ul style="list-style-type: none"> <li>Commissioning Group holds initial meeting</li> <li>Analysis of contracts complete</li> </ul>	Richard Parsons



## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
4. Improved Third Sector Commissioning and Funding processes	4.5	Strengthen partnerships with the Third Sector around Commissioning and Procurement	Within existing resources	N/A	<ul style="list-style-type: none"> <li>Improved processes for communicating opportunities to bid for LBTH contracts to the Third Sector to be scoped and in-place by January 2010</li> <li>Hold first Third Sector provider day by March 2010</li> <li>Complete appraisal of options for sustainable funding of Third Sector infrastructure, including the 'levy' option, and agree preferred option with members by November 2009</li> <li>Undertake an initial analysis of anticipated changes in funding and likely impact on the Third Sector by December 2009</li> <li>Hold risk analysis session to develop options for risk mitigation with the Third Sector Commissioners Network by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>35 Third Sector organisations attend initial Third Sector provider day</li> <li>7 organisations who want to tender for contracts supported</li> </ul>	Richard Parsons
	4.6	Promote Third Sector resilience in the light of likely changes in funding	Within existing resources	N/A	<ul style="list-style-type: none"> <li>Sustainable funding option agreed</li> <li>Analysis complete</li> <li>Risk assessment session complete</li> </ul>	<ul style="list-style-type: none"> <li>Sustainable funding option agreed</li> <li>Analysis complete</li> <li>Risk assessment session complete</li> </ul>	Louise Russell alongside Corporate Finance

## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
5. Develop our strategic approach to Third Sector <b>Asset Management</b>	5.1	Develop a Third Sector Asset Plan	£25,000 for research	Accelerated Delivery Bid (included in CVS budget)	<ul style="list-style-type: none"> <li>• Scope and commission research to bring together details of current Third Sector asset usage, Third Sector asset needs and service delivery priorities by October 2009</li> <li>• Research complete by March 2010</li> </ul>	Third Sector Asset Research	Louise Russell / Andy Algar
6. Effective <b>Governance</b> arrangements to oversee the implementation of the Strategy in place	6.1	Establish Third Sector Strategy Delivery Group to oversee implementation	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Group membership agreed by August 2009</li> <li>• 2009/10 Council Action Plan agreed by Nov 2009</li> <li>• 2009/10 Partnership Action Plan agreed by Dec 2009</li> <li>• 2010/11 Partnership Action Plan agreed by February 2010</li> <li>• Membership and Terms of Reference agreed by September 2009</li> <li>• CVS Development Process agreed by October 2009</li> <li>• Voice and Representation proposals agreed by January 2010</li> <li>• 2010/11 workplan developed and agreed by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>• 2009/10 Council Action Plan</li> <li>• 2009/10 Partnership Action Plan</li> <li>• 2010/11 Partnership Action Plan</li> </ul>	Louise Russell
6. Effective <b>Governance</b> arrangements to oversee the implementation of the Strategy in place	6.2	Establish Third Sector Advisory Group to support policy development and strategy implementation	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Membership and Terms of Reference agreed by September 2009</li> <li>• CVS Development Process agreed by October 2009</li> <li>• Voice and Representation proposals agreed by January 2010</li> <li>• 2010/11 workplan developed and agreed by March 2010</li> </ul>	<ul style="list-style-type: none"> <li>Agreed: <ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• CVS Development Process</li> <li>• Voice and Representation proposals</li> </ul> </li> <li>• 2010/11 workplan</li> </ul>	Louise Russell

## Tower Hamlets Council Third Sector Strategy - Action Plan 2009/10

Objective	No.	Activity	Cost (2009/10)	Funding Source	Milestones	Outputs and Outcomes (2009/10)	Lead Officer (Service Head)
7. Excellent Understanding of and Communication with the Third Sector	7.1	Complete the production of a comprehensive Third Sector database	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Database development completed by TBC</li> <li>• Promoted across the Partnership by TBC</li> </ul> <i>[Further scoping required before reliable timescales can be given]</i>	<ul style="list-style-type: none"> <li>• Shared Third Sector database across Partnership</li> <li>• Improved communication with the Third Sector</li> </ul>	Louise Russell
	7.2	Improve communications with the Third Sector	Within existing resources	N/A	<ul style="list-style-type: none"> <li>• Third Sector web content updated by November 2009</li> <li>• Regular section in East End Life on Third Sector issues by December 2009</li> <li>• Revised Third Sector communications protocols agreed by January 2010</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly issues of East End Life with Third Sector section</li> <li>• Communications Protocol</li> </ul>	Alex Louis

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<b>Committee</b> Overview and Scrutiny	<b>Date</b> 3 <sup>rd</sup> November 2009	<b>Classification</b> Unrestricted	<b>Report No.</b>	<b>Agenda Item No.</b>
<b>Report of:</b>  Assistant Chief Executive  <b>Originating Officer(s):</b>  Ashraf Ali Scrutiny Policy Officer		<b>Title:</b>  Scrutiny Challenge Session – Dangerous Dogs  <b>Ward(s) affected: All</b>		

**1. Summary**

1.1 This report updates the Overview and Scrutiny Committee on the outcome of the Scrutiny Challenge Session Dangerous Dogs held on 4<sup>th</sup> August 2009.

**2. Recommendation**

The Overview and Scrutiny Committee is asked to –

- 2.1 Note the information in the report about the Scrutiny Challenge Session Dangerous Dogs.
- 2.2 Agree the recommendations contained in the report.

**LOCAL GOVERNMENT ACT, 2000 (SECTION 97)  
LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT**

Background papers

Name and telephone number of and address  
where open to inspection

N/A

Ashraf Ali

### **3. Introduction**

- 3.1 This report provides a summary of the scrutiny challenge session held on Dangerous Dogs which provided members with an opportunity to learn more about the background and context of the issue.
- 3.2 The session was attended by 75 residents with Cllr Bill Turner (Chair), Cllr Rachel Saunders and Cllr Abdul Aziz Sardar.

### **4. Purpose**

- 4.1 Challenge sessions are designed as a quick way for a group of members to get to grips with key policy issues and ensure a robust check on the Council's policies.

The purpose of this scrutiny challenge session was:

- To increase Members understanding of the issues that are common when dealing with dangerous dogs
  - To consider and evaluate the Council's approach to dealing with the rise of dangerous dogs
  - To give residents an opportunity to express their views and concerns
  - To develop recommendations for future approaches to dealing with this issue
- 4.2 Members and residents received presentations during the course of the session, as outlined below:
- London overview and MET response (Ian McParland, Status Dogs Unit, Metropolitan Police)
  - A local perspective (Clive Shipman, Assistant Head, Tower Hamlets Environmental Health and Environmental Protection & Dawn Sammons, Principle Animal Warden)
  - Animal ownership – from a Tower Hamlets Registered Social Landlord (RSL) perspective (Sarah Castro, Community Safety Manger, Poplar HARCA)
  - Status dogs - the challenges and the solutions (Clare Robinson, RSPCA)

### **5. Background**

- 5.1 In the UK, dangerous dogs are classified by "type", not by breed label. This means that whether a dog is considered dangerous, and therefore prohibited, will depend on a judgment about its physical characteristics, and whether they match the description of a prohibited 'type'.
- 5.2 The Dangerous Dogs Act 1991 (as amended 1997) prohibits certain types of dogs and allowing a dog of any type to be dangerously out of control in a public place or a private place where it is not allowed to be. The law also provides for such dogs to be seized. The act prohibits the breeding, sale, exchange, advertising, or gift of four particular types of dogs:

- the Pit Bull Terrier
- the Japanese tosa
- the Dogo Argentino
- the Fila Brasileiro

5.3 The Act makes it an offence for an owner or a person in charge of a dog to be 'dangerously out of control in a public place'. This offence is aggravated if the dog injures a person whilst out of control. The Police and Local Authorities are empowered to seize any type of breed that appears dangerously out of control.

5.4 The Animal Welfare Act 2006 reforms the law relating to protecting animals. It introduced several welfare related offences and the most significant are set out below.

- *Section 4* - causing unnecessary suffering to an animal by an act or failure to act whereby a person responsible for an animal permits or fails to take steps to prevent unnecessary suffering by an act or failure to act by another person.
- *Section 8* - creates a number of offences associated with animal fights, the organisation of animal fights and its associated activities, such as betting on and videoing animal fights.
- *Section 9* - places a duty of care on those responsible for animals to ensure the welfare needs of an animal are met. It encompasses those who abandon animals, as by doing so they cannot be said to have taken all reasonable steps to ensure the animal's needs have been met.

5.5 The department for Environment, Food and Rural Affairs (defra), National guidance for enforcers states that:

*'Local authorities with powers through Dog Control Orders (DCO) can place restrictions on access to or exclude dogs from, open spaces to which the public have access, as well as the power, to make owners place dogs on leads. Local authorities may issue Fixed Penalty Notices (FNPs) for those who do not adhere'.*

## 6. Key discussion points

6.1 At the meeting Members and residents were given presentations by representatives of the Metropolitan Police, RSPCA and the Councils Animal Warden Service. Information was presented on the background to and the context of the rise of dangerous dogs in the borough. Members and residents were informed of the core approaches to tackling the issue, and how intelligence is collected on irresponsible owners that use dogs for illegal breeding.

6.2 It was stated that there has been an increase in dangerous dogs across London. This rise is shown through the recorded numbers of dogs seized across London:

2002 – 2006, 40 dogs  
 2006 – 2007, 143 dogs  
 2007 – 2008, 481 dogs  
 2008 – 2009, 719 dogs – of which 600 were Pitbull terriers

Ian McParland of the Status Dogs Unit at the Metropolitan Police said that figures are reflected locally. The Council's Animal Warden Service has taken in over 170 stray dogs since 1st April 2008, and 140 of them were Staffordshire bull terriers or similar crossbreeds. Of these, 105 had to be put down.

- 6.3 In response to a question asked regarding the powers the police have to prosecute those responsible for breeding and selling illegal dogs. Ian McParland stated that the Breeding and Sale of Dogs (welfare) Act 1999 extended the powers of the Local Authority to obtain a warrant to enter any premises, excluding a private dwelling house, in which it is believed that a dog breeding business is being carried out. This also includes all outbuildings, garages and sheds.
- 6.4 A discussion was held on how 'animal control' is being enforced in the borough and what improvements will be demonstrable as a result of this. Dawn Sammons, the Principle Animal Warden, outlined that Tower Hamlets has a team of Animal Wardens that receives complaints relating to dogs being out of control on estates and in parks. It offers various responsible dog ownership initiatives including local dog training classes and free neutering (a veterinary procedure which prevents pets from producing young, for bull terrier breed dogs).
- 6.5 Those in attendance sought information on what the Council and its partners are doing to rid the borough of dog fouling. Residents in particular stated that they have seen a rise of this in parks. It was explained that the Council has designated all the land in its streets, parks and housing estates under the Dogs (Fouling of Land) Act 1996, which makes it an offence if people don't immediately clear up mess left by their dog. Councillor Bill Tuner expressively stated that there are still areas where some people do not pick up after their dogs. Clive Shipman, Assistant Head, Tower Hamlets Environmental Health and Environmental Protection responded to Councillor Turners concerns. He said that the Council has run several hard hitting publicity campaigns to crack down on dog fouling and encourage owners to comply with the law. It also encourages members of the public to provide information about when and where regular dog fouling occurs, so patrols can target those areas. Also the Council carried out 120 enforcement actions under the Dogs (Fouling of Land) Act 1996 during April 2008 - March 2009.
- 6.6 The audience was informed that the Council works with the police to build intelligence of owners of dangerous dogs. It was said that when a dangerous dog is reported to the Animal Warden Service, the service passes information to the police who exercise their powers under the Dangerous Dogs Act 1996.
- 6.7 Further information was given on the work the Animal Warden Service undertakes to encourage responsible dog ownership and protecting people from being attacked. The key points were;-
- **Enforcing Collar and tags** - Under the Control of Dogs Order 1992, all dogs when out in a public place must wear a collar and tag with the name and address of the owner inscribed on it.
  - **Micro chipping** - Permanent identification of pets by implanting a tiny chip bearing a unique number underneath the animal's skin. Dog wardens, police and animal rescue centres routinely scan dogs which come into their care



with a special reader and, by checking the number against a central database, can swiftly connect lost pets with owners anywhere in the country.

- **Prevent-a-bite-** The Animal Warden Service gives talks in schools to teach children how to act around strange dogs to avoid getting bitten.

- 6.8 There was a discussion on the difficulty residents faced when trying to report owners of dangerous dogs. One owner said that:

*"I am always frightened when leaving or entering my flat. My neighbour's dog is very intimidating and scares my children. I want to report this but do not know where".*

Another said:

*"Where do I report dangerous dogs? If I call the police they say contact your Safer Neighbourhood Team (SNT). If I call the SNT they say contact Tower Hamlets Council".*

- 6.9 A question was asked around the possible link between irresponsible dog ownership and wider issues such as poverty and worklessness. It was stated that many owners of dangerous dogs are young and unemployed. Andy Bamber from the Council's Community Safety team said that this statement is hard to corroborate as sufficient data is not available. Nevertheless, anecdotal evidence seemed to suggest that there is a link between those unemployed and those owning dangerous dogs. Council Officers said that tackling worklessness is a key theme in the Partnerships Community Plan.

- 6.10 Sarah Castro, Community Safety Manger, at Poplar HARCA was keen to know whether Animal Warden Service extends to all RSL's. It was argued that historically and currently, all social housing in Tower Hamlets (including council - now ALMO) are charged for services to deal with dog fouling. However Tower Hamlets residents who live in private or freehold properties don't pay. The Animal Warden Service said that all RSLs receive the same services in respect of statutory functions and have the same opportunities to enter into Service Level Agreements for provision of additional services.

## **7. Evidence from the Royal Society for the Prevention of Cruelty to Animals (RSPCA)**

- 7.1 Information from Clare Robinson informed attendees that as an animal welfare charity, the RSPCA exists to prevent the cruelty to animals and the growing trend to use dogs in ASB, to settle scores between gangs, or for organised dog fighting. She added that status and dangerous dogs are just another aspect of ASB and socio economic issues that blight many inner cities and towns.
- 7.2 It was expressed by Claire Robinson that many irresponsible dog owners do not realise how powerful and therefore potentially dangerous these status dogs are. The owners obtain these dogs because of the image the animals portray and the fear they instil in others. But they do not know how to control them properly and many

experts believe they do not appreciate that in effect they have a loaded weapon on the end of the lead.

- 7.3 Also that the RSPCA has received reports on an increasing number of dog fights in parks, on estates and on the streets, and that these appear to involve young people aged between 13-17 years. Also that this form of ASB is associated with other forms of ASB and crime, e.g. arson, youth offending etc. Very often such young people are already excluded from school or regularly truant and so are a difficult group to target effectively.
- 7.4 Claire Robinson recommended two possible solutions when dealing with irresponsible owners:
- **Education** – The fundamental issue is to encourage owners of dogs to get them neutered.
  - **Enforcement** – Those who breed from these dogs for profit are unlikely to heed any educational advice. Therefore agencies should consider other means of tackling the issue. Such as are there any welfare or cruelty offences being committed or are they breaking their tenancy agreement

## 8. Recommendations

- 8.1 Members recognised the need to support people to do the right thing. It was argued that it is important to tailor recommendations to tackle irresponsible dog ownership so that it incorporates both education and enforcement elements. Members recognised that some parts of the community will respond well to and are better suited to education and advice programmes, in other cases enforcement is the only appropriate action.
- 8.2 Members argued that education programmes should cover a number of different aspects and range from formal presentations or talks within schools, to more general advice and support offered on a day to day basis or at local community events.

**Recommendation 1** – That the Animal Warden Service works with schools to develop interactive activities for children of all ages, encouraging them to think about dog welfare and responsible ownership. This should be tailored to address particular dog welfare problems such as stray, status or dangerous dogs.

**Recommendation 2** – That Community Action Events are arranged by the Animal Warden Service, in partnership with RSPCA, SNT's and RSL's that work with local communities to promote responsible pet ownership.

- 8.3 Enforcement action was viewed as a more serious consideration. However Members argued that in some serious instances where animal cruelty or human safety needs to be protected, it may be the only option. In the discussion with residents, Members were specifically told that some parks and children play areas continue to have dog foul. Officers also told Members that there are not enough resources to patrol all parks and open spaces in the borough.

- 8.4 Residents furthermore indicated that they do not know who to contact when trying to report a dangerous dog. To this end, Members suggested that contact details and numbers be given to all residents.

**Recommendation 3** – That the Animal Warden Service provides solutions to dog fouling by reporting offenders for prosecution where offences are witnessed in parks and open spaces, in particular around children's play areas.

**Recommendation 4** – That the Animal Warden Service use East End Life to send out clear information to all residents informing them on whom to contact and the information needed to prosecute an owner of a dangerous dog.

- 8.5 Members were also keen to strengthen the partnership approach to enforcement. Cllr Bill Turner argued that this is an effective means of tackling many issues as limited resources can be used more effectively through multi agency approaches. Cllr Turner argued that the partnership needs to include Animal Welfare Officers, the Council, SNTs, RSLs, Status Dogs Unit, Tower Hamlets Enforcement Officers (THEOs) and the RSPCA. Also that the partnership should aim to:

- Reduce numbers of dangerous dogs in the borough
- Educate the community about animal welfare and the implications of irresponsible ownership
- Reduce numbers of dangerous dogs in the borough
- Reduce levels of ASB linked to misuse of dogs
- Reduce number of incidence where dogs are mistreated
- Protect and reassure the community by reducing irresponsible activities involving dogs, with appropriate use of legislation

**Recommendation 5** – A partnership amongst Animal Welfare Officers, the Council, SNTs, RSLs, Status Dogs Unit, THEOs and the RSPCA is officially set up to work together on dog welfare and ownership issues. Also to reduce incidents where dogs are misused and investigating ASB linked to misuse of dogs. It needs to also share intelligence and information, preventing issues arising by educating dog owning and non dog owning members of the public and enforcement using appropriate legislation. Four steps are proposed to make this successful:

1. Setting up a partnership – get commitment from all agencies
2. Develop a strategy to tackle dangerous dogs
3. Consider the possibility of forming a network with other London boroughs to share best practice
4. Offer staff training on how to effectively deal with residents calling to report a dangerous dog. This will improve quality and speed of response.

## **9. Conclusion**

- 9.1 The Challenge Session was an opportunity for Members and residents to discuss the key issues around tackling the rise of dangerous dogs. The session enabled Members and residents to ask key questions such as how enforcement is carried out and where to access information about reporting dangerous dogs. Members expressed the need to develop a better multi agency approach that uses a wide range of partnership expertise.

## **10. Concurrent Report of the Assistant Chief Executive (Legal)**

- 10.1 There are no immediate legal implications arising from this report. It is within the functions of the overview and scrutiny committee to make recommendations in respect of Council functions.

## **11. Comments of the Chief Financial Officer**

- 11.1 This report updates the Overview and Scrutiny Committee on the outcome of the Scrutiny Challenge Session Dangerous Dogs held on 4<sup>th</sup> August 2009. There are no specific financial implications emanating from this report but in the event that the Council agrees further action in response to the report's recommendations, officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

There are no direct financial implications arising from this report.

## **12. One Tower Hamlets Considerations**

- 12.1 Discussions implied that there is a possible link between irresponsible dog ownership and wider issues such as poverty and worklessness. Anecdotal evidence seems to corroborate this. Reducing poverty is a key requirement to achieving a 'One Tower Hamlets'.

## **13. Risk Management**

- 13.1 There are no direct risk management actions arising from this report.

# Agenda Item 10.2

<b>Committee</b>	<b>Date</b>	<b>Classification</b>	<b>Report No.</b>	<b>Agenda Item No.</b>
Overview and Scrutiny Committee	3 <sup>rd</sup> November 2009	Unrestricted		
<b>Report of:</b> Assistant Chief Executive  <b>Originating Officer(s):</b> Barry Clark / Farhana Khan Scrutiny & Equalities		<b>Title:</b> Overview and Scrutiny Recommendation Tracking Report: Update  <b>Ward(s) affected: All</b>		

## 1. Summary

- 1.1 This report provides an update on implementing the recommendations of the Overview and Scrutiny Committee.

## 2. Recommendations

- 2.1 Overview and Scrutiny Committee is asked to note the progress in implementing its recommendations.

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

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

Background paper

Name and telephone number of and address where open to inspection

Recommendation Tracking Report – March 2009

### 3 Report

- 3.1 As part of its regular work programme, Overview and Scrutiny Committee (OSC) receives a regular, 6-monthly, recommendation tracking report to monitor progress in implementing past recommendations. This report had been monitoring all its recommendations since 2003/04, including those from the Committee and Working Group reviews, however as many of these have now been completed, these are no longer monitored. This report incorporates all the action plans from those reviews undertaken since 2006/07.
- 3.2 In considering the monitoring and tracking of scrutiny recommendations Members have found it useful to revisit reviews through Scrutiny challenge sessions to track the progress over the last few years. Members have revisited Access to GP/Dentistry services and Youth Services Reviews
- 3.3 The tracking report shows that overall, services are implementing the majority of the recommendations made by Overview and Scrutiny and that outcomes and ongoing work streams are in line with the spirit of the original recommendations. The report demonstrates that action plans have influenced key strategies and campaigns in a number of ways including actions being mainstreamed into ongoing service development through to specific initiatives.
- 3.4 Appendix 1 provides an update of the tracking system. It is organised by the broad themes from the new Community Plan with the additional area of Excellent Public Services to focus on Value for Money, performance and customer services. Where there are changes since the last update, they are highlighted like [this](#).
- 3.5 As noted in the report of 10<sup>th</sup> March 2009 meeting, many of the updates will not change significantly from one tracking report to the next given the nature of the recommendations. For each recommendation there is an indication of whether monitoring should continue and, if so, when a detailed update will be sought.
- 3.6 Appendix 1 summarises the progress made in implementing the recommendations arising from the reviews. This summary highlights some of the challenges faced in implementing the recommendations.
- 3.7 A number of the reviews are now monitored on an annual basis and were last considered at the October 2008 meeting. This report therefore includes updates on reviews monitored annually.
- 3.8 As with other corporate monitoring reports, a traffic light system is used to indicate progress. Red highlights an area where there has been no progress or there is significant delay in implementing the recommendations. Yellow indicates that the recommendation is in the planning stage or that, although there is some progress, this is less than satisfactory. Green shows that the recommendation has been achieved or progress in its implementation is satisfactory.
- 3.9 The report shows that in terms of the 11 action plans being monitored, 7 are at green with 4 currently at yellow, this is due to these reviews being in the early stages of implementation or that have only recently been agreed by Cabinet.
- 3.10 A number of reviews have been successfully tracked through to the completion of activities within the action plan. It is recommended that monitoring of these as part of the OSC Tracking Report should cease. These are the action plans for the Domestic

Violence, Major Planning Applications, Youth Services Plan, School Exclusions and Delivering Choosing Health.

#### **4 Concurrent Report of the Assistant Chief Executive (Legal)**

- 4.1 Under Section 21 of the Local Government Act 2000, the Council's executive arrangements are required to include provision for appointment of an Overview and Scrutiny Committee with specified powers, including the power to make recommendations in respect of Council functions. Monitoring the progress and impact of recommendations made by the Overview and Scrutiny Committee is consistent with good administration in respect of the exercise of the Committee's powers.

#### **5 Comments of the Chief Financial Officer**

- 5.1 This report details an update of the implementation of recommendations of the Overview and Scrutiny Committee. The reviews include value for money issues that allow monitoring of the use of resources by the Council and as evidence to the Audit Commission's assessment of how well it is managing and using its resources to deliver value for money and better and sustainable outcomes for local people.

#### **6 One Tower Hamlets considerations**

- 6.1 Equalities considerations are central to the work of the Overview and Scrutiny Committee. A number of reports and reviews have specific equalities themes including the interpreting and translation challenge session, which sought to respond to the issue of local and new residents' access to services, as well as those with sensory impairments.
- 6.2 Anti-poverty is key to many aspects of the work of the Overview and Scrutiny Committee. This theme is reflected in both the graduate unemployment review and the access to GP and dentistry services review, which sought to respond to local health inequalities through the issue of local residents' access to vital services.

#### **7 Risk Management**

- 7.1 There are no direct risk management implications arising from this report. Monitoring of the implementation of the Committee's recommendations is important to make sure that the Council responds to the suggestions and findings of Overview and Scrutiny's work.

- Appendix 1 Overview and Scrutiny Recommendation Tracking Update
- Appendix 2 Leaseholders – A study of Customer Care
- Appendix 3 Licensing of Strip Clubs
- Appendix 4 Choice Based Lettings
- Appendix 5 Young people’s participation in sports leading up to the Olympics
- Appendix 6 Tackling Anti-Social Behaviour
- Appendix 7 Graduate Unemployment
- Appendix 8 Evaluation of Neighbourhood Renewal Funding
- Appendix 9 Interpreting and Translating Provision Challenge Session
- Appendix 10 Access to GP and Dentistry Services
- Appendix 11 Tobacco Cessation in Tower Hamlets
- Appendix 12 The Use of Consultants



## Overview and Scrutiny Recommendation Tracking Update

## 'A great place to live'

<b>Issue</b> Leaseholders – A Study of Customer Care	<b>Recommendation Date</b> 3 October 2007	Green
<b>Monitoring Status</b> – Maintain annual monitoring		
<b>Recommendation</b> This review was designed as a case study of the customer care received by people using Council services. In total 19 recommendations were made as a result, with 15 of these specifically for the leaseholder.	<b>Response / Progress</b> Of the 19 recommendations made by the review group, all are either implemented or partly implemented. The update is attached in appendix 2.	
<b>Issue</b> Licensing of Strip Clubs	<b>Recommendation Date</b> 5 November 2008	Yellow
<b>Monitoring Status</b> – Maintain six-monthly monitoring		
<b>Recommendation</b> The review investigated the impact of Strip Clubs in Tower Hamlets and considered approaches to regulation and licensing of Clubs in the future, within an appropriate legal framework.	<b>Response / Progress</b> An action plan showing the 14 recommendations is attached at appendix 3 for members' information. Proposed changes to government legislation means many of these recommendations will be implemented as part of these changes. A full update has been given as indicated in appendix 3.	
<b>Issue</b> Choice Based Lettings	<b>Recommendation Date</b> 3 December 2008	Yellow
<b>Monitoring Status</b> – Maintain six-monthly monitoring		
<b>Recommendation</b> This review looked into the councils approach to Choice Based Lettings Scheme for the allocation of housing, with particular emphasis on overcrowding, homelessness, accessibility of the scheme for disabled and elderly residents and the medical assessment process.	<b>Response / Progress</b> A comprehensive review of the Choice Based Lettings policy is currently taking place and is to be considered by Cabinet later this year. There has been some progress on a number of recommendations. An update is attached in appendix 4.	
<b>Issue</b> Young people's participation in sports leading up to the Olympics	<b>Recommendation Date</b> 14 January 2009	Green
<b>Monitoring Status</b> – Maintain six-monthly monitoring		
<b>Recommendation</b> The review looked into current initiatives in place around sports engagement for young people,	<b>Response / Progress</b> This report was submitted in Cabinet January 2009. A full update will be tabled at the Overview and Scrutiny Committee meeting.	

strategy and development regarding young people's participation in sports and the role of the PCT to address health issues using the Olympics as a catalyst to promote healthy lifestyles.	
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**'A safe and supportive community'**

<b>Issue</b> Review – Tackling Anti Social Behaviour	<b>Recommendation Date</b> 14 January 2009	Yellow
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**Monitoring Status** – Maintain six-monthly monitoring

<b>Recommendation</b> This review examined the future directions of the Council's Anti Social Behaviour Strategy, in line with national developments and policy, with particular emphasis on the effectiveness of current methods for tackling the problem, partnership working and engagement with young people.	<b>Response / Progress</b> This report was submitted by Cabinet in January 2009. A full update will be tabled at the Overview and Scrutiny Committee meeting.
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**'A prosperous community'**

<b>Issue</b> Graduate Unemployment	<b>Recommendation Date</b> 5 December 2007	Green
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**Monitoring Status** – No further monitoring

<b>Recommendation</b> This review examined the issue of the transition from education to employment amongst young people in the borough. Seven resulting recommendations were presented to Cabinet.	<b>Response / Progress</b> Progress has been made against recommendations apart from recommendation 1 as no funding has been identified. A full update has been attached in appendix 7.
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<b>Issue</b> Evaluation of Neighbourhood Renewal Funding	<b>Recommendation Date</b> 5 November 2008	Yellow
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**Monitoring Status** – Maintain six-monthly monitoring

<b>Recommendation</b> This review looked into how the Neighbourhood Renewal Funding is being used to deliver local priorities set out by local people through the Local Area Partnership and in the Community Plan; and the lessons for any similar funding that may be	<b>Response / Progress</b> The report was submitted to Cabinet in November 2008. A full update will be tabled at the Overview and Scrutiny Committee meeting.
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allocated through Tower Hamlets Partnership in the future.	
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**‘One Tower Hamlets’**

<b>Issue</b> Interpreting and Translation Provision Challenge Session	<b>Recommendation Date</b> 10 June 2008	Yellow
<b>Monitoring Status</b> – Maintain annual monitoring		
<b>Recommendation</b> This Challenge Session was held to examine current interpreting and translation provision within the Council in the light of publication of the DCLG report ‘Guidance for Local Authorities on translation of publications’. 7 recommendations were made as a result of the session which was also attended by a number of representatives from partner organisations.	<b>Response / Progress</b> There has been further progress made against the 9 recommendations from the last time this was reviewed in March 2009. However the yellow traffic light status denotes that some of this work is in the early stages and there further progress needed, as detailed in the appendix 9.	

**‘A healthy community’**

<b>Issue</b> Access to GP and Dentistry Services	<b>Recommendation Date</b> 5 December 2007	Green
<b>Monitoring Status</b> – No further monitoring		
<b>Recommendation</b> This review was conducted by the Health Scrutiny Panel and examined what level of access residents in the borough have to GP and dentistry services. Consequently 11 recommendations were made to the PCT.	<b>Response / Progress</b> Of the 11 recommendations made, all are either implemented or there is ongoing work. The update is attached in appendix 10.	

<b>Issue</b> Tobacco Cessation in Tower Hamlets	<b>Recommendation Date</b> 30 July 2008	Green
<b>Monitoring Status</b> – Maintain six-monthly monitoring		
<b>Recommendation</b> This review was conducted by the Health Scrutiny Panel and examined the provision and impact of tobacco cessation services in Tower Hamlets. A total of 9 recommendations arose from the review, for both the PCT and LBTH.	<b>Response / Progress</b> An update on progress made against the recommendations is attached. Considerable progress has been made on all 9 recommendations as detailed in appendix 11.	

**'Excellent public services'**

<b>Issue</b> The use of consultants	<b>Recommendation Date</b> 30 July 2008	Green
<b>Monitoring Status</b> – Maintain annual monitoring		
<b>Recommendation</b> This review was established in order to investigate the use of consultants internally within the Council, leading to 7 recommendations being made.	<b>Response / Progress</b> There has been progress against all recommendations as shown in appendix 12.	

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<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>		
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>
<p>R1 Housing should explore the potential merit of establishing a new borough-wide leaseholder's forum. The Working Group would suggest that any new forum should see a balanced range of representation including: Council officers, Councillors, Leaseholder Representative Bodies. Functions of this forum might include; interalia,</p> <ul style="list-style-type: none"> <li>• User test service charges</li> <li>• User test all future communications</li> <li>• Measure performance against an agreed set of performance indicators.</li> <li>• Review all communications with leaseholders in an effort to reduce the number of complaints and minimise the number of leaseholders withholding payment. This would include more detailed explanation of service charges including the differences and reasons</li> </ul>	<p>Proposals for the future THH resident involvement structure have been developed in consultation with the resident group set up to consider resident involvement. In addition a number of focus groups have been held with leaseholders on specific issues including communications, service charges and performance.</p> <p>The proposals for the future THH resident involvement structure set out a range of options including an option for a boroughwide leaseholder forum reporting to an overarching resident panel. Consultation on the options is currently being carried out through a survey of residents on the Getting Involved Register which is scheduled to complete in September.</p> <p>When finalising the proposals for future resident involvement structures all feedback will be taken into account.</p>	<p>Updated October 2009</p> <p>Leaseholder Focus Group meetings continue to be held monthly. Area forums are now being held in addition. Meetings have been used to consult on many issues including the S20 process and service charge methodology</p>

<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>			
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>	<b>Updated October 2009</b>
for estimated and actual bills and why leaseholders in the same block may be paying different levels of charge			
R2 Housing should deliver greater transparency on the deliberations and decisions of Due Regard Panels (for Major Works) including giving leaseholder representatives an opportunity to present their case against works to the panel, providing feedback to local leaseholders on the outcomes and reasons for its decisions.	The procedure in respect of the Due Regard Panel has been amended and further information regarding the panels has been provided.		A revised S20 process has been consulted on with leaseholders and is being used for the pilot Decent Homes project. The Due Regard Panel has not been required recently but the process is being monitored.
R3 Housing should implement a key lessee system, seeking maximum estate coverage, similar to the one delivered by City West Homes.	We have explored this initiative with City West Homes.  Relevant aspects of the City West key lessee scheme have been built into our proposals for service charges and estate inspections as well as leaseholder consultation.		Estate Inspections are now advertised for every area on the Tower Hamlets Homes website and residents are invited to take part.
R4 The key elements of service provision at a local level, such as cleaning, need to be subject to greater independent quality	A caretaking residents panel has been established and this panel has agreed new caretaking service standards and response times which are now being implemented.  The Caretaking Residents panel has also	Monitoring taking place. Presentation of current plans and progress with caretaking took place with leaseholder focus group in November 2008.	A new cleaning inspection regime is being used to provide a rating of cleanliness of all areas. The Resident Monitoring

<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>		
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>
	<p>identified a resident monitoring panel who are scheduled to receive training on monitoring standards. The panel will be undertaking regular monitoring of cleaning standards on estates from October 2008.</p>	<p>Panel receives reports on caretaking standards and takes part in inspections, along with estate inspections</p>
R5	<p>review and that the involvement of leaseholders in estate inspections needs to be enhanced. The Working Group believes the key lessee system would support this.</p> <p>Housing should conduct a review of its leaseholder communications, and guidance pack with a view to increasing accessibility and penetration of leaseholders.</p>	<p>Further improvements in leaseholder communication being incorporated into service improvement project.</p> <p>A regular newsletter for leaseholders now being produced. The Readers Panel is being used and a greater level of involvement from the focus group has been invited.</p>
R6	<p>Housing must publish the “apportionment of time” data that informed the Housemark benchmarking exercise. Housing should undertake, in partnership with leaseholders, a review programme focused on improving service charge transparency and data provision.</p>	<p>Calculation of charges being revised as part of service improvement project. Consultation with leaseholders and reference to housemark will be included.</p> <p>A new methodology for service charges was used to produce 08/09 actuals in consultation with focus group and THLA and peer reviewed by City West Homes</p> <p>Additionally, an Independent Audit of the methodology used to calculate leasehold service charges with particular reference to</p>



<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>			
<b>Response / Comments</b>	<b>October 2008</b>	<b>February 2009</b>	<b>Updated October 2009</b>
<b>Recommendation</b>			
R7 Housing should send all leaseholders – and tenants – the caretaking schedule for their block, details of the annual horticultural maintenance programme, and clarify which other blocks are included in the estate cleaning service charge. The Working Group would also encourage Housing to consider including full details of the works covered by the block maintenance charge in the 'Actual'.	Caretaking schedules have been placed in the noticeboards of each block and work is ongoing to provide similar information on horticulture. We are also making this information available on our website.	Grounds maintenance schedules being placed in noticeboards during March 2009.	the Housemark model has been commissioned by the Council and is scheduled to commence in November 2009. THLA are active members of the Steering Group for this project.  Schedules are now on notice boards.  The full details of the works carried out are not included on the invoice at present due to limitations in the Northgate system. THH are looking at ways of making it easy for leaseholders to see how the charge is made up, this forms part of the next phase of the Leasehold Improvement Plan
R8 The Working Group welcome the steps being taken to improve staff training and Leaseholder open days. These actions should be maintained and embedded further to	Completed and subject to annual review.		An extensive staff training programme is now in place. Leaseholder engagement workshops are now established, monthly leaseholder

Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2		
Recommendation	Response / Comments October 2008	Update –February 2009
improve leaseholder engagement.		Updated October 2009 service “drop ins” happen locally and leaseholder staff are working in One Stop Shops on Saturday mornings
R9 Housing should ensure that it implements and embeds fully all aspects of the Council’s Customer Promise, in both process and culture.	Completed and subject to annual review.  All staff transferred to THH received a specific induction on the values and customer ethos of THH, and this is ongoing.	THH’s revised customer promise has been consulted on and implemented. Work continues to develop value based behaviours
R10 There is clear evidence that a significant number of leaseholders lack confidence in the current Alternative Dispute Resolution (ADR) scheme’s independence and fairness. The Working Group believe that 3 options should be considered by Housing and Cabinet, following consultation with leaseholders and their representatives: i. Relaunch the current ADR scheme. There would need to be clear communication to leaseholders that the system had changed and	Discussions have taken place with THLA and a paper setting out four potential ADR options has been developed.  This paper is currently subject to consultation with THLA.  Once agreed a wider consultation involving a range of stakeholders will be carried out and firm recommendations developed for THH Board and the Council’s Cabinet.  In the meantime, we have been obtaining improved feedback from the current scheme and we are continuing to ensure leaseholder service charge disputes are properly investigated and settled where possible.	Discussions continues with THLA, which has been invited to submit proposals for an amended scheme. Meanwhile, improvements to the process of dealing with complaints are being considered as part of the service improvements plan.  THLA proposals for revisions have not yet been received, however, there have been few complaints about the ADR process since the formation of THH

Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2		
Recommendation	Response / Comments October 2008	Update –February 2009 Updated October 2009
<p>what the improvements were intended to achieve. This would include: clearer information about the new transparent ADR process including:</p> <ul style="list-style-type: none"> <li>- That the ADR is one option and clearly set out the different options, and when each one is most appropriate.</li> <li>- Clearer guidelines around the specifics of the process, including the rights and responsibilities of both parties.</li> <li>ii. Disband the ADR process and make all complaints go through the corporate complaints procedure. If this option was taken it would be necessary for an option of arbitration/ mediation to take place between stage two and three of the complaints procedure.</li> <li>iii. Develop a new ADR scheme reflecting current industry best practice</li> </ul> <p>R11 The current relationship between the ADR scheme, the use of a</p>		
	This recommendation is linked to recommendation 10 above.	As per recommendation 10

Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2		
Recommendation	Response / Comments October 2008	Update –February 2009
<p>Leaseholder Valuation Tribunal and Corporate Complaints Process is not clear. As a matter of urgency, Housing should, in consultation with key leaseholder groups, provide clear guidance to staff and leaseholders on the role of each process.</p>	<p>Restructuring of Local Service Centres and the Home Ownership Service has now been completed and alignment to LSC areas has been carried out wherever possible.</p> <p>We are in the process of carrying out a trial, giving teams within the central leaseholder teams specific responsibility for each LSC area. We will keep this under review to ensure close working continues to develop between the central team and the LSC offices.</p>	<p>Trial linking Leaseholder officers to patches continuing. Wider review will take place when service improvements achieved.</p>
<p>R12 The Working Group would encourage Housing to adopt a model which includes:</p> <ul style="list-style-type: none"> <li>• officers within the central team being given geographical patches to provide a more cohesive service</li> <li>• Specific Leaseholder Officers within the Local Housing Office, proportionate to the number of leaseholder properties</li> <li>• More leaseholder services to be provided at the Local Housing Office.</li> </ul>	<p>In August Tower Hamlets Homes implemented a system of housing management by 26 Neighbourhoods, each with its own neighbourhood team consisting of:</p> <ul style="list-style-type: none"> <li>◆ Charge hands/Caretakers</li> <li>◆ ASB Officers</li> <li>◆ Neighbourhood Engagement Officers</li> <li>◆ Leasehold Services Officers</li> <li>◆ Rent Officers</li> <li>◆ Repairs Inspectors</li> </ul> <p>Named leasehold officers will be publicised along with neighbourhood housing officers by end November.</p>	<p>Updated October 2009</p>

<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>		
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>
	<b>Response / Comments October 2008</b>	<b>Updated October 2009</b>
R13 Housing should review the current contract with Citizens Advice Bureau (CAB) so that it provides a service that deals specifically with managing the financial issues faced by leaseholders.	A report on the CAB and the options available has been prepared for further discussion.	Further review in light of 'credit crunch' being undertaken in March 2009.
R14 Housing should meet with Tower Hamlets Community Credit Union to explore developing specific support for leaseholders so that they can access affordable loans.	Initial discussions held with TH Credit Union in 2007. A bid has been made for Supporting People funding to develop specific proposals. This has been discussed with TH Credit Union who are taking proposals to their Board in Sept/Oct 2008.	This forms part of the external review of financial inclusion policies.
R15 Housing should provide clear guidance to leaseholders on the law surrounding statute barred debt.	Information is provided on a case by case basis as the extent to which any debt is statute barred depends on the particular circumstances of each case.	To be clarified by Housing Service
R16 Communication underpins how the Council deals with local residents. In improving the responsiveness of services, the Council needs to invest further so that communication is clear, accessible and appropriate to services.	Tower Hamlets Homes (THH) has invested in a permanent Communications Manager to enhance and improve communications with THH residents. A communication protocol has been established between the Council and Tower Hamlets Homes (THH) communications team to ensure targeted and precise communications. These include a strategy for the Estate Improvement Programme and the launch of the	Upgraded communications plan agreed. More frequent information for all residents included.  Leaseholder newsletter along with local newsletters provide greater information. New leaseholder handbook to be published before end of year.

<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>		
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>
<p>This is particularly important in explaining the reasons for the way that services are delivered, particularly where individual charges are being raised.</p>	<p>Overcrowding Strategy. Regular liaison meetings take place between the LBTH &amp; THH Communications colleagues. A THH website has been established. THH is communicating regularly with tenants and leaseholders through the 'Open Door' newsletter which is distributed every two months. A communications strategy will be considered by the THH board in October.</p>	<p>Updated October 2009</p>
<p>R17 The Council needs to explore further how it can get closer to customers. For front-line high volume services such as housing, it would seem beneficial to have a strong connection between service providers and localities. This seems to provide the greatest potential to build a strong customer relationship based around both ownership and accountability.</p>	<p>South Poplar OSS opened in April 2008 and proving to be a popular location for customers. The five OSS are working with the LSC's to provide services to customers.</p>	<p>The 26 Neighbourhood Housing teams include the lead housing officer and leasehold officer. Information on the teams is being circulated to residents in November so they know who to contact. .</p>
<p>R18 The Corporate Complaints Process is a crucial part of the Council's delivery of the customer promise. The Council should ensure</p>	<p>Procedures have been put in place and are working well in relation to complaints monitoring between the Council and THH. The complaints procedure is promoted on THH website.</p>	<p>Training was provided to leasehold services staff which included training on the role of Leasehold Valuation Tribunals to</p>

<b>Response to Scrutiny Working Group Report on Leaseholders and Customer Care – Appendix 2</b>		
<b>Recommendation</b>	<b>Response / Comments October 2008</b>	<b>Update –February 2009</b>
<p>that its relationship with any other statutory or non-statutory processes that directorates may use is clear to both staff and residents.</p> <p>R19 The Customer Promise is a vital statement of the Council's culture and delivery of Excellent Public Services. The Council should develop clearer mechanisms for ensuring both the spirit and content of the Customer Promise are being delivered in Directorates.</p>	<p>New performance indicators have been agreed as part of the development of the new Strategic Plan. A review of the Customer promise is also under way and will be presented to Members in due course.</p> <p>New methods to monitor customer satisfaction have now been put in place. These include kiosks in OSS and automated surveys with the contact centre as well as mystery shopping.</p>	<p>Updated October 2009</p> <p>complement their understanding of the Complaints process.</p> <p>THH have commissioned an independent company to conduct a range of resident satisfaction surveys including a customer access survey and an annual caretaking survey. The Tracker survey aims for a minimum response of 250 per month. Results will be reported to the Council and THH's Board as part of the Business Critical suite of indicators reported monthly, will be published via newsletters, THH website</p> <p>(See also Recommendation 9)</p>

When the Overview and Scrutiny report was produced it coincided with Central Government consultation which proposed changes to legislation that would change designation of Lap Dancing and striptease premises. This coincided with recommendations from the O&S which was to campaign for these proposals. As a result the energies of the Licensing Team were focussed on contributing to the consultation process. This involved producing a report for Central Government (which included the detail of the outputs from the O&S process). LBTH officers were asked to attend a meeting with the Minister to discuss the proposals and explain our position on Lap Dancing and Striptease. The results of the consultation have recently been announced and Central Government are now progressing to introduce new legislation in the new year. When the legislation is introduced the indications are that if a local authority chooses to adopt the new legislation (which LBTH will) it will have to power to limit the number of Lap Dancing and Striptease premises. This number can be nil. The new legislation will apply to existing premises. This will mean that Lap Dancing and Striptease premises could be removed from the Borough. Therefore some of the recommendations have only partly been implemented

**Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3**

<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update: Oct 2009</b>
<p><b>R1</b> That an extra post is created in the Licensing Department, with a remit focusing on the enforcement of licensing conditions applying to strip clubs in the borough. Furthermore, that this officer liaises very closely with the Police to ensure information is properly shared.</p>	<p>The Director for Communities, Localities and Culture has agreed that necessary resources equating to one FTE will be made available to focus on the enforcement of licensing conditions applying to strip clubs and will ensure this resource works closely with Police in terms of information sharing, this will ensure that necessary expertise is developed in this area. The necessary resource will be identified from within existing enforcement structures as part of the generic enforcement review being undertaken within the Directorate. It is also proposed that the outcomes from Recommendation 2,3,4 &amp; 5 are assessed before extra resources are committed</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Review Licensing resources, processes and procedures</li> <li>○ Analyse intelligence and information from outputs from Recommendations 2,3,4&amp;5</li> <li>○ Analyse the demands needed for extra striptease activity</li> <li>○ Identify necessary resource via review of enforcement structures within the Directorate</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Oct 2008</li> <li>○ Oct 2008</li> </ul>	<p>We have reviewed the licensing resources as part of a bench marking exercise. After the Overview &amp; Scrutiny Report legislation changes were going to be proposed. Any resourcing issues will be</p>



**Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3**

Recommendation	Response / Comments	Date	Update: Oct 2009
		<ul style="list-style-type: none"> <li>○ Nov 2008</li> <li>○ Nov 2008</li> </ul>	<p>decided as and when the new legislation is in place.</p> <p>The new legislation will classify lap dancing and striptease premises as sex encounter venues. If the draft legislation becomes law Local Authorities who adopt the legislation will be able to restrict the number of premises in their area to zero effectively banning lap dancing and striptease.</p>

<b>Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
		<b>Update: Oct 2009</b>
		<p>Enforcement has been ongoing and premises are visited on a regular basis to check for compliance with the conditions of the licence. Legal action follows and one premise was prosecuted in July of this year for breach of conditions of the licence.</p>
		<p>All premises applying for a licence including those proposing striptease</p>
<b>R2</b>	<p>That the Council works closely with the Police to makes clear to residents the proper channels for reporting any incidents arising from existing premises. Should information be published or distributed, this should be done bilingually. Ways to report</p>	<p>Striptease cannot be highlighted as a particular area for scrutiny. This initiative should include all Licensed premises.</p> <p>The method of publicity and marketing will be through the Council web site and East End Life. A programme will be developed with colleagues in Corporate Communications and CLC Strategies and Programmes</p>

**Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>incidents must include effective ways of capturing any information or evidence residents collect, so that sanctions may then be applied, including the ultimate possibility of a review of the license and it being revoked.</p>	<p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Develop and implement a communications plan to raise awareness on how and when stakeholders can raise issues about Licensed premises and how Licences can be reviewed</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> </ul>	<p>have statutory consultations to fulfil such as a public notice at the premises and an advert in a locally circulated newspaper. Additionally the Licensing Authority consult residents and businesses in a 40m radius of the premises. A communication plan will be dependent on the change of legislation as there is proposed to be provision in the Act for Local Authorities to</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
<p><b>R3</b> That the Council consider targeting mobile CCTV in the vicinity of premises operating striptease, to provide evidence of the extent of crime and disorder associated with these premises. To this end, the Council should also consider commissioning research to verify claims that there are direct links between strip clubs and crime and disorder (particularly crime of a sexual nature).</p>	<p>Where fixed CCTV exists near striptease premises surveillance is straight forward. If temporary CCTV is required proposals will have to be developed with Community Safety</p> <p>It is suggested that research should take place if extra complaints are received as a result of recommendation 2 initiative and any intelligence that comes from CCTV surveillance.</p> <p><b>Action</b></p> <ul style="list-style-type: none"> <li>○ Prepare a surveillance proposal for Community Safety to consider.</li> <li>○ Assess resources and develop action plan</li> <li>○ Review plan based on new intelligence and information received</li> </ul>	<p>Update: Oct 2009</p> <p>set the number of premises to NIL which will ban</p> <p>Static CCTV is used to monitor outside premises. There are limited resources for mobile CCTV however if continued inspections and surveillance reveal crime &amp; disorder and anti social issues. There is a facility to employ mobile CCTV to evaluate and investigate.</p> <ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Sept 2008</li> <li>○ Oct 2008</li> </ul>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
		Update: Oct 2009
		There have been no complaints about crime or anti social behaviour outside a premise, CCTV surveillance has taken place but has not revealed any crime & disorder.
<b>R4</b>	<p>That the Council reminds all owners of their obligations under the recently amended Licensing Policy to prevent advertising on and around their premises causing offence to local residents. Following this, the officers should investigate what advertising is in place, and if it contravenes the policy, to take appropriate action.</p>	<p>All licensed premises that hold striptease have a condition that bans offensive advertising.</p> <p>All premises will be inspected and if offensive advertising exists the premises will be warned and if they persist enforcement action will take place</p> <p>All striptease premises will be reminded of their obligations when their annual fee is due.</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Carry out a programme of Inspection of all striptease premises in the Borough to advertising and carry out any remedial enforcement action</li> </ul>
		<ul style="list-style-type: none"> <li>○ July 2008</li> </ul> <p>All premises have been inspected and will be inspected and</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3			
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	<ul style="list-style-type: none"> <li>All striptease premises to be reminded of their advertising obligations when their annual fee is due</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	<p>no offensive advertising has been found.</p> <p>This action was and is programmed for when the annual fees are due.</p>
<p><b>R5</b> That the Council should make written representations to owners of billboards and the owners of premises where the billboards are put up to request that they do not put up advertisements for strip clubs. Furthermore, that existing striptease license holders as well as new applicants are asked not to advertise, either within the borough or outside.</p>	<p>All billboard owners will be written to, to ask them not to put up advertisements for strip clubs</p> <p>Existing and new striptease premises will be written to asking not to advertise inside or outside the Borough</p> <p>Comments from Legal Services have been incorporated into the body of the report.</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>Obtain from Planning details of all bill board owners within the Borough</li> <li>Communicate with all bill board owners asking them not to advertise striptease premises in the Borough</li> <li>All existing striptease premises asking them not to advertise either within or outside the Borough</li> </ul>	<ul style="list-style-type: none"> <li>Aug 2008</li> <li>Sept 2008</li> <li>Aug 2008</li> </ul>	<p>Details have been requested from planning. Action to be completed</p> <p>Surveys are</p>

**Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3**

Response / Comments	Date	Update: Oct 2009
<p><b>R6</b> That the Council lobbies the ASA in order to prevent strip clubs from advertising on billboards.</p>		<p>regularly carried out and if striptease premises are advertising action will be taken.</p>
<p>The ASA code will be examined to assess whether striptease billboard advertising comes within there remit. Lobbying will then take place</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ ASA code examined and assessed</li> <li>○ ASA lobbied if appropriate</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Sept 2008</li> </ul>	<p>The Committee of Advertising Practice (CAP) is part of the Advertising Standards Authority and is the self-regulatory body that creates, revises and enforces the Advertising Code. The CAP code has been examined and there is no evidence to date.</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
<p><b>R7</b> That quarterly meetings are held between officers in Planning and Licensing to discuss any prospective applications that are or will be relevant to both departments. Meetings should also take place as and when potential issues arise. Should these meetings raise question marks over certain premises, applicants should be strongly informed that operating without both a license and planning permission could result in prosecution.</p>	<p>There is a series of meetings is already programmed for senior managers.</p> <p>Meetings every three months would not be responsive enough. Applications for striptease premises are very irregular. It is suggested that meetings between Planning and Licensing take place take place when applications are received.</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Quarterly meetings arranged between senior managers from Licensing and Planning to discuss joint issues which will include any issue relating to striptease premises</li> <li>○ Licensing Managers to ensure there is a meeting between Licensing and Planning Officers to discuss new applications for premises wishing to hold striptease</li> </ul>	<p>Ongoing</p> <p>All new premises licences under the Licensing Act 2003 have statutory consultation going to all responsible authorities, Planning is one of them. If there are any conflicts these are discussed</p> <p>Completed</p> <p>June 2008</p>
		Update: Oct 2009



Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
<p><b>R8</b> That the Council makes a clear (bilingual) public statement that it does not want strip clubs in the borough, in order to discourage applications for such premises.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>If a statement is made it should be multilingual.</p> <p><b>Action</b></p> <ul style="list-style-type: none"> <li>○ Engage with relevant stakeholders and determine who and how statement should be made</li> <li>○ Publish statement</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Sept 2008</li> </ul>
		<p>Update: Oct 2009</p> <p>and progressed.</p>
		<p>This statement was made as part of the publishing of the Overview &amp; Scrutiny Report and available on the web. The new legislation when adopted, will be the opportunity for the Council to restate its position, the new legislation will enable the Council to</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
		Update: Oct 2009 affectively ban lap dancing and striptease in the Borough.
<p><b>R9</b> That residents within the current 40m radius from any premises that are applying for a striptease license (in keeping with the set limit for consultation for all types of licence applications) are given detailed information of what they need to do should they wish to make representations to object. In particular, it should be made clear that objections must be framed with reference to the four Licensing Objectives, and not under any other arguments.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>In light of the legal advice the activity from this recommendation is linked to Recommendation 2</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Develop and implement a communications plan to raise awareness on how and when stakeholders can raise issues about Licensed premises and how Licences can be reviewed</li> </ul>	<p>Completed</p> <p>The procedures are explained on the Licensing Web page.</p> <p>Any enquiries are dealt with by way of a letter or the option of a meeting with a licensing officer. A communication plan will be dependent on the change of legislation as there is proposed to be provision in the Act for</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
		Update: Oct 2009 Local Authorities to set the number at NIL. If this occurs no communication plan will be needed
<b>R10</b> That the Council considers ways in which, for strip clubs, consultation can be undertaken on a wider scale than the current 40m radius.	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>Some research is needed to scope the activity related to this recommendation.</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Consult further with Legal Services on this issue</li> <li>○ Benchmark other Councils to see if tiered consultation is being used</li> <li>○ Prepare recommendations for action</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Oct 2008</li> <li>○ Nov 2008</li> </ul> <p>This action was superseded by the proposed change in legislation which is seeking to re-designate lap dancing and striptease venues as sex encounter establishment</p>

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3			Update: Oct 2009
Recommendation	Response / Comments	Date	
<p><b>R11</b> That the possibilities for referral to the 'saturation' policy are explored fully, to examine whether this could be utilised to minimise the number of clubs in the borough.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>Further research on this matter is required and the evidence , information and intelligence from the activities relating to recommendations 2,3,4 &amp;5</p> <p><b>Action</b></p> <ul style="list-style-type: none"> <li>○ Consult further with Legal Services on this issue</li> <li>○ Benchmark other Councils to see if cumulative impact has been used to limit striptease premises is being used</li> <li>○ Review evidence , information and intelligence from the activities relating to recommendations 2,3,4 &amp;5</li> <li>○ Prepare recommendations for action</li> </ul>	<ul style="list-style-type: none"> <li>○ Aug 2008</li> <li>○ Oct 2008</li> <li>○ Nov 2008</li> <li>○ Jan 2009</li> </ul>	<p>s.</p> <p>The proposals for the Sex Encounter legislation changes are likely to give the Council the option of limiting the number of premises holding striptease or lap dancing in the Borough to Nil.</p>
<p><b>R12</b> That the Council's Equalities Team performs an EQIA on the licensing of strip clubs from the perspective of gender, to establish evidence in support of a more assertive approach to licensing and explore other opportunities for legal challenge (see recommendation 3).</p>	<p>The Diversity and Equality Team have advised:</p> <p>An EQIA would provide an opportunity to explore the impact of strip club licensing procedures and policies on equality target groups. Under the Equality Act 2006 the Council has a duty to be proactive in eliminating discrimination and harassment in relation to gender rather than waiting for individuals to take out harassment cases.</p> <p>A meaningful EQIA process relies on the collection and analysis of accurate data relating to each of the equalities target groups.</p>		

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3			Update: Oct 2009
Recommendation	Response / Comments	Date	
	<p>Further research on the impact of licensed strip clubs on various equality target groups is therefore required. Evidence arising from the activities relating to recommendations 2 and 3 will support this recommendation.</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ A EQIA of strip club licensing be scheduled into the CLC Directorate programme for 2008-09</li> <li>○ Review evidence , information and intelligence from the activities relating to recommendations 2 and 3</li> <li>○ CLC Licensing Team to undertake an EQIA with the support of the Diversity and Equality Team</li> </ul>	<p>June 2008</p> <p>October 2008</p> <p>March 2009</p>	<p>This EIA was not in the CLC Directorate program. EQIA has not yet taken place, it is on hold pending the outcome of the Sex Establishments legislation.</p>
<p><b>R13</b> That the Council seeks to lobby government to change primary legislation (as set out in the Licensing Act 2003) so that strip clubs can be classified as sex encounter establishments.</p>	<p>Recently the Durham MP Victoria Blackman-Woods sought to introduce a Private Members Bill which proposed national legislation to designate strip clubs and lap dancing venues as sexual encounter establishments. It is not likely that this Bill will be enacted but it has led to the Government initiating a consultation process with all local authorities. The Minister responsible has written to local authorities outlining plans to consider limiting the increase of striptease and lap dancing premises and controlling the</p>		

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3		
Recommendation	Response / Comments	Date
	<p>activities that take place within them. This will include considering whether or not lap dance clubs should be classified as "sex encounter establishments". A response to this consultation will be given and programme of lobbying developed</p> <p><b><u>Action</u></b></p> <ul style="list-style-type: none"> <li>○ Seek views on the current consultation process being carried out by Central Government</li> <li>○ Respond to the consultation</li> <li>○ Produce and deliver a programme of action</li> </ul>	<ul style="list-style-type: none"> <li>○ Jul 2008</li> <li>○ Aug 2008</li> <li>○ Sept 2008</li> </ul>
		<p>This has been done. The Overview &amp; Scrutiny report was included in our response. LBTH met with (at the time) Minister Vernon Coker to present the LBTH case. Draft legislation has now been produced which will reclassify striptease and lap dancing as Sex</p>
		Update: Oct 2009

**Response to Scrutiny Working Group Report on the Licensing of Strip Clubs – Appendix 3**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p><b>R14</b> That the Council hosts a pan-London event (with the support of OBJECT) to engage with other communities and get greater levels of support and cooperation in these attempts to lobby government.</p>	<p>This event will link with R13 activity.</p> <p><b>Action</b></p> <ul style="list-style-type: none"> <li>○ With stakeholders produce objectives and scope of event</li> <li>○ Deliver event</li> </ul>	<ul style="list-style-type: none"> <li>○ Oct 2008</li> <li>○ Feb 2009</li> </ul>	<p>Encounter establishments.</p> <p>Draft legislation has now been produced which will reclassify striptease and lap dancing as Sex Encounter establishments.</p> <p>This action was linked to R13. The event is not necessary</p>

## Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>R1. That research is undertaken to identify whether bidding habits are based on positive attributes or constraining factors and to identify the ability of the system to work with different community needs to identify how far CBL promotes or otherwise community cohesion;</p>	<p>It is proposed to specify that focus groups are held with support agencies and groups as part of the EIA to ensure this recommendation is implemented. The focus groups will look at the underlying reasons behind residents bidding choices and to assess any Community Cohesion implications arising. This will look at the size, type and areas of bidding. An analysis of bidding patterns by ethnicity will to be carried out.</p>	<p>March 2010</p>	<p>The review of the Lettings Policy undertaken this year has produced proposals for a new Lettings Policy in line with R10. The review has concluded that the present policy on bidding is unhelpful and generates negative bidding behaviour. Changes are proposed to current policy on bidding.</p> <p>The proposed new Lettings Policy is about to undergo public &amp; stakeholder consultation before final proposals are put to Cabinet for decision on a new Lettings Policy early next year. Focus groups and consultation with voluntary and statutory agencies form part of the consultation. Analysis of bidding patterns by ethnicity will be part of the EQIA that will be form part of the final report to Cabinet.</p>
<p>R2. That a full Equality Impact Assessment of CBL is undertaken in 2009/2010 including giving consideration to impact on community cohesion;</p>	<p>A full EIA will be carried out once any policy changes arising from the O&amp;S review have been assessed, to ensure policy proposals do not have a negative impact on any group. It is intended that this be commissioned independently with a two stage review looking at the current position and proposals as well as when policy proposals are firmly developed, and link this to the development of the overall housing strategy.</p>	<p>March 2010</p>	<p>The proposals for a new Lettings Policy have been subject to an EQIA. The initial assessment of the proposals does not indicate a negative impact upon any group. Further assessment of equalities impact of the proposals will be undertaken as part of the consultation process. The results of the consultation in relation to equalities impact assessment issue will form part of the final report to Cabinet for decision on a new Lettings Policy.</p>



**Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>R3. That work is developed to address the issue of the lack of transparency in decision making to improve community understanding and expectations of CBL, including communicating positive stories to the community to address perceptions of unfair community lets, changing the policy to allow 2 bids only per applicant per bidding cycle, replacing the coupon system;</p>	<p>To improve transparency in the short term adverts will contain information on which rehousing group preference will be given in respect of particular properties. This will be done in accordance<sup>1</sup> with the new Code of Guidance<sup>1</sup> which states:                      “It is important that the practical application of such labelling should be operated in accordance with criteria and policies which are set out clearly in the authority’s allocation scheme, and the effect should not be directly or indirectly discriminatory”                       Proposals will be further developed to address this recommendation, including restricting bidding and replacing coupons, which could enable feedback at the time of bidding, as well as improving other feedback mechanisms. As part of the proposals analysis of use of coupons will be carried out and arrangements put in place with the One Stop Shops to encourage use of telephone and internet bidding.</p>	<p>April 2009.</p>	<p>Lettings information is now being published regularly as well as monthly supply and demand data.                       Advertising of properties where preference is to be given may not be necessary under the proposed new Lettings Policy although this is still being considered.                       The new policy proposals recommend changes to bidding policy with a view to encouraging less bidding in volume and more rational choice being exercised. The present policy does not encourage this. Analysis of use of coupons has been carried out including a survey of coupon users.                       Telephone and internet bidding facilities have been provided at One Stop Shops which can be used free of charge. Training has been made available for applicants to use these options.                       Internet and telephone bidding has therefore increased. Currently 65% of applicants who bid regularly bid online, 22% by telephone.</p>

<sup>1</sup>Paragraph 4.73, Code of Guidance, Allocation of Accommodation: Choice Based Lettings issued on 27<sup>th</sup> August 2008.

**Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>R4. That service improvement activities are developed based on the feedback obtained from the users and providers service improvement focus group with particular focus on improving access for those who have sensory disabilities and improving customer understanding of CBL;</p>	<p>Service improvement activities will be developed to address this recommendation. This will include revisions to the current housing application form to better identify disability and support needs.</p> <p>Arrangements are also being put in place to upgrade the Homeseekers website, which will allow the font size to be adjusted for those with visual impairment, and talking heads (browse aloud) facility.</p> <p>All literature produced will contain information on services available for those who need assistance with bidding. This will be reviewed as part of the EIA.</p>	<p>December 2008</p>	<p>The application form has been revised to collect more information on disabilities and support needs.</p> <p>Work is in progress on upgrading the Homeseekers website.</p> <p>Literature now contains information and contact details for those who need assistance with bidding.</p>
<p>R5. That LBTH joins the East London Lettings company subject to a full feasibility study of what ELLC can offer to LBTH residents;</p>	<p>LBTH will consult with and agree the scope of the feasibility study with our Common Housing Register partners as all partners will need to agree to join the scheme.</p> <p>It is also proposed to carry out a full feasibility assessment to include, cost, services provided, value for money, staffing implications and best practice and</p>	<p>By March 2009</p>	<p>This has not yet been achieved. However, 29 July Cabinet agreed comprehensive proposals for a new Lettings Policy to be put to full public consultation. A final report to Cabinet is anticipated in early 2010 with implementation of the new policy to follow from April 2010.</p> <p>As part of the forward planning for implementation for the new policy and for the necessary IT adjustments to be made, feasibility of joining ELLC will be considered or whether development of existing IT provision</p>

**Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>R6. That a Local Lettings Plan is adopted for all new developments of 20 units or more affordable homes to promote mixed tenure, mixed communities and sustainable housing and delivering priority for adult children of existing social tenants by setting a specific proportion for this group;</p>	<p>make recommendations to the Council and CHR partners.</p> <p>It is proposed to develop proposals for local lettings plans [for larger developments] with Common Housing Register partners as part of the proposals for policy changes and assess how transparency and priority will be met in this context, as well as ensuring decanting requirements can continue to be met. This will be developed as part of the overall housing strategy.</p> <p>Any proposals for local lettings plans will need to take account of the new Code of Guidance which states:</p> <p>“it will not usually be appropriate to apply to local lettings policies to more than a limited part of a local authority’s stock (or stock to which the authority has nomination rights)”<sup>2</sup></p> <p>These proposals will need to be subject to full consultation with residents.</p>	<p>By March 2009</p>	<p>can provide sufficient facility to provide and equivalent level of service.</p> <p>Once the consultation period on the new Lettings Policy has ended, a report will go to Cabinet for decision early in 2010. The new policy will include provision for local lettings plan to be agreed when appropriate.</p> <p>It is also intended to recommend that an annual Lettings Plan to Cabinet take place that will complement the new Lettings Policy.</p> <p>Implementation of the new policy. This will contain information and analysis of relevant supply and demand factors and targets for main demand groups including decanting requirements for the coming period. It will also set out monitoring and reporting arrangements.</p>
<p>R7. That an open, non-</p>	<p>The current Sons &amp; Daughters</p>	<p>March 2009</p>	<p>The proposed new Lettings Policy contains</p>

<sup>2</sup> Paragraph 4.70, Code of Guidance, published 27<sup>th</sup> August 2008.

**Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>discriminatory Sons and Daughters policy be considered for adoption as part of the new lettings policy and as part of the Council's affordable homes policy;</p>	<p>policy is designed to assist those households where overcrowding within the host household is most acute. Any extension of this policy will need to comply with the new Code of Guidance. It is intended that options for a new scheme will be developed aimed at complementing strategies to reduce overcrowding and prevent homelessness. Policy proposals developed will need to be subject to detailed consultation with residents.</p>		<p>three elements in relation to extending current sons &amp; daughter's policy.</p> <ol style="list-style-type: none"> <li>1. A proposal to reduce the level of overcrowding in a household for a son or daughter of existing tenant to qualify for independent rehousing as the present level is considered unreasonably high.</li> <li>2. A new provision to rehouse an adult son or daughter of existing tenants where the tenant also wishes to move to a smaller property. The outcome would result in an under occupation move and release a larger property for letting to another household</li> <li>3. A percentage of available housing to be set aside annually for sons &amp; daughters of tenants of Common Housing Register partners where they would not qualify for housing through any other category in the policy. In order to comply with legislation and CLG Code of Guidance this percentage is expected to be modest, but will be decided upon by Cabinet when setting targets as part of the annual Lettings Plan.</li> </ol>
<p>R8. That the work between Children's Services and Development and Renewal Directorates continue with a view to identifying housing solutions that accommodate more Looked</p>	<p>To liaise with housing in relation to adjusting the fostering protocol so that adult children of foster carers can be prioritised in relation to being offered their own accommodation. This is</p>	<p>November 2008</p>	<p>Children's services will be consulted as part of the Lettings Policy Review consultation.</p> <p>Consideration is also being given to whether a quota group for adult children of foster carers to be rehoused independently should be added to</p>

## Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4

Recommendation	Response / Comments	Date	Update: Oct 2009
After Children.	<p>dependent on the adult children agreeing to be rehoused.</p> <p>It is anticipated that to identify shared ownership with foster carers and the local authority is likely to be complex in the current economic climate. However we plan to research what other local authorities are doing in this area.</p>	January 2010	<p>the existing quota groups.</p> <p>If this is agreed, an annual target could be set and included in the proposed annual lettings plan. Final decisions on targets will be taken by Cabinet.</p> <p>To date, no research has been undertaken into shared ownership for foster carers within Development &amp; Renewal.</p>
R9. That a review is undertaken of the medical assessment process to address concerns of accuracy and quality and give consideration to best practice, with a view to improving the transparency of the process, extending the time for appeals, researching other potential providers for the service, sampling a work undertaken by Now Medical and considering introducing self assessments;	<p>It is proposed to undertake a review of the medical and appeal process and identify ways of further improving accuracy and quality as well as exploring alternative providers. This will involve working with the PCT and CHR providers as well as researching practise elsewhere. In addition, this would involve consulting service users.</p>	March 2009	<p>A full review of the medical assessment process has been carried out. This has included a close examination of a sample of cases; an analysis of the effectiveness of the process from start to finish; analysis of how the present process is operated within the Common Housing Register partnership; research into practice in other boroughs that use the same medical advisory service. A report recommending improvements is forthcoming.</p>
R10. That Tower Hamlets should actively lobby DCLG Ministers to issue guidance and if necessary legislation, allowing local authorities to introduce the waiting time-based approach to lettings. LBTH should be	<p>A waiting time approach would bring greater transparency and simplicity to the lettings system, however it would mean that the policy would be less responsive to individual needs. A change in legislation would be needed in</p>	March 2009	<p>Following the report of the Scrutiny Working Group and this recommendation, the judgement in House of Lords –v- Newham Council was announced in January 2009. The decision was that the emphasis on waiting time in Newham Council's allocation scheme was lawful.</p>

<sup>3</sup> Paragraph 4.48, Code of Guidance, published 27<sup>th</sup> August 2008.

**Response to Scrutiny Working Group Report on Choice Based Lettings – Appendix 4**

Recommendation	Response / Comments	Date	Update: Oct 2009
<p>prepared to campaign in support of these changes in partnership with other local authorities.</p>	<p>order to implement a waiting time approach.</p> <p>CLG Guidance published on 27<sup>th</sup> August 2008, stresses the importance of Local Authorities giving reasonable preference to housing need in deciding on their priority schemes. The guidance states:</p> <p>“It is recommended that authorities adopt a scheme which prioritises applicants according to housing need in place of a scheme based primarily on waiting time.”<sup>3</sup></p> <p>A review of the current priority system and 4 Community Groups will be undertaken with the CHR partners within the current statutory framework with a view to making the scheme easier for residents to understand.</p>		<p>The proposed new Lettings Policy for Tower Hamlets Council retains the separation of applicants in bands based upon their levels of housing need and other factors, but recommends that within each band, priority should be usually decided by length of time waiting in the band.</p> <p>The CLG has issued draft guidance on allocations in the light of the Newham judgement that now support the House of Lords decision, that there is nothing wrong in principle with an allocations scheme that prioritises on the basis of waiting time. This is as long as a distinction is retained between applicants who fall within a reasonable preference category and those that do not. The proposals for a new Lettings Policy that are currently being consulted upon with the public meet this requirement.</p> <p>The proposed new Lettings Policy has been developed and agreed in close cooperation with Common Housing Register partners. It is designed to be easier to understand, explain and administer. The period of public consultation will be first real test of whether these objectives have been achieved. The proposals will be modified in the light of the consultation as appropriate and a final report will be taken to Cabinet early in 2010 to agree a new Lettings Policy.</p>

<p>R11. That a transitional period of between 12 months and two years should be put in place to protect those homeless families already in the system should waiting-time based approach be successful.</p>	<p>A transitional period will be incorporated into policy recommendations arising from Response 10 above. Agree that in the event a waiting time policy is possible, a further report will be brought to Cabinet to propose a change in policy.</p>	<p>March 2009</p> <p>N/A</p>	<p>The report to Cabinet with final proposals for a new Lettings Policy will also consider the question of transitional periods.</p>
<p>R12. That targeted work be developed to tackle overcrowding, including targeted work with under-occupiers, as part of this work review the Cash Incentive Scheme and the financial incentives for under-occupiers as to ensure the housing stock is used in the best way to reduce overcrowding ,working with partner RSLs to develop and fund initiatives;</p>	<p>In response to this recommendation we are developing proposals in respect of the government Pathfinder project, which includes targeted work with under occupiers and severely overcrowded council tenants. A Housing Options approach to include a private sector tenancy option is being developed, enhanced cash incentives to under occupiers and a removal and packing service for vulnerable tenants. A review of financial incentives provided by partner RSLs is to be carried out and proposals for a partnership approach developed.</p>	<p>March 2009</p>	<p>Home visits are being undertaken by the Lettings Team to severely overcrowded Council tenants to discuss housing options and give advice and information.</p> <p>Home visits are also being undertaken by the Lettings Team to under occupiers to try and increase downsizing to free up larger properties to let to overcrowded households.</p> <p>The Lettings Team have introduced a private sector rent deposit scheme for Council and partner tenants to create family sized vacancies or relieve overcrowding. This year to date, 8 households have been rehoused through this scheme which was the target for the year. It is anticipated that the target will be significantly exceeded as there has been a positive response to the scheme amongst tenants.</p>
<p>R13. That Overview and Scrutiny Committee conduct a through review of overcrowding which will assist the Council in developing an effective Overcrowding Strategy, potentially including research into the impact of overcrowding on health and education and using this to assist housing to secure funding to roll-out the Overcrowding Project with a view to assisting more overcrowded families;</p>	<p>As part of 2008/09 O&amp;S work programme, the affordable housing review will add value to the overcrowding agenda, focusing on how homeownership can assist in reducing overcrowding.</p>	<p>March 2009</p>	<p>Payments under the cash incentive scheme have been increased. There appears to be more take up and interest in this scheme this year compared to the previous year. Resultant vacancies will go to overcrowded households.</p>





<p>R14. That the Lettings policy be revised to reflect the changes proposed under the 'Bedroom Standards'</p>	<p>In response to this recommendation, we will develop proposals on the introduction of the bedroom standard and consult with partners. Any policy changes arising from this will be subject to consultation with residents.</p>	<p>March 2009</p>	<p>Proposals on the bedroom standard will be discussed with partners during the consultation period on the proposed new Lettings Policy. If agreement is reached, proposals may be incorporated in the new Lettings Policy to be considered by Cabinet early in 2010.</p>
<p>R15. That RSL partners seek to use Right to Acquire receipts to buy back properties direct from leaseholders; That targeted work be developed to tackle overcrowding, including targeted work with under-occupiers giving consideration to allocating direct lets similar to Newham's policy. As part of this work review the Cash Incentive Scheme and the financial incentives for under-occupiers with a view to using the stock in ways to reduce overcrowding working with partner RSL to develop and fund initiatives;</p>	<p>In response to this recommendation we will consult with RSL partners and continue to develop our proposal for under occupiers, including direct lets. We will continue to look at ways to attract funding and consult on adopting a single policy provision across the social housing sector in respect of financial incentives for under occupiers including partner and non partner landlords.</p> <p>Any policy proposals arising from this will be subject to resident consultation.</p>	<p>March 2009</p>	<p>Cabinet has approved a comprehensive overcrowding reduction strategy. This includes target work to tackle overcrowding (e.g. home visits; private rented sector options; Right to Buy buy backs ; local housing initiatives )</p> <p>The proposals for a new letting policy include high priority to be given to under occupiers. A policy on direct lets where appropriate is included in the proposals.</p>
<p>R16. That Tower Hamlets should press the Mayor of London and the Government to reduce the proportion of lettings on new-build through Capital Moves to 25 per cent, and to equalise the numbers of accessible homes let through Capital Moves. It should also insist that Capital Moves develop a minimum standard of advertising of the properties allocated through the Pan-London Scheme to secure a common standard of accessibility. Residents should be fully consulted before a decision is reached</p>	<p>The Council will continue to work to ensure that Tower Hamlets maximises the benefits from Capital Moves including the proportion of lets to be made available, accessibility issues and advertising of properties.</p> <p>Any policy changes arising from the Capital Moves proposals will need to be subject to resident consultation.</p> <p>Further information on how</p>	<p>N/A</p>	<p>Capital Moves was put on hold by the new Mayor of London.</p> <p>There is nothing further to report on this at present.</p>

<p>R17. That Tower Hamlets should press the Mayor of London and Housing Corporation to make funding available to expand the Seaside and Country Homes Scheme;</p>	<p>It is proposed that if Cabinet support this proposal, officers will contact both the GLA and Housing Corporation to seek support for an expansion of this programme.</p>	<p>November 2008</p>	<p>To date this matter has not been put forward in a Cabinet report for decision.</p>
<p>R18. That the Council should invite other local authorities in London to identify best practice in promoting and facilitating mutual exchanges;</p>	<p>In response to this recommendation we will seek to identify best practice in London on mutual exchanges and adopt them to improve service delivery.</p>	<p>December 2008</p>	<p>This is still outstanding. This will be taken forward once the lettings policy review and consultation has been concluded.</p>
<p>R19. That the Council should undertake a review of Key Worker Housing in the Borough, specifically looking at its affordability and the problems experienced by those with families in non-secure/assured tenancies;</p>	<p>A review of key worker housing will be undertaken with RSL partners. We will also explore the potential for all key worker schemes to have a linked move on strategy.</p>	<p>March 2009</p>	<p>This is still outstanding and will be taken forward as part of the lettings policy review. The existing annual quota of 50 has been in place for many years. Proposals for new targets for all quota groups will be put forward in the annual lettings plan for Cabinet decision. The criteria to qualify will also be reviewed as part of the process.</p>
<p>R20. That the Council should undertake a review of Sheltered Housing Lettings Policy to make sure that this resource is used effectively.</p>	<p>This will be assessed as part of the Best Value Review of Sheltered Housing.</p>	<p>December 2008</p>	<p>Best Value Review of Sheltered Housing has been completed.  The process for allocating sheltered housing is under review as part of the lettings policy review.</p>

Appendix 5  
Young Peoples Participation in Sports Leading Up to the Olympics  
This will be tabled at the Overview and Scrutiny Committee

Appendix 6  
Tackling Anti-Social Behaviour  
This will be tabled at the Overview and Scrutiny Committee

<b>Response to Scrutiny Working Group Report on Graduate Unemployment – Appendix 7</b>			
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update – October 2009</b>
R1 The Employment Task Group commissions research to establish the extent and nature of graduate unemployment and underemployment in the borough to provide a baseline to inform future action.	No funding identified for further research	Nov 07	Comments still stand
R2 The Council expands in-house graduate training to maximise opportunities for graduates to gain skills, experience and professional qualifications in a public sector workplace setting, regardless of their ethnic background.	<p>9 local graduates were taken on in September 2007 under the revised scheme which was aligned with the National Graduate Development Programme to reflect the same level of remuneration. Local graduates are engaged on a two year fixed term contract. 8 of the 9 local graduates are Bangladeshi and the other local graduate who has recently left the scheme is Somali. The scheme provides for local graduates to undertake four, 6 monthly placements across council directorates whilst working towards a Postgraduate Diploma in Public and Community Service.</p> <p>In addition, the Local Graduate Positive Action Scheme which also commenced in September 2007, engaged 4 local BME graduates (3 Bangladeshi, 1 Black Caribbean) who began a direct course of study in the following areas: Occupational Therapy, Legal and Planning.</p> <p>The two graduate trainee occupational therapists remain in full time study, the legal graduate trainee has left the scheme and the Planning graduate trainee has been offered</p>	Oct 07	HR need to comment

Response to Scrutiny Working Group Report on Graduate Unemployment – Appendix 7			
Recommendation	Response / Comments	Date	
	a temporary contract with the council	<b>Update – October 2009</b>	
R3	<p>A Task Group is established to champion employment opportunities for local graduates, and to coordinate initiatives to achieve this. This should include Council officers, employers, universities and graduates.</p> <p><b>Members of the task group:</b>  <b>Sally Roberts - ELBA (Chair)</b>  <b>Sonia Chumber- Skillsmatch</b>  <b>Shamsol Hoque- Tower Hamlets College</b>  <b>Andrew Attfield- Tower Hamlets PCT</b>  <b>Rehana Begum- London Metropolitan University</b>  <b>Ahmed Mohamed- Careers Management Futures</b>  <b>Patricia Nnadi- London Metropolitan University</b>  <b>Samul Alom – Ex CATS ELBA</b></p> <p>The group have met formally twice and have had lots of email contact between meetings.</p> <p>This information has been fed back through the Employment task Group</p>	<p>Task Group established Sept 07</p>	<p>The Employment Task Group is established and considers graduate unemployment within its wider employment remit. It has undertaken research into support available for graduates in the Borough (July 2009) and has produced an advice / signposting leaflet sent to every graduate. A Know How event for graduates is being arranged at the East Wintergardens for November 2009</p>
R4	<p>The Task Group explores:</p> <ul style="list-style-type: none"> <li>• using Skillsmatch to develop volunteering or secondment opportunities for graduates to gain experience of working in local companies and organisations</li> <li>• developing a mentoring scheme for local graduates.</li> </ul> <p>The Skillsmatch programme has assisted 23 graduates into employment between April 08 and Sept 08.</p> <p>Through this programme and the graduate programmes offered by TH College at least 55 graduates are currently being assisted through a variety of programmes linked to employer opportunities.</p> <p>The mentoring scheme is still being developed by ELBA. Queen Mary's and London Met both have existing mentoring programme and THC has suggested extending it's existing mentoring programmes to local unemployed graduates.</p>	<p>Quarterly reports to CPAG</p>	<p>Skillsmatch currently offer a 16 week paid work placement programme for graduates. 62 graduates have taken part in the programme since April 08.</p> <p>22 beneficiaries completed Skillsmatch graduate programme placements since Apr. 9 of which have subsequently secured employment. Further 8 placements due to commence in early Oct.</p> <p>ELBA graduate programmes commence. 12 beneficiaries selected for 09/10 cohort</p>

<b>Response to Scrutiny Working Group Report on Graduate Unemployment – Appendix 7</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
		<b>Update – October 2009</b>
<p><b>R5</b> The Task Group explores:</p> <ul style="list-style-type: none"> <li>• how to identify the key employment skills shortages now and in the future based on the likely development of the local labour market projected in the Tower Hamlets Regeneration Strategy</li> <li>• the best means of improving the range and relevance of careers advice to the local labour market.</li> </ul>	<p>The Employment Strategy (agreed by Cabinet February 2009) and Delivery Plan (August 2009) offers background to employment opportunities and growth sectors of employment and has been developed in conjunction with the Employment Task Group.</p> <p>The group has identified current initiatives and shared best practice. It has also discussed ways of disseminating the information to local undergraduates and graduates as well as all local agencies working with graduates.</p> <p>Destination data is now available at universities and the representative from London Met has agreed to coordinate this data.</p>	<p>Evidence base available January 08</p> <p>Advice information available in leaflet form by March 08.</p>
<p><b>R6</b> The Task Group support and monitor the proposed East London Business Alliance (ELBA) and Queen Mary University Graduate Network pilot to increase the opportunities for local graduates to meet local employers and to consider how this can be extended across the borough.</p>	<p>The pilot, known as the ELBA Business Club, was extended to include other local universities: London Metropolitan, Queen Mary's and Greenwich. The pilot was very successful and the scheme will be replicated in the spring 2009.</p> <p>Information about the programme is available.</p>	<p>Feb 08</p> <p>WNF is being used to continue with Universities to ensure students are aware of programmes and initiatives such as the Business and Legal Clubs.</p> <p>ELBA is represented on the London Met Employability and Intervention Forum and this helps policy objectives be fed into any new initiatives that support students.</p>
<p><b>R7</b> The Task Group develop further the links between schools and</p>	<p>A project to help students with their UCAS forms was successfully piloted between</p>	<p>Feb 08</p>

Response to Scrutiny Working Group Report on Graduate Unemployment – Appendix 7		
Response / Comments	Date	Update – October 2009
<p>employers by coordinating and facilitating careers workshops / advice sessions between all agencies.</p> <p>A conference facilitated by ELBA and UEL called Raising the Bar took place in June 2008.</p> <p>Objectives:</p> <ul style="list-style-type: none"> <li>• To get commitment from academics and lecturers to their role in preparing students to take advantage of economic regeneration of East London</li> <li>• To open the dialogue between employers and educators and start the process of them building more fruitful and productive relationship with businesses</li> <li>• To identify way forward and new programmes</li> </ul> <p>The group agreed that it would be useful to roll out this initiative to other local universities</p>		



Appendix 8  
 Evaluation of Neighbourhood Renewal Funding  
 This will be tabled at the Overview and Scrutiny Committee Meeting

<b>Response to Scrutiny Challenge Session on Interpreting and Translation Provision – Appendix 9</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
<b>Recommendation 1 – That work is</b>	An analysis of the interpreting and	October
		<b>Update – March 2009</b>
		<b>Update October 2009</b>

<b>Response to Scrutiny Challenge Session on Interpreting and Translation Provision – Appendix 9</b>			
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update – March 2009</b>
undertaken to review the collection and quality of data around interpreting and translation, and an examination of the practicalities and merits of implementing a customer tracking system across the authority is made.	<p>translation data has been undertaken to inform the Council's review of I&amp;T. Initial discussions have taken place with Newham Language Shop about developing the way in which information is collected and reported to enable the Council to better use this information to inform service delivery.</p> <p>A Customer Tracking System has been adopted by Tower Hamlets Homes. A recommendation of the I&amp;T Review is to explore how this can be expanded to services across the Council.</p>	2008	<p>A strategic level review of interpreting and translation commenced in 2009, which is being undertaken by key stakeholders from the Council and partner organisations. This will be a comprehensive review of our arrangements covering community and business needs, policy and procedure and management arrangements and provision.</p> <p>A final report and recommendations of the review will go to CESC in January 2010.</p>
<b>Recommendation 2</b> – That the Lifelong Learning Service examine ways in which new arrivals and those with limited English be targeted and offered the opportunity to take an entry-level ESOL course.	Two projects targeting new arrivals, both funded by the EIF, run in the borough. One, run by the Arbor Centre, targets those here under a year and the project runs to 2010. The other is a consortium led by Tower Hamlets College and targets those in the UK less than five years. Progression for learners is coordinated by EPAG partners.	October 2008	<p><b>Update October 2009</b> A WNF funded project started in April 2009 and is aimed at 650 local residents who plan to join the labour market. Part of the overall project is the provision 70 entry-level ESOL places which targets women who have been in the country less than a year.</p>
<b>Recommendation 3</b> – That work be undertaken to examine alternative sources of funding for ESOL through a number of channels including the Local Strategic Partnership, Section 106 agreements and opportunities created	A recent joint Tower Hamlets Newham application to the City Strategy Partnership was unsuccessful for the employment initiative targeting parents with ESOL needs. Nevertheless the resources will be available in the	October 2008	<p><b>Update October 2009</b> (i) Through the mainstream grants commissioning process, additional ESOL provision for older residents has</p>

<b>Response to Scrutiny Challenge Session on Interpreting and Translation Provision – Appendix 9</b>		
<b>Response / Comments</b>	<b>Date</b>	<b>Update – March 2009</b>
<p>by the 2012 Olympics.</p>		<p>been agreed. This is intended to complement other services and give mainly older women from Somali and Bangladeshi communities greater confidence in their English Language speaking skills.</p> <p>(ii) Through the Council’s “You Decide” programme, several Family Learning classes are being delivered in four LAP areas. The focus is on Family Language with the expectation that the adults will have the confidence to progress onto ESOL programmes as well as continuing to be closely involved in their children’s education.</p>
<p><b>Recommendation 4</b> – That an examination be made of the feasibility of holding ESOL classes in conjunction with partner organisations, such as Poplar HARCA, and the voluntary sector at a range of accessible community locations, such as GP surgeries. Also to examine alternative methods of delivering English language courses.</p>	<p>October 2008</p>	<p><b>Update October 2009</b> The spread of Lifelong Learning ESOL classes in the 09/10 academic year across the borough has been informed by an analysis of where other providers are delivering and to meet gaps where possible. Courses are being delivered in 30 venues and extended services cluster co-ordinators continue to signpost where there is identified need. Some early evening provision is being piloted to target different groups of learners.</p>
<p>borough and managed by the successful contractor. Negotiations are near conclusion and local providers will be looking at ways to make appropriate referrals.</p>		
<p>A WNF bid is being worked up by existing ESOL partners and providers to extend the overall availability of ESOL in the borough and to tackle some specific needs for example intensive support for speaking and listening for those whose confidence undermines their performance. Partners and providers continue to meet and cross – refer where possible</p>		

<b>Response to Scrutiny Challenge Session on Interpreting and Translation Provision – Appendix 9</b>			
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update – March 2009</b>
<b>Recommendation 5</b> - That work be undertaken to examine advertising and sign posting of ESOL services.	This review has not taken place yet.	October 2008	<b>Update October 2009</b> A leaflet has been produced aimed at providers and community organisations to support client referral. Although this is not direct advertising to individuals the information about ESOL places, levels and contacts to enable checks on availability is widely available to providers across Tower Hamlets. A working group has been established through EPAG to identify local priority groups and to produce the first Tower Hamlets – wide ESOL plan.
<b>Recommendation 6</b> – That an examination of the opportunities for partnership working on the issue of interpreting and translation be made.	A meeting with the PCT took place on at the beginning of Sept to explore the potential for joint procurement of I&T services.	October 2008	<b>Update October 2009</b> A specific meeting on I&T provision will take place in December 2009, which will look at the opportunities for joint procurement arrangements.
<b>Recommendation 7</b> – That the arrangements for the provision of interpreting and translation services within the new ALMO be examined.	Tower Hamlets Homes (THH) will use the Council's main provider for interpreting and translation services, Newham Language Shop. It will access this service under the Council's arrangements. THH is currently developing a Communications Strategy, a subset of which will be an Accessible Communications Strategy setting out its policies and procedures in relation to	October 2008	<b>Update October 2009</b> Representatives from THH are involved in the Strategic I&T review currently underway, which will look at I&T provision for THH.

<b>Response to Scrutiny Challenge Session on Interpreting and Translation Provision – Appendix 9</b>		
<b>Response / Comments</b>	<b>Date</b>	<b>Update – March 2009</b>
<p>interpreting and translation. This policy is being developed in liaison with the Council and will be consistent with the Council's I&amp;T policies and procedures.</p>		

<b>Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10</b>			
<b>Recommendation</b>	<b>Comments</b>	<b>Lead</b>	<b>Update – October 2009</b>
<p><b>1</b> That the PCT supports GP practices in developing a mechanism to share models of good practice especially so that GPs that are performing poorly work with GPs that are performing well.</p>	<p>Analysis of the GP practice GPAQ surveys for 2007/08 has shown an improved score on all question areas across Tower Hamlets practices.</p> <p>Practices have been given the comparative results for all practices so have been able to identify practices which are scoring better than they are and to find out which approaches that these practices took were successful.</p> <p>Most practices (33 out of 36) have now established patient participation or “critical friends” groups. This is a significant increase on last year.</p>	October 2008	This action point was completed at the time of the February 2009 progress report.
<p><b>2</b> That the PCT provide the Health Scrutiny Panel with a comparative analysis of the results of the ‘Your Doctor, Your Experience, Your Say’ with the General Practitioners Assessment Questionnaire Survey results. Furthermore, the</p>	<p>The PCT commissioned a comparison of the GPAQ survey results with the national MORI poll results and this demonstrated a strong correlation. As the ability to access a GP appointment is improving, patient experience as a whole with the practice is also improving.</p> <p>Tower Hamlets PCT is the most improved PCT in the country for the provision of access to GP appointments. The over-all average for patient satisfaction with 48 Hour access went up from 68% to 74%.</p> <p>The ability of patients to get through to their practice on the phone also improved more than another London PCT.</p>	October 2008	This action point was completed at the time of the February 2009 progress report.

Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10		
Recommendation	Comments	Lead
PCT use the results of both surveys to identify areas of improvement and improve performance monitoring of services.	All practices now have an action plan in place which aims to reduce demand for appointments, increase supply of appointments and deliver 100% access to appointments within 48 hours.	Update – October 2009
<p><b>Recommendation 3</b></p> <p>That the PCT reviews the training and guidance provided to GPs and Dental Practice reception staff in particular focusing on Customer Services and understanding the needs of disabled and BME patients.</p>	<p>All practices have now had 3 days of customer care training which included conflict management, valuing diversity and cultural competence. The training incorporated the use of actors and feedback has been excellent.</p> <p>Assessment of training needs for dental practice reception staff has not yet been undertaken. This will take place as part of the dental clinical governance programme later this year and training will be commissioned once the results of the survey are known.</p> <p>The directory of dental services has been published and the Find-a-dentist service is now established. This telephone advice service is commissioned by the PCT from LBTH and has received about 100 calls in relation to dentistry per month since it was set up in June 2008.</p>	October 2008
		<p>The GP MORI patient survey for 2009 showed that 89% of Tower Hamlets patients found their GP practice receptionists helpful or very helpful. However the survey shows that, at a small group of practices, patients had significant issues getting through to the practice on the phone. The PCT has prioritised these practices for further customer care training which focuses on telephone work and prompt response times.</p> <p>The dental practice visits undertaken by THINK representatives have been helpful to practices in demonstrating the perception of reception from the patient's perspective, even if the practice manager had not identified an issue.</p> <p>Research has been commissioned by the PCT from a social marketing organisation investigating the factors which influence whether a resident visits a dentist. Attitudes of staff at reception and clinical staff have been identified as important. These results will be fed back to residents and dental practice staff at an evening event in November.</p>

Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10	
Recommendation	Comments
Lead	Update – October 2009
<p><b>4</b> That the Primary Care Trust works with local schools, GPs and community organisations to begin compilation of data about local peoples oral health and improve uptake of dental services.</p>	<p>The pilot programme in two primary schools (“Happy Teeth”) ran for the academic year. Lessons have been learned from the pilot and will be used to roll out a screening and fluoride application programme in other schools in Tower Hamlets during this school year for nursery and reception children.</p> <p>A survey of oral health in 300 adults aged over 16 years has been undertaken in Tower Hamlets during the period March to July 2008. Surveys were undertaken in people’s homes and, with their consent, a clinical examination was undertaken by a dentist. The survey is now completed and the results are being analysed. Results will be available in November 2008.</p> <p>An epidemiological survey has also been undertaken with 3 year old children in Tower Hamlets&gt; Results are being analysed and a report will be available in November.</p>
<p><b>5</b> That the Primary Care Trust undertakes a</p>	<p>The Department of Health has recently published the findings of patient responses to questionnaires about dental services for 2007/08. Two key indicators were patients’ satisfaction</p>
	<p>October 2008</p>
	<p>This action point was completed at the time of the February 2009 progress report.</p>
	<p>October 2008</p>
	<p>The PCT is aware that one of the barriers for people accessing NHS dental services is the lack of awareness of NHS charges. Information about patient charges has been circulated to all dental practices so that these are</p>



<b>Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10</b>			
<b>Recommendation</b>	<b>Comments</b>	<b>Lead</b>	<b>Update – October 2009</b>
comprehensive review of the impact of the new dental contract and charging system and reports the finding to the Health Scrutiny Panel. In particular the Trust is asked to work with Dental Practices that do not work with NHS patients and are currently just working with private patients.	<p>with the dentistry received and patients' opinion about time taken to get a dental appointment. Around 83% of patients in Tower Hamlets were satisfied with the dentistry received compared to 88% in London. Sixty nine percent (69%) of Tower Hamlets patients were able to get a dental appointment as soon as was necessary compared to 82% in London.</p> <p>There has been an increase in the number of patients accessing NHS dental services commissioned by Tower Hamlets over the past 2 years, but there is still more work to do to improve access.</p> <p>Currently 5 practices (out of the 28 dental practices in Tower Hamlets) only provide NHS care to those who are exempt from paying NHS charges. Where possible these contracts will be renegotiated to include fee-paying patients.</p>		<p>displayed in surgeries, GP practices, community pharmacists and other public places.</p> <p>The local information campaign "NHS dentists are for everyone" also included information about NHS charges.</p> <p>Most dental practices provide a mix of NHS and private care, i.e. dental services that are not within the NHS scope of service (e.g. tooth whitening). Practices have been reminded that treatment plans must be issued to patients at the start of the course of treatment, clarifying whether any elements of care will be outside the NHS charge.</p>
<b>6</b>	That all disabled patients without an accessible dental practice near their home be offered the option to be referred to the Mobile Dental Unit.	October 2008	<p>The new William Place dental practice, opened in April 2009, and is fully accessible.</p> <p><a href="#">This action point was completed at the time of the February 2009 progress report.</a></p>

Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10			
Recommendation	Comments	Lead	Update – October 2009
	people can be referred to the community dental service.		
<p><b>Recommendation 7</b></p> <p>That the Mobile Dental Unit visits schools and local community events to make this service more visible and target residents from a young age.</p>	<p>The mobile dental unit was used to support the public consultation event for the new dental practice inn Bow.</p>	October 2008	This action point was completed at the time of the February 2009 progress report.
<p><b>Recommendation 8</b></p> <p>That the PCT reports to the Health Scrutiny Panel on how good practice and performance from around the country - particularly areas that face similar issues as the borough - informed the development of the Oral Health Strategy.</p>	<p>A report was provided in the February 2008 update for the Scrutiny Committee.</p> <p>The PCT Oral Health Strategy was informed by the national strategy “Choosing Better Oral Health”. The Department has also recently produced an evidence based oral health toolkit which has been sent to all dental practices.</p> <p>The PCT is using evidence from a new and innovative model of dental practice in Oldham and Salford to inform the model of service for the new dental practice being established in Bow.</p>	October 2008	This action point was completed at the time of the February 2009 progress report.

Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10		
Recommendation	Comments	Lead
<p><b>9</b> That Tower Hamlets PCT develops a major publicity campaign that explains the role of GPs, Dentists and other primary care professionals and also increases awareness of the availability of additional primary care services including Pharmacy First and the Walk-In Centres. The PCT should work closely with the Council and voluntary sector in undertaking this campaign. The Working Group suggests that East End Life is used to publicise information about how to join a GP and Dental</p>	<p>The PCT launched an information campaign – “Easier, Quicker and Better Care in Tower Hamlets”, explaining how to access care in General Practice.</p> <p>Leaflets and posters have been distributed to all GP surgeries, dentists, community pharmacists and optometrists for display; and also to public libraries and East End Life. The find-a-doctor helpline was established in June 2008.</p> <p>In relation to dental services, the following actions have been taken by the PCT:</p> <p>Ensured that details on dental services are fully up to date and available on the NHS Choices website.</p> <p>Commissioned the new find-a-dentist service from LBTH which started in June 2008.</p> <p>A public consultation exercise was conducted during May to June to canvas views on the setting up of a new dental practice in Bow. This included a short questionnaire for residents in Laps 5 and 6 posted in East End Life, discussion at LAP meetings, a Saturday morning information event in Roman Road market, and a facilitated focus group.</p> <p>The PCT is planning a marketing and information campaign on dental services to be launched in the autumn</p>	<p>October 2008</p>
		<p>Update – October 2009</p> <p>This action point was completed at the time of the February 2009 progress report.</p>

<b>Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10</b>	
<b>Recommendation</b>	<b>Comments</b>
<b>Lead</b>	<b>Update – October 2009</b>
Practice and also the rota for the Mobile Dental Unit. The Mobile Dental Unit rota should also be provided to all GPs, Dental Practices, and community organisations working in the field of health as well as Local Councillors.	<p>The rota for the mobile dental unit is sent to East End Life and also displayed in local GP surgeries, community pharmacists and community centres.</p> <p>The PCT Oral Health Promotion Team has a regular presence at community events and they also took out a one-page advertisement in East End Life in July 2008.</p>
<p><b>Recommendation 10</b></p> <p>That the PCT works closely with 'LINKs' and the Health Scrutiny Panel to monitor primary care services including asking LINKs Members to make service visits to GPs and Dental Practices.</p>	<p>October 2008</p> <p>The PCT welcomes the opportunity to work closely with LINKs and the Health Scrutiny Panel in monitoring primary care services and is happy to coordinate visits to General Practice and Dental Surgeries.</p> <p>We are aware that the LINKs is just being established and have highlighted the need for closer working with nominated public representatives in relation to dental services.</p>
	<p>Representatives from THINK visited 3 General Dental Practices in July; and 3 General Medical Practices in September 2009. The visits and outcomes have been helpful to the practice teams and the PCT commissioning teams.</p> <p>The review of Out of Hours urgent dental services across the NE Sector has involved 2 presentations at the Health Scrutiny Panel and meetings with members of LINKs across the sector. A 2-month period of consultation with the public and other stakeholders commenced on 1<sup>st</sup> October.</p> <p>The PCT has recently started a review of the Emergency Dental Service and the Project Manager has had a meeting with THINK members and with the Health Scrutiny Panel to ensure there early involvement in the</p>

Progress on Action Plan in Response to Scrutiny Working Group Report on Access to GP / Dentistry Services – Appendix 10			
Recommendation	Comments	Lead	Update – October 2009
			issues being considered and the process of the review. Active engagement with THINK members and the Panel will continue throughout the review and during the formal consultation phase.
<p><b>Recommendation 11</b></p> <p>That the PCT works closely with the Council and voluntary sector to improve patient education. In particular using Health Trainers to link up residents with local community organisations, PCT and the Council.</p>	<p>The PCT has maintained its commitment to the Health Trainers and Expert Patients programmes.</p>		<p>This action point was completed at the time of the February 2009 progress report.</p>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update – October 2009</b>
<p><b>R 1</b> That the Tobacco Control Alliance (TCA) include an elected member to reflect the health scrutiny role and raise the profile of this work.</p>	<p>An elected member has been invited to join the alliance and has accepted.</p>	<p>October 2009</p>	<p>Elected member has been invited to attend alliance meeting, but has not attended any meetings to date. Minutes are circulated to them.</p>
<p><b>R 2</b> That the Communications Strategy accompanying the Tobacco Control Strategy be overseen by the Tobacco Control Alliance.</p>	<p>The Communication strategy continues to be overseen by the Tobacco Control Alliance. Meetings are held every 2 months and minutes are available on request.</p>	<p>October 2009</p>	<p>The Communication strategy continues to be overseen by the Tobacco Control Alliance. Meetings are held every 2 months and minutes are available on request. An 18 month plan is in place</p>
<p><b>R 3</b> That the Communications Strategy, design of future campaigns and resources for tobacco cessation publicity reflect the community of Tower Hamlets and take account of the results of social marketing exercises commissioned by the Primary Care Trust.</p>	<p>Information on tobacco use and services available has been produced in Bengali and Somali as well as English. A website has been developed. The results from social marketing work are informing the following projects;</p> <ol style="list-style-type: none"> <li>1. Raising awareness of the risks of tobacco use and marketing cessation services to Bangladeshi men. This is a target group in terms of preventable ill health and premature death. October 2008</li> <li>2. Preventing young people starting and helping them to stop. September 2008</li> </ol>	<p>October 2009</p>	<p>There has been widespread publicity and activity to increase demand for smoking cessation services from within the Bangladeshi community. This has included street level activity and work based recruitment. There has been widespread publicity in the Bengali press. The Bangladeshi Stop Tobacco Project (BSTP) have been re-branded and marketed as a bespoke service for the community. Additional social marketing pilot interventions have been completed;</p> <ol style="list-style-type: none"> <li>1. Marketing of cessation services to Benglaimen employed in small businesses in LAP1-4</li> <li>2. Provision of a website for young people to warn of the dangers of smoking.</li> <li>3. Pilot intervention to reduce Paan use in Bangladeshi women aged 40 plus.</li> </ol>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

Recommendation	Response / Comments	Date	Update – October 2009
<p><b>R 4</b> That communications resources be developed to target the users of all types of tobacco consumption, including chewing tobacco, Paan and sheesha pipe smoking.</p>	<p>Ramadan campaign is completed. There has been widespread cover in all the press and media channels. 2 TV shows have been broadcast on Channel 5 and Bangla TV and 2 programmes are coming on MCR radio. There is mosque based activity in 9-11 mosques. The PCT health intelligence unit continues to review the needs of the community.</p> <p>The Tobacco control alliance work reflects that whilst smoking tobacco via cigarettes poses the greatest health risk to the community tobacco is used in other forms which require different approaches. Paan information has been produced and distributed. Sheesha information has been produced and distributed.</p>		<p>4. Pilot intervention to help those living with mental health problems in the community stop smoking 5. Pilot intervention to test interventions to help smoking pregnant women stop.</p>
<p><b>R 4</b> That communications resources be developed to target the users of all types of tobacco consumption, including chewing tobacco, Paan and sheesha pipe smoking.</p>			<p>Marketing and publicity re the dangers of sheesha use are currently being politicised.</p> <p><u>Results of Paan Survey</u></p> <ol style="list-style-type: none"> <li>1. This survey identified 125 outlets within the London Borough of Tower Hamlets (LBTH) selling smokeless tobacco products. This is a 40% increase compared to a previous survey, using similar methods, carried out in 1995. This increase in outlets is dispersed throughout LBTH.</li> <li>2. A large number of products were sold through these outlets, although an individual outlet will usually sell less than four products. No one brand appeared to have achieved a market dominance.</li> </ol>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

Recommendation	Response / Comments	Date	Update – October 2009
			<p>3. The products available for purchase supported the assumption that the Bangladeshi community has its own consumption preferences. Eleven outlets sold 'ready made' paan whilst paan masala/gutkha was sold in 18 outlets. Sixty nine outlets sold zarda.</p> <p>4. The price of most products was low, most commonly £0.30. The most commonly available brands of zarda were sold in a price range of £0.50 - £1.50. A 'ready made' paan sold for £0.50. This price does not appear to have changed since 1995.</p> <p>5. A diverse group of wholesalers was the source of the products found in the LBTH outlets. As with brand availability, no one wholesaler seemed to be pre-eminent in this market. One brand was reported as being a direct import.</p> <p>6. It was the norm for those products requiring a health warning to either not have one or to have an incorrect one. Less than 10% of products carried the required UK warning. 'Best by' sell dates varied</p>



**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

Recommendation	Response / Comments	Date	Update – October 2009
<p><b>R 5</b> That the Tobacco Control Unit develop a service level agreement with the new telephone provider to capture information to help understand user's needs and to evaluate the effectiveness of communications resources.</p>	<p>The Health Hotline first quarterly report will be end of September. The number has been widely publicised.</p>	<p>October 2009</p>	<p>from 2007 to 2010.</p> <p>7. The lack of a requirement for fiscal marking meant it was difficult to establish whether products originating outside the UK are contraband or not.</p> <p>8. Implementation of signage at outlets varied. Over 80% of outlets had a 'No Smoking' sign at their entrance whilst only 75% of outlets selling cigarettes had a sign about under age sales.</p>
<p><b>R 6</b> That the LBTH Trading Standards &amp; Environmental Health (Commercial) Service develops a business plan to demonstrate the time and effort involved in enforcement, education and support activities.</p>	<p>The smoke free action plan has been produced and good progress against targets has been made. In service monitoring is taking place every month and quarterly performance reports are being provided to the PCT for evaluation. Visits to business are on target and the development of a Smoke Free award for business is completed. With plans to have at least 30 businesses signed by the</p>	<p>October 2009</p>	<p>Action Plan for TS &amp; EH Com produced every year. 2009/10 plan produced March 2009</p> <p>Delivery of the smoke free action plan is largely on target.</p> <p><u>Notable issues</u></p> <p>1. Smoke Free award was launched in March 2009.</p>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
	<p>end of the year</p>	<p><b>Update – October 2009</b></p> <ol style="list-style-type: none"> <li>2. Businesses employing in total over 10000 staff and 762 smokers have been reached.</li> <li>3. 16 businesses received awards at the last award ceremony in June. 31 to receive awards in October making a total of 47 from the target of 80 set.</li> <li>4. A project targeting Bengali owned business for the business award is in progress with over 300 businesses visited so far with 19.</li> <li>5. Awareness campaigns for business estates in Canary Wharf and East India is ongoing with expansion into St Katherine's area.</li> <li>6. RSLs smokefree campaign has been reviewed and a new strategy developed. Fact sheet completed and database updated. Attendance at housing forums and tenants conferences carried out.</li> <li>7. The strategy for campaigns covering transport undertakings such as Minicabs, bus companies etc has been reviewed. Fact sheets and database has been completed.</li> <li>8. A programme of work has commenced to ensure that play parks are smoke free.</li> </ol>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

Recommendation	Response / Comments	Date
		<p><b>Update – October 2009</b></p> <p>9. Public smokefree events are gradually being responded to by events organisers. Advice and assistance sought by events organisers on smokefree issues are being responded to.</p> <p>10. An enforcement strategy has been developed with other enforcement units such as Noise Team, Planning, Fire Department, Licensing, Trading Standards and the police to deal with smokefree issues at commercial premises</p> <p>11. A shisha control strategy has been implemented with Trading Standards and the JET Police Team good results through fortnight visits with our enforcement partners. There are 24 shisha premises being monitored and 2 have been closed so far.</p> <p>12 A mapping exercise is being undertaken for chewing Tobacco in London with other Local Authorities.</p> <p>13 A programme of underage test purchases has begun with formal action being taken.</p> <p>14. Counterfeit and contraband Tobacco is being seized from premises and sellers in the markets.</p>

**Response to Health Scrutiny Review of Tobacco Cessation in Tower Hamlets – Appendix 11**

<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>	<b>Update – October 2009</b>
<p><b>R 7</b> That the Primary Care Trust introduce measures to ensure all health professionals working in hospital or community settings offer advice to change smoking habits and refer smokers to services to help them quit, whenever possible.</p>	<p>15 public health champions from the PCT provider unit have been trained and will champion tobacco cessation within their work areas. Training has been completed in the mental health unit with representatives from all wards. A member of staff has been appointed to develop skills within the borough's acute hospital and will commence a programme of training in October. All GP practice staff and community pharmacists have been trained. Dental practices have now been trained- Ophthalmic practitioners will start training in Jan 2009.</p>	<p>October 2008</p>	<p>Jan 2009 has commenced a project to ensure that all hospital based staff are trained to raise the issue of smoking and signpost to services</p> <p>Ophthalmologists have been commissioned from April 2009.</p> <p>83% of dental practices are commissioned.</p>
<p><b>R 8</b> That the PCT commission more Level 1 and Level 2 Smoking Cessation advisors and develop an action plan to re-energise inactive advisers.</p>	<p>All current advisers have been contacted and those not active have been released. A training review is under way and from Jan 2009 a new licensing system for advisers will begin</p> <p>Dental practices are now being trained- to complete by Dec 2008</p>	<p>October 2008</p>	<p>A training review is under way and from April 2009 a new licensing system for advisers will begin Training will re-start Jan 2010. This was delayed in order to incorporate new national guidance.</p> <p>Dental practice training completed</p>
<p><b>R 9</b> That the PCT commission more voluntary and community sector organisations including exploring options through the Tower Hamlets Partnership to deliver smoking cessation services.</p>	<p>PCT has been appointed to develop capacity and links within the community and third sector and to stimulate the market.</p>	<p>October 2008</p>	<p>Additional organisations have been commissioned from the voluntary and community sectors. These include Social Action for Health, Horn of Africa organisation and Quit. The Tobacco Alliance actively encourages</p>

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		<b>Update – October 2009</b> more third sector and community organisations to tender to provide services.

<b>Response to Scrutiny Working Group Report on Use of Consultants – Appendix 12</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
<p>R1 That the following criteria and definition of a consultant to be adopted across the Council. Consultants:</p> <ul style="list-style-type: none"> <li>• Have a defined work scope with deliverables</li> <li>• Often provide a report as an output that provides recommendations for further action but the consultant is not contracted to deliver at that time.</li> <li>• Have payment contingent upon completion of staged completion of the work</li> <li>• Do not act as staff members i.e. do not have Tower Hamlets e-mail addresses, phone numbers or desks.</li> <li>• May be able to provide a substitute to undertake the work</li> <li>• Are not in a templated position for the purposes of the Comensura contract – i.e. they do not relate to standard jobs within the Council, which could be provided by either permanent or temporary staff</li> <li>• Are contractually responsible for their outputs</li> <li>• Are liable for their own</li> </ul>	<p>The Contracting Toolkit, including guidance on commissioning of consultants, is currently in draft form.</p>	<p>October 2008</p>
		<p><b>Update – March 2009</b></p> <p>The Contracting toolkit is now nearing completion and is due to be launched before the end of April. This has a specific guidance on the procedures and techniques for appointing and working with consultants.</p>

<b>Response to Scrutiny Working Group Report on Use of Consultants – Appendix 12</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
		<b>Update – March 2009</b>
<p>performance and the content of their work</p> <p>R 2 That future work on the procurement strategy to include programme of activities to help disseminate and embed procurement related policies within the organisation, e.g. presentations at all Directorate Management Team meetings and officer training.</p>	<p>Development of the Procurement Strategy is on target.</p> <p>The Code of Practice has been issued for comments, and is currently being redrafted in the light of feedback.</p> <p>The restructure of the Procurement Service is proceeding according to plan.</p> <p>Tollgates are still in trial phase, but due for formal launch in October.</p> <p>Reference to consultancy contracts is included in the internal training courses, which run from September 2008.</p> <p>Development of Category Plans is dependent upon appointment of Category Managers following the restructure of the Procurement Service. These posts have been advertised in September 2008.</p>	<p>October 2008</p> <p>Presentations / consultation sessions covering the new Procurement Strategy and Procurement Rules are scheduled for March.</p>
<p>R 3 That financial reporting on procurement of consultancy services should clearly identify source of funding and ring-fenced funding such as Section 106 or Lottery Funds.</p>		<p>October 2008</p> <p>Category Manager for Corporate Services, with responsibility for consultancy services is now in place. A form designed for recording consultancy expenditure</p>

<b>Response to Scrutiny Working Group Report on Use of Consultants – Appendix 12</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
		<b>Update – March 2009</b> has been agreed and placed on the intranet.
R4 That targets for reducing expenditure on consultants should be highlighted as an objective in the Tower Hamlets Strategic Plan. The Corporate Management Team to set indicative targets and for progress to be reported back.	The authority spends relatively little on consultants (around 0.1% of total spend on average over recent years), and expenditure varies markedly from year to year. Often expenditure on consultants is the most effective way of delivering benefits to the community. It is proposed that, while GMT should monitor expenditure on consultants, setting a target may be counter-productive in the long run, and the focus should instead be on assurance that consultants are used in the right circumstances and their outputs are monitored and managed correctly.	October 2008
R5 That directorates review expenditure on consultants to assess the extent to which they are used and to establish a baseline for reviewing their use of consultants. Directorates should identify areas and set targets for reducing future spend in alignment with the Council's horizontal savings exercise.	Directorates are required to submit monthly reports to the Corporate Director of resources on their use of consultants. Directorate Management Teams review the use of consultants on a regular basis.	October 2008



<b>Response to Scrutiny Working Group Report on Use of Consultants – Appendix 12</b>		
<b>Recommendation</b>	<b>Response / Comments</b>	<b>Date</b>
R 6 That directorates should increasingly use internal secondments and graduate trainees for one-off projects, tying in with the corporate approach to developing staff.	To be included in Procurement Guidance referenced in R1	October 2008
R 7 That options should be explored to enable the corporate Consultation and Involvement team to become a gatekeeper for procuring external consultation services.	<p>The Best Value Review of Consultation and Involvement identified a number of recommendations to adopt good practice and rationalise the consultation and engagement activities across the Council, which are yet to be implemented. This is an opportunity to take forward these recommendations.</p> <p>1. Proposed consultation activities to be approved by the Participation and Engagement team and to develop and agree a set of guidelines detailing the approval process.</p> <p>In order to facilitate the gatekeeper role it is proposed that CMT nominate Consultation Leads in Directorates and for Partner Organisations to nominate lead participation staff within their organisations.</p> <p>2. To develop a shared resource for undertaking opinion research through the development of proposals with EPS</p>	<p>October 2008</p> <p>With changing central government guidance, this work will be considered as part of a larger review process of the Tower Hamlets Partnership staffing requirements which will take place during autumn 2009 (Sept 2009).</p> <p>In the meantime a participation strategy is being developed with all partners. (Sept 2009)</p> <p>The THP Executive have been asked for Leads in each area (Jan 2009).</p> <p>A new Partnership development of</p>
		<b>Update – March 2009</b> This is included in the toolkit, referred to in R1.

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	<p>CPAG.</p> <p>Options will be explored for greater shared working across Council Directorates. Any additional activities will need to be met through existing resource arrangements.</p> <p>A joint post is currently being explored with the PCT at the moment to coordinate activity with the PCT though not focused on training or delivery.</p>	<p><b>Update – March 2009</b></p> <p>a 'Roaming Unit' is being piloted in Feb / March. If successful, the unit will be a cost effective way of capturing public opinions. A new participation framework is currently out for consultation with partners.</p> <p>The THP are undertaking a shared Services Review which is being progressed by the THP Executive.</p> <p>The PCT have given an 'In Principle' agreement to fund a joint post. Final agreement will be gained by March 2009.</p> <p>This will be considered as part of the overall review of the Partnership (Set 2009)</p>

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

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