

Meeting of the

CABINET

Wednesday, 7 April 2010 at 5.30 p.m.

A G E N D A – SECTION ONE

VENUE

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

Members:

Councillor Lutfur Rahman (Chair)	– (Leader of the Council)
Councillor Joshua Peck (Vice-Chair)	– (Deputy Leader of the Council)
Councillor Ohid Ahmed	– (Lead Member, Resources and Performance)
Councillor Rofique U Ahmed	– (Lead Member, Culture and Leisure)
Councillor Abdul Asad	– (Lead Member, Children's Services)
Councillor Marc Francis	– (Lead Member, Housing and Development)
Councillor Rania Khan	– (Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Oliur Rahman	– (Lead Member, Employment and Skills)
Councillor Abdal Ullah	– (Lead Member, Cleaner, Safer, Greener)

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

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

Louise Fleming, Democratic Services,

Tel: 020 7364 4878, E-mail: louise.fleming@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

CABINET

WEDNESDAY, 7 APRIL 2010

5.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST (Pages 1 - 2)

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

**PAGE
NUMBER
3 - 24**

**WARD(S)
AFFECTED**

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Cabinet held on 10th March 2010.

4. DEPUTATIONS & PETITIONS

To receive any deputations or petitions.

5. OVERVIEW & SCRUTINY COMMITTEE

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

To receive any advice of key decisions in relation to the unrestricted business of the Cabinet, arising from the meeting of the Overview and Scrutiny Committee held on 6th April 2010.

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

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

Nil items.

UNRESTRICTED REPORTS FOR CONSIDERATION

6. A GREAT PLACE TO LIVE

- | | | |
|-------------|---|----------------|
| 6 .1 | Compulsory Purchase Action for 2 long-term vacant properties (CAB 136/090) | 25 - 34 |
|-------------|---|----------------|

7. A PROSPEROUS COMMUNITY

- | | | |
|-------------|---|----------------|
| 7 .1 | Wellington Primary School - Proposed Expansion (CAB 137/090) | 35 - 50 |
|-------------|---|----------------|

- | | | |
|-------------|--|----------------|
| 7 .2 | Children and Young People's Plan Annual Refresh 2010/11 (CAB 138/090) | 51 - 78 |
|-------------|--|----------------|

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|-------------|---|----------------|
| 7 .3 | Phoenix School - Proposed Addition of a Sixth Form (CAB 139/090) | 79 - 94 |
|-------------|---|----------------|

8. A SAFE AND SUPPORTIVE COMMUNITY

Nil items.

9. A HEALTHY COMMUNITY

- | | | |
|-------------|---|-----------------|
| 9 .1 | End of Life Care - responses to the recommendations of the Scrutiny Review Working Group (CAB 140/090) | 95 - 138 |
|-------------|---|-----------------|

- | | | |
|-------------|---|------------------|
| 9 .2 | Children, Schools and Families Contracts (CAB 141/090) | 139 - 164 |
|-------------|---|------------------|

10. ONE TOWER HAMLETS

- | | | |
|--------------|---|------------------|
| 10 .1 | Communities Localities and Culture Directorate Capital Programme 2010/11 (CAB 142/090) | 165 - 174 |
|--------------|---|------------------|

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil items.

13. EXCLUSION OF THE PRESS AND PUBLIC

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

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

EXEMPT/CONFIDENTIAL SECTION (PINK)

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

	PAGE NUMBER	WARD(S) AFFECTED
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14. OVERVIEW & SCRUTINY COMMITTEE

14 .1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.

To receive any advice of key decisions in relation to the restricted business of the Cabinet, arising from the meeting of the Overview and Scrutiny Committee held on 6th April 2010.

14 .2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

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

Nil items.

EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

15. A GREAT PLACE TO LIVE

15 .1 Compulsory Purchase Action for 2 long-term vacant properties (CAB 136A/090)

16. A PROSPEROUS COMMUNITY

Nil items.

17. A SAFE AND SUPPORTIVE COMMUNITY

Nil items.

18. A HEALTHY COMMUNITY

Nil items.

19. ONE TOWER HAMLETS

Nil items.

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

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

Nil items.

SCRUTINY PROCESS

The Overview and Scrutiny Committee, at its meeting on **Tuesday 8th June 2010** may scrutinise provisional decisions made in respect of any of the reports attached, if it is “called in” by **five** or more Councillors except where the decision involves a recommendation to full Council.

The deadline for “Call-in” is: Friday 16th April 2010 (5.00 p.m.)

The deadline for Deputations is: Wednesday 2nd June 2010 (5.00 p.m.)

Councillors wishing to “call-in” a provisional decision, or members of the public wishing to submit a deputation request, should contact:

John Williams
Service Head Democratic Services:
020 7364 4205

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

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

Declaration of interests for Members

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

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

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

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

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

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

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

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

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

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

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 10 MARCH 2010

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

Members Present:

Councillor Lutfur Rahman (Chair)	(Leader of the Council)
Councillor Ohid Ahmed	(Lead Member, Resources and Performance)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Abdul Asad	(Lead Member, Children's Services)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Rania Khan	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Oliur Rahman	(Lead Member, Employment and Skills)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Peter Golds	(Leader Conservative Group)
Councillor Waiseul Islam	

Others Present:

Laurie James	Care Quality Commission
John Wiltshire	Care Quality Commission

Officers Present:

Mohammed Ahad	– (Scrutiny Policy Officer)
Kate Bingham	– (Acting Service Head (Resources) Children Schools and Families)
John Chilton	– (Head of Parking Services, Communities Localities and Culture)
Deborah Cohen	– (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
Colin Cormack	– (Head of Homeless and Housing Advice Services, Older People & Homelessness, Adults Health & Wellbeing)
Thorsten Dreyer	– (Policy and Development Manager, Public Realm)
Jim Elliott	– (Lettings Policy Advisor, Development &

	Renewal)
Alan Finch	– (Service Head, Corporate Finance, Resources)
Stephanie Ford	– (Interim Performance Manager, Strategy & Performance, Chief Executive's)
Chris Holme	– (Service Head, Resources, Development & Renewal)
Lorrayne Johnson	– (Communications Officer, Corporate Communications)
Kevin Kewin	– (Policy Manager)
Paul Leeson	– (Finance Manager, Development & Renewal)
Alison Thomas	– (Private Sector and Affordable Housing Manager)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
Richard Parsons	– (Service Head Procurement and Corporate Programme, Resources)
Karen Sugars	– (Senior Manager Performance and Quality, Adult Health and Wellbeing)
Matthew Vaughan	– (Political Advisor to the Conservative Group)
Chris Worby	– (Service Head, Housing Regeneration, Development & Renewal)
Louise Fleming	– (Acting Executive Team Leader, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Sirajul Islam, Chair of the Overview and Scrutiny Committee.

Noted.

2. DECLARATIONS OF INTEREST

Councillor Abdul Asad, Lead Member Children Schools and Families, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090) and item 6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & Renewal Lead Capital Initiatives (CAB 126/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Tower Hamlets Homes. Councillor Asad's wife was employed by Tower Hamlets Homes.

Councillor Joshua Peck, Deputy Leader of the Council, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Gateway Housing Association, for which Councillor Peck was a board member.

Councillors Oliur Rahman, Lead Member Employment and Skills and Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, declared personal interests in item 6.6 The Termination of the Lease at Latham House (CAB 125/090). The declaration of interest was made on the basis that the site in question was situated with the Councillors' ward.

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in item 6.1 Poplar Baths Development Plans (CAB 120/090). The declaration of interest was made on the basis that Councillor Ahmed had been involved in campaigning for the development of Poplar Baths.

3. UNRESTRICTED MINUTES

The Chair **Moved** and it was

Resolved

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 10th February 2010 be approved and signed by the Chair, as a correct record of the proceedings.

4. DEPUTATIONS & PETITIONS

The Clerk advised that the Assistant Chief Executive had not received any requests for deputations or petitions in respect of business contained in the agenda.

5. OVERVIEW & SCRUTINY COMMITTEE

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

The Chair informed Members that Councillor Sirajul Islam, Chair of the Overview and Scrutiny Committee had Tabled:

- Sheet of questions and comments arising from the Overview and Scrutiny Committee held on 9th March 2010 in respect of item 6.1 Poplar Baths Development Plans (CAB 120/090).

The Chair **Moved** and it was

Resolved

That the questions and comments of the Overview and Scrutiny Committee be noted, and that these be given consideration during the Cabinet deliberation of the items of business to which the questions/ comments related.

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

The Clerk advised that no provisional decisions taken by the Cabinet at its meeting held on 10th February 2010 had been referred back to Cabinet by the Overview and Scrutiny Committee for further consideration.

6. A GREAT PLACE TO LIVE

6.1 Poplar Baths Development Plans (CAB 120/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in item 6.1 Poplar Baths Development Plans (CAB 120/090). The declaration of interest was made on the basis that Councillor Ahmed had been involved in campaigning for the development of Poplar Baths.

Councillor Rofique U Ahmed, Lead Member Culture and Leisure, introduced the report, which was then presented by Mr Stephen Halsey, Corporate Director Communities Localities and Culture, who outlined the salient points, in particular the risks and benefits of the options contained in the report.

Mr Halsey addressed the questions tabled by the Chair of the Overview and Scrutiny Committee as follows:

- It was stressed that Cabinet was not committing any revenue funds at this stage.
- It was anticipated that the revenue costs would be contained within the existing leisure management contract.
- Indicative running costs were based on standard industry assumptions. Detailed revenue modelling and visitor number estimates would take place with further detailed work.
- The Leisure Facilities Strategy modelled demand for swimming pools using a nationally recognised modelling tool which indicated that there would be no detrimental impact on other centres.
- The Leisure Facilities Strategy identified the need to provide additional swimming pool capacity in the east of the Borough. The Core Strategy also directed major leisure uses to town centres, with Chrisp Street being the main town centre for this part of the Borough.
- Significant developer contributions for leisure purposes had been identified but not yet earmarked. The Planning Contributions Panel would agree exact contributions in line with standard processes.

Members considered the alternative options set out in the report and set out below:

Provision of leisure facilities as part of Chrisp Street Regeneration

The Council had the option of including its land holding within the predominantly HARCA owned Chrisp Street town centre regeneration proposals, located immediately to the north of Poplar Baths.

Whilst proposals from two short listed developers were currently under consideration, it was clear that due to site constraints the inclusion of a leisure facility was unlikely to be achievable.

Inclusion of adjacent land holdings

The Council had in the past been in discussion with the adjoining landowners to bring forward the redevelopment of Poplar Baths within a wider comprehensive development since 2007. Possible sites included Poplar Fire Station, All Saints DLR Station and Balsam House. The option to extend the redevelopment area had been reviewed but rejected due to the additional level of complexity which would flow from the inclusion of adjacent land and the disparate land owners.

A discussion ensued, in which Members thanked the steering group and campaigners, particularly Sister Christine Frost and Lillian Collins for their hard work. The following points were made:

- There was a preference to put the new swimming pool in the existing hall. However, the downsides to this were acknowledged.
- Options 2a and 2b should be worked on further by officers to enable Members to see the details.
- There were concerns over new affordable housing fitting into the site.
- Any new development should not impact on the existing football pitch behind the site.
- It was acknowledged that there was a significant amount of work to be done. However the report was a testament to the hard work of all those involved and would ultimately have a benefit for the local community.

The Chair **Moved** and it was

Resolved:

1. That a preferred option for providing new leisure facilities in the east of Tower Hamlets with reference to officers' recommendations (Options 2a and 2b) as set out in the body of the report (CAB 120/090) be agreed;
2. That officers be directed to allocate sufficient resource from available developer contributions to cover the costs of the Poplar Baths restoration and leisure centre scheme development to RIBA ([Royal Institute of British Architects](#)) Design State D;

3. That it be agreed that the Corporate Director of Development & Renewal will develop the preferred option to RIBA Design Stage D, in line with paragraph 6.4.3 of the report (CAB 120/090);
4. That the Poplar Baths project be prioritised via the Council's capital bidding process;
5. That it be agreed that the Corporate Director of Development & Renewal will lead on the exploration of options for enabling development to cross-subsidise the delivery of a swimming pool in the east of Tower Hamlets;
6. That a capital estimate for commissioning Poplar Baths restoration and leisure centre design to RIBA Design Stage D for the preferred option, in line with the estimates at Appendix 4 of the report (CAB 120/090) be adopted;
7. That the risks yet to be quantified as summarised in part 11 of the report (CAB 120/090) and that therefore the costs and values set out in the report are indicative be noted;
8. That it be noted that the Corporate Director of Development & Renewal will bring back a further report to Cabinet upon completion of RIBA Stage D design work; and
9. That it be agreed that a communication strategy will be developed to engage residents in the re-development of Poplar Baths.

6.2 New Lettings Policy (CAB 121/090)

Councillor Marc Francis, Lead Member for Housing and Development introduced the report and outlined the salient points, in particular addressing the perceived unfairness highlighted in the scrutiny review and stressing that the new lettings policy would address the waiting lists. Further discussions were needed in respect of the proposals for Band 3 and it was proposed that authority be delegated to the Corporate Director Development and Renewal after consultation with the Lead Member and Leader of the Council for this purpose. It was intended that the Policy would go live in the Summer of 2010.

A discussion followed, in which Members welcomed the report and stressed the need to make residents aware of the procedure for appealing decisions. Members considered the alternative options set out in the report and set out below:

The Council is required by section 167 of the Housing Act 1996 to have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation. The Council was required to allocate housing in accordance with the allocation scheme. The Lettings Policy serves the function of an allocation scheme in Tower Hamlets. Given the concerns identified by the 2008 Scrutiny Working Group in relation to the existing

Lettings Policy which were accepted by Cabinet in December 2008 it was not considered appropriate to simply leave the Lettings Policy unchanged, which would be another available option. The most appropriate option was considered to be a thorough review of the existing policy, such as had been carried out, in order to produce a new policy that responded to the concerns identified. Specific concerns addressed by the new policy were: that the existing policy created an incentive to apply as homeless by placing these applicants in a higher band; that the existing policy gave insufficient recognition of the length of time applicants in housing need had been waiting on the Housing List; that the existing policy was difficult to understand and explain and was administratively too complex. The changes related to these factors in the new policy were addressed in detail in the main body of the report.

The Chair **Moved** and it was

Resolved:

That the new Lettings Policy attached to the report (CAB 121/090) as Appendix 1, be agreed subject to further discussions with the Corporate Director Development and Renewal, the Lead Member for Housing and Development and the Leader of the Council regarding the proposals for Band 3.

6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090)

Councillor Abdul Asad, Lead Member Children Schools and Families, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090) and item 6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & Renewal Lead Capital Initiatives (CAB 126/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Tower Hamlets Homes. Councillor Asad's wife was employed by Tower Hamlets Homes.

Councillor Joshua Peck, Deputy Leader of the Council, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Gateway Housing Association, for which Councillor Peck was a board member.

Ms Jackie Odunoye, Service Head Strategy Regeneration and Sustainability, presented the report and outlined the salient points contained in the report. Member considered alternative options as follows:

If the Council did not contract out its functions to RSL partners, the Council risked decisions taken under the CHR being open to challenge as set out in paragraph 3.4 and 5.1 of the report.

Dissolving the Tower Hamlets Common Housing Register was not a realistic option given the huge demand for housing in Tower Hamlets and the adverse impact it would have for the Council in meeting the housing needs of applicants on Tower Hamlets housing list and maximising housing opportunities available for borough residents, because the pool of available homes for letting would be significantly reduced. The CHR had been in operation for a number of years and the report and the recommendations contained therein clarified the decision made by Cabinet on the 1st of July 2009 making the contracting out of such function past, present and future, time specific for a maximum of 10 years from the Cabinet decision date.

The Chair **Moved** and it was

Resolved:

1. Authorise exercises of the Council's functions under Part 6 of the Housing Act 1996, as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996, for a period of 10 years (the actual period to be specified in the authorisation) with effect from the date of the Cabinet decision (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996), by, or by employees of, the RSL partners from time to time to the Common Housing Register, including but not limited to the following: Gateway Housing Association, Poplar HARCA, Spitalfields Housing Association, Tower Hamlets Community Housing, Swan London, Eastend Homes, Southern Housing Group, Island Homes, Old Ford Housing Association, Providence Row Housing Association, Family Mosaic, East Homes, Metropolitan Housing Trust, Mitali Housing Association, Toynbee Housing Association, Community Housing Association or their successors in title;
2. That all past exercises of the Council's functions under Part 6 of the Housing Act 1996 be ratified and/or authorised, for a specified period of 10 years preceding the date of the Cabinet decision, (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996) by, or by employees of, the RSL partners from time to time to the Common Housing Register, including but not limited to the following: Gateway Housing Association, Poplar HARCA, Spitalfields Housing Association, Tower Hamlets Community Housing, Swan London, Eastend Homes, Southern Housing Group, Island Homes, Old Ford Housing Association, Providence Row Housing Association, Family Mosaic, East Homes, Metropolitan Housing Trust, Mitali Housing Association, Toynbee Housing Association, Community Housing Association or their successors in title; and

3. That officers be authorised retrospectively to contract out the exercise of the Council's functions referred to in resolution 1 above.

6.4 Approval of policy for removal of vehicles from the highway and award of contract for the removal and disposal of vehicles service (CAB 123/090)

Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, presented the report and outlined the salient points, in particular stressing that the Council did not clamp vehicles, rather it towed abandoned vehicles instead. Any clamping in the Borough was carried out by private estates. Councillor Ullah highlighted that a grace period had been introduced in order to not unfairly penalise residents.

Member considered alternative options as follows:

Council decides to provide these services itself. The Council had no experience in providing vehicle removal services whereas there was an established commercial market for these (and similar) enforcement services.

The Council could cease providing vehicle removal services. This would mean a build up of abandoned vehicles in the Borough and leave the Council in breach of its obligations under the Refuse Disposal (Amenity) Act 1978. In addition, the Council would be unable to deal with the worst parking offences (i.e. those that create the greatest risk to safety or inconvenience to others) promptly. This would have particular consequences for the Council's parking suspensions service.

A discussion ensued in which Members welcomed the report and made the following points:

- There should be strict guidelines around taking copies of credit cards, due to the potential for fraud.
- The £400,000 of savings from the new contract were welcomed.
- The new policy would be fairer to residents and the grace period was welcomed.
- The Lead Member and officers involved in formulating the policy were thanked.

In response to Members' questions, Mr John Chilton, Head of Parking Services, advised that copies of credit cards should not be taken and that he would investigate any such incidences.

The Chair **Moved** and it was

Resolved:

1. That the Award of the Contract for the Removal and Disposal of Vehicles Service to NSL Limited for four years commencing 1 April 2010, subject to the conclusion of contractual formalities be agreed; and

2. That the draft policy statement governing the removal of vehicles be agreed.

6.5 Blackwall Reach Regeneration Procurement and Scheme Development (CAB 124/090)

Mr Chris Worby, Service Head Regeneration, presented the report and outlined the salient points. Councillor Marc Francis, Lead Member for Housing and Development, stressed that the proposals contained in the report were necessary at this stage in the regeneration. However, the Council should seek assurances that the Homes and Communities Agency (HCA) would bear any further cost of development.

Members considered that the alternative options involved delaying the project as without commitment at this stage the procurement and design process would not be fully funded and therefore 'Key Mile Stones' would not be achievable.

Mr Aman Dalvi, Corporate Director Development and Renewal, informed Members that the HCA had recently changed their procedures. However every effort had been made to not overspend. Any future spend would be discussed with the Lead Member and brought back to a future Cabinet meeting.

The Chair, in **Moving** the recommendations stressed the need to leave a degree of flexibility to ensure the progression of the scheme, and it was

Resolved:

1. That the current position towards procuring a partner/consortium to deliver the regeneration of the Blackwall Reach area be noted;
2. That the HCA's letter in respect of future funding and the provision of National Affordable Housing Programme (NAHP) social housing grant (SHG) be noted;
3. That it be noted that the decanting and demolition programme for Robin Hood Gardens is proposed to be undertaken in two phases, as indicated in the July 2009 Cabinet report, and that the decision to commence this process, is due to be taken concurrently with the completion of the procurement process within the appointment of the Development Consortium this autumn [Oct/Nov 10];
4. That it be agreed in principle that £1.05m be allocated to support this procurement and scheme development process jointly and in partnership with the HCA but note that as this will be met from the £13m of resources identified and agreed in the July Cabinet report;

5. That it be noted that a review of arrangements for financing and phasing the project will be identified prior to the decision to appoint a developer partner as outlined in paragraph 6.6 of the report (CAB 124/090);
6. That it be noted that there may be a need to identify additional resources at the time of determining the decision to proceed with the decanting and acquisition programme; and
7. That it be noted that any future spend should be discussed by the Lead Member, Housing and Development and brought back to a future Cabinet meeting.

6.6 The Termination of the Lease at Latham House (CAB 125/090)

Councillors Oliur Rahman, Lead Member Employment and Skills and Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, declared personal interests in item 6.6 The Termination of the Lease at Latham House (CAB 125/090). The declaration of interest was made on the basis that the site in question was situated with the Councillors' ward.

Councillor Marc Francis, Lead Member for Housing and Development, presented the report and outlined the salient points, including the recommendations which would address the unacceptable living conditions imposed by the current social landlord.

Members considered alternative options as follows:

The Council could have insisted that Family Mosaic return the block to the Council with vacant possession. However it was likely that Family Mosaic would be unable to rehouse the many of the tenants locally. Although Family Mosaic and Spitalfields were Common Housing Register Partners, recent experiences showed that decanting the block within one year would not be possible. In reality Family Mosaic would need to cease renewing the assured sheltered tenancies as they expired which would in turn lead to affected tenants approaching the Council for assistance via the homelessness route which would put pressure on the Homeless Service budget and potentially increase numbers in temporary accommodation. A limited number of households may be determined as 'not in priority need' and would receive no further assistance from the Council.

This option also has further negative consequences:

- Latham House could be squatted and/or vandalised whilst vacant
- Many households were housed in Latham House through the homelessness route. This option requires them to go through the process for a second time

- There would be a negative impact on the Homelessness Performance Indicators

Even when the Council had enforced the return of the block with vacant possession it would still be faced with decisions as to how/whether to refurbish it, whether to redevelop or sell it. There would be costs for each of the options; considerable additional revenue costs e.g. security and the loss, at least short term of 94 units of accommodation.

The Council could sell the block to Family Mosaic to continue to be used for affordable rent which would solve some of the issues raised by tenants. Family Mosaic is currently not interested in purchasing the block, due to the potential cost of decent homes works. This option would not solve the management problems and a number of other complaints listed in section 6.1.

The Council could work with Family Mosaic to either refurbish or redevelop the block. Both of these options would involve a full or at least partial decant and considerable disruption to the tenants. In order to make it financially viable and in order for Family Mosaic to apply for funding from the HCA it would almost certainly mean the block would have to be transferred to Family Mosaic. There would potentially be constraints to possible schemes because the block is in a conservation area. Neither scheme would be quick to deliver and therefore it is likely that the management issues would remain unresolved for the foreseeable future. In the current financial climate Family Mosaic is not interested in exploring this option.

Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, thanked the work of the Lead Member, Councillor Alibor Choudhury and the officers involved. Councillor Oliur Rahman, Lead Member Employment and Skills, echoed the comments made by Councillor Ullah and stressed that Family Mosaic had failed the residents. The proposals would ensure more accountability for those residents.

The Chair **Moved** and it was

Resolved:

1. That the 94 households within Latham House be accepted as secure or probationary tenants from 1st April 2010;
2. That the management of the block be transferred to Tower Hamlets Homes (THH). The property is identified on the map contained in Appendix 1 (CAB 125/090);
3. That the Corporate Director of Development and Renewal and the Assistant Chief Executive (Legal Services) be authorised to agree the appropriate amendment to the Management Agreement with THH; and
4. That the disposal of one vacant and non-decent street property namely 187 Swaton Road, London E3 4EP to Family Mosaic at a sum of £1 be agreed.

6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & renewal Lead Capital Initiatives (CAB 126/090)

Councillor Marc Francis, Lead Member Housing and Development, presented the report and outlined the major works proposed.

Members considered the alternative options as follows:

Schemes within the Housing Investment Programme were assessed by Tower Hamlets Homes in accordance with relative need, and were then prioritised. Although alternative schemes were feasible, they would not be adopted in accordance with the asset management strategy and would be contrary to the procedures applied to the Housing Investment Programme.

In respect of the Section 106 Health contributions, the process for the generation of Section 106 resources has been approved by the Strategic Development Committee.

On 30 July 2008 Cabinet agreed to ring-fence Local Authority Business Growth Initiative (LABGI) funding for business district / town centre regeneration as part of the "Resource Allocation and Budget Review 2009-10 to 2010-11." The proposals within this report meet this priority need. The funding was not a ring-fenced grant but the Council had already determined how it should be allocated.

A discussion ensued, in which Members welcomed the proposed works and made the following comments:

- Concern was expressed regarding compulsory changes to windows of leaseholder properties as it incurred additional costs and it was proposed that this be made optional.
- Reservation was expressed regarding the Buywell project and it was felt that this should be restricted to district centres, and only those shops where there was an identified lack of fruit and vegetables.
- It was also felt that the Health Trainers should be removed as they were not felt to be appropriate.

In response to Members' questions, Councillor Marc Francis advised that it was important for substandard windows to be replaced. Further detailed discussions with Tower Hamlets Homes would take place regarding lease agreements.

The Chair **Moved** and it was

Resolved:

1. That capital estimates for the 2010/11 financial year for all schemes set out in Appendix A of the report be adopted (CAB 126/090) and officers be authorised to progress those schemes;

2. That capital estimates for the Capitalisation of Voids (£1,500,000) and the funding of the Cash Incentive Scheme (£500,000) as outlined in paragraph 6.5 of the report (CAB 126/090) be adopted;
3. That a capital estimate of £250,000 to incorporate the “Provision of Secured-by-Design Front Entrance Doors to Tenanted Properties – Phase 2” within the 2009-10 Housing Capital Programme, as outlined in paragraph 7.1 and Appendix B of the report (CAB 126/090) be adopted;
4. That capital estimates for the award of Disabled Facilities Grants (£1,000,000) and Discretionary Private Sector Housing Grants (£850,000), subject to confirmation of available resources (paragraph 6.9 of the report (CAB 126/090)) be adopted;
5. That capital estimates of £1,610,000 in respect of the Section 106 Health Provision funding for the Dunbridge Street Health and Well-Being Centre, and £4,776,500 towards the financing of the St Andrew’s Health and Well-Being Centre be adopted; and
6. That the utilisation of £505,000 of available Local Authority Business Growth Initiative funds to finance the Town Centre management projects outlined in paragraph 7.3 of the report (CAB 126/090) and detailed in Appendix C be approved, and a capital estimate of £350,000 be adopted to enable the progression of the schemes, subject to the deletion of the Health Trainers scheme and the reduction of the Buywell Project to only shops within the 9 district centres, and only those shops where there is an identified lack of fruit and vegetables.

7. A PROSPEROUS COMMUNITY

7.1 Results of the Consultation on the 2011/12 Admission Arrangements for Tower Hamlets Community and Voluntary Controlled Schools (CAB 127/090)

Councillor Marc Francis, Lead Member for Housing and Development proposed an additional recommendation that officers in the Children Schools and Families directorate undertake more detailed modelling of the a priority area for primary school admissions in the North East of the Borough, to be considered from the 2012-13 school year.

Councillor Joshua Peck, Deputy Leader of the Council, asked that figures relating to the numbers of primary school age children affected by the lack of provision in Bow be circulated to Cabinet Members.

Ms Isobel Cattermole, Acting Corporate Director Children Schools and Families explained the growth proposals and undertook to circulate the requested figures to Members.

Members considered alternative options contained in the report and as follows:

The Council had legal duties to determine admission arrangements, to formulate a complying scheme for coordinating admission arrangements and to formulate a complying in-year scheme, as detailed in section 11 of the report. If Cabinet failed to take such action the Council would be acting contrary to law.

Consideration had been given to alternative admission arrangements as set out in the body of the report. The recommendations in the report had been prepared having regard to the need for arrangements that are clear, objective and fair. Any alternative action could lead to inequality and leave the Council open to legitimate complaint and legal challenge. If Cabinet wished to consider adoption of alternative arrangements, then regard would need to be had to the guidance provided in the report, particularly as to legal requirements.

The Chair **Moved** and it was

Resolved:

1. That the admission criteria for admission to primary and secondary schools in 2011/12 as set out at Appendix A of the report (CAB 127/090) be agreed;
2. That the co-ordinated schemes for admission to primary and secondary schools in 2011/12 as set out at Appendix B of the report (CAB 127/090) be agreed;
3. That the scheme for 'In-Year' Admissions for 2010/11 and 2011/12, which include the arrangements for In-Year Transfers purposes as set out at Appendix C of the report (CAB 127/090) be agreed;
4. That Tower Hamlets be agreed as the "relevant area" for admissions purposes as set out in paragraph 9.1 of the report (CAB 127/090);
5. That the planned admission number for each Tower Hamlets School in 2011/12 as set out at Appendix D of the report (CAB 127/090) be agreed; and
6. That officers in the Children Schools and Families directorate undertake more detailed modelling of the a priority area for primary school admissions in the North East of the Borough, to be considered from the 2012-13 school year.

8. A SAFE AND SUPPORTIVE COMMUNITY

8.1 Care Quality Commission Inspection of Adult Social Care (CAB 128/090)

Mr Laurie James, of the Care Quality Commission, presented the report and outlined the findings and recommendations contained therein. He thanked all the officers involved for their cooperation and effective engagement. Mr James highlighted the areas for improvement and advised that the Council was performing excellently overall and showed good prospects for the future.

Members welcomed the report and its findings in particular the recognition of the Council's priority to care for Older People in the Borough. The Cabinet was required to consider the findings and recommendations set out in the Inspection Report. The Council was also required to complete an action plan setting out how it would respond to the inspection report. Therefore there were no other options considered.

Ms Helen Taylor, Acting Corporate Director Adult Health and Wellbeing advised Members that the inspection had been a rigorous one and that it had been a useful learning exercise. Many of the recommendations contained in the report of the Care Quality Commission had already been progressed. It was anticipated that the next inspection would result in the Council being awarded excellent status.

The Chair, in **Moving** the recommendations, thanked the Inspector for his presentation and all involved in the report.

Resolved:

1. The findings and recommendations set out in the Inspection Report following the Inspection of Adults Social Care by the Care Quality Commission be noted; and
2. That the programme of work to address the recommendations in Appendix 1 of the report (CAB 128/090) be agreed.

9. A HEALTHY COMMUNITY

9.1 Children, Schools & Families Contracts (CAB 129/090)

Noted that the item had been withdrawn and would be considered at the next meeting.

10. ONE TOWER HAMLETS

10.1 Local Area Agreement Refresh (CAB 130/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. Members considered the alternative options contained in the report and set out below:

The Council would not be fulfilling its statutory obligations if it did not update its LAA in response to central government requirements, including by ensuring that all designated indicators, such as NIs 146 and 150, have targets attached.

The Council could opt to refuse central government's invitation to renegotiate its affordable homes delivery and benefit related targets in the light of the economic downturn. The Council could also refuse central government's proposal to remove teenage pregnancy from reward grant calculations. All of these options would be likely to result in the Council receiving less LAA reward grant.

The Chair **Moved** and it was

Resolved:

1. That the Local Area Agreement attached as appendix A to the report (CAB 130/090) be endorsed;
2. That the Chief Executive, after consultation with the Leader of the Council be authorised to make appropriate and necessary amendments to the LAA in advance of final submission and publication; and
3. That the Chief Executive, after consultation with the Leader of the Council be authorised, to prepare the revision proposal for submission to the Secretary of State.

10.2 Contracts Forward Plan (CAB 131/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. Members considered the alternative options contained in the report and set out below:

The principal alternative to a consolidated report would be for each contract to be reported separately, which would be demanding upon Cabinet time, with no discernible benefit.

A brief discussion ensued, in which Members asked questions relating to the support in place for small businesses within the Borough and outlined the

areas which should receive further detailed investigation and consideration by Cabinet as follows:

- i. DR3192 Blackwall Reach Project
- ii. H2981 Ocean Estate Developer Partner
- iii. H3190 THH Repairs and Maintenance
- iv. R3207 Main Construction Contractor Framework; and
- v. R3209 Minor Works and Repairs Framework

The Chair **Moved** and it was

Resolved:

2. That the contract summary at Appendix 1 of the report (CAB 131/090) be noted and identify those contracts about which specific reports should be brought before Cabinet prior to contract award as follows:
 - i. DR3192 Blackwall Reach Project
 - ii. H2981 Ocean Estate Developer Partner
 - iii. H3190 THH Repairs and Maintenance
 - iv. R3207 Main Construction Contractor Framework; and
 - v. R3209 Minor Works and Repairs Framework; and
2. That the proposed contract awards listed in paragraph 8.1 of the report (CAB 131/090) be agreed.

10.3 Strategic Plan 2009/10-11/12: Year 2 Action Plan; and Outline Plan (CAB 132/090)

Councillor Oliur Rahman, Lead Member Employment and Skills, condemned the recent Islamophobic comments made against the Council which had emerged in the media; which were in opposition to the spirit of One Tower Hamlets.

Members considered the alternative options contained in the report and as follows:

Cabinet might choose not to adopt the Strategic Plan. However, the Strategic Plan is part of the corporate business planning cycle. Cabinet approval of the Year 2 Action Plan 2010/11 in March would ensure that the corporate business planning cycle was synchronised and that the development of Directorate and Team Plans took place in a coherent framework which supports the delivery of Council priorities.

Cabinet could choose to agree the Strategic Plan in altered form. If Cabinet wished to alter the Strategic Plan, regard would need to be given to the constraints expressed in the report, including the Community Plan objectives.

Mr Kevan Collins, Chief Executive, reminded Members that the Strategic Plan would come back before Members for consideration at Cabinet in June 2010.

The Chair **Moved** and it was

Resolved:

1. That the Council's Strategic Plan 2009/10-11/12: Year 2 Action Plan and the Outline Plan be agreed; and
2. That the Chief Executive be authorised to make appropriate and necessary amendments to the Strategic Plan 2009/10-11/12: Year 2 Action Plan and the Outline Plan prior to publication.

10.4 2009/10 Capital Programme: Capital Monitoring Report as at 31st December 2009 (Q3) (CAB 133/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. As the report was for noting only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the contents of the report (CAB 134/090) be noted.

10.5 Performance and Corporate Revenue Budget Monitoring Report 2009/10 (CAB 134/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. As the report was for noting only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the performance information set out in the report be (CAB 134/090) noted as follows:

- The performance against targets for the first quarter; and
- The actions to be taken in 2009/10 to contain spending within budget.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil Items.

12. UNRESTRICTED REPORTS FOR INFORMATION**12.1 Exercise of Corporate Directors' Discretions (CAB 135/090)**

As the report was for information only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the exercise of Corporate Directors' discretions as set out in Appendix 1 of the report (CAB 136/090) be noted.

13. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no Section Two business (business containing information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972. There was therefore no requirement to exclude the press and public, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, to allow for consideration of such business prior to the conclusion of the meeting.

14. OVERVIEW & SCRUTINY COMMITTEE**14.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.**

Nil Items.

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

Nil Items.

15. A GREAT PLACE TO LIVE

Nil Items.

16. A PROSPEROUS COMMUNITY

Nil Items.

17. A SAFE AND SUPPORTIVE COMMUNITY

Nil Items.

18. A HEALTHY COMMUNITY

Nil Items.

19. ONE TOWER HAMLETS

Nil Items.

20. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil Items.

21. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil Items.

The meeting ended at 7.00 p.m.

Chair, Councillor Lutfur Rahman
Cabinet

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Agenda Item 6.1

Committee/Meeting: Cabinet	Date: 7 th April 2010	Classification: Unrestricted	Report No: CAB 136/090
Report of: Corporate Director Development & Renewal Originating officer(s) Charlotte Ward Empty Property & Compulsory Purchase Officer		Title: Compulsory Purchase Action for 2 long-term vacant properties Wards Affected: Bow East Ward	

Lead Member	Councillor Marc Francis
Community Plan Theme	A Great Place to Live
Strategic Priority	To deliver and manage decent homes

1. **SUMMARY**

- 1.1 This report seeks Cabinet approval to initiate formal compulsory purchase action on 2 privately owned vacant properties as part of Tower Hamlets Private Sector Housing Renewal and Empty Properties Policy Framework 2004 –2007. These 2 properties have been vacant for several years and are derelict.
- 1.2 Consent is also sought to subsequently dispose of the properties on the open market.
- 1.3 The aim of the Private Sector Housing Renewal and Empty Properties Policy Framework is to ensure that private sector residents have a safe, decent and affordable home suitable to their needs. One of the objectives is to reduce the number of private sector empty properties, and where possible bring them up to the decent homes standard and make them available for occupation.
- 1.4 Tower Hamlets records show that there are about 200 long-term empty privately-owned properties in the Borough. These dwellings could provide homes for families, key workers and other local residents. In addition to being a wasted housing resource, many are also local eyesores adversely affecting the local environment. Long term empty properties often attract vandalism, fly tipping and squatting. Empty properties must therefore be regarded as a major factor in regeneration and economic stability.

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Agree that the land and buildings as identified on the plan attached at Appendix 1, be made the subject of a Compulsory Purchase Order (CPO) under the provisions of Section 17 of the Housing Act 1985 for the purpose of providing housing accommodation;
- 2.2 Authorise the Assistant Chief Executive (Legal) to take all necessary steps to:
 - (a) make and obtain confirmation of the Compulsory Purchase Order
 - (b) obtain possession of the properties and land following confirmation
 - (c) complete the acquisition of the properties and land and effect immediate disposal in line with the Council's strategic regeneration objectives;
- 2.3 Adopt a capital estimate within the Housing Investment Programme for 2011-12 to allow the purchase by the Authority of the Freehold interests in the properties. The amount of capital inclusive of legal costs and possible interest payments is shown in the restricted appendix 3;
- 2.4 Authorise the Corporate Director of Development & Renewal to enter into negotiations to acquire the two properties by agreement failing which a CPO will be made. The properties will then be sold on the open market with prospective purchasers entering into a binding legal agreement to renovate the properties and bring them back into residential use;
- 2.5 Agree that the resources generated from the sale of the properties will then be used to regenerate the local area by bringing empty properties back into circulation. They will therefore be 100% usable. The receipts will then be earmarked from the Local Priorities Programme to retrospectively fund the purchase of the properties cited in Paragraph 2.1 above.

3. REASONS FOR THE DECISIONS

- 3.1 The Council's community plan is 'to improve the quality of life for everyone living and working in Tower Hamlets'. One of the 4 themes to support this vision is for Tower Hamlets to be 'a great place to live'. The need to reduce the number of vacant properties and the number of properties which are derelict is integral to that objective.
- 3.2 Tower Hamlets' 2009/12 housing strategy sets out how the council intends to help deliver more and better housing for Tower Hamlets' residents. One of the key strategic priorities is to 'deliver and manage decent homes.' To reduce the number of empty private sector properties, and where possible bring them up to the Decent Homes Standard supports this key strategic priority.
- 3.3 The justification and basis for intervention relating to empty properties are set out in the Council's Private Sector Housing Renewal and Empty Properties

Policy Framework. This framework sets out 3 stages to achieve the aim to re-use empty dwellings. The first is to identify and establish ownership and prioritise the properties for action. The second is to enable the owners to bring the property back into use by providing advice and offering grants. The third is to enforce the refurbishment and reoccupation of the property by using CPOs. This third stage is a last resort and is only triggered after exhaustive attempts by the officer to encourage the owner to bring the property back into use have failed. The framework states that empty properties 'are a major wasted housing resource, losing potential income for both the owner and the community at large. Many are local eyesores adversely affecting the local environment. Long term empty properties often attract vandalism, fly tipping and squatting.'

4. ALTERNATIVE OPTIONS

- 4.1 No Action - It is believed that without the Council's intervention the properties will remain derelict and unused.
- 4.2 Enabling and Encouragement – Council officers have been in contact with the owners since 2004. There have been exhaustive attempts to enable and encourage the owners but unfortunately the properties remain unoccupied and derelict.

5. BACKGROUND

- 5.1 Cabinet approval was given for CPOs of three privately owned vacant properties in 2005. Following Cabinet approval an application was made to the Secretary of State and the Order was confirmed for all three properties on 6th March 2007. All three properties are now renovated and occupied. These CPOs were successful in bringing back into use these difficult to deal with long term derelict properties and the environment in these otherwise popular residential areas has been greatly improved. The Council is also in the process of making a compulsory purchase order for 3 other empty properties in the borough, which was endorsed by Cabinet on 30th July 2008.
- 5.2 The properties that are to be the subject of the proposed CPO have been vacant for over 8 years. They are in the Fairfield Road Conservation Area and are both Locally Listed Buildings. They have been squatted and are in a derelict condition. Council officers have received many complaints about the condition of these properties.
- 5.3 There is graffiti on the walls and windows, some windows have been blocked up with breeze blocks and there is glazing missing on other windows. The woodwork and masonry are in disrepair and the paint is peeling off.

- 5.4 The properties are jointly owned and there has been some dispute between the parties. As a result these properties have been vacant and left to deteriorate over recent years. There have been many letters and telephone calls made to the family and their solicitors. Unfortunately while these properties remain in joint ownership there does not appear to be any reasonable prospect that they will be brought back into use by the current owners. Unless the Council intervenes, these properties are likely to deteriorate further and remain vacant.

6. BODY OF REPORT

6.1 The Main Issues for Consideration

The main issues to consider are whether this action would improve the quality of life for people living near these properties, and whether it would contribute to making Tower Hamlets a great place to live. Also consideration must be given to whether this action would result in a reduction in the number of empty homes and provide decent housing in the Borough, which is a strategic priority of the 2009/12 Housing Strategy. Finally consideration must be given to whether the Council is justified in taking this action which depends on whether the owners have been given advice and encouragement, and if the Council can justify moving to the last resort of compulsory purchase action.

6.2 Description of Properties

These properties each have two stories plus a mansard and a basement. Both properties have an identical layout and have 2 rooms on each floor. An external photograph is shown in restricted appendix 2 and a location map is in appendix 1.

6.3 Correspondence with the Owners

The details about the Council's dealings with the owners of these properties are contained in restricted appendix 2. If the owners decide to renovate the properties while the Council is making the compulsory purchase order they will be offered an undertaking agreement, which will enable them time to renovate the properties and bring them back into use without losing their property. The condition of the undertaking agreement will be that the works are completed within an agreed timescale.

6.4 Conclusion to the Case

These properties have been vacant for at least 8 years and they are both derelict. The Council has received several complaints from members of the public about the state of the properties. Unless the Council intervenes, they are likely to remain unimproved and vacant. The neighbourhood is likely to suffer the blight associated with vacant properties. The Council's website states it will consider the compulsory purchase of long-term derelict and

vacant properties. Empty properties are often an eyesore and a potential hazard, with the risks of fire, flood, vandalism and squatting. The policy also states it is keen to ensure that all empty properties are repaired, as necessary, so that they can be used again and re-inhabited. This action will assist in reducing housing needs and property blight in the borough.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report seeks approval to commence compulsory purchase order proceedings in respect of two derelict properties in Fairfield Road and to adopt a capital estimate to include the purchase costs and the associated acquisition and subsequent open market disposal charges. The amount of the capital estimate is shown in the restricted appendix 3.
- 7.2 The compulsory purchase order will be implemented should the Council be unsuccessful in its efforts to seek renovation of the properties under their existing ownership. Arranging for these procedures to be put in place now will reduce any subsequent delays that will arise if agreements cannot be reached with the current owners.
- 7.3 It is intended that the purchase costs of the properties (see the estimated value in the restricted appendix 3) will be recovered upon resale although this will be subject to market conditions. Resale is deemed to be the most cost-effective way forward for these particular properties. The resources generated from the sale of the properties will effectively be being used to regenerate the local area by acting as a trigger to bring these empty houses back into use. The receipts will therefore be 100% usable.
- 7.4 In order for the Compulsory Purchase Order to progress, it must be incorporated into the Housing Capital Programme, and an appropriate capital estimate adopted. The purchase will be funded through the resources generated from the eventual sale of the properties. Due to the significant statutory notice period, it is not anticipated that the proposed purchase of these properties will take place before 2011-12, but provision must be incorporated into that and subsequent year's capital programmes, with an on-going first call on resources until the receipt is realised.
- 7.5 Paragraph 2.5 of the report requests that Members approve that the subsequent receipts are earmarked and applied retrospectively within the Local Priorities Programme to fund the purchase of the properties.
- 7.6 It is anticipated that the acquisition and subsequent disposal will take place within the same financial year. If these dates straddle different financial years arrangements will be put in place to ensure that the repurchase is 'forward funded'. There is a risk, in the current market, that sale receipts will not meet purchase costs, and it must be noted that any balance of expenditure not recovered through the sale of the properties will need to be funded from the realignment of existing capital resources within the Housing Capital Programme. If a shortfall in the funding recovered does arise, it is

possible that the Authority will be eligible for grant funding from the East London Renewal Partnership to finance the net cost. Officers are investigating this possibility.

- 7.7 Although the cost of all officer time involved in the CPO process will be contained within existing budgets, there are likely to be additional revenue costs pending disposal, e.g. ensuring that the properties are secure. Officers will investigate the possibility of offsetting any additional costs against the receipt once it is realised.
- 7.8 If agreed, this scheme, and its financing, will be incorporated within the five year Housing Investment Programme report that will be submitted to Cabinet in the summer of 2010.

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

- 8.1 Statutory powers exist to acquire land in which the Council has no legal title for Housing purposes under section 17 Housing Act 1985. If contested the case might take 18 months and a Public Inquiry may be held. It will always be possible for the Council and an owner to enter into a negotiated agreement to bring a property back into use at any stage of the compulsory purchase procedure prior to notice to treat or vesting under a general vesting order.
- 8.2 There is a risk that the price of the properties could fluctuate during the acquisition process. The statutory date of valuation is the date of entry onto the land after having served a notice of entry or on vesting at the end of the acquisition process.
- 8.3 If the CPO is authorised by the Council, the Council through its Officers are authorised to enter into a written agreement, if appropriate, whereby if the land owner does not object to the CPO and they undertake to get the property repaired and occupied within an agreed time, the Council will agree not to take action to take steps to obtain the property by compulsory purchase order within the period specified in such agreement.
- 8.4 A compulsory purchase order of a dwelling interferes with the Human Rights of the property owner under Article 8 of the European Convention (right to a home) (if they live there) and also breaches the right to property under Article 1 of the First Protocol to the Convention. It is necessary to judge if these breaches are justifiable.
- 8.5 The Human Rights Act and the Convention makes clear that such breaches can be justified if the gain for the public interest is sufficient; the public gain must be proportionate to, or exceed the individual loss. European case law establishes that the English system of proper regard to objection and fair compensation is proportionate and lawful, provided there is a good case for the CPO in the public interest. In general if the public interest case is well founded the human rights test will be met in English cases. Exceptional

circumstances may need individual consideration. However at present none are known

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 If these buildings can be renovated it will deliver significant improvements to the neighbouring area. It will improve the physical environment and increase the communities' pride in their local environment.
- 9.2 One Tower Hamlets is about reducing the inequalities and poverty that we see around us, strengthening cohesion and making sure our communities continue to live well together. A key theme in the Tower Hamlets Community Plan is that of A Great Place to Live. The Community Plan states that: "A Great Place to Live reflects our aspiration that Tower Hamlets should be a place where people enjoy living, working and studying and take pride in belonging". Pride in the local environment may serve to bring communities together across ages and backgrounds. Also the preservation and enhancement of buildings of historic interest may make a significant contribution to the local environment and how people feel about Tower Hamlets.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 All renovation works undertaken by the new owners will have to be carried out in accordance with Building Regulations, which promote energy efficiency in buildings and ensure the quality of the built environment. Both properties will benefit from windows being fitted (or repaired) and other repairs carried out to the roofs and structure which will improve thermal insulation.
- 10.2 Carrying out repairs to the structure and fabric of these historic buildings will extend their lives and facilitate their ongoing use; such use/reuse of existing resources is an inherently sustainable outcome. Moreover the scheme brings substantial benefits to the local environment in terms of the appearance of the streetscape.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 Members are advised that the risks of taking CPO action are far less than the considerable disadvantage to the community by not taking action. There are three main risks to the Borough: -
- (A) That acquisition of the properties may prove more expensive than budgeted.
- (B) There is a potential financial risk to the Council if disposal is not effected in terms of capital resources being tied up.

- (C) That the Compulsory Purchase Order process may take longer than anticipated especially if there is a lengthy appeal. This may lead to a further deterioration of the properties.

	Probability	Impact	Mitigating Action	Risk Owner
A	Medium	Medium	It is essential that the properties involved be disposed of as soon after acquisition as possible so that the value of them has not changed due to a change in their condition or to a change in the property market.	LBTH, Housing Development Team.
B	Medium	High	It is our intention to identify the estate agent that we will use before we acquire the properties. This enables the Council to make the properties available for sale as soon as possible after acquisition.	LBTH, Housing Development Team.
C	Medium	Medium	It will be necessary for the Assistant Chief Executive (Legal) to ensure that all the legal processes are carried out in accordance with the Council's procedure and the requirements of the Housing Act 1985. All necessary documents must be provided to support the Council's application to the Secretary of State to avoid delays.	LBTH, Housing Development Team.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 These properties have been illegally occupied by squatters in the past and there is a risk that illegal occupation could occur again. Illegal occupation can often lead to anti-social behaviour, drug taking, criminal damage, arson, flytipping etc
- 12.2 If these properties were to become renovated and brought back into use the probability of illegal occupation, anti-social behaviour, and other criminal activity would be substantially reduced.

13. EFFICIENCY STATEMENT

- 13.1 The Council will instruct the District Valuer to carry out a valuation on the date of acquisition and the owners will be invited to have their own valuer

carry out a valuation. The two parties will attempt to agree on a value between them which accurately reflects the market price of the properties.

- 13.2 The aim will be to dispose of the properties as soon as possible after acquisition to reduce the possibility of any change in value. This would mean that the expenditure used to purchase the properties would be recycled as it would be returned to the Council when the properties are sold.
- 13.3 Any contractors used to carry out works to the property after acquisition, such as changing the locks, securing the property and any necessary tidying up to facilitate viewings, would be procured according to the Councils guidance to ensure that the costs are competitive.

14. APPENDICES

In the restricted part there are the following appendices:

Appendix 1- Map showing location of the properties

Appendix 2- Description and history of the properties including photographs

Appendix 3- Value of Site

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

None

Not applicable

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Agenda Item 7.1

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 137/090
Report of: Acting Corporate Director, Children, Schools & Families Originating officer(s) Pat Watson, Head of Building Development		Title: Wellington Primary School – Proposed Expansion Wards Affected: Mile End East	

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

1. SUMMARY

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

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Agree that statutory proposals should be published for the enlargement of Wellington Primary School to admit 60 pupils in each year from September 2011;
- 2.3 Subject to recommendation 2.2, approve the adoption of a capital estimate of £2.901m for the expansion of Wellington Primary School and that the Acting Corporate Director, Children, Schools & Families is authorised to accept the contract sum negotiated with Tower Hamlets Schools Ltd for this project.

3. REASONS FOR THE DECISIONS

- 3.1 Proposals have been developed to expand Wellington Primary School to assist in the LA's programme to provide primary school places to meet growing local need. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposed expansion, the response to the initial consultation and

the recommendation that statutory proposals for the expansion should be published. The publication of statutory proposals is required in order to implement this change to the school.

4. ALTERNATIVE OPTIONS

- 4.1 In order to meet the rising need for school places, the Council has implemented a number of school expansion projects and continues to develop further schemes to meet need. Longer term development plans for the borough include proposals for new primary schools. However, further expansion proposals are needed to keep pace with the need, so taking no action would leave the Council at risk of being unable to discharge its statutory functions. The options for expansion have been considered having regard to the factors set out in paragraphs 6.8 to 6.11 of the report.

5. BACKGROUND

- 5.1 Wellington Primary School is in Wellington Way, E3. At present it admits 45 pupils in each year group (1 ½ forms of entry) and has a maximum capacity of 315 pupils, plus a nursery class. There is a rising need for primary school places in the borough. The greatest pressure for admission to primary schools is being experienced in the central and eastern areas of the borough. The Local Authority has to ensure that there are sufficient school places available to meet the needs of the population.
- 5.2 A number of school sites have been investigated for their capacity to expand to accommodate more pupils. Wellington School has been identified as having the potential to expand.
- 5.3 Preliminary consultation has taken place on the proposal to expand the school. The feedback from this consultation supported the proposals. This report gives details of the consultation and the action that is now required to publish proposals formally.

6. BODY OF REPORT

Decision-making on school expansion proposals

- 6.1 There is a statutory framework for implementing certain alterations to schools, including enlargements, as in this case. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community schools, the Local Authority (LA) can propose certain alterations, including enlargements.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (usually four weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation.

- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.
- 6.4 The timetable for the process is shown in paragraph 6, taking into account the legal requirements of the consultation and decision-making process.

THE NEED FOR ADDITIONAL PRIMARY SCHOOL PLACES

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

	Current places available
Reception	3161
Total R-Y6	22127

	January 2009 actual roll	January 2012 projected roll
Reception	3043	3247
Total R-Y6	20187	21248

- 6.7 The pattern for many years has been that reception and lower year groups in schools are filled at or near capacity and upper years tend to have some unfilled places. This reflects some movement out of the borough by families as their children grow up. However, the LA has to plan for meeting the numbers of children needing reception class places.

IDENTIFICATION OF POTENTIAL SITES FOR EXPANSION

- 6.8 The Local Development Framework indicated that some new primary schools are likely to be required, even after allowing for some schools which are not now completely full and that some schools could be expanded on their existing sites. In managing the best use of its assets and the available finance, the LA has first considered which of the existing school sites could be expanded. Proposals have been or are being implemented to expand Manorfield, Ben Jonson, Arnhem Wharf and Marner Primary Schools.
- 6.9 In identifying potential sites for expansion, the following factors have been considered:
- the physical capacity of the existing site and buildings to be expanded;

- the location of the school – is it in an area where the need is rising;
 - the practical implications of the scheme – can it be implemented with an acceptable level of disruption to the school;
- 6.10 In addition to the above factors, in taking the decision to proceed with the proposals at any site, the LA will consider the strength of the individual school, its popularity and success, and its capacity to adapt to the increase in size.
- 6.11 Having regard to all these factors, expansion at Wellington School is considered the best option as set out below. Whilst other schools may also be expanded, none of the alternatives to Wellington School were as suitable having regard to the various factors.

Wellington School

- 6.12 The potential for Wellington School to expand was identified and some initial work to assess the proposal was carried out. The governing body discussed the initial proposal and agreed to work with the LA to develop the proposal further and to consider the implications for the school and the neighbourhood. The proposal will enable significant improvements to the school's accommodation and solve some existing shortfall of accommodation to support the curriculum. When completed, this will mean that the temporary classrooms in the playground will no longer be needed.
- 6.13 The plans include providing new classrooms and new multi-purpose rooms, extra toilets and improvements to the early years area; new facilities for pupils with special education needs; and a parents' room. A lift will be installed to allow access for people with disabilities. There will be a new office with secure entrance lobby and enhanced staff facilities, including a new, larger staff room and a work preparation room. Because of the need to carefully plan the works to manage the impact on the running of the school, the works will be phased over an extended period of time.
- 6.14 The building scheme seeks to ensure that principles of sustainability are central to the design and this is reflected in the proposed use of materials. The whole scheme and construction method will fall within the requirements of BREEAM with the intention of seeking a minimum rating of good.
- 6.15 The governing body has agreed to the scheme designed. The governing body has responded positively to the proposal in recognising the benefits that the increased size will offer to the school. The scheme will provide improved facilities for pupils and staff and the enhanced budget and staffing levels will allow greater curriculum flexibility and range of offer, and enhanced career prospects for staff in the larger school.
- 6.16 The increased roll will take effect over 7 years as additional children are admitted. This will allow the school to introduce management changes over time to accommodate the increase, eg. changes to lunchtime arrangements. The school also plans to develop the external play areas so that better use can be made of the available space and support the increase in numbers.

Financial Implications

- 6.17 Capital funding to implement this scheme is available within the Children, Schools & Families capital programme from within the allocation of the LA's

capital funding from the DCSF (Department for Children, Schools & Families) specifically for the provision of additional school places.

- 6.18 The proposed profile of expenditure is shown below. It is recommended that a capital estimate of £2,901,000 is adopted for this project and expenditure authorised.

	2010/11	2011/12	2012/13	TOTAL
New pupil places	£1,175,000	£1,536,000	£30,000	£2,741,000
School contribution	£ 160,000	£ 0	£ 0	£160,000
Total	£ 1,335,000	£1,536,000	£ 30,000	£ 2,901,000

- 6.19 Additional revenue finding will be provided to the school through the LA's funding formula.

Implementation of the Expansion

- 6.20 It is proposed that the increase should take effect from the school year 2011/12 subject to the approval of the statutory proposals. This means that the first increased year group of 45 will be admitted in September 2011.
- 6.21 It is proposed to admit the extra pupils to the school at reception year only until all year groups are full to three forms of entry. This will mean that the school has time to gradually adapt to the increase in size and introduce any new management arrangements as the pupil numbers increase.

CONSULTATION

- 6.22 The initial consultation period was from 1 February to 5 March. The proposed building design was on display in the school for parents and children to see. Pupils were consulted about the proposals. A copy of the consultation paper issued is included as Appendix A. The consultation paper was sent to:
- all parents and carers of children now at Wellington School
 - all staff at Wellington School
 - all governors of Wellington School
 - all headteachers and chairs of governors of primary schools in Tower Hamlets
 - all councillors in Tower Hamlets
 - local MPs
 - the London Boroughs of Newham and Hackney
 - the London Diocesan Board for Schools and the Westminster Diocese Education Service
 - local trades unions
- 6.23 Consultation meetings were held to discuss the proposals with parents.
- 6.24 The overall response to the proposed expansion of the school was positive. The consultation paper included a form to return and the analysis of those returned is as follows:

Received from	For	Against	Not sure
Parents	55	1	0
Staff	13	2	0
Others	6	0	0

6.25 Two well-attended parents' meetings were held at the school. The response from parents who attended these meetings was positive and they welcomed the proposal to invest in the school and generally saw this as something positive for their children. At the parents' meetings there were questions and discussion on a number of issues which were responded to by the LA officers and the headteacher in the meetings:

- impact on the playground
- how will the school be affected by the works on site
- will there be more staff

The consultation that has been conducted complies with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Secretary of State's guidance on consultation.

FURTHER ACTION NOW PROPOSED

6.26 The outcome of the consultation has been reviewed and it is clear that there is support for the proposal in the local community. Officers are continuing to work with the Headteacher and governing body to plan the details of the building works scheme and the implementation of the works. A planning application is to be submitted by 26 February.

6.27 The Cabinet is recommended to agree to publication of statutory proposals for the expansion of Wellington School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the four week period.

6.28 As referred to above, after the statutory representation period, there will be a further report to Cabinet. This will include details of any comments made during the representation period. Cabinet will be asked to take account of these and the detail of the report in reaching a decision on whether to proceed to implement the proposals. An appeal against the decision can be made to the Schools Adjudicator by the Roman Catholic or Church of England Diocese, or the governing body of the school concerned. If the Council is unable to reach a decision on the proposals within two months of the end of the representation period, they have to be referred to the Schools Adjudicator.

6.29 The timetable for the process is set out below:

Initial consultation	1 February – 5 March 2010
Cabinet receives a report on the consultation and decides on publishing formal statutory	7 April 2010

proposals	
Statutory proposals published with 4 weeks allowed for comments	17 May – 11 June 2010
Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Building works commence	Summer 2010
Additional pupils admitted to Reception year	September 2011

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

Capital funding

- 7.1 As indicated above in the table in paragraph 6.17, £2.901m has been identified from capital funding for new school places and from a school contribution to meet the capital costs of this project.

Revenue funding

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

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

- 8.1. Section 19 of the Education and Inspections Act 2006 provides that where a local authority proposes to make prescribed alterations to a maintained school, it must publish its proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations") specify what alterations made by local authorities are prescribed alterations and specify the procedure to be followed when publishing and determining such proposals. The enlargement of a school's premises so as to increase the school's capacity by: (a) more than 30 pupils; and (b) 25% or 200 pupils (whichever is the lesser) is a prescribed alteration. The proposal here is to increase the total capacity of a community school by one third (105 pupils) and so the proposal is prescribed and the procedure in the Prescribed Alterations Regulations must be followed.
- 8.2. The Prescribed Alterations Regulations require the Council to follow a two stage process involving consultation prior to publication of a proposal, followed (assuming the Council wishes to proceed) by publication of the proposal. The consultation must include prescribed persons. The Council is required to have regard to the Secretary of State's guidance as to consultation on proposals. The guidance recommends that the consultation allows adequate time, provides sufficient information for those being consulted to

form a considered view and makes clear how the views can be made known. Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals. The report states that consultation complies with the requirements of the Regulations and guidance and so the Council is in a position to determine whether to publish a proposal.

- 8.3. The Prescribed Alterations Regulations prescribe what information must be specified in a proposal and how it should be publicised. The proposal should be published within a reasonable timeframe following consultation so that it is informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some other conspicuous place in the area served by the school (eg. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations otherwise it may be judged invalid.
- 8.4. In compliance with section 151 of the Local Government Act 1972, the Council has in place Financial Regulations and Financial Procedures. The Financial Regulations set a threshold of £250,000, above which Cabinet approval is required for a capital estimate. The Financial Procedures supplement this requirement. In accordance with Financial Procedure FP 3.3, senior managers are required to proceed with projects only when there is a capital estimate adopted and adequate capital resources have been identified. Where the estimate is over £250,000 the approval of the adoption of that capital estimate must be sought from the Cabinet.
- 8.5. There is no legal impediment to approval of the estimate proposed in the report, as the proposed expansion is capable of being carried out within the Council's statutory functions. It will be for officers to ensure that the project continues to be carried out in accordance with legal requirements.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1. The Local Authority has a key role in planning service provision to ensure there are sufficient school places to meet local need. The proposals to expand the school are part of this planning process to ensure access to education. The works to the schools will include provision of a lift and improved accessibility and will thus have a positive effect in respect of equalities and diversity.
- 9.2. Strategies to raise educational attainment, including ensuring sufficient school places, support students in a successful period of statutory education and then moving into employment

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1. The design of the building and materials proposed to be used have taken account of sustainability and energy efficiency. Cladding products

have been chosen that offer significant energy saving values; insulation products that have an approved environmental profile; and timber from certified sustainable sources. The aim will be to ensure the building is sustainable in its operation and raw energy usage, waste and effect on the environment.

- 10.2. The design must comply with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency. To conserve biodiversity it is also proposed to include a grassed sedum roof which it is hoped will encourage bird life and become a natural habitat for insects.

11. **RISK MANAGEMENT IMPLICATIONS**

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

12. **CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1. There are no specific implications arising.

13. **EFFICIENCY STATEMENT**

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

14. **APPENDICES**

Appendix 1 – Consultation document

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

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
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none

LB TOWER HAMLETS

CONSULTATION ON PROPOSALS TO EXPAND WELLINGTON PRIMARY SCHOOL

Introduction

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

Consultation Process

This paper is being sent to:

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

This consultation period runs from 1 February to 5 March 2010. A form is included at the end of this paper for the return of your views. Two meetings for parents will be held at the school to hear about the proposals and let us know your views. The meetings will be held on:

10 February at 9.00 am
23 February at 2.45 pm

Why are more school places needed?

In Tower Hamlets there has recently been considerable development to provide new homes and this is anticipated to continue for some time. The London Mayor's Plan proposed that 42,000 new homes would be built in Tower Hamlets over a period of

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

In 2009 there were 21,187 children on roll of our primary schools and there is a total of 21,917 primary school places in the borough. Our projections show that by 2011 - 2012 the need for places will exceed the existing capacity. This means that Council has to plan now to provide extra school places. It is already the case that some children living in the eastern part of the borough are not able to gain admission to their nearest primary school and have to travel to other areas of the borough.

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

Wellington School

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

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

Expanding the school will bring additional resources to the school, so that the range of opportunities for children will be enhanced. In addition there will be more teaching and support staff and increased professional development opportunities for existing staff.

The building plans for the school

The building plans for the school to accommodate the increased roll have been drawn up in close cooperation with the Headteacher and governors. The building plans are on display in the school during the consultation period.

At the same time as increasing the school places, the plans will improve some of the school's existing accommodation and when completed, this will mean that the temporary classrooms in the playground will no longer be needed.

The plans include providing new classrooms and new multi-purpose rooms, extra toilets and improvements to the early years area; new facilities for pupils with special education needs; and a parents' room. A lift will be installed to allow access for people with disabilities. There will be a new office with secure entrance lobby and enhanced staff facilities, including a new, larger staff room and a work preparation room. Because of the need to carefully plan the works to manage the impact on the running of the school, the works will be phased over an extended period of time.

The existing school does not have a generous play area. However, the removal of the existing temporary teaching accommodation will free up some additional playground. The footprint of the new build areas has been kept to a minimum and options of bringing in to use some under used outside areas are being discussed with the school.

Size of the increase in roll

The school now has 45 places in each year group with a nursery. Under the new proposals, there will be 60 places in each year and a nursery. The total school roll over time will eventually be 420, plus the nursery. There will be no change to the admissions arrangements to the school.

How will the increase take effect

The extra children will be admitted to the school in Reception year only, so that the full increase will arise after 7 years. Additional children will not be admitted above the total of 45 for a year group where 45 was the original year group number. (However, there may be admissions where there are vacancies in any year group). So that the disruption to the school during the building works to provide the new teaching accommodation is kept to the minimum, the works will be done in a phases but the additional accommodation for all the extra children will be in place before the school fills up to its new total roll.

Effect on children now at the school

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

Other expansion proposals in the area

The Council is considering other options for schools where it may be possible to expand. Consultation on proposals will take place as they are developed. The eastern part of the borough is one of the areas where the highest levels of new

housing are anticipated and it is likely that a new primary school will eventually be built.

Timing

This consultation runs from 1 February to 5 March 2010. The timetable for consultation and taking decisions following this stage of consultation is:

Initial consultation	1 February to 5 March 2010
The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	7 April 2010
Statutory proposals published with 4 weeks allowed for comments	17 May 2010 to 11 June 2010
The Council's Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Building works commence	Summer 2010
Additional pupils admitted to Reception year	September 2011

Next steps

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

There will be parents' meetings at the school on 10 February at 9.00 am and on 23 February at 2.45 pm – we hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

WELLINGTON PRIMARY SCHOOL

CONSULTATION ON THE PROPOSED EXPANSION OF WELLINGTON SCHOOL

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

Other comments

NAME	
PARENT, GOVERNOR, OTHER (please state)	
DATE	

Please return this page by 5 March 2010 to:

The school office; or

Pat Watson, Head of Building Development, Children's Services, Town Hall,
Mulberry Place, 5 Clove Crescent, E14 2BG, or

e-mail to: pat.watson@towerhamlets.gov.uk

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Agenda Item 7.2

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 138/090
Report of: Corporate Director Children, Schools and Families Originating officer(s) Layla Richards, Service Manager Strategy		Title: Children and Young People's Plan Refresh 2010-11 Wards Affected: All	

Lead Member	Cllr Abdul Asad, Lead Member Children, Schools and Families
Community Plan Theme	All Community Plan themes
Strategic Priority	<ul style="list-style-type: none"> • 1.1: Reduce inequalities and foster strong community cohesion • 1.2: Working efficiently and effectively as One Council • 2.2: Strengthen and connect communities • 2.4: Improve the environment and tackle climate change • 3.1: Support lifelong learning opportunities for all • 3.2: Reduce worklessness • 4.1: Empower older and vulnerable people and support families • 4.2: Tackle and prevent crime • 4.3: Focus on early intervention • 5.1: Reduce differences in people's health and promote healthy lifestyles • 5.2: Support mental health services to improve mental health

1. SUMMARY

- 1.1 In 2009 a three-year Children and Young People's Plan (CYPP) was agreed by all partners in the Children and Families' Trust. This report presents the 'refresh' of the CYPP actions for the second year of the plan, 2010-11. The draft actions can be found at appendix 1.

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Agree the revised CYPP actions at appendix 1;
- 2.2 Authorise the Corporate Director Children, Schools and Families, after consultation with the Lead Member for Children, Schools and Families and Children and Families' Trust, to make appropriate amendments to the CYPP ahead of publication.

3. REASONS FOR THE DECISIONS

- 3.1 The CYPP is an important element of the reforms underpinned by the Children Act 2004 which states that local authorities should produce a single,

strategic, overarching plan for all services affecting children and young people every three years. Alongside this, the 2009 guidance issued by the Department for Children, Schools and Families (DCSF) states that the CYPP should be reviewed each year unless the local authority is publishing a new plan.

- 3.2 In 2009 Tower Hamlets produced a three-year CYPP to 2012. We are therefore required to review the plan as it moves into its second year of implementation.

4. ALTERNATIVE OPTIONS

- 4.1 As set out above, there is a requirement on local authorities to produce a single, strategic overarching plan for all services affecting children and young people and to review this annually. As addressed in paragraph 6.4 of the report, the new set of priorities selected for the second year of the plan reflect the areas where the Council still needs to make progress, fulfil its statutory duties and deliver on Community Plan objectives.

5. BACKGROUND

- 5.1 Tower Hamlets' CYPP sets out a vision that partners in the Tower Hamlets Partnership want to achieve for children, young people and families in the borough. The borough's second three-year plan was approved by Cabinet on 11 March 2009 and by full Council on 22 April 2009 – this replaced the first three year plan (2006-2009) and was much more focused on areas where greater improvement was still needed to improve outcomes across the Every Child Matters (ECM) themes.

- 5.2 The CYPP is 'owned' by the Children and Families' Trust, one of the borough's Community Plan Delivery Groups (CPDG). The CYPP is monitored and delivered through the Children and Families' Trust and sets the commissioning framework within which partners will work to ensure delivery of services to improve outcomes for children, young people and families in Tower Hamlets. Monitoring of activities and indicators is undertaken throughout the year by the Children and Families' Trust and the theme groups.

- 5.3 Detailed needs analysis and extensive consultation informed the development of the priorities in the current three-year CYPP. Consultation was carried out with children, young people and families as well as those who deliver services for children. The consultation fulfilled all statutory requirements as set out in The Children and Young People's Plan Regulations 2005.

6. CYPP REFRESH 2010-11

- 6.1 Like the existing three-year CYPP 2009-2012, the draft refresh for 2010-11 does not attempt to cover all the activity taking place in Children's Services and partner agencies. Instead it focuses on the areas where greater

- improvement is required to improve outcomes for children, young people and their families.
- 6.2 The three cross-cutting priorities from the three-year plan remain the same: tackling child poverty, engaging the community and supporting families. It also contains a localisation section which focuses on priorities specific to paired Local Area Partnerships.
- 6.3 The CYPP was written last year as a three-year plan taking into account analysis of need and extensive consultation. As a result, we neither want nor need to change it wholesale – instead the refresh for 2010-11 has been treated as an opportunity to review priorities and re-focus activity where appropriate.
- 6.4 In the main, priorities have remained consistent across the themes. Our cross-cutting priorities also remain as they were in the original plan. However, where changes have been made this is to ensure we are complying with statutory functions and reflecting recent developments and national policy. In some cases activities included in the original plan have now been completed and replaced with new actions. The new activities will enable the Children and Families' Trust to deliver Community Plan objectives.
- 6.5 Appendix 1 contains the proposed new actions for 2010-11 and highlights any changes from the original three year plan. However, since much of the background information in the three-year plan still applies for 2010-11 this is not contained within appendix 1.
- 6.6 All changes to actions and their associated targets for 2010-11 will be updated in the online version of the CYPP. This will be available on the Children and Families' Trust website www.childrenandfamiliestrust.co.uk.
- 6.7 The plan will continue to be delivered through the Tower Hamlets Partnership and the Children and Families' Trust. An end of year progress review for 2009-10 will also be reported to Members later this year.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 The Children and Young People's Plan sets out how resources will be used to meet service needs and priorities. This report, however, is not seeking any additional resources and the plans will be implemented and managed within budget approvals.

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

- 8.1 Section 17 of the Children Act 2004 enabled the secretary of state to make regulations in respect of the preparation and review by Local Authorities of children and young people's plans.

- 8.2 Pursuant to paragraph 3 of the Children and Young People's Plan Regulations 2005, a Local Authority is required to publish a Children and Young People's plan. Tower Hamlets' initial CYPP was published in 2006 for the period 2006-2009, pursuant to the regulations. The second CYPP was adopted in 2009.
- 8.3 Pursuant to paragraph 8 of the 2005 Regulations a Local Authority will review its plan in each year it is not required to publish a plan. The attached report represents the first annual review of the 2009-2012 plan being the first year of that plan and a refresh of proposed actions for the coming year.
- 8.4 The actions proposed in the 'refresh' are consistent with the Local Authority's duties and powers as set out in part 2 of the Children Act 2004.
- 8.5 As a Local Authority with a "four star" children's service, Tower Hamlets is exempted from the requirement of the 2005 Regulations to publish and review a CYPP. This does not preclude Tower Hamlets from publishing a CYPP.

9. ONE TOWER HAMLETS CONSIDERATIONS

Reduce inequalities

- 9.1 The CYPP specifically addresses how equalities will be promoted and sets out how outcomes will be improved for all children and young people. The plan considers the following groups at risk of social exclusion:
- (i) Children from BME communities
 - (ii) Children and young people in public care
 - (iii) Children with disabilities
 - (iv) Children with mental health problems
 - (v) Teenage parents
 - (vi) Underperforming groups e.g. white boys

The CYPP also identifies tackling child poverty as a cross-cutting priority and activities to both tackle and mitigate the effects of poverty run throughout the plan.

Ensure strong community cohesion

- 9.2 The CYPP contains a number of activities to promote community cohesion. A specific priority and actions to promote and support community cohesion among children and young people were included in the Make a Positive Contribution section of the plan.

Strengthen community leadership

- 9.3 The Make a Positive Contribution section of the plan contains specific activities to increase the participation of children and young people in decision-making and public life. In addition, the plan contains specific actions

to strengthen partnership working through the Children and Families' Trust infrastructure.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 Addressing sustainability issues through Building Schools for the Future and Primary Strategy for Change, for example, are picked up in the plan. The Excellent Children's Services section of the plan also includes a new action to implement the Carbon Management Plan and thereby reduce carbon emissions generated by the school estate.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 We have a statutory duty to publish a CYPP every three years and have therefore met our legal requirements in producing a plan to 2012. A robust programme management approach has been adopted to ensure risks to delivering actions are identified and addressed early by the theme groups.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 The Make a Positive Contribution section of the CYPP makes specific reference to activities to reduce crime while one of the priorities in Stay Safe is focused on protecting children and young people from harm and enabling them to feel safe in their local area.

13. EFFICIENCY STATEMENT

- 13.1 Through clearer prioritisation in the CYPP, we are able to better align resources against the delivery of priorities therefore maximising their impact. Performance data and progress monitoring is used by theme groups in developing their priorities.

14. APPENDICES

Appendix 1 – Draft Children and Young People's Plan Refresh 2010-11

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

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

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APPENDIX 1

CHILDREN AND YOUNG PEOPLE'S PLAN REFRESH 2010-11 [updates to actions for the second year of the plan]

1. Introduction

In 2009 the Tower Hamlets Partnership agreed a new three-year Children and Young People's Plan to 2012. Heading into the second year of the plan activities have been reviewed to ensure they are the right things on which to focus during 2010-11, the second year of the plan.

New actions have therefore been developed following the framework of the original three-year plan. They are also framed by our three cross-cutting themes which run throughout the Children and Young People's plan:

- Tackling child poverty;
- Engaging with the community;
- Supporting families.

The following sections look at five big priorities in each of the Every Child Matters areas¹ and what we'll do *differently* to address them over the next three year. The cross-cutting themes can be easily identified where the colour of the font corresponds with the colours above.

This plan focuses on the key issues where we haven't yet made the impact that our children and young people deserve.

Detailed delivery plans for each Every Child Matter theme along with a full consultation report and needs analysis can be found at www.childrenandfamiliestrust.co.uk

[All statistics in this document and on the website to be updated and checked for accuracy prior to publication in April 2010]

¹ Be Healthy; Stay Safe; Enjoy and Achieve; Make a Positive Contribution; Achieve Economic Wellbeing as well as Excellent Children's Services

2. Be Healthy

Vision

We want our children and young people to be healthy in body and mind.

This means investing in effective and culturally appropriate health services for all children, young people and their families, especially those from more vulnerable groups. Early identification and intervention will also form an important part of our service delivery.

Turning the vision into reality

The following are our top 5 'Be Healthy' priorities and what we'll do *differently*.

PRIORITY 1: Slow down and reverse the long-term rise in obesity among children and young people

Tackling childhood obesity remains a key priority for the Children and Families' Trust – while latest data shows that obesity levels in five year olds have decreased, amongst our eleven year olds levels they have continued to rise. We are now one year into the Healthy Borough programme and are piloting innovative approaches to tackling the wider environmental and social causes of obesity. In the second year of the plan we will:

- Provide increased opportunities for regular physical activity including walking, cycling, active play, leisure, sport and dance, through 'Healthy Schools' and community initiatives
- Increase the availability of healthier food choices in Children's Centres, schools, leisure and community centres, shops, cafes, restaurants and take-aways through incentive and award schemes and explore the possibility of limiting the locations at which fast food outlets can open
- Build health into existing and new parenting programmes to boost skills, knowledge, confidence and influence home environments
- Further improve our targeted and specialist provision to support children and families with identified weight management needs, making sure that we are making a seamless offer that includes some school-based services and reaches as many people as possible

PRIORITY 2: Support the health needs of children and young people by ensuring they are able to access effective support, information and advice in appropriate settings

We know that where and how young people access health services is important to them. Our priorities are consistent with those in the original three-year plan, but we have identified one new priority which will mean services being delivered in more accessible settings in the borough. In the second year of the plan we will:

- Act on identified hidden pockets of drug and alcohol misuse in different communities educating target groups of young people in school as well as their parents and focusing our work on those at risk

- Prevent young people from taking up smoking by enforcing the law on underage sales of cigarettes and further extending peer-led approaches to smoking prevention
- Develop and begin to implement a clear joint strategy on delivering services in more accessible settings within the community, such as Children's Centres, school and GP surgeries
- **Build on the success of the ASPIRE project, offering individual support to more of the most vulnerable young women, at risk of becoming pregnant**
Ensure that services in community sexual health clinics continue to be well-adapted to the needs of young people, building on work to redesign their offer

PRIORITY 3: Support parents and families better in giving children the best, healthiest start in life

Early intervention and parental engagement are crucial to improving health, as well as economic and social outcomes, for both parents and their children. A new focus for the second year of the plan is to develop an improved school nursing service linking into community health networks and GPs. In the second year of the plan we will:

- Strengthen and deliver improvements to our maternity services and continue to work with targeted community groups to provide tailored outreach support and improve user engagement
- Use the learning from the Family Nurse Partnership and other programmes to develop a better-differentiated approach to Health Visiting so that the families most in need get the support
- Identify children who have not been immunised and develop systems to ensure that all children who miss their immunisations are followed up, alongside targeted campaigns to raise awareness of the importance of immunisation amongst parents in communities with the lowest uptake
- Develop, with schools, clear proposals for improving the school nursing service, including a structure which supports schools that want to buy additional school nursing support; and clear links to community health networks and GPs
- Consolidate the implementation of the Healthy Child Programme – a universal preventative services providing families with a programme of screening, immunisation and health and development reviews, supplemented by advice around health, wellbeing and parenting

PRIORITY 4: Improve access to care for children and young people with disabilities through a coordinated, multi-agency approach

This remains an area where we know we need to make improvements. There are also recommendations from recent reviews which we need to act on. In the second year of the plan we will:

- Expand the hours that the Children's Community Nursing Team operate, moving towards a seven day service
- Deliver more short breaks for children and families, using newly-established provision
- Implement the recommendations of the recent reviews of services for disabled children (including the Weir Review and the Transformation Project) so that

we are providing better services more efficiently and effectively for disabled children, including those with less severe problems who fall outside of the Integrated Service for Disabled Children

- Improve services related to the transition between children's and adult health and social services

PRIORITY 5: Support children and young people to be mentally and emotionally healthy

This was highlighted by young people as their top health priority when we developed the original three-year plan. We know it's still an issue and that we need to improve access to mental health services for children and young people. In the second year of the plan we will:

- Develop clearer links and referral routes from universal programmes like SEAL through to targeted and specialist programmes, including good outreach services
- Deliver and then mainstream a successful Targeted Mental Health in Schools programme, focusing on key areas of need for Tower Hamlets
- Implement the findings of the current review of provision to support emotional health and well being, to ensure we have effective and accessible provision that meets need, and clear and positive outcomes

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Be Healthy will be available on the website]

3. Stay Safe

Vision

We want our children and young people to grow up free from harm, fear and prejudice.

This means ensuring that children and young people are effectively safeguarded from the risk of harm and neglect, reducing the involvement of young people in crime, both as victim and perpetrator, and protecting young people from bullying and harassment.

Turning the vision into reality

The following are our top 5 'Stay Safe' priorities and what we'll do *differently*.

PRIORITY 1: Protect children and young people from harm and support them to feel safe and confident in their area and beyond

We need to ensure that all of our children and young people are protected from harm, both at home and out and about in the borough. New areas of focus are the development of a Family Wellbeing Model and concentrated effort to reduce social worker caseloads. In the second year of the plan we will:

- Sustain the visibility of police and enforcement teams, creating an environment that feels safer, particularly in crime and anti-social behaviour hotspots
- Implement an e-strategy which will put in place safeguarding measures to protect children and young people from the potential dangers of the digital world
- **Develop and implement a Family Wellbeing Model, which gives a clear and swift pathway from identifying an issue to effective action, and shift the focus from assessment to effective action by developing a 'risk and intervention toolkit'**
- Improve social care caseloads by managing demand for social work interventions, carrying them out more quickly and effectively, and by recruiting more social workers

PRIORITY 2: Significantly reduce bullying

Bullying is still a concern for too many of our children and young people. In the second year of the plan we will:

- Support those schools with inadequate anti-bullying policies and practice to ensure that all schools reach the standard set by Tower Hamlets
- Run the electronic bullying survey in all secondary schools and half of primary schools to ensure that pupil opinions are incorporated into plans to tackle bullying

PRIORITY 3: Protect children and young people from the risk of sexual exploitation

Although this only affects a small group of children and young people in the borough, it's an extremely important issue that needs to be tackled quickly and effectively. In the second year of the plan we will:

- Act on the research into the potential risk of sexual exploitation of children and young people in Tower Hamlets
- Lead a coordinated multi-agency response to improve the protection of children and young people at risk, recognising the crucial role schools have to play in this

PRIORITY 4: Support parents and families to provide a safe environment where children and young people thrive and achieve their full potential

Early intervention and prevention is really important in ensuring children and young people thrive. We continue to put those families at risk at the centre of planning and service delivery. In the second year of the plan we will:

- Implement our Young Carers Strategy, ensuring that young carers in the borough are accessing the services they need
- Deliver more targeted support to the most vulnerable families – those with children who are not accessing the opportunities available to them, particularly those who are at risk of putting the family at the centre of service planning and delivery
- Roll out the Baby Family Intervention Programme, a pre birth intervention and support service for families in need, implementing lessons learned during the pilot to ensure its improvement and link into the Family Nurse Partnership

PRIORITY 5: Ensure that Looked after Children live in stable environments

Reducing the number of children and young people in care and ensuring that Looked After Children live in stable environments remains a priority. In the second year of the plan we will:

- Roll out the fostering training programme to children's services staff and foster carers. The training helps foster families to manage challenging behaviour thus improving the stability of placements
- Respond to what young people in care have told us they need and make sure they have more face-to-face contact with their social workers
- Reduce the number of children in care, and dramatically improve the stability of their placements

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Stay Safe will be available on the website]

4. Enjoy and Achieve

Vision

We want our children and young people and their families to grow up enjoying life, feeling proud of where they live and what they have achieved.

This means raising aspirations as well as investing in high quality provision for children, young people and their families so that they are supported to excel, providing first class schools and settings for our children and young people and an excellent range of learning, leisure, play and cultural opportunities for families.

Turning the vision into reality

The following are our top 5 'Enjoy and Achieve' priorities and what we'll do *differently*.

PRIORITY 1: Develop a broader, more creative and engaging curriculum which will inspire our children and young people

A curriculum that captures the imagination of our children and young people will raise their aspirations, develop a wide range of skills and enable them to fulfil their potential. In the second year of the plan we will:

- Develop creative and interactive curricular resources linked to sport and the Olympic and Paralympic Games
- Develop a cultural offer for all children, young people and their families which is reflected in the curriculum, maximising the opportunities Tower Hamlets will have as part of the national Find Your Talent programme
- Maximise the opportunities brought by Building Schools for the Future, Primary Strategy for Change and greater Extended Services in schools; providing different learning environments, addressing sustainability issues, and embedding ICT throughout the curriculum

PRIORITY 2: Ensure that all of our children and young people have high aspirations and a positive attitude to learning

We need to ensure that we provide different avenues for learning and address the needs of particular groups of learners. A new focus this year is on Quality First Teaching across all stages of schooling. In the second year of the plan we will:

- Raise the aspirations of teachers, pupils and their parents by further developing and embedding personalised learning, making sure that all schools are using assessment for learning effectively
- Use evidence based research to develop innovative practice, ensuring all students see themselves as leading their own learning, and supporting others to learn
- Address the needs of vulnerable groups (for example young carers, Somali children, white boys, young people from low income families, children whose families are in temporary accommodation and young people leaving home) and address their specific needs using cross agency expertise and mentoring opportunities

- Ensure a focus on developing Quality First Teaching for all pupils, groups of pupils and individual pupils across all stages of schooling

PRIORITY 3: Accelerate the achievement and progress of all our children and young people

Retaining our rigorous focus on standards and ensuring all groups of children and young people are making sufficient progress and reaching their full potential is a key priority. In the second year of the plan we will:

- Make sure that all of our schools and services are assessing pupils' progress effectively, from the start of the early years foundation stage through to beyond 16; the information from which will feed into a smarter, borough-wide data system on pupils' progress and attainment
- **Identify the lowest achieving 20% of pupils, target evidence based intervention and extended school support appropriately, and rigorously track each pupil's progress**
- Develop the speaking and listening skills of pupils to drive literacy attainment (particularly in writing) at all key stages

PRIORITY 4: Better support children and young people at key points of change in their lives

We know that with the right support vulnerable children and young people can deal positively with key transition points in their lives to achieve their potential – we need to ensure that the right support is delivered every time. In the second year of the plan we will:

- Use ICT to continuously support children and young people through key transition stages, to ensure that information and support does not “get lost” along the way
- Adopt more creative approaches to exploring transition issues, for example using the mediums of sport; art; drama; music; peer support, paying particular attention to children with additional needs
- **Develop specific transition programmes to support the move from primary to secondary school and into compulsory post-16 education, addressing universal, targeted and specialist needs**

PRIORITY 5: Provide a learning, play and cultural offer for families

Providing increased opportunities for families to enjoy and achieve together remains a priority. In the second year of the plan we will:

- **Expand parental engagement and learning programmes in secondary schools to enable parents and carers to develop their skills and learn with their children**
- **Provide incentives for families with young children to engage with their local Children's Centre and become involved in activities that support their child's development**
- Secure access to a rich cultural offer for families through the Find Your Talent programme

- Provide more opportunities for play through the play Strategy and Fair Play Pathfinder Programme

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Enjoy and Achieve will be available on the website]

5. Make a Positive Contribution

Vision

We want our children and young people to grow up understanding differences, confident and courageous about the future, able and willing to make a positive contribution to a strong and cohesive community.

This means encouraging young people in constructive and law abiding activities, and actively involving children, young people and their families from all walks of life in decision making.

Turning the vision into reality

The following are our top 5 'Make a Positive Contribution' priorities and what we'll do differently.

PRIORITY 1: Extend children and young people's influence in decision making

Our Young Mayor programme has been very successful and we need to continue to build on this, promoting deeper engagement of young people with service planning and delivery, and securing the involvement of younger children and disadvantaged groups. In the second year of the plan we will:

- Strengthen the role of the Young Mayor and Deputies, enabling them to deliver their three project based priorities
- Use the skills of parents and carers to develop services, and build upon the launch of the 'Family Voice' initiative, utilising parents and young people as peer mentors
- Embed the Every Disabled Child Matters Local Authorities Charter so that disabled children and young people are involved in service design

PRIORITY 2: Engage the community to increase cohesion among our children, young people and their families

Tower Hamlets benefits from a diverse population and we will continue our work to secure cohesion in the community. This means building and strengthening links between different community groups, promoting interaction between children and families from different backgrounds, and challenging the minority who encourage division or extremism. In the second year of the plan we will:

- Consolidate youth service provision across the borough to include late night and weekend provision giving providers clear targets for engaging young people from all of our communities
- Develop a community cohesion and citizenship education programme that enables working with faith groups
- Address questions of cohesion within the curriculum and the school environment
- Provide joint restorative justice training for schools through the Behaviour Support Team with the police and youth services
- Identify disaffected young people on the edges of crime and work with their families and schools to re-engage them with the community

PRIORITY 3: Extend the range of positive activities available outside of school hours, and ensure all children and young people have access to them

Children and young people in Tower Hamlets already benefit from a range of positive activities, but we want to broaden the offer and ensure all children and young people have access to them, regardless of their background. In the second year of the plan we will:

- Invest in young people who are gifted and talented in sport as part of the Olympic and Paralympics Games, including a summer pre-Olympic event
- Develop the 'Safe Place to Be' service to ensure provision is accessible and taken up by young people of working parents
- Offer five hours of cultural activity every week to all children and young people in the borough through the Find Your Talent programme
- Increase the number of play opportunities delivered outside of school hours both through schools and within the community play spaces, and develop a new adventure playground in Bow

PRIORITY 4: Effectively target support and information, advice and guidance for children and young people

Providing reliable information, advice and support remains a key priority. In the second year of the plan we will:

- Implement the recommendations of the London Youth Resettlement Pledge, ensuring young people leaving custody are equipped with the information they need in advance, and are given proper support on their return to the borough
- Offer bespoke packages of information, guidance and support for teenage parents
- Deliver Family Intervention Programmes (FIP) casework interventions to up to 20 families per year, where an adult is either in prison or at high risk of imprisonment

PRIORITY 5: Increase the quality, quantity and diversity of volunteering opportunities and inspire children and young people to take action in their community

Planning for the Olympic and Paralympic Games means we must increase our numbers of volunteers to ensure the borough is fully engaged in this huge, international event. This year we also include a focus on opportunities for young people to act as mentors and learning advocates for their peers. In the second year of the plan we will:

- Deliver the cross agency volunteering strategy, ensuring that we all work to common principles and share training and support mechanisms, so that safe and structured volunteering opportunities are maximised
- Engage at least 15 young people in full time volunteering opportunities within the local authority, offering them training at NVQ Level 2, as appropriate to their placements, helping them into jobs when they leave
- Train young people to learn about the grant making process so that they can volunteer on the Youth Opportunities and other grant making panels

- Train Olympic Ambassadors, to raise aspirations for young people and encourage participation in every aspect of the games
- Launch new opportunities for young people to be peer mentors and learning advocates

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Make a Positive Contribution will be available on the website]

6. Achieve Economic Wellbeing

Vision

We want our children and young people to have the skills and opportunities to embark on fulfilling careers and contribute to prosperous communities.

This means creating more employment, education and training opportunities for our young people and ensuring they access and benefit from the global markets on our doorstep. This is more important than ever in the current economic climate. The Olympic and Paralympic Games, Thames Gateway and continued growth of the Canary Wharf Estate generate unprecedented opportunities for Tower Hamlets. As a borough we also host cutting edge creative industries and are an established centre for culture and tourism.

Turning the vision into reality

The following are our top 5 'Achieve Economic Wellbeing' priorities and what we'll do differently.

PRIORITY 1: Improve young people's employment related skills, linking in to local and regional labour market opportunities

Ensuring there are clear and secure steps for learning into work is really important in the current economic climate. Many local employers are keen to support our young people and we want to make the most of their contribution. New areas of focus this year are working with employers to develop sector pathways to employment and increasing the progression of young people into higher education. In the second year of the plan we will:

- Publish clear and agreed progression pathways for 14 industry-related lines of learning
- Develop employer contributions to learning and build sector pathways to employment
- Roll out the 'Passport to Employability' project across the borough so that the majority of schools are participating by 2012
- Provide targeted learning and support programmes, including workplace experience and employability skills, for young people at risk of being NEET
- Increase progression to Higher Education to 25% at age 18 in order to move more young people into professional careers

PRIORITY 2: Enhance the choice of learning options for 16 year olds and thereby increase participation

Pupils joining our secondary schools are now staying in learning until the age of 18. Providing learning options that all groups of young people will find relevant and engaging therefore continues to be a priority. In the second year of the plan we will:

- Enable all young people, at 14 and 16, to choose stimulating and successful programmes including applied, apprenticeship and foundation opportunities
- Support all young people to plan for their future and ensure impartial guidance enables them to choose the best option at 14, 16 and 18

- Provide programmes that combine classroom learning with practical challenges, workplace experience, a sustained challenge and employability skills
- Develop a comprehensive apprenticeship scheme in the public sector and launch an additional 100 apprenticeships through the Tower Hamlets Partnership

PRIORITY 3: Improve the quality of learning and raise student attainment

Educational attainment post 16 is an area where we know we need to make more progress. We know we also need to support schools, colleges and other work based providers to support all young people to achieve their full potential. In the second year of the plan we will:

- Raise achievement by 19 at Level 3, and meet targets, while narrowing the attainment for those from lower income households
- Develop more foundation learning opportunities to raise achievement by 19 at Level 2
- Set challenging targets and support 16-19 providers to ensure all young people are placed on programmes where they stay in learning and can succeed and progress, especially at Level 3
- Ensure that all 16-19 providers are contributing to raising achievement and can evidence that they are adding value
- Strengthen formal links with university partners to better prepare our young people for higher study

PRIORITY 4: Support specific vulnerable groups such as looked after children, young carers, young people who have spent time in the youth justice system and young people with disabilities, to achieve economic well-being

Some of our young people face individual challenges moving onto fulfilling and independent adult lives. Some young people have particular difficulties and need extra support. In the second year of the plan we will:

- Meet the needs of vulnerable young people and ensure more young offenders, care leavers and young people with learning difficulties participate and succeed
- Deliver the best possible foundation programmes designed to provide early steps on the ladder to success
- Support and commission all post-16 providers to make an inclusive offer with mix of levels and types of programme
- Implement a work-based learning improvement plan and ensure more young people progress successfully into jobs
- Track every young person's progress and provide the timely support they need

PRIORITY 5: Break the worklessness cycle and tackle child poverty

Breaking cycles of worklessness is central to our work to tackle child poverty and this remains a key priority. In the second year of the plan we will:

- Implement our child poverty action plan to help lift 1,000 children out of poverty by 2011
- Complete a commissioning plan arising from the strategic commissioning pilot to address gaps, identify options for service redesign and establish performance management arrangements for child poverty services
- Deliver programmes that ensure young people from workless families understand and can meet the demands of the workplace

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Achieve Economic Wellbeing will be available on the website]

7. Excellent Children's Services

Vision

We want our children, young people and their families to receive excellent services informed by their views, which are easy to access, targeted at needs, and delivered locally to make a difference to their lives.

This means engaging children, young people and their families in shaping services which meet local needs and further developing a high quality, flexible and joined up children's workforce to deliver these services.

Turning the vision into reality

The following are our top 5 'Excellent Children's Services' priorities and what we'll do differently.

PRIORITY 1: Recruit, develop and maintain a skilled, flexible and diverse workforce, making Tower Hamlets the borough of choice for employees

The staff we employ within the Children and Families' workforce are our most important asset and retaining that talent is still one of our top priorities. This year we will also extend this to the third sector. In the second year of the plan we will:

- Establish a staff talent pool (based on a skills audit) so that peoples' skills are recognised and used flexibly across organisations and during joint succession planning
- Increase use of the Common Assessment Framework (CAF) to improve early identification of need and reduce duplicate and overlapping assessments
- Work with Tower Hamlets' Community and Voluntary Sector to promote the development of a skilled workforce in the third sector, as outlined in the Third Sector Strategy
- Review recruitment practice, policy and procedure to ensure that we attract and retain people with the right skills, expertise and experience to deliver excellent children's services

PRIORITY 2: Improve technology and data analysis tools across the Children and Families' Trust

We fully recognise the need for ICT rich environments in the workplace and our schools. In the second year of the plan we will:

- Deliver a smarter, borough-wide information system on pupils' progress and attainment, building on existing systems
- Increase the use of mobile technology to ensure that services are delivered where they are needed, and the workforce is able to work flexibly
- Provide world class ICT to all of our schools through the Building Schools for the Future Programme
- Investigate the potential to join up existing systems to provide more efficient and coordinated services
- Establish a joint workforce database which logs skills, training opportunities, vacancies and informs joint succession planning

PRIORITY 3: Plan and deliver major capital programmes and manage existing assets for maximum community benefit

Over the next decade we will be rebuilding or refurbishing all of our secondary schools and many of our primary schools through the Building Schools for the Future and Primary Capital programmes. As well as improving the learning environment this will open up school facilities to the wider community. This year we are also building on our responsibility to promote the sustainable use of buildings. In the second year of the plan we will:

- Rebuild or refurbish all of the secondary schools in the borough through Building Schools for the Future, ensuring that wider community facilities are factored into the plans wherever possible
- Upgrade many of our primary schools through Primary Strategy for Change, ensuring that wider community facilities are factored into the plans wherever possible
- Build environmentally sustainable buildings, reusing existing buildings wherever possible
- Implement the Carbon Management Plan to reduce carbon emissions generated by the School Estate and promote the sustainable use of buildings

PRIORITY 4: Ensure the services we commission and deliver are integrated, of a high quality, and give value for money

We are entering a climate of much tighter public spending and reduced resources. Now, more than ever, we need to ensure that we are maximising their impact and ensuring value for money. In the second year of the plan we will:

- Identify new opportunities for the use of direct payments and personalised budgets
- Agree and implement a commissioning framework for use across Children and Families' Trust partners, to ensure consistent needs analysis, planning, service development, procurement and performance management
- Make sure we are spending public money efficiently and effectively and ensuring value for money
- Plan and provide early years, school and sixth form places in a more strategic and joined-up way
- Strengthen our pupil projections modelling ensuring our planning is based on robust data

PRIORITY 5: Continue to improve children's services in Tower Hamlets through better communication and creatively responding to user views

Effective, two way communication with children, young people and their families is critical if we are to deliver effective services. We need to be more innovative in thinking about how we communicate and with whom, making sure we capture everyone's views. In the second year of the plan we will:

- Consistently ask a wide range of users what they think of services provided, and act on it, offering feedback incentives for those who would not normally offer their opinion

- Communicate with children, young people and their families in more engaging and innovative ways
- Improve information provision and signposting to ensure that all residents are able to access services reflective of their need
- Maximise opportunities to work more effectively with our key partners to engage our communities

Measuring progress

[Key indicators and targets to be updated and a detailed delivery plan for Excellent Children's Services will be available on the website]

8. Local Priorities

We realise that to achieve precision in targeting services to the needs of children, young people and their families we must achieve greater local differentiation in what we offer and how we deliver it. For each local area a priority has been identified as well as how we are going to tackle it.

LAPs 1 and 2: Bethnal Green North, Mile End and Globe Town, Weavers, Spitalfields and Banglatown, Bethnal Green South

[Local characteristics to be updated on the website]

Local Priority: Promote healthier lifestyles amongst children and young people, utilising local facilities and assets

- Ensure there is good access for local young people to leisure facilities, including discounted prices and dedicated provisions for girls
- Develop Out of School Learning Hours Learning (OoSHL) Programmes that encourage schools to work together in promoting healthier lifestyles opening up unique resources on specific school sites for children, young people and their families
- Employ health trainers to communicate and promote what's on offer locally for young people

LAPs 3 and 4: St Dunstan's and Stepney Green, Whitechapel, St Katharine's and Wapping, Shadwell

[Local characteristics to be updated on the website]

Local Priority: Increase the variety and quality of activities at youth clubs, making sure that diverse groups of young people are engaged

- Invest in the Haileybury Youth Centre so there are more after school, weekend and holiday activities and explore opportunities for linking activities to education, training and employment
- Invest in new facilities for the Redcoats and Wapping youth groups and increase accessibility to existing services through better marketing them or making them more attractive
- Improve coordination of the different youth activities available by creating a provider network
- Develop activities for girls and young women as well as opportunities for young people from different ethnic backgrounds to participate in joint activities
- Extend and improve outdoor play facilities, creating new parks and open spaces such as in Braham Street in Aldgate

LAPs 5 and 6: Bow East, Mile End East, Bromley-by-Bow

[Local characteristics to be updated on the website]

Local Priority: Establish additional youth services, particularly in the west of LAP 5, the British Street Estate, Mile End and the Eleanor Street Travellers' Site

- Deliver targeted joint events and activities to engage more girls, bring young people from different ethnic backgrounds together and begin to address territorial and intergenerational concerns
- Identify and support voluntary groups operating in the area to build their capacity and deliver activity in partnership with groups on local traveller sites
- Improve coordination of the different youth activities available by creating a provider network and make additional youth provision available in Bow West
- Establish a School Promoters scheme with the three secondary schools in LAPs 5 and 6, encouraging students to promote what's on offer

LAPs 7 and 8: East India and Lansbury, Limehouse, Blackwall and Cubitt Town, Millwall

[Local characteristics to be updated on the website]

Local Priority: Tackle the cause and effect of child poverty with a particular focus on LAP 7

- Support local parents and carers in developing the skills and confidence necessary to make the most of local employment opportunities
- Signpost parents and carers to affordable and practical local childcare opportunities so that childcare is not a barrier to employment
- Mitigate the effects of child poverty by supporting schools to develop a more varied menu of learning, sporting and cultural opportunities to take place outside of school hours
- Deliver more volunteering programmes placing young people in community organisations and business

9. Resourcing

We are always trying to find new ways of making our services more efficient and more effective, ensuring value for money. Through our strategic commissioning processes, and learning from national initiatives like Total Place, we continue to look for ways to work together to achieve better outcomes for children, young people and families, with the resources available to us. For example, our child poverty strategic commissioning pilot aims to link our Employment Strategy, the Multi Area Agreement (MAA) and 14-19 commissioning to better meet the aims of our Child Poverty Strategy. It will map out provision within these areas of work and provide a more integrated approach, identifying gaps and duplication leading to service redesign.

The priorities identified in this plan are based on the resources we expect to receive over the next year. However, in the current economic climate there is much uncertainty about levels of funding available in the future and we may have to adjust our priorities accordingly.

[Website to be updated to include how activities in the CYPP will be resourced and total spending by partners across each of the six themes]

Agenda Item 7.3

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 139/090
Report of: Acting Corporate Director, Children, Schools & Families Originating officer(s) Pat Watson, Head of Building Development		Title: Phoenix School – Proposed Addition of a Sixth Form Wards Affected: Bow West	

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

1. SUMMARY

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

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Agree that statutory proposals should be published for the addition of a sixth form at Phoenix School with effect from September 2010.

3. REASONS FOR THE DECISIONS

- 3.1 Proposals have been developed to provide 6th form places at Phoenix School to support the appropriate range of provision for students with special education needs. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposal, the response to the initial consultation and the recommendation that statutory proposals for the expansion should be published. The publication of statutory proposals is required in order to implement this change to the school.

4. ALTERNATIVE OPTIONS

- 4.1 No action. If no sixth form is added, then there is a risk that the Council will fail to discharge its statutory functions in respect of a group of young people with limited choices.
- 4.2 Alternative provision. Phoenix is positioned to carry out specialised educational provision. It is not considered that there is a suitable alternative means of provision readily available to the Council.

5. BACKGROUND

- 5.1 Phoenix School is in Bow Road, E3. It has 103 students on roll from 3 – 16. It is a special school for students with ASD (autistic spectrum disorders).
- 5.2 The LA has recognised the need for additional places post-16 for students with special education needs, including ASD. Not all students' needs can be met at mainstream provision and so it has been proposed that additional places can be provided at Phoenix School.
- 5.3 Preliminary consultation has taken place on the proposal to add a sixth form. The feedback from this consultation supported the proposals. This report gives details of the consultation and the action that is now required to publish proposals formally.

6. BODY OF REPORT

Decision-making on proposals to alter a school, including adding a sixth form

- 6.1 There is a statutory framework for implementing certain alterations to schools, including addition of a sixth form, as in this case. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community special schools, the Local Authority (LA) can propose certain alterations, including addition of a sixth form.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (usually four weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation.
- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.

- 6.4 The timetable for the process is shown in paragraph 6.22, taking into account the legal requirements of the consultation and decision-making process.

The Need for Additional Sixth Form Places for Students with SEN

- 6.5 Over the last two years Phoenix has completed its transition from a school providing education for MLD pupils to an establishment catering for the needs of pupils on the Autistic Spectrum. The result of this process has seen a significant change in teaching methods, resources and curriculum content. Ofsted reports and National Autistic Society accreditation testify to the fact that during this process of transition the standard of education provided by Phoenix has continued to be of the high quality. The school has also been awarded Specialist Schools Status.
- 6.6 The school is now ready to move towards the next step of providing quality sixth form provision for a group of pupils whose difficulties in communication, social awareness and emotional intelligence limit the choice of post 16 educational provision. The national and local growth in the numbers of young people with ASD, and the commitment to provide full participation and preparation for adult independence, mean that post 16 opportunities for this group are in need of development.
- 6.7 The school now has 103 places from 3 – 16 years. Under the new proposals, there will be up to 9 places in each year for years 12-14. The total school roll over time will eventually be 130. There will be no change to the admissions arrangements to the school.

Implications for the School

- 6.8 It is expected that most of the school population will be composed of the low and Middle (P levels 1-8, NC levels 1-3) end of the Autistic Spectrum with a few of the more able Aspergers group. As a consequence, educational efforts will be focused primarily on the development of life-skills and the acquisition of vocational knowledge. The aim is to equip the students with the skills to lead lives in which they can make choices and decisions about their own futures and to grow as independent adults.
- 6.9 Students in Year 11 will continue to progress to other opportunities where these appropriate. Those that remain in the school's sixth form will spend on average 2 days per week in partnership/vocational activities. The school will work in close partnership with Central Foundation Girls' School, Tower Hamlets College and other 14-19 Hub partners to deliver a work-related curriculum focused particularly on land-based and hospitality skills. The foundation learning curriculum

will support learners towards adult independence and will primarily be accredited through ASDAN.

Financial Implications

- 6.10 Capital funding to provide permanent accommodation for this alteration will be part of the BSF (Building Schools for the Future) programme. This is anticipated to be implemented in academic year 2012/2013, depending on progress with the development programme. In the interim, some temporary accommodation has been provided in anticipation of the BSF scheme.
- 6.11 Additional revenue funding will be provided to the school through the Dedicated Schools Grant and the LA's funding formula.

Implementation of the Alteration

- 6.12 It is proposed that the increase should take effect from the school year 2010/11, subject to the approval of the statutory proposals.
- 6.13 It is likely that pupils already on roll of Phoenix School will continue into the sixth form for post-16 education.

Consultation

- 6.14 The initial consultation period was from 4 January to 15 February. A copy of the consultation paper issued is included as Appendix A. The consultation paper was sent to:
- all parents and carers of children now at Phoenix School
 - all staff at Phoenix School
 - all governors of Phoenix School
 - all headteachers and chairs of governors of primary schools in Tower Hamlets
 - all councillors in Tower Hamlets
 - local MPs
 - the London Boroughs of Newham, Islington and Hackney
 - local trades unions
- 6.15 All secondary Headteachers and wider 14-19 stakeholders have previously been consulted through the Hub 14-19 Partnership Board which received and approved a proposal to develop a Phoenix sixth form on May 9 2007.
- 6.16 Consultation meetings were held to discuss the proposals with parents.

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

Received from	For	Against	Not sure
Parents	41	0	0
Staff	28	0	0
Others	19	0	0

- 6.18 Two well-attended parents' meetings were held at the school. The response from parents who attended these meetings was positive. The most significant outcomes reported from these meetings were

- There are currently insufficient post 16 opportunities for those leaving Phoenix in Year 11
- .Work-related learning opportunities need to be developed
- Parents and governors would like to see more local supported employment opportunities and the new post 16 provision should prepare young people for such opportunities

The consultation that has been conducted complies with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Secretary of State's guidance on consultation.

Further Action Now Proposed

- 6.19 The outcome of the consultation has been reviewed and it is clear that there is support for the proposal amongst the school and parent community.
- 6.20 Cabinet is recommended to agree to publication of statutory proposals for the addition of a sixth form to Phoenix School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the four week period.
- 6.21 As referred to above, after the statutory representation period, there will be a further report to Cabinet. This will include details of any comments made during the representation period. Cabinet will be asked to take account of these and the detail of the report in reaching a decision on whether to proceed to implement the proposals. An appeal against the decision can be made to the Schools Adjudicator by the Roman Catholic or Church of England Diocese, or the governing body of the school concerned. If the Council is unable to reach a decision on the proposals within two months of the end of the representation period, they have to be referred to the Schools Adjudicator.

6.22 The timetable for the process is set out below:

Initial consultation	1 February – 5 March 2010
Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	7 April 2010
Statutory proposals published with 4 weeks allowed for comments	17 May – 11 June 2010
Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Additional pupils admitted to sixth form	September 2010

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

Capital funding

7.1 As indicated above, provision has been made from within the BSF programme for alterations to the building.

Revenue funding

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

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

8.1 Section 19 of the Education and Inspections Act 2006 provides that where a local authority proposes to make prescribed alterations to a maintained school, it must publish its proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations") specify what alterations made by local authorities are prescribed alterations and specify the procedure to be followed when publishing and determining such proposals. Except in prescribed circumstances that are not presently relevant, the alteration of school's upper age limit by a year or more is a prescribed alteration. The proposal here is to add a sixth form and so the proposal is prescribed and the procedure in the Prescribed Alterations Regulations must be followed.

8.2 The Prescribed Alterations Regulations require the Council to follow a two stage process involving consultation prior to publication of a

proposal, followed (assuming the Council wishes to proceed) by publication of the proposal. The consultation must include prescribed persons. The Council is required to have regard to the Secretary of State's guidance as to consultation on proposals. The guidance recommends that the consultation allows adequate time, provides sufficient information for those being consulted to form a considered view and makes clear how the views can be made known. Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals. The report states that consultation complies with the requirements of the Regulations and guidance and so the Council is in a position to determine whether to publish a proposal.

- 8.3 Paragraph 6 of the report sets out the consultation which has taken place and the responses to the views provided. In reaching its decision Cabinet must have regard to the responses received to the consultation.
- 8.1. The Prescribed Alterations Regulations prescribe what information must be specified in a proposal and how it should be publicised. The proposal should be published within a reasonable timeframe following consultation so that it is informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some other conspicuous place in the area served by the school (eg. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations otherwise it may be judged invalid.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 The Local Authority has a key role in planning service provision to ensure there are sufficient and appropriate school places to meet local need. This proposal is specifically to provide for students with special education needs who cannot be provided for in a mainstream school, or college setting and is expected to have a positive effect in respect of equalities and diversity.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 In the design of the alterations to Phoenix School under the BSF programme, the use of sustainable materials will be taken into account. The design must comply with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency.

11. RISK MANAGEMENT IMPLICATIONS

11.1 The programme to deal with the publication of statutory proposals will be managed to ensure the timescale is met.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

12.1 There are no specific implications arising.

13. EFFICIENCY STATEMENT

13.1 The Council is using its assets efficiently by seeking to expand the provision at an existing school site to meet the specific needs of students.

14. APPENDICES

Appendix 1 – Consultation document

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

Brief description of “background papers”

Name and telephone number of holder and address where open to inspection.

none



Appendix A

LB TOWER HAMLETS

CONSULTATION ON PROPOSALS TO EXPAND PHOENIX SCHOOL TO INCLUDE A SIXTH FORM

Introduction

The report outlines a proposal for 6th form provision at Phoenix School for pupils whose needs cannot be met elsewhere. This will give ASD young people entitlement to full time education to 19. The BSF programme will provide the school with opportunities to build sixth form provision on a co-located site with Central Foundation Girls School.

This development is proposed in the context of the redesignation of Phoenix to a school for children with language and communication difficulties in 2001 and the SSAT recognition of the school as a specialist provider in communication and interaction from 2007. The new curriculum resources on which the sixth form provision would draw include land-based studies and food technology.

Education and Inspections Act does not make significant changes to the procedure for extending the age range of a community special school. The relevant regulations - The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 came into force at the end of May 2007. The consultation sets out, in schedule 4 part 2, the alterations that may be published by a local education authority in respect of community special schools. These include the alteration of the upper or lower age limits of the school. Discussion by the Board is an important contribution to the consultation stage of this process

Consultation Process

This paper is being sent to:

- all parents and carers of children now at Phoenix School
- all staff at Phoenix School
- all governors of Phoenix School
- all headteachers and chairs of governors of primary schools in Tower Hamlets

- all councillors in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney, Islington
- local trades unions

This consultation period runs from 4 January to 15 February 2010. A form is included at the end of this paper for the return of your views. Two meetings for parents will be held at the school to hear about the proposals and let us know your views. The meetings will be held on:

10th February at 7.30pm on parents evening
 13th January at 10.00am before the PASG meeting

Why is a sixth form needed?

Over the last two years Phoenix has completed its transition from a school providing education for MLD pupils to an establishment catering for the needs of pupils on the Autistic Spectrum. The result of this process has seen a significant change in teaching methods, resources and curriculum content. Ofsted reports and National Autistic Society accreditation testify to the fact that during this process of transition the standard of education provided by Phoenix has continued to be of the highest quality and that the school provides an outstanding education for its pupils. The school has also been awarded Specialist Schools Status. The school is now ready to move towards the next step of providing quality sixth form provision for a group of pupils whose difficulties in communication, social awareness and emotional intelligence has meant that post 16 educational provision for this group has been in need of development.

Personalised Learning

It is expected that most of the school population will be composed of the low and Middle (P levels 1-8, NC levels 1-3) end of the Autistic Spectrum with a sprinkling of the more able Aspergers group. As a consequence, our educational efforts will be focused primarily on the development of life-skills and the acquisition of vocational knowledge. The aim is to equip the students with the skills to lead lives in which they can make choices and decisions about their own futures and to grow as independent adults.

New Curriculum Resources at Phoenix

Land Based Learning

Phoenix has recently developed new resources for our current KS4 groups but we also see their potential for use by a new sixth form. We have put considerable resources into developing a new vegetable garden with an outdoor classroom, raised beds and an additional greenhouse all within a secure site. We have also appointed a horticulturist with a proven track record of teaching land based skills to groups of students who have learning difficulties. Groups are engaged in courses that will be awarded Practical Horticultural Skills (Certificate provided by Merton College) and Skills for Working Life level 2 (Certification from BTEC/NPTC/City and Guilds) Phoenix

is also in the process of becoming a satellite centre under the umbrella of BTCV which enables it to accredit awards sanctioned by the NPTC. It is possible that more able students in their final year in sixth form could complete National Vocational Qualification 1 (NPTC/City and Guilds) level.

We have also developed a landscaped flower garden and will be creating a natural garden with a pond and butterfly garden. This is all part of our commitment to embed land-based learning as part of our horticultural and science courses at all levels throughout the school so that students entering a sixth form will be well versed in working in an outdoor environment and therefore able to take advantage of accredited courses.

Developing our Land Based Learning Resources as a Centre of Excellence
We will also offer our courses in horticulture to groups from other educational establishments in the borough. We want to share these unique facilities as part of our commitment to creating an inclusive atmosphere for our students at Phoenix.

Linking Land Based Learning to the Community

Over the last few years we have established a good relationship with Mudchute Farm. Our KS4 SLD group uses the farm for work experience. We want to develop this resource further by establishing a permanent base within the farm. We think it is important that our sixth form gains as much experience as possible of working life outside the confines of the school community .Working with animals is also an excellent way of developing empathic skills to our pupils.

Food Technology

At present our Food Technology room is being re-modelled into two purpose built kitchens. This will enable students to become proficient in food preparation .We also intend to develop a 'café' for use by students and staff. The food for the café will be prepared by our own students and served by them. This will be part of our Enterprise Programme but it will also contribute to Life-skills and Preparation for Working Life.

Building for a Sixth Form

At the moment we are at the beginning phase of planning our new sixth form block on the co-located Phoenix/ CFGS site. We intend to run a joint Café with CFGS. This will be professionally managed to teach catering skills to both sets of pupils. The café will be used by teachers and staff of both school communities .We want our café windows to look out over Bow Road just like any Starbucks would do. Meals and snacks would be served and prepared by students from both campuses. This is again another example of our integrationist policy for ASD students.

Additional Building

We intend to have three groups giving us a total of 24 students. There will be three new tutorial rooms for our groups on the co-located site as well as a purpose built bed-sit flat so that life-skills can continue to be developed. There will also be an Art Design and Technology suite able to teach DIY, home

maintenance and decorating skills. In addition there will also be a sixth form common room so that students are able to continue to develop their social skills. The school already has a very active schools council composed of students from all year groups and we wish to continue to encourage a stakeholder attitude in our sixth form.

Teaching Methods at Phoenix

As part of our transition from an MLD to an ASD school we have developed an eclectic style of teaching which blends together best practice in educating ASD students. At the heart of our approach is a timetable based on pictorial symbols (PECS) and a pedagogy anchored in the TEACCH method. Because of this expertise we would hope to be able to offer some of our courses to students attending other institutions within the borough.

Diversity and Flexibility in the Design of the Curriculum

It is important to stress that educational provision should be tailored to the needs of the individual. This is especially so in the case of students on the ASD spectrum. It is so easy to be preoccupied by what they are unable to do and forget what each individual can achieve. Curriculum opportunities need to reflect strengths as well as weaknesses. In designing our curriculum for next years' KS4 we try to meet the needs of all our students. For instance there will be two groups. The 'entry level' group who will have the opportunity to improve their study skills through specialist teaching of traditional subject areas such as English, Maths, French, Art etc. It is recognised that not all students will reach entry level within the two years so this group will also embark on ASDAN Life-skills Certificate level one. This means that all the students in this group will have recognised awards at the end of two years plus improved study skills which will enable them to take advantage of a wider range of courses in higher education. The second group will sit ASDAN Transition Challenge. On the whole this group require more input on language, communication and social skills but there are individuals who will be able to cross-over into certain entry level subjects. It is an aspect of the autistic spectrum that individuals can attain a high level of achievement in some areas of the curriculum whilst performing very poorly in others. We are able to meet this need and will continue to build this flexibility into our curriculum design for a sixth form.

Our Sixth Form Curriculum.

A solid grounding in life/vocational skills will be a pre-requisite for all our students but we also require these courses to be recognised so that all our students gain a foothold on the educational step-ladder (we see education as a lifelong process). Having gained the Transition Challenge award those students would progress 'Towards Independence'. This ASDAN programme of study presents a framework of activities through which personal, social and independent skills can be developed and accredited for those with severe and profound learning difficulties. From there students can embark on 'Workright' which accredits a work-based/work experience programme of study.

For those completing The ASDAN Life-skills Certificate level one at KS4 there are two more levels which can be completed. The life skills certificate contains

six units: Citizenship, Community, Home management, ICT, Personal Care and Preparation for Working Life. It is a nationally recognised certification approved by QCA, DELLS and CCEA. We would also expect to offer the ASDAN Bronze award for our more able students. As illustrated by our current KS4 Curriculum we can also offer students the opportunity to further develop their study skills through specialist subject teaching.

Links with other educational partners

We already work closely with Central Foundation Girls School (CFGS) on arts projects and also have established links with Tower Hamlets College. Our KS4 groups have participated in Construction Challenge and we are keen that a sixth form would be able to take advantage of as many educational opportunities that further education within the borough can offer. We also want to be part of any borough initiative that encourages the acquisition of building and construction skills in our students.

Residential

Phoenix has always used residential trips as a way of teaching personal care and life-skills and this approach will continue with a sixth form. At present we are looking at suitable residential centres near London where we can take groups for short stay residential.

Additional Studies

Life is not just about work. We are keen at Phoenix to educate our students to develop recreational and leisure pursuits. This is a particularly important channel for ASD students to enable them to develop their social awareness and communication skills. We have an excellent record of achievement in this area. Students consistently achieve a GCSE in Art and Design, and participate in community arts projects such as Spitalfields Community Arts Festival. In the past we have designed a float and paraded in The Lords Mayor Show. We also have an 'Enrichment Afternoon' when formal lessons finish early and students can choose from a variety of activities such as cycling, roller blading etc. Our games afternoons afford the opportunity for students to engage in rock climbing, canoeing and dance. We also have a whole range of after school clubs.

Our New Performing Arts Studio

As a recognition of the importance of the arts in the life of the school we are planning the provision of a Performing Arts Studio. This purpose built studio will open up all kinds of new opportunities for dance, music and drama. We already work with Central Foundation Girls Arts School and further collaboration at sixth form level looks an exciting possibility.

Parental Involvement

A crucial element in the education of students on the autistic spectrum is the active involvement of parents. We have a proven track record of keeping in touch with parents not only through the formal occasions of annual reviews and parents evenings but often daily contacts between form tutors and home.

We also recognise the cultural diversity of the area that we serve and have a Bengali Women's Group, which enables the participants to learn about the condition that affects their children whilst at the same time respecting cultural and social traditions. We regularly use interpreters to help us communicate more effectively. This close home/school liaison is vital for the future of our students and it is no less important for students entering a sixth form especially as teenagers. It is a period of rapid physical and emotional growth which cannot only be perplexing and confusing for them but also those closest to them. Having strong bonds with parents can enable the school to support families through an often difficult time.

Working Closely with other Agencies

Phoenix is unique as an educational institution as it has onsite collaboration with a multi-disciplinary team of Health and Social Workers and Educational Psychologists. This team is seen as a vital element in our school development and will be an invaluable resource in the establishment of sixth form pastoral care.

The building plans for the school

The building plans for the school to accommodate the increased roll have been drawn up in close cooperation with the Headteacher and governors. The building plans are on display in the school during the consultation period.

Size of the increase in roll

The school now has 103 places from 3 – 16 years. Under the new proposals, there will be 9 places in each year. The total school roll over time will eventually be 130. There will be no change to the admissions arrangements to the school.

How will the increase take effect

The first group of extra children will be admitted to the school in September 2010, so that the full increase will arise after 2 years.

Timing

This initial consultation runs from 4 January to 15 February. The timetable for consultation and taking decisions following this stage of consultation is:

Initial consultation	4 January to 15 February 2010
The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	March 2010

Statutory proposals published with 4 weeks allowed for comments	April 2010
The Council's Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Additional pupils admitted to sixth form	September 2010

Next steps

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

There will be parents' meetings at the school on 13th January 2010 at 10.00am and on 10th February at 7.30pm – we hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

Phoenix SCHOOL

CONSULTATION ON THE PROPOSED EXPANSION OF PHOENIX SCHOOL TO INCLUDE A SIXTH FORM

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

Other comments

NAME	
PARENT, GOVERNOR, OTHER (please state)	
DATE	

Please return this page by 15 February 2010 to:

The school office; or

Pat Watson, Head of Building Development, Children's Services, Town Hall,
Mulberry Place, 5 Clove Crescent, E14 2BG, or

e-mail to: pat.watson@towerhamlets.gov.uk

Agenda Item 9.1

Committee/Meeting: Cabinet	Date: 7 th April 2010	Classification: Unrestricted	Report No: CAB 140/090
Report of: Assistant Chief Executive Originating officer(s) Afazul Hoque, Scrutiny Policy Manager		Title: End of Life Care – responses to the recommendations of the Scrutiny Review Working Group Wards Affected: All	

Lead Member	Deputy Leader and Lead Member Adult Health & Well Being
Community Plan Theme	A Healthy Community
Strategic Priority	Improve access to and experience of local health services

1. **SUMMARY**

- 1.1 This report submits the report and action plan in response to the Health Scrutiny Panel Working Group on End of Life Care.

2. **DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Consider the report of the Health Scrutiny Panel Working Group on End of Life Care as attached at Appendix 1.
- 2.2 Agree the response to the recommendations from the Health Scrutiny Panel Working Group on End of Life Care attached at Appendix 2.

3. **REASONS FOR THE DECISIONS**

- 3.1 It is consistent with the Constitution and the statutory framework for Cabinet to provide a response.
- 3.2 In responding to the recommendations this report outlines how the issues raised will be taken forward by the Council and NHS Tower Hamlets.

4. **ALTERNATIVE OPTIONS**

- 4.1 In responding to the recommendations full consideration has been given on how the recommendations can be incorporated to existing and future work streams. Any alternative response to the recommendations will be considered by the Overview and Scrutiny Committee as part of their recommendation tracking report every six months.

5. BACKGROUND

5.1 The Health Scrutiny Panel established the End of life Care review in October 2008 and undertook its work over six months. Chaired by Councillor Stephanie Eaton, Scrutiny Lead for Healthy Communities, the key aim of the review was to look at how social care provision of end of life services meets the needs of local people and examine the co-ordination of health and social care at end of life and identify solutions to the barriers faced by local people in accessing end of life care. To complete their investigation the Working Group considered the following:

1. Scrutinised and contributed to the Tower Hamlets Delivering Choice Programme
2. Investigated the barriers to choice and equity of access to social care provision of end of life care services amongst equalities groups.
3. Assessed the effectiveness of co-ordination of health and social care in end of life care services.
4. Investigated the needs of carers of people at end of life.
5. Examined the role of the voluntary and community sector in end of life care provision.
6. Identified improvements to the commissioning process as a lever to improving end of life care provision.
7. Considered ways to improve the availability of information on services for patients, carers and professionals.

5.2 The review included a visit to the Royal London Hospital Chaplaincy to which members of the Tower Hamlets Interfaith Forum were also invited. The visit highlighted the faith related needs around end of life care and in particular the immediate period following death. The working group also visited the Older Peoples Reference Group to discuss the review objectives and emerging findings, the subject was very emotive and Members felt that the difficulties of the discussion within the group in many ways reflect the wider challenges around making talking about death and dying more acceptable in order to improve end of life care and the need for professionals to be highly skilled in managing these discussions.

5.3 The working group heard from Lyn Middleton, Chief Executive of the Carers Centre Tower Hamlets on the Care-Plus Tower Hamlets project and the services the Centre provides to carers more generally. John Roog (Service Head Older People and Homelessness) presented on the points in a person's end of life care where social care interacts with

health services. These informed Members on the conflicting issues surrounding end of life care.

- 5.4 This review specifically chose not to consider end of life care provision for children and young people due to the sensitivity of this issue. However, as part of the monitoring of this report it would be useful for the Health Scrutiny Panel to undertake a small piece of work to identify issues for young carers of people who may be at the end of their life.
- 5.5 Producing a report and agreeing an action plan is only part of the role of Overview and Scrutiny. An essential task is to monitor the progress in implementing the recommendations. This allows Overview and Scrutiny to demonstrate the value of its work in improving services and consider whether the anticipated benefits are realised. To achieve this, the Committee will consider six monthly updates on the recommendations.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report describes the action plan in response to the Health Scrutiny Panel Working Group on End of Life Care.
- 7.2 There are no specific financial implications emanating from this report however, the report recommends the continuation of the Care-Plus project for a minimum of another two years which is commissioned by both NHS Tower Hamlets and the Council. If the Council agrees further action in response to this recommendation and other recommendations in the report then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

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

- 8.1 The Council is required by section 21 of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee shall make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for Cabinet to provide a response.
- 8.2 The report contains recommendations which are capable of being carried out within the Council's statutory functions. The Council's functions permit the provision of a range of adult social care, including: (a) residential accommodation needed by reason of age, illness or disability (National Assistance Act 1948 (NAA), s.21); (b) a social work service and advice and support at home for disabled people (NAA, s.29); (c) non-residential services including practical assistance,

recreation, travel, meals etc for disabled people (Chronically Sick and Disabled Persons Act 1970, s.2); (d) promoting the welfare of old people through the provision of meals, recreation, travel, wardens etc (Health Services and Public Health Act 1968, s.45); and (e) prevention, care and after-care services (National Health Service Act 2006, Schedule 20). If Cabinet supported the recommendations, it would be for officers to ensure that any action is carried out lawfully.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 The Scrutiny Working has made a number of recommendations to improve services for specific equalities groups in the borough. These are outlined in recommendations 2 and 8. It is also proposing to increase discussion in the community around end of life care issues.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 There are no direct implications.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 There are no direct risk management implications.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 There are no direct implications.

13. EFFICIENCY STATEMENT

- 13.1 The recommendations of this review can have a positive impact on the long-term budget of health and social care through reduced hospital stay and unplanned hospital admissions and deaths in hospitals.

14. APPENDICES

Appendix 1 – Report of Health Scrutiny Panel Working Group on End of Life Care

Appendix 2 – Action Plan

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

**Brief description of
“background papers”**

**Name and telephone number of
holder
and address where open to
inspection.**

None

N/A

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Appendix 1

Report of the Health Scrutiny Panel

Review of End of Life Care

**Tower Hamlets Council
May 2009**



Index

	Page
Acknowledgements	3
Chair's Foreword	4
Chapter 1 Introduction	5
Chapter 2 National Policy Context	7
Chapter 3 Local Policy Context	11
Chapter 4 Findings	13
Chapter 5 Conclusions and Recommendations	24

Acknowledgements

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Cllr Stephanie Eaton – Chair
Cllr Ann Jackson – Vice Chair
Cllr Bill Turner
Cllr Lutfa Begum
Cllr Abjol Miah

Co-opted Panel Members

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External

St Joseph's Hospice
Age Concern
Older Peoples Reference Group
Chaplaincy Team at Royal London Hospital
Tower Hamlets Interfaith Forum
Carers Centre Tower Hamlets

Chair's Foreword

It is rarely easy to speak about death and dying. But every year around 1200 people die in Tower Hamlets and these people and their loved ones are entitled to the best possible care the Council and its partners can provide. We need to talk together about end of life, and think through the findings and recommendations of this report, for the sake of all those who live and die in our community.

Sadly not all people who die in Tower Hamlets receive the care they want and need. Many residents who would choose to die at home, instead, end their life in hospital. Delays in arranging transportation or equipment can cause distress to families and carers who want to look after the dying at home. More support to give carers confidence, skills, training and equipment is vital and this requires a greater degree of co-ordination across agencies.

If there is one single recommendation from this report that has the potential to really make a difference in improving the care of the dying in this Borough it is the establishment of a single joint post that will be responsible for ensuring the healthcare of the NHS is better integrated with the social services provided by the local authority. Clearly some of these recommendations have a financial cost, but if we can improve care of those at the end of their life, enabling those who wish to die at home to do so, there will be savings in reduced length of hospital admissions. However, regardless of cost, end of life care must reflect the choices made by the dying person.

This report looks at end of life care from a Tower Hamlets perspective and identifies areas where care and support services can be improved in our Borough. A great number of local people have contributed to this report and I was struck by the care and compassion of the many professionals and unpaid carers who look after those who are at the end of their life. I also noted, and I hope this report reflects, the frustration and sense of urgency of colleagues who identified where things are not working well. All these contributions have been valuable and I thank everyone who contributed to the review for sharing their expertise and experiences. In particular I wish to thank the Scrutiny officer, Shanara Matin, for co-ordinating the review and collating the evidence upon which the findings were based.

Whether a person dies in hospital, a care home or their family home, a peaceful, dignified, private death should be the natural end to life. One aspiration of the Tower Hamlets community strategy is to make the Borough a great place to live. We can only achieve this if our community is supportive, responsive and caring when a person reaches the end of their life. I hope and believe this report contributes to turning that aspiration into a reality.

Councillor Dr Stephanie Eaton
Chair, Health Scrutiny Panel

Chapter 1 – Introduction

Background

1. The Health Scrutiny Panel is the statutory body in Tower Hamlets established to respond to duties placed on local authorities by the Health and Social Care Act 2001. This includes having in place an Overview and Scrutiny function that can respond to consultation by NHS bodies on significant changes and developments in health services and to take up the power of Overview and Scrutiny on broader health and wellbeing issues.
2. The overarching aims of health scrutiny are to:
 - Identify whether health service provision reflects the views and aspirations of the local community
 - Ensure all sections of the community have equal access to health services
 - Ensure that all sections of the community have an equal chance of a successful outcome from health services.
3. These specific powers and duties are achieved by putting patients and the public at the centre of health services.
4. Each year the Health Scrutiny Panel undertakes an in-depth review of a health and or social care issue identified as a local priority within the context of a four year work programme focused on reducing health inequalities (2006/10). This document is the report of the health scrutiny review of 2008/09 into End of Life Care in Tower Hamlets.

The review process

5. End of life care as a potential health scrutiny review subject was discussed with local health trusts during the induction programme for Health Scrutiny Panel members in June and July 2008. The Tower Hamlets Primary Care Trust (NHS Tower Hamlets from 1 April 2009), Barts and the London NHS Trust and the East London NHS Foundation Trust welcomed the proposed review.
6. During the scoping period for the review, the Primary Care Trusts' adopted the Delivering Choice Programme which pilots the Marie Curie toolkit to redesign and improve end of life care services.
7. The Health Scrutiny Panel was keen to ensure that the scope of the review would add value to the Delivering Choice Programme and would avoid duplication over lines of inquiry and investigation.
8. It was agreed that the review would complement the pilot of the Delivering Choice Programme. While this programme has a strong focus on health service provision, the health scrutiny review undertook to

investigate more fully the relevant social care services and other related services for which the Council has primary responsibility. During the scoping process members heard anecdotal evidence that there were challenges in providing a seamless service for recipients of end of life care and there was a clear role for the Health Scrutiny Panel in identifying improvements in the integration of health and social care to meet an individual's needs and choices.

9. Members also identified the challenge of making discussion of death and dying more acceptable across the community and the role of community leadership in raising the concept of a planned or good death.
10. The review did not consider end of life care provision for children and young people. Death and dying of young people is particularly traumatic and it was felt that a review in this area would pose different challenges. We felt that end of life care of the young would benefit from a specialist investigation and therefore consideration of this group was excluded from the scope of this review.

One Tower Hamlets considerations

11. The review focused on how local people from all communities experience and access end of life care. As expected, a large number of recipients of end of life care are older and for many, their care is influenced by the need to manage illness and disability. The take up of end of life care services is lower for BME communities especially hospice services. The number of older Black and Minority Ethnic (BME) people is set to grow as the historically younger age profile of these residents' changes over time. Members considered how service improvements would meet current and projected needs in the Borough and considered the role of the faith community work in improving awareness and access to end of life care services. The Council's Equalities team commissioned a report in 2008/09 on the health and social care needs of older lesbian and gay people living in the Borough which was reviewed for information related to end of life care.

Aims of the review into end of life care

12. To review how social care provision of end of life services meets the needs of local people and; to examine the co-ordination of health and social care at end of life. The review considered the policies, practices and systems that determine the provision of these services and identified solutions to the barriers faced by local people in accessing end of life care.

Review Objectives

13. The objectives of the review were:

1. To scrutinise and contribute to the Tower Hamlets PCT End of Life Care Services Improvement Programme, "Delivering Choice"
2. To investigate the barriers to choice, and equality of access to social care provision of end of life care services amongst equalities groups
3. To assess the co-ordination of health and social care in end of life care services
4. To investigate the needs of carers of people at the end of life
5. To examine the role of the voluntary, community and faith sectors in end of life care provision
6. To identify improvements to the commissioning process as a lever to improving end of life care
7. To consider ways to improve the availability of information on services for patients, carers and professionals.

14. The Panel's work programme is outlined below:

Stage 1 (Oct 08)	<ul style="list-style-type: none"> • Defining scope of review • Consideration of national and local policies • Delivering Choice Programme Objectives
Stage 2 (Oct 08 – Jan 09)	<p>Evidence Gathering from:</p> <ul style="list-style-type: none"> • Care-Plus Project: Carers Centre Tower Hamlets • Interim findings of the Delivering Choice Programme • National Audit Office Report on End of Life Care • Care Homes • Adult Health & Wellbeing Directorate • Older LGBT Matters
Stage 3 (Dec 09 – Feb 09)	<p>Visits</p> <ul style="list-style-type: none"> • Older People's Panel • Royal London Hospital Chaplaincy Visit / Interfaith Forum • Older People's Reference Group Meeting and Focus Group
Stage 4 (Mar 09)	<ul style="list-style-type: none"> • Draft report and consultation

Chapter 2 - National Policy Context

15. Each year around half a million people die in England. The care provided to these people, their families and carers, is a significant component of the workload for many health, social care, and voluntary sector staff. However, too often care for this people at the end of their life is not co-ordinated effectively across the different service providers, and is not designed around people's expressed wishes and preferences about their care.
16. In response to these challenges, the government has put in place a number of initiatives to improve care for people at the end of life. These

include: the development of National Institute for Health and Clinical Excellence guidance for supportive and palliative care for adults with cancer (2004), the NHS End of Life Care Programme, and the NHS Next Stage Review which have all contributed to the national End of Life Care Strategy launched in July 2008. The strategy recognises that improvement is required to ensure that people can access high quality care at the end of their life, irrespective of age, gender, ethnicity, religious belief, diagnosis or care setting, and that this care respects each individual's needs and preferences.

17. The End of Life Care Strategy is supported by £286 million of funding to improve the quality of care for all adults approaching the end of their life. Its aim is to provide more choice to people about where they would like to live at the end of life and where and how they would like to die. The strategy champions a growing national momentum towards improving end of life care within primary care, care homes, and considers care for patients with all end-stage illnesses in the final months and years of life. The ten year strategy is the first of its kind.

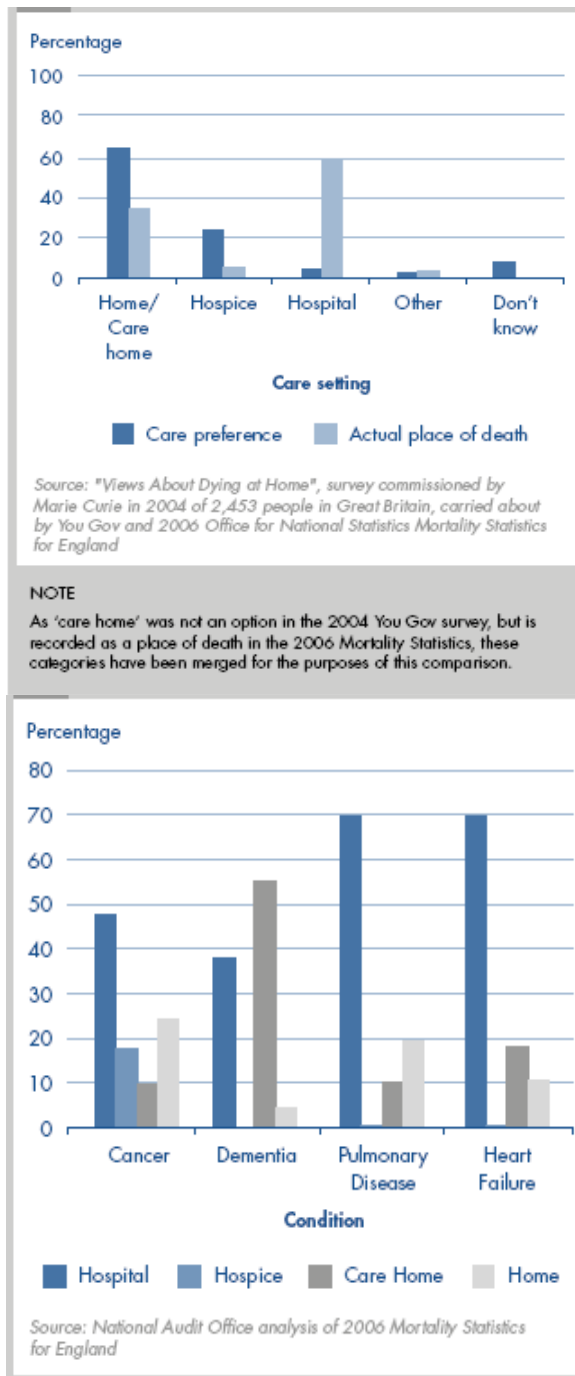
18. The National End of Life Care Strategy will include:

- **Improved community services** – working with PCTs and Local Authorities to ensure that rapid response community nursing services are available in all areas at all times. This is to enable more people to be cared for and die at home if they wish
- **Workforce training and development** – to train health and social care professionals in assessing the needs of patients and carers to provide the best possible quality of care at the end of life.
- **Development of specialist palliative care outreach services** – encourage PCTs and hospices to work together to develop specialist services in the community, to support all adults regardless of their condition
- **Setting up a national End of Life Research initiative** – to further understand how best to care for those at the end of their lives.
- **Quality Standards** – to develop quality standards against which PCTs and providers end of life care provision can be assessed.

19. The strategy notes that implementing end of life care pathways requires a major organisational commitment to the goal of improving care of the dying, and may require specific resources and local leadership.

20. The National Audit Office produced a comprehensive report on resourcing and challenges facing end of life care provision following the publication of the National Strategy in July 2008. The report is discussed in more detail within the review findings. Some of the national level data from the report is included below which demonstrate the current challenges faced within this care sector.

1. Comparison between people's preferences and actual place of death



2. Place of death varies by condition

21. Fig.1 presents the comparison between people's preferences and actual place of death. This suggests that many more people choose to die at home than are able to and suggests that Hospitals are one of the least likely preferences.

22. Fig 2 highlights the way medical condition influences people's place of death with heart and pulmonary disease patients most likely to die in Hospital.

Next Stage Review of Healthcare for London

23. Lord Ara Darzi's report 'Healthcare for London: A framework for action' set out radical changes to health service provision in London which, if implemented, will have a significant impact on London's health economy. Overview and Scrutiny Committees across London established the Joint Overview & Scrutiny Committee (JOSC) to review the plans within the report including the work of the End of Life Care Working Group.

24. Members of that working group provided evidence to the JOSC and the key points from their evidence is set out below. The information provides an insight into the challenges currently facing end of life services in London, including:

- 80% of the NHS workload relates to supporting people with chronic conditions.
- Surveys consistently reveal that the majority of people want to die at home or in a hospice. However, 70% of deaths in London take place in hospital, which is much higher than the rest of the country.
- End of life care in London is fragmented. The report proposes establishing five commissioning zones to achieve greater co-ordination of services. PCTs would be tasked to produce a specification of the required services to meet the needs of their population and commission providers for that zone. The providers would arrange for discussions to take place with individuals to find out their wishes for end of life care and then arrange for these services to be delivered (as far as possible). Service providers could be drawn from the NHS, or may be from the independent or voluntary sectors. Marie Curie deliver a similar service to fill gaps and improve services in Lincolnshire and this demonstrates the plans should roughly be cost neutral given the anticipated reduction in the number of people dying in hospital.
- The proposals will require people to overcome the taboo of talking about death. It will also require decisions to be taken to identify when someone is approaching the end of their life. It is not always straightforward to accurately predict life expectancy, although one option would be for people to be referred to end of life services when diagnosed with terminal illnesses.
- The proposals could impact on social care services, and like other aspects of chronic disease management it would be vital to ensure that the service specification for the end of life care providers include both health and social care.

- It was highlighted that these proposals (like other aspects of Healthcare for London) could provoke a debate about entitlement given that social care services are increasingly means-tested while health services are universal.
- Some London residents live in very poor quality accommodation and it is essential to ensure that these people are not forced to die at home. It was agreed that protections would need to be built into the system so that people who want to die at home are able to do so, while those wishing to die in hospital are able to also.
- It can be very difficult to find a terminally ill patient a place in a hospice, and an individual may be too poorly to be transferred by the time a space is available. Care homes often refuse to take a very ill resident back after hospital treatment despite this being the person's home. This may be because the care homes do not feel they have the expertise to support a very sick resident or because they feel the death of a resident will affect their reputation. It was agreed that any proposals must address this situation.

25. In relation to palliative care for Cancer Patients the following points were made by the JOSC and are :

- Any reform must ensure appropriate out of hours care services are in place. Often when faced with severe pains or complications many patients currently attend Accident & Emergency (A&E) as other health services are closed.
- Further work is required to develop palliative care skills within general practice, and doctors may require additional training on how to offer emotional support to patients diagnosed or living with cancer. Carers must be identified and their views incorporated into end of life plans.
- Hospices do not receive guaranteed funding from PCTs and donations account for much of their income.
- The end of life proposals could impact on carers. It is vital to identify the needs of carers early on and ensure they have the support to cope in their role. Government policy currently means that carers receive less state financial support once they reach pensionable age.
- Disagreements between organisations as to what is 'health' and what is 'social' care can undermine the quality of care provided to individuals. Very sick people may not have time to wait for lengthy discussions to be resolved.
- Clinicians must be encouraged to start discussions with their patients about their life expectancy and end of life care when patients are diagnosed with a terminal illness.

- The proposals for end of life care will require additional community nursing staff. This will not happen overnight and has a financial cost. However, a failure to ensure that staff are in place will increase the burden on carers and lead to increased hospital admissions.

Chapter 3 - Local Policy Context

26. In Tower Hamlets around 800 people die in hospital each year, nearly 2/3 of all deaths in the Borough. Approximately 11% of hospital spend is on unplanned admissions which accounted for 21,000 emergency bed days in 2006/07. There is not enough anticipated planned care for people in the Borough even though most deaths are related to long term conditions.
27. On average there is one complaint a fortnight about end of life care arising from concerns about privacy, dignity and communication.
28. There are significant inequalities in access to end of life care, with people who have conditions other than cancer and people from BME groups tending to benefit least from specialist palliative care services. Strikingly, people living in care homes are even more likely to die in hospital than older people living in the family home.
29. The 2007 End of Life Care Baseline Review identified many services provided by health, social care, voluntary and community providers in the Borough. However it was difficult to get a clear sense of the quality and capacity of what is available and how to best access these services.

Baseline Review

30. Tower Hamlets Primary Care Trust baseline review of end of life care included the audit results of the Liverpool Care Pathway and the Gold Standards Framework. These are key tools, frameworks and pathways to guide staff and utilise the various assessment processes to recognise people who are at the end stages of life, identify their palliative care needs and support carers. The baseline review concentrated on Trust commissioned services and that of known established providers such as Hospices and Marie Curie nursing services.
31. Of the 1200 deaths a year in Tower Hamlets nearly 75% of deaths were amongst people over 65. 47% of all deaths are at the Royal London Hospital with people in their last year of life accounting for 20% of emergency and 13% of planned hospital bed days. Lengths of stay for people in their last admission ranged from 15 days where the stay was elective to 24 days in emergencies.

32. The baseline review looked at social care provision to carers. The findings in this area concluded that assessment criteria would not identify many carers in need but that very basic support services could make a real difference to their quality of life.
33. The final place of care was revealed to be influenced more by disease, provision and resources rather than the patient's / carer's wishes. A number of contributing factors were identified by the review:
- Inequalities in accessing available care
 - Difficulties in navigating and choosing appropriate services
 - Poor knowledge of available services amongst generalist staff who are involved in providing end of life care.

The Delivering Choice Programme

34. Following on from the Baseline Review, Tower Hamlets Primary Care Trust implemented the Marie Curie Delivering Choice Programme to assess and deliver service improvements to the way end of life care services are provided locally. The programme focuses on engaging leaders, managers, clinicians and frontline staff, service users and wider communities – in short all stakeholders in the process of understanding needs and the current state of services and redesigning models of care.

Conclusions

35. There are a number of high profile national and local programmes looking at how to deliver patient choice at the end of life. Members of the working group discussed the scope of the scrutiny review in the context of these broader programmes of activity. The working group concluded that it would be appropriate to focus the review on end of life services provided by the Council. This included looking at the integration of health and social care but also supplementary services that are key to supporting and managing dying and death in the community. The working group also undertook a critical friend role to the Delivering Choice Programme.
36. Social and economic inequalities prevent many people from accessing appropriate services and dying at home when they want to. Tower Hamlets is the third most deprived local authority in England and has the third highest proportion of people living in the most deprived localities (Indices of Multiple Deprivation, 2007). One of the factors that could help mitigate against the impact of inequality is having good access to a network of carer and professional support to enable people to live as well as they possibly could. The NHS Baseline Review of long term conditions and palliative care highlights the wide range of services that exist in the Borough and suggests that these services could be well placed to overcoming the impact of inequality.

37. A large majority of deaths in Tower Hamlets follow a period of chronic illness, where people are known to health and social care providers. This suggests that services could be redesigned to trigger active consideration of end of life care issues when appropriate. However, health and social care professionals will need to be sufficiently confident to manage these discussions with individuals, and will need training to ensure they are aware of all services available to residents at the end of their life.

Chapter 4 – Findings

38. Members of the Panel held the first formal review meeting at the Princess Royal Carers' Trust Centre in Tower Hamlets. The working group received presentations from Lyn Middleton, Chief Executive of the Carers Centre Tower Hamlets on the Care-Plus Tower Hamlets project and the services the Trust provides to carers more generally. The second presentation by John Roog, Service Head, Adult Health and Wellbeing Directorate at Tower Hamlets Council focused on the points in a person's end of life care where social care interacts with health services. .

39. The Carers Trust presentation put forward key facts about carers nationally and locally, highlighting the sacrifices of carers and their support needs. There are currently 6 million unpaid carers in England and Wales saving the taxpayer £87 billion or the equivalent cost of another National Health Service. 80% of carers admit their caring role has an adverse effect on their health and the greatest worry for most carers is the concern over what would happen to the person they look after if they became ill. The number of carers is expected to increase by 50% over the next thirty years.

40. In discussing the strains that are often placed on Carers and the way people can fall between services, Lyn Middleton gave an example of a carer carrying their relative up and down stairs in their home over a long period of time and who was now in need of surgery to replace kneecaps. The carer's GP had not asked what had caused this health problem and the carer's needs were therefore not identified.

41. The issues around arranging carer's assessments identified carers as often not identifying themselves as carers. Many people see their caring responsibilities as fulfilling the role of a partner, child etc. The key challenge to enabling people to access the right services for the people they care for and themselves is recognising their role as a carer.

Care-Plus Tower Hamlets

42. The presentation covered the interim findings of the Care-Plus Tower Hamlets project, a three year research project funded by the Kings Fund. The project has been piloting an enhanced carer support service to

determine the impact of a single point of contact for care co-ordination for carers of patients with end stage heart failure. It has been identified as being good practice by the Audit Commission and the Kings Fund. The evidence showed that well supported carers can prevent unnecessary hospital admissions and identified that carers feeling unable to cope was a primary reason for taking the cared for person to hospital.

43. The services provided by the Care-Plus project included counselling, social activities that improve quality of life and support with financial issues for example benefit applications and maximising income. The project co-ordinator was also able to make applications for funding from charitable trusts when needs fell outside the remit of social care funding. A referral protocol specifically for end of life care packages has also been developed with St Joseph's hospice, enabling the co-ordinator to make direct referrals of patient and or carers into their services.
44. The Care-Plus project showed that successful fast tracking to appropriate services and tailored co-ordination of support resulted in an approach that works for the individuals who are delivering care but also for the organisations providing the goods and services.
45. In describing the key findings it was said that the Carers centre are able to be more flexible and try different routes as they do not have the same internal bureaucracies to deal with. One of the examples given included where the NHS are only able to provide patients with home nebulisers. Where these are needed all the time by patients, having a home based nebuliser can adversely affect the individual's quality of life as they become house bound. Without the same bureaucratic constraints faced by public service providers the Care-Plus project organised for a portable nebuliser for the patient and thereby dramatically improving both patient and carer mobility and quality of life. The project had also been able to respond to other specific local needs for example the project has a short term wheelchair loan facility for people waiting to receive one through the formal process of application to social care services which can take weeks to complete.
46. Members discussed the issues behind these examples and whilst they welcomed the Joint Strategic Needs Assessment approach to Commissioning it was felt that that in order for the commissioning process to be genuinely responsive to people's needs it should allow commissioned services flexibility to meet to these needs.
47. Health care professionals who have referred patients into the project have reported that they have been freed up to carry out their primary role and develop a more satisfactory relationship with patients in relation to their medical need. Clinicians and professionals interviewed as a part of the project overwhelmingly said that the service works extremely well and that they have a great deal of confidence referring their patients to the project and valued the ongoing contact with the co-ordinator.

48. The care plus project had managed 62 cases at the time of the review meeting, costing approximately £660 per person per year. The project is currently meeting expanding demand by taking on two final year nursing and social work students as volunteers. The Carers Centre Tower Hamlets has been asked to prepare a business case for continued funding. As at end of March 2009 there was not confirmed funding in place for the continuation of the project in the PCT Commissioning Intentions for 2009/2010 or from Social Care funding.
49. In subsequent meetings members discussed the role of the project in improving the quality of life of the individual and their carer through this approach. The focus on end stage heart failure reflected local community needs as coronary heart failure is a major cause of death in the Borough. The project has won a number of national good practice accolades and Members were keen that public service providers should learn from the experience of the project and the Care-Plus project be commissioned to continue and expand its work.

Recommendation 1

That the Care-Plus project be commissioned by NHS Tower Hamlets and London Borough of Tower Hamlets for a minimum of a further two years. The scope for disseminating learning from the project locally should be explored within the commissioning of the project.

50. The working group wanted to review the findings of the Older LGBT Matters report capturing the experiences of older lesbian, gay, bisexual and transgender adults in Tower Hamlets. The research project commissioned by the Scrutiny & Equalities Service at Tower Hamlets Council had been asked to include where appropriate any evidence around the experience of death and bereavement within the LGBT community. The nature of the research meant that it was not specific to end of life care but did reveal that services across the board could be much improved to meet the needs of the LGBT community and indeed the needs of residents who do not typically live in a “nuclear” or intergenerational family setting.
51. Throughout the review the working group heard anecdotal evidence of the need to recognise the role and rights of carers, partners and friends of the person coming to the end of their life. In particular there is a need to identify a way of recording an individual’s preference for who could make decisions on their behalf if they are no longer able to do so.

Recommendation 2

That the needs and rights of carers, partners, single sex partners and friends be recognised within the context of end of life care. In particular the tools used to facilitate discussion with families at end of life be extended to cover these groups.

National Audit Office report on End of Life Care

52. The working group reviewed the recently published National Audit Office Report (NAO) on End of Life Care (November 2008) as part of the discussion during the review meeting. The report states that:

“Provision of end of life care services has become increasingly complex: people are living longer and the incidence of frailty and multiple conditions in older people is increasing. As a result, people approaching the end of their life require a combination of health and social care services provided in the community, hospitals, care homes, or hospices.”

53. Members discussed the suggestions within the report for learning from the hospice movement and how skills could be disseminated through outreach services and training. Councillor Stephanie Eaton described her experience of visiting St Joseph’s Hospice as part of the evidence gathering work for the review.

54. St Joseph’s is the only local provider of hospice services to residents of Tower Hamlets. The hospice is a tremendous success story in the range and quality of services it is able to provide to people at end of life. During the visit Councillor Eaton discussed some of the challenges faced in promoting further uptake of these services, particularly by ethnic minority communities. In part this was attributed to the way that hospices are perceived as places where “you go to die”, a service specifically for Christians or a perception that hospice support is Cancer specific. St Joseph’s Hospice is tackling these issues by promoting the facility as a pain and symptom management service. St Joseph’s is keen to deliver more community services through outreach work. Members were keen that the NHS Trusts in Tower Hamlets and the Council work in partnership with the Hospice in relation to the training of health and social care staff and the potential for joint outreach work in the community. Planned services include a new self-management facility and refurbishing of an area of the hospice that will be available to anyone who wishes to know more about end of life care. The new centre will offer information, advice, support and services, including a public education programme, available to schools and other community groups. The hospice is currently piloting the education programme with a Tower Hamlets Primary School.

55. Members of the working group pointed out that there were many ‘tools’ and methods being discussed as ways to improve end of life care services for example the Liverpool Care Pathway, Gold Standards Framework for use in primary care and Preferred Priorities of Care. They concluded that there was a need to simplify the model of care for people at end of life. This would benefit the individual patient but also simplify the process for the professionals using these tools. It was suggested that having one model with four or five criteria to identify and facilitate care across health and social services during end of life would be beneficial.

Recommendation 3

That the Council and NHS Trusts work in partnership with St Joseph's Hospice to extend hospice care in the community; and train health and social care and care home staff on managing end of life care discussions.

Coordinating Health and Social Care

56. John Roog, Service Head for Older People & Homelessness at Tower Hamlets Council, delivered a joint health and social care presentation that set out the patient pathway at end of life and the points at which health and social care interact.

57. The NAO report on End of Life Care states:

“Coordination between health and social care services in relation to the planning, delivery and monitoring of end of life care is generally poor and is hampered by different funding streams. It can be difficult to determine what proportion of patients’ needs are medical and fall under the NHS budget, or non-medical (social care) and are funded, in part, by local authorities and by the patient based on a needs assessment. A lack of integrated services and an absence of a single point of contact to coordinate care can lead to particular frustration.”

58. Amongst the challenges that were discussed in coordinating care at end of life the key factors that Members commented on were the need to prioritise improving the discharge process. Members felt that it was important to get transport and appropriate equipment into place and organised as part of the discharge process. Members were disappointed to hear that transport from the Royal London Hospital, needs to be booked twenty-four hours in advance and that this could be the sole factor keeping a dying person in hospital.

Recommendation 4

That the NHS Trusts in Tower Hamlets and London Borough of Tower Hamlets prioritise co-ordination across health and social care during discharge from hospital and as a part of this work that the major Hospitals in Tower Hamlets explore options to prioritise the transport needs of those at end of life.

59. Members asked questions about the usefulness of Advance Directives and wills to prevent conflict between an individual's wishes and those of the family during what can be a highly emotional time. A number of the working group members expressed concern about the potential for financial abuse of people that are cared for by friends or family and the need to have in place warning systems that prevent elder abuse.

Recommendation 5

That the Council provide signposting and advice services on how to make wills and put in place Advance Directives and that these

should be linked to information provided by the Births, Deaths and Marriages Registry services in the Borough.

Improving information share

60. Members attended the Older Peoples Panel which co-ordinates packages of care across health and social services for older people as a result of which the panel decisions also includes co-ordinating services and products for people for those who may also be at end of life. The working group welcomed the individualised approach taken to deciding care and the shared responsibility across service providers which prioritised the needs of residents before the decision about whether the Council or the PCT would be funding that care.
61. Members felt this was a valuable start to taking an integrated approach to care whilst formal processes are being developed to achieve better coordination of services. Members' key observations were that the method for sharing information about individual cases could be improved and that this should be looked at immediately to improve the efficiency of the Panel. The current approach is ad-hoc and reliant on individual professionals 'completing the picture' of a case. The benefits were apparent in that it provided a genuinely person-centred approach. However it was felt that this process could be more efficient and consistency of through having key information about patients e.g. medical history or diagnosis, names of key people involved including carers and professionals, and, the current services they patient was accessing as standard information to be shared ahead of the meeting. Members recognised that currently there is no administrative support to the Panel to enable this to happen.
62. It was unclear whether there is an audit trail of the decisions that are taken or that there is an evaluation process for the outcomes achieved. These would be important considerations if the Panel is a long-term approach to coordinating care for end of life care patients amongst its wider client base. Members asked questions about how issues such as Adult Protection were managed and whether there were any warning systems in place for professionals to raise concerns about an individuals care.
63. Social care services are provided on the basis of needs in terms of wellbeing and quality of life. This is a different organisational and cultural approach to the way health services identify end of life care needs. Members felt that a common approach should be agreed if integrated provision is to become a reality. Members discussed the role that a common definition could play in integrating care. It was felt that a definition was an important starting point and could benefit the commissioning process, by highlighting the need to recognise that an individual's end of life experience is likely to affect their level and type of needs in the context of possible rapid decline, the needs of carers and families and how healthcare and medication is administered to them. A

common definition will not necessarily deliver integration of care as a working reality – it would however help social care service provision to consider the need to have services that respond very quickly to changes in need.

Recommendation 6

Health and social care services develop a common definition of end of life care to be understood by all staff working with older people in particular. The definition should agree the trigger for health and social care services to consider the end of life care needs of the individual.

Recommendation 7

A joint health and social care post be created to lead on the integration of health and social care services for end of life. The remit of the role would include creating a joint protocol for information share across health and social care including for the Older People's Panel and for co-ordinating care at the key points where health and social care interact.

Supplementary Services

64. In Tower Hamlets there is a much higher than national average of people ascribing to a faith. The diversity of faiths is also a particularly important feature of the communities that make up the hyper-diverse profile of the Borough. Members were keen to explore the faith needs around end of life care and the challenges that poses to service provision.
65. A visit to the Royal London Hospital Chaplaincy team was carried out on 9th February 2009 to which members of the Tower Hamlets Interfaith Forum were also invited.
66. The group highlighted some of the faith related needs around end of life care and in the immediate period following death. For example as part of their religious beliefs the Orthodox Jewish Community need to stay with the body before burial. Similarly friends and family needing to stay with patients, have needs around kosher food provision and to factor in that they are unable to use transport services during the Sabbath. A common feature for both Muslim and Jewish communities was the need to avoid post mortems and for rapid release of bodies where possible to enable quick burials.
67. A question was raised about the Council's position on the Coroners Bill and whether the options to introduce MRI scanning as an alternative to post mortems would be supported. Councillor Eaton attending the visit on behalf of the working group stated that there were no specific plans for the local authority to comment on the Bill that she was aware of, but she would highlight the value placed by faith communities on alternatives to post-mortems through the review.

68. The group also discussed the need for a rapid death certification service in Tower Hamlets. In the past the service had been piloted to cover the weekend closure period but was subsequently closed. Members of the Chaplaincy team were currently exploring what the service needs are and the group discussed the scope for an inter-borough approach to a rapid death certification service because of the nature of people moving across borough boundaries to access acute care and whether it would be more cost-effective through a wider geographic coverage funded by pooled resources.
69. Currently local residents can obtain emergency burial certificates on Saturdays between 12.00pm and 4.00pm through the Registrar and on Sundays and Bank Holidays there is a standby service for emergency burial certificates only between 9am and 10am (information from the Council Website). There is also a fast track certification service available through Barts and the London NHS Trust hospitals but not well known. Members who attended the visit heard anecdotal evidence that communities found it difficult to access existing services in some cases because they are not widely publicised.
70. In discussing the social care needs of individuals at end of life the group highlighted a number of cases where care was not in place when a patient was due to leave hospital. This was hampered by the limited scope of the role of hospital social workers to co-ordinate care as well as the difficulties caused by an increasingly stringent means tested approach to providing care.
71. The people attending the visit raised the need to be careful about the diversification of service delivery with partners so that individuals do not get 'lost' in the system. At a number of points in the review Members discussed the end of life care directories (professional and patient variations) that had been commissioned by the Tower Hamlets Primary Care Trust and questioned the capacity of the organisations listed to be able to cope if the raised profile of organisations led to increased demand. They also questioned the accessibility of a written directory given the vulnerability of people at end of life and the challenges posed by the demographic profile in Tower Hamlets.
72. In reviewing the evidence from the visit the working group considered the Council's responsibility over some services that can facilitate and ease pressure on carers, families and individuals at end of life and in dealing with death. These supplementary services include information on writing wills and Advance Directives (as captured in Recommendation 4) to protect vulnerable adults but also to provide clarity about peoples wishes. It was also agreed that the current Registry services for death certification meant that some families of individuals could be significantly delayed in arranging the burial of their loved ones. This is seen by communities not only as a key religious priority but key to people's cultural attitudes to bereavement and coping with the loss when a family member or close friend dies.

73. This reinforced the need for early discussion about end of life care and the need to prevent invasive treatment where this was against the wishes of the individual. The working group also considered the impact of housing conditions and overcrowding in the Borough on peoples choices over where they wanted to die but also of problems getting equipment into accommodation with restricted access. It was said that given the condition of some of the housing stock and the lack of data available on how people living in Tower Hamlets view end of life, it would be wrong to assume that people want to die at home especially on an extrapolation of national data as the basis of this.

Recommendation 8

That the NHS Trusts and the Council review their provision of rapid death certification services to take account of local community needs including that of faith and explore the options for an inter-borough service to ensure 24 hour coverage. The service that is developed as a result of this will need to include a community engagement plan to publicise and improve access to the service.

Challenge of talking about death and dying

74. The working group were keen to explore community views about end of life care provision and sought to get these views in a number of ways. This included an editorial article in East End Life and requests to community organisations to invite people to participate in the review. The challenge in generating these responses led to the working group opting to seek views in alternative ways. It did however also highlight the innate challenge of gauging community views around death, dying and the care needs related to that. The experience of the review discussions has been that it can be very emotionally charged and rooted in diverse cultural taboos around talking about death and dying.

75. The working group visited the Older Peoples Reference Group to discuss the review objectives and emerging findings. The subject was very emotive and difficult to separate out a discussion of the objectives of the review and peoples views that were on principle against having the consultation with the group on this subject. There were a number of people who did want the discussion to take place and were keen to see the taboo of talking about death and dying being addressed and there was a great deal of internal challenge within the group. The difficulties of the discussion within the group in many ways reflect the wider challenges around making talking about death and dying more acceptable in order to improve end of life care and the need for professionals to be highly skilled in managing these discussions. It was agreed that a follow up workshop would be held to look at the findings more closely and to give people the space to think about issues in a less formal setting. Councillor Ann Jackson who attended the reference group on behalf of the working group agreed to support a further discussion.

76. Unfortunately, the two participants who had found discussion most difficult failed to attend the workshop. It did however include participants who felt ambivalent about the subject or had questioned the review objectives and the reference group being asked to comment on this subject in particular. There was an enormously rich diversity of opinions about the challenge of talking about death, how dying should be managed and the needs of carers. "A wide range of issues were raised and discussed addressed elsewhere in this report such as the difficulty for people in facing and discussing death and end of life issues; "Living Wills"; making a will, dying at home; role of and impact on carers; the need for a directory of end of life services for families."
77. The experience of engaging communities to talk about end of life care for this review highlighted the challenge faced by health and social care professionals in beginning these sensitive discussions. People taking part in the discussions suggested that the Council should explore funding organisations such as Age Concern to facilitate community discussions around end of life care.
78. St Joseph's Hospice also submitted information on their work to engage with ethnic minority communities as further ways of facilitating discussions around end of life. The Hospice has been working with Social Action for Health, a local community development organisation to work with mosques, local community centres, social clubs and schools to talk about the work of the hospice. They have opened up discussions about people's experiences, anxieties and aspirations with regard to end of life care, which have been fed back to hospice staff enabling them to consider how to develop services which are sensitive to the needs of the wider population.

Recommendation 9
the Council consider piloting a programme of community based discussions on end of life care.

The importance of an advocacy role

79. In Tower Hamlets there are many services that could be used by people and their carers at end of life that would improve their quality of life and mitigate against the adverse impact of poverty and inequality in the Borough. Members welcomed the proposals within the Delivering Choice programme to understand this provision more fully and how it can be better co-ordinated.
80. Across all the review evidence sessions and visits there was an ongoing theme of the positive role advocates can play in the context of end of life care. The National Audit Office report, Care-Plus project and the challenges people spoke of and seen by the working group of knowing what services there are and accessing the right services in time was the most significant challenge to good end of life care. Carers and

individuals at end of life often did not have the time, confidence or knowledge about who and how to contact the services they need.

81. The working group also reviewed the findings of Phase 1 of the Delivering Choice Programme. Members welcomed the honest and open way in which local challenges to providing good end of life care were addressed and welcomed all the proposed workstreams in the report. Members felt that in arriving to many comparable and similar conclusions through the health scrutiny review process, that this reinforced the value of the research and investigative work that the Delivering Choice Programme had delivered.
82. There are a number of workstreams related to improving communication across services which must underpin any redesign of services and key to enabling a single co-ordinator to pull together different service as one care package. Members agreed that the approach to managing care for an individual at end of life should be led by an advocacy approach.

Recommendation 10

on the basis of a common definition of end of life care being agreed by the Council and NHS Trusts, individuals should be assigned a single point of contact for co-ordinating all subsequent care.

Staff Training and Confidence

83. Staff training and confidence had been identified as a key issue by the early work that Tower Hamlets Primary Care Trust had done to begin improving end of life care services. It is also a key feature of the findings of Phase 1 of the Delivering Choice Programme. During one of the review meetings members of the working group received presentations from Care Home representatives which highlighted some of the challenges faced by staff in the care home context. This included issues of non medical staff being trained to administer medication to enable people to die at home wherever they consider home to be. The discussion also explored some of the cultural challenges faced by staff in responding to the diversity of needs and views around death and dying in their day to day caring role.
84. Tower Hamlets commissions care across six local care homes. They deliver services independently and commissioning is done predominantly on a case by case basis with some contracts. There is a need to explore how these services are commissioned more strategically and for commissioning to be used to influence or incentivise service providers positively around training and development of staff confidence around managing end of life care issues. As part of the Single Status negotiations covering staff providing Home Care services a new agreement adding the administration of medicine to the cared for has just been agreed.

85. The care home representatives also highlighted issues around access to resources such as syringe drivers which often hampered staff ability to administer medication and respond to out of hours needs as much as possible within the care home. This type of equipment can represent significant costs to privately run businesses and they would welcome consideration of how access to these resources held by health care services could be shared. Members were keen that options be explored for care homes to purchase or have access to syringe drivers so that this did not prevent or delay treatment for individuals in care homes.
86. Members welcomed the range of options currently in use to improve end of life care provision such as the Gold Standards Framework, Liverpool Care Pathway and tools such as the Preferred Place of Care. Members felt that it would be important to ensure however that there was a balance between having a range of tools in place and whether this supported or hampered improved training and staff confidence and for example which tool would best be suited to a care home setting.
87. The working group discussed the evidence that there are a greater number of people at end of life living in care homes who die in hospitals than those living independently. The care home representatives acknowledged the challenges and underlying lack of staff confidence in dealing with these issues but highlighted the pressures on care home staff in terms of the wide range of training they are expected to complete of which end of life care is one part.
88. The proposed quality markers for care homes set out by the Care Quality Commission indicate a much more demanding performance regime around end of life care which was welcomed by the working group. The working group felt that it was important that health and social care service commissioners take into account that care homes identified time and resourcing as key barriers to achieving better trained, resourced and more confident staff able to deal with end of life care.

Recommendation 11

That a strategic approach to commissioning care homes be developed taking into account the need to deliver high quality and efficient services but also in a way that ensures there are sufficient resources and flexibility for care home staff to take up training to meet the end of life care needs of residents.

Chapter 5 – Conclusion and Recommendations

89. This section draws together the recommendations emerging from the review which it is hoped will help to contribute to improving provision and co-ordination of end of life care for local people. Some of the recommendations build on each other and it is important that they are viewed in the whole by the organisations asked to respond to these to achieve the anticipated outcomes.

90. The working group recognise that end of life care is a very broad field of care provision and were clear from the outset that given the health service focus on improving provision through the Delivering Choice Programme it was important for the health scrutiny review to focus on areas that would add value to this programme. For this reason the health scrutiny review did not explore issues that were being extensively addressed through the Delivering Choice Programme. For example the needs of children with terminal illnesses, the needs of mental health patients or the specific health care services e.g. palliative care, out of hours services etc that are key to delivering good quality end of life care services.
91. In reviewing the progress of the Delivering Choice Programme, Members are very supportive of all the proposed workstreams in the Phase 1 report and commend the programme team for the honest, frank and comprehensive way in which the challenges have been mapped and described in the report. Members are keen that the findings are used to seek the appropriate funding from the Department of Health and from within Primary Care and Council resources that will deliver the step change required in end of life care provision in Tower Hamlets.
92. The working group recognise that responding to the varying and individual needs of people at end of life and the needs of their carers is challenging for both health and social care. Members are keen to see greater use of voluntary and community sector provision that can ease the pressure on health and social care provision. The lessons learnt and good practice emerging from the Care-Plus project also has potential to inform the action plan in relation to Recommendation 9 and how the Primary Care Trust and Council could develop care to be coordinated through a single point of contact.

Recommendation 1

That the Care-Plus project be commissioned by NHS Tower Hamlets and London Borough of Tower Hamlets for a minimum of a further two years. The scope for disseminating learning from the project locally should be explored within the commissioning of the project.

93. Advance Directives are documents which set out an individual's choices should they become unable to voice them through illness or reduced capacity at end of life. These are discussed further in Recommendation 5 which should support longer term planning of end of life care. There is however a need also for service providers to take into account the role of carers, single sex partners who may not have had a civil partnership or marriage ceremony and friends in determining end of life care provision for an individual.

Recommendation 2

That the needs and rights of carers, partners, single sex partners and friends be recognised within the context of end of life care. In

particular the tools used to facilitate discussion with families at end of life be extended to cover these groups.

94. The Hospice movement has a history and rich diversity of knowledge on facilitating discussion and managing the delivery of end of life care services which should be tapped into by health and social care professionals who are likely to work with individuals at end of life. The level of training and awareness required by professionals will vary and should be agreed by the services managing these staff.

Recommendation 3

That the Council and NHS Trusts work in partnership with St Joseph's Hospice to extend hospice care in the community and train health and social care and care home staff on managing end of life care discussions.

95. Discharge from hospital is a key point at which coordination of health and social care needs to come together effectively. There are cultural and procedural barriers to change which need to be addressed now to ensure that vulnerable people are neither dying in hospital waiting to go home, nor are going home to die without the adequate care arrangements being made.

Recommendation 4

That the NHS Trusts in Tower Hamlets and London Borough of Tower Hamlets prioritise co-ordination across health and social care during discharge from hospital and as a part of this work that the major Hospitals in Tower Hamlets explore options to prioritise the transport needs of those at end of life.

96. Members discussed at length the benefits that supplementary advice and signposting services could have in facilitating end of life care discussions but also avoid family disputes and prevent the financial abuse of elderly people who may have reduced capacity to make decisions at end of life.

Recommendation 5

That the Council provide signposting and advice services on how to make wills and put in place Advance Directives and that these should be linked to information provided by the Births, Deaths and Marriages Registry services in the Borough.

97. Two thirds of deaths in the Borough are "expected", in that they are generally people nearing the natural end of their lives or have been diagnosed with a chronic or terminal illness. Social care provision is broadly age and means tested which is in contrast to health care provision which is universal and free at the point of delivery. These are significant organisational differences that need to be overcome to achieve genuine integration. Members were keen however to include ideas for developing a common definition under which integration could be secured at critical points in the end of life care pathway.

Recommendation 6

Health and social care services develop a common definition of end of life care to be understood by all staff working with older people in particular. The definition should agree the trigger for health and social care services to consider the end of life care needs of the individual.

Recommendation 7

A joint health and social care post be created to lead on the integration of health and social care services for end of life. The remit of the role would include creating a joint protocol for information share across health and social care including for the Older People's Panel and for co-ordinating care at the key points where health and social care interact.

98. The working group recognised that there were a number of areas where the Council and NHS services could work to improve the experience of death and dying for individuals and their families by providing culturally or faith sensitive services, giving them confidence that their spiritual needs following death will be met.

Recommendation 8

That the NHS Trusts and the Council review their provision of rapid death certification services to take account of local community needs including that of faith and explore the options for an inter-borough service to ensure 24 hour coverage. The service that is developed as a result of this will need to include a community engagement plan to publicise and improve access to the service.

99. The focus group discussion with members of the Older Peoples Reference Group highlighted the difficulty and challenges of talking about death and dying. It also raised a number of issues around the impact of a lack of dignity and respect for the dying individual and their families' wishes can have on how people cope with dying and bereavement. Members would like to see greater consideration of bereavement needs through the Delivering Choice Programme and the key role that voluntary and community sector organisations are able to play in this area. Although this was not a specific area of investigation as part of the scrutiny review, Members were keen to ensure that work is undertaken to facilitate discussion about death and dying and removing the taboos around the subject, seeing it as key to planning for end of life care.

Recommendation 9

That the Council consider piloting a programme of community based discussions on end of life care.

100. Members welcome the suggestions within the Delivering Choice Programme report for better coordination of care including ideas for have

a one stop shop approach for accessing the wide range of services available. The evidence that has been looked at as part of this review indicates that a single point of contact for individuals and their carers is key to effective coordination. Members are keen that future health and social care workstreams to improve end of life factor this in as a priority.

Recommendation 10

That on the basis of a common definition of end of life care being agreed by the Council and NHS Trusts, individuals should be assigned a single point of contact for co-ordinating all subsequent care.

101. The working group felt that it was important to recognise care homes as the 'home' of the person living there and that it be treated as such in line with an individuals wishes. This should preface training and staff confidence building measures particularly in care homes and with professionals responsible for discharging patients from hospitals. Members believe that much greater results could be achieved by taking a strategic lead on commissioning care homes and that there is scope for working in partnership with care homes on sharing good practice and providing training.

Recommendation 11

That a strategic approach to commissioning care homes be developed taking into account the need to deliver high quality and efficient services but also in a way that ensures there are sufficient resources and flexibility for care home staff to take up training to meet the end of life care needs of residents.

102. On the final recommendation it is useful to reflect on the National Audit Office report conclusion on the scope and possibilities for delivering improvements through service redesign and better commissioning.

“Given the potential to redistribute resources identified in our work, there is scope for PCTs to improve services in all settings by deploying existing and future resources more efficiently and effectively in supporting people in their preferred place of care. To achieve this improvement, there will be a continuing need for the Department to support PCTs as they reconfigure services and redeploy resources to better meet the needs of their local population.”

103. This highlights an opportunity to get processes and services underpinning end of life care right and future proofed to meet the increasing needs of an ageing population. The working group puts forward these recommendations as a way of supporting this overarching objective.

Scrutiny in Tower Hamlets

To find out more about Scrutiny in Tower Hamlets

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Appendix 2 - Response to Health Scrutiny Panel Review on End of Life Care

Recommendation	Response/Comments	Responsibility	Date
<p>R1 That the Care-Plus project be commissioned by NHS Tower Hamlets and London Borough of Tower Hamlets for a minimum of a further two years. The scope for disseminating learning from the project locally should be explored within the commissioning of the project.</p>	<p>LBTH and NHS Tower Hamlets initially agreed interim funding for this project until March 2010 pending the completion of an evaluation of this project.</p> <p>The evaluation was completed (and identified by the Kings Fund as good practice) and based on this evaluation the service has been recommissioned by the partners, initially for 2010/2011 and using just clinical staff.</p> <p>The future of the Project will be included within the Integrated Commissioning Programme currently being developed by LBTH and NHS Tower Hamlets.</p>	<p>Health Lead – Alison Roberts (Head of Commissioning, NHS Tower Hamlets)</p> <p>Social Care Lead – Barbara Disney (Commissioning Manager for Older People)</p>	<p>Funding has been agreed until March 2011.</p>
<p>R2 That the needs and rights of carers, partners, single sex partners and friends be recognised within the context of end of life care. In particular the tools used to facilitate discussion with families at end of life be extended to cover these groups.</p>	<p>NHS Tower Hamlets already applies the principles and aspirations set out by the panel in this recommendation in relation to end of life care using the Gold Standard Framework and Liverpool Care Pathway process of identifying the main carer and have appropriate discussions with them. It will continue to use this process so that all groups are included.</p>	<p>Social care lead – Barbara Disney</p> <p>Health Lead – Alison Roberts</p>	<p>Completed</p>

Recommendation	Response/Comments	Responsibility	Date
<p>R3 That the Council and NHS Trusts work in partnership with St Joseph's Hospice to extend palliative care in the community and train health and social care and care home staff on managing end of life care</p>	<p>One of the work streams for the Delivering Choice programme is looking at workforce development and training which includes both health and social care.</p> <p>Representatives from social care are already on other work streams which include elements of education and training need identification and care home work.</p>	<p>Health, social and voluntary sector Health lead – Alison Roberts Social Care lead – Barbara Disney</p>	<p>A variety of courses for health care assistant and non professional staff have been commissioned by NHS Tower Hamlets in 2010. Ongoing</p>
<p>R4 That the NHS Trusts in Tower Hamlets and London Borough of Tower Hamlets prioritise co-ordination across health and social care during discharge from hospital and as a part of this work that the major Hospitals in Tower Hamlets explore options to prioritise the transport needs of those at end of life.</p>	<p>As part of DCP¹ this is an area that is being currently investigated and scoped</p>	<p>Health lead – Alison Roberts Social Care lead – Barbara Disney</p>	<p>Executive Board agreed for a co-ordination centre to be set up in Tower Hamlets funded from health in Jan 2010. Negotiations have started with community health services to set up a pilot.</p>
<p>R5 That the Council provide signposting and advice services on how to make wills and put in place Advance Directives and that these should be linked to information provided by the</p>	<p>There is a booklet designed by NHS Tower Hamlets "What to do in event of a death in Tower Hamlets" which as details around signposting and putting in place advance directives.</p>	<p>Social Care – Andrew</p>	<p>April 2010</p>

¹ DCP is the NHS Tower Hamlets / Marie Curie Delivering Choice Programme which was launched in August 2008 and works with partners including LBTH.

Recommendation	Response/Comments	Responsibility	Date
<p>Births, Deaths and Marriages Registry services in the Borough.</p>	<p>This recommendation will be incorporated into the Council's Channel Strategy. Immediate actions include:</p> <ul style="list-style-type: none"> • To make sure the current literature is disseminated widely but sensitively including placement in Idea Stores • Reviewing and updating information put out by the Council including the use of East End Life • Ensuring Call Centre Staff are able to signpost residents appropriately 	<p>Shirras (Strategic Services Manager, LBTH)</p>	
<p>R6 That health and social care services develop a common definition of end of life care to be understood by all staff working with older people in particular. The definition should agree the trigger for health and social care services to consider the end of life care needs of the individual.</p>	<p>The definition used is set out in the DCP and we are not able to use our own local definition. However the point is accepted in so far as this is about consistent training and common understanding of what end of life care is.</p> <p>Regarding the use of triggers, there is the Gold Standards Framework for Palliative Care in the Community and in Care Homes that partners are seeking to adopt.</p>	<p>Health lead – Alison Roberts Social Care lead - Barbara Disney</p>	<p>Completed</p>
<p>R7 That a joint health and social care post be created to lead on the integration of health and</p>	<p>Part of this function may be covered within the coordination centre</p>	<p>Health and social care (Delivering Choice Programme)</p>	<p>On-going</p>

Recommendation	Response/Comments	Responsibility	Date
<p>social care services for end of life. The remit of the role would include creating a joint protocol for information share across health and social care including for the Older People's Panel and for co-ordinating care at the key points where health and social care interact.</p>	<p>The End of Life Board is overseeing a programme of work to promote a more integrated delivery of care building on the more general integration of provider services that is currently in progress.</p> <p>The Commissioning aspect of this work will be taken forward in context of the Integrated Commissioning Executive which oversees the integration arrangements in place between NHS Tower Hamlets and the Council.</p>	<p>Integrated Commissioning Executive</p>	
<p>R8 That the NHS Trusts and the Council review their provision of rapid death certification services to take account of local community needs including that of faith and explore the options for an inter-borough service to ensure 24 hour coverage. The service that is developed as a result of this will need to include a community engagement plan to publicise and improve access to the service.</p>	<p>NHS Tower Hamlets has already begun work on this issue and is in the process of setting up a working group to look at death certification and related issues for the community and hospital.</p> <p>The Council also already operates a joint bereavement office service with Newham Council, ensuring that burial forms are issued during public holidays. When delays to burial do occur it is because a doctor has not signed a death certificate.</p> <p>There are some legal constraints which make this recommendation difficult to achieve. A death can only be certified by the doctor who has seen the patient in the last 14 days. Out</p>	<p>Health lead Alison Roberts</p>	<p>A date has not been set.</p>

Recommendation	Response/Comments	Responsibility	Date
	<p>of hours/weekend death are covered by the Out of Hours GP service who will not have seen the patients before and therefore cannot certify the death and this causes a delay, especially at weekends and over bank holidays when the normal GP is not available. It may cause distress for Muslim patients who need a quick burial.</p>		
<p>R9 That the Council consider piloting a programme of community based discussions on end of life care.</p>	<p>NHS Tower Hamlets welcomes the potential to enhance community dialogue and understanding through this approach. We believe it should be done with sensitivity and must include follow up and provision of training for staff involved and responding to requests that might come from the discussions.</p> <p>Social Care and NHS Tower Hamlets have previously participated in jointly hosted public discussions and welcomed this approach. A recent public engagement around acute hospital care for people with Learning Disabilities – “Six Lives” – has shown how successful this type of approach can be.</p>	<p>Barbara Disney and Alison Roberts Integrated Commissioning Executive</p>	<p>On-going</p>

Recommendation	Response/Comments	Responsibility	Date
	<p>We are working under the DCF programme on how we can adapt such an approach to End of Life Care. This will build on the relationships between equalities in the Council and local faith groups.</p> <p>An update will be provided to Members as part of the six-monthly monitoring of this Action Plan.</p>		
<p>R10 That on the basis of a common definition of end of life care being agreed by the Council and NHS Trusts, individuals should be assigned a single point of contact for co-ordinating all subsequent care.</p>	<p>Please see response to Recommendation 4.</p>	<p>Health and social care</p>	<p>Delivering Choice Programme - Work stream group to be developed and proposal for service improvement by January 2010.</p>
<p>R11 That a strategic approach to commissioning care homes be developed taking into account the need to deliver high quality and efficient services but also in a way that ensures there are sufficient resources and flexibility for care home staff to take up training to meet the end of life care needs of residents.</p>	<p>A service specification for end of life care in residential care homes to be developed and incorporated into the Commissioning work programme for the review of care home contracts - across both Council and NHS contracts.</p>	<p>Social Care – Barbara Disney Overseen by Integrated Commissioning Executive</p>	<p>Ongoing</p>

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Agenda Item 9.2

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 141/090
Report of: Corporate Director of Children, Schools & Families Originating officer(s) Head of Strategy, Partnerships & Performance		Title: Children, Schools & Families Contracts Wards Affected: All	

Lead Member	Councillor Adbul Asad (Children Schools & Families)
Community Plan Theme	<ul style="list-style-type: none"> • A great place to live • A prosperous community
Strategic Priority	<ul style="list-style-type: none"> • Strengthening and connecting communities • Supporting excellent learning opportunities for all' themes

1. SUMMARY

- 1.1 This report seeks permission for the Corporate Director of Children, Schools & Families to enter into post-tender negotiations with the QALB Discovery Home for the delivery of services to disabled children and subject to the successful conclusion of those negotiations to enter into the appropriate contractual agreements from 1 July 2010-31 March 2011 for Overnight Short Breaks.
- 1.2 Should funding be made available beyond 2011 to continue the service we would like the option to extend the contract for a further 6 months to a year to allow us sufficient time to re-tender the contract.

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Authorise the Corporate Director of Children, Schools and Families to undertake contract negotiations with QALB Discovery Home for the delivery of the service and to enter into contracts for these services on behalf of the Authority as below.

Provider	Service Provision	Ofsted Inspection Grade	Contract Value	Contract period
QALB Discovery Home	Overnight short breaks for disabled children	Good	£459,000	1 July 2010 - 31 March 2011

2.2 Authorise the Corporate Director of Children, Schools and Families to use delegated powers to extend the funding up to March 2012, subject to satisfactory performance of the provider, and funding being available.

3. REASONS FOR THE DECISIONS

3.1 The service will address local need as parents of disabled children were consulted. This process identified a gap in provision for disabled children whose behaviour is extremely challenging. We already provide short breaks of various kinds to disabled children, but we have limited provision for children with higher need Autistic Spectrum Disorders. This service will allow us to provide overnight short breaks for children with severe communication disorders. The service will give families the much-needed respite, and will also include independence skills training for the children aged eight and over who will have the break. Research has shown that short breaks can be important in helping families to manage to keep going, thus avoiding disabled children from entering the care system.

3.2 The service is being funded through central Government grant which runs out in April 2011 so it is important that we get a provider in place quickly, in order to make best use of the money. A robust tendering process has been carried out in order to select the best provider to deliver the services. The provider has been evaluated on key criteria to assess the skills, knowledge and experience, quality of care and service management, service price and capacity of the organisation to deliver the services. Value for money was also a key judgment consideration.

3.3 Addressing equalities is a key issue; therefore a section on equality and diversity formed part of the tender criteria. All providers were asked to address the following:

- How they would support and promote parity of outcomes for the service users and ensure that any language barriers were addressed;
- How they would engage with the families of disabled children to ensure their children accessed the service.
- Demonstrate their commitment to equality and diversity, including how they would promote a workforce to reflect the local community.

3.4 A number of providers submitted their tenders and a robust tender evaluation service took place. One provider, QALB Discovery Home was successful in the evaluation exercise.

3.5 The service will address the following Council's priorities:

- Strengthening and connecting communities by ensuring they have good access to a full range of facilities - including health services, schools and leisure

- Supporting excellent learning opportunities for all by providing continuous learning opportunities, so everyone can learn basic and new skills at any age.

3.6 We have invested in the capital scheme and would hope to continue the service beyond 2011 to allow the benefits of the service to be realised. However, we will not be notified of the funding until later on in 2010.

3.7 The effectiveness of the services will be measured through quarterly monitoring to evaluate the organisations' performance against key performance indicators to ensure they are meeting their contractual requirements. In addition, the organisations will be subject to quarterly service review meetings with Tower Hamlets service managers and commissioning officers. Additionally, the services are subject to annual inspections by Ofsted to ensure they are delivering to the expected standards.

4. ALTERNATIVE OPTIONS

4.1 Alternative courses of action are not considered viable. If the Council chose not to procure these services it would risk not complying with its statutory functions as set out in the report. If the Council procured otherwise than through the process described in the report it would risk failing to comply with its procurement procedures and Regulations.

5. BACKGROUND

5.1 In 2007 the DCFS published a policy document 'Aiming High for Disabled Children' which is the government's transformation programme for disabled children's services. This set out its vision for disabled children. Local authorities were expected to deliver services to disabled children and their families, based on the key priorities outlined in the report, to enable them to fulfil their potential.

5.2 Tower Hamlets has made good progress in transforming services for disabled children and their families and delivering on the recommendations set out in the Government report 'Aiming high for Disabled Children'. In order to build on this work we developed a Short Break Strategy in consultation with parents and disabled children. The strategy was intended to help to transform the short break services in Tower Hamlets, enabling us to improve the capacity, range and quality of services available for children with disabilities and complex health needs.

6. BODY OF REPORT

3.1 Tower Hamlets was awarded capital funding of £349,600 and revenue funding of £1,127,600 to provide short breaks to children, young people and

families as part of the Aiming High for Disabled Children (AHDC). LBTH is currently delivering a portfolio of short break projects to disabled children. AHDC funding comes to an end in March 2011, when any unspent monies will be clawed back.

- 3.2 Capital funding of £412.2k has already been committed to renovating a Council property. The building work is expected to be completed by June 2010. It is intended that the property will be used to deliver the overnight short breaks.
- 3.3 The service will address the Council's statutory responsibility for the provision of services to children in need and their families and the Children and Young Person's Act 2008. It also fits with the Community Plan theme 'A Healthy Community'.
- 3.4 19 children currently receive a regular weekend overnight short break with a contracted residential care provider. The provider primarily caters for children with complex needs however they cater for children with ASD one weekend in four. 6 children with ASD receive overnight short breaks through spot purchasing with a provider that is outside the borough.
- 3.5 Findings from the Short Break consultation with families of disabled children highlighted that some parents felt that there was a need for local overnight specialist respite provision that catered for children with ASD and challenging behaviour; as the current provision did not meet the higher needs of children in this category. The new provision would be a complimentary addition to the existing provision. It is likely to replace some of the spot-purchased provision; however the main intention is to provide additional capacity focused on a group of children who currently can't benefit from short breaks because of their particular needs.
- 3.6 Some parents of children with Autistic Spectrum Disorders (ASD) or challenging behaviour may 'reach the end of their tether', due to a lack of short break provision to sustain their caring role. As a last resort, they may request help in the form of residential care away from home, when they feel unable to cope. Additionally, siblings may feel their needs are not met by their parents due to the additional demands on their parents. The parents have to spend more time focusing on the disabled child due to their additional communication needs. The provision of overnight short breaks will enable both the children and families to receive short breaks. It may also enable the parents/carers to spend quality time with their other children. The service for which we are tendering will also provide independence skills training for the children while they are having their break, helping them develop skills for the necessary confidence and skills they will need as they grow up – for example, they may be taught to cook meals and to contribute to the domestic chores.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 The tendering evaluation process will determine the preferred contractor to provide these services. Funding for this contract is to be met from a DCSF grant for short breaks which has a total of £1.127m revenue funding for 2010/11 financial year. The proposed maximum cost of £0.600m for this contract would be met from this source.

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

- 8.1 The Council is subject to a general duty under section 17 of the Children Act 1989 to safeguard and promote the welfare of children in Tower Hamlets and to promote the well-being of children in Tower Hamlets by providing a range of services appropriate to their needs. In addition, the Council is subject to specific duties under the Children Act 1989, which following amendments made by the Children and Young Persons Act 2008 include the function of assisting individuals who provide care for children with disabilities to continue to provide such care or to do so more effectively by giving them breaks from caring. It is consistent with the discharge of this function for the Council to enter into a contract of the kind proposed in this report.
- 8.2 In procuring the overnight break provision referred to in the report, the Council must comply with its own procurement procedures and the requirements of the Public Contract Regulations 2006. It will be for officers to ensure that this is done. There has been no publication of an OJEU notice in respect of the procurement, but this is because the view has been taken that the services to be procured are "Part B" services under the Public Contract Regulations 2006 and do not require such a notice.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 The overnight short break service targets specific groups, who are recognised as being at risk of experiencing inequality and social exclusion. These groups have been identified through a thorough analysis of statistical data and feedback as part of a comprehensive needs analysis. The services have been commissioned with the aim that the support provided assists with improving outcomes for these groups of children, young people and families.
- 9.2 Support services for children in need and their families, promotes the welfare of children and the effective functioning of families within the community. As such, they are a key element in progressing the social inclusion policies of both central government and the Council.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 There are no specific issues arising from this report.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 Detailed service specifications will be negotiated and appropriate monitoring arrangements maintained to minimise risk of underperformance of these services. Service agreements contain appropriate dispute, clawback, liability and termination clauses.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 There are no crime and disorder implications.

13. EFFICIENCY STATEMENT

- 13.1 Through the tender for services for children with disabilities we have been able to increase the number of children, young people and families who will benefit from these services, which will be delivered within a reduced funding envelope.

14. APPENDICES

Appendix 1 – Aiming High for Disabled Children Consultation

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

Brief description of “background papers”

None

To be completed by author

To be completed by author ext. 0287

1 Aiming High for Children with Disabilities Short Breaks Consultation

Tower Hamlets



2 setting the scene

A great deal of recent legislation and guidance on health, education and social care highlights the need for user participation and the principle of parent participation has increasingly been accepted.

With exciting new Government proposals to transform short break provision for disabled children, young people and their families nationally comes a new opportunity to seek parent's views in ways that are meaningful to both parents and professionals. It is hoped that by using the experience and knowledge that parents have about their children, we will be more effective in developing and improving short breaks services that better meet the needs of children and their families in Tower Hamlets and ensures better outcomes.

Children's Service and their partners in Tower Hamlets were keen to inform parents about Government proposals for short breaks and what this might mean for children and their families locally. They were also keen to consult with parents for the following reasons:

- To draw on parents' expertise and knowledge about their disabled children.
- To achieve family-centred Services
- To create flexible, personalised and responsive services
- To give parents an opportunity to express views and wishes in a positive and receptive environment
- Because informed and involved parents are more likely to have realistic expectations of services and some shared ownership of choices and priorities
- To reach groups which may feel excluded and include them in service planning

3 the aims of the consultation

the consultation had three main goals:

- To give information to parents and professionals regarding the Government vision to transform Short Breaks between 2008-2011.
- To give details on what this meant for children, young people and their families in Tower Hamlets.
- And most importantly, to ascertain their views on how services should be shaped and delivered to best meet their families needs during that period.

4 the who and the how

- 30 organisations/parents groups borough wide were contacted and visited.
- Approximately 150 parents were consulted in small groups.
- Over 100 professionals were seen and their views ascertained.
- 500 questionnaires were sent out to family homes or given out by schools and local service providers.
- 50 activity questionnaires were distributed so that children and young people (with adult help where appropriate) could give information about what short breaks they might like.
- 3 public meetings were held – two on Short Breaks and one informing parents about the Parent Participation Grant and the importance of becoming involved in decision making. Approximately 55 people attended.

5 what parents said -the main themes

1. Not enough good quality respite for children with Autistic Spectrum disorders.
2. Limited opportunities for children with less severe disabilities to access any short break services.
3. Problems with transport was a constant theme amongst many parents.
4. No sitting services or outings for young people.
5. Lack of play schemes which catered for both the disabled child and their able bodied siblings.
6. Not enough 1-1 support for inclusion in mainstream clubs and play schemes.
7. Not enough specialist provision for children where inclusion in mainstream services did not meet their needs.
8. Lack of general information.
9. Poor communication between services and parents and across services generally.
10. Lack of clarity or transparency in the allocation of short breaks.
11. Not enough places at after schools and holiday schemes.
12. No specific counselling services or general parent support group/activities.
13. Lack of opportunity for 'Whole family' activities such as outings and holidays.

6 lack of information

- Many parents said that they did not receive information about services at the point of first diagnosis. This was felt to be a crucial gap and left some parents feeling totally alone at a time when they most needed support.
- Some parents wanted to be sign posted to others parents who had gone through similar experiences and had come through it with hope for the future.
- There was no one booklet that informed parents about all services available to disabled children and young people and this was also felt to be a gap.
- It was felt that information was needed in specialist areas and in age ranges:
 - Information on the range of services available for ASD children and young people.
 - Information on the range of services available for children with complex health needs.
 - Information on services for Visually and hearing impaired children and so on and so forth.
- Some parents said that they only knew about services because another parent had informed them.
- There was a general view that there should be one 'point of call' within the Local Authority where information on services could be obtained.
- Most parents consulted had no knowledge of the Local Authority web site or what information was on it.
- Parents suggested different ways in which they could be kept informed. Newsletters, emails, meetings, fun events and outings were all suggested by parents during the consultation.

7 play schemes and holiday clubs

- It was a commonly held view across the full range of disabilities that there wasn't enough after schools clubs and school holiday schemes available for children and young people with disabilities.
- Although parents felt that a limited number of children could function at mainstream provision if they were provided with adequate support, this support was sometimes not available during holidays or at after schools clubs because of the way the Educational budgets were allocated.
- Although those parents who obtained services at after schools clubs and holiday schemes were general pleased with the quality of care and activities available , it was felt that children and young people needed more time, and families needed this respite from their caring responsibilities.
- Parents felt that places available for children and young people with severe ASD condition were extremely limited and there were often waiting list for places at many schemes. This meant that families may only be offered a couple of days activity instead of the full week. Parents felt again that this was detrimental to their child's development and undermined previous progress.
- Some parents were extremely unhappy that they had to wait up to two years for a place at a play scheme and felt that their child had lost out on the opportunity to improve their all round developmental skills.
- Parents at Beatrice Tate school felt that it would be beneficial for their children to be able to access holiday play and activity schemes in the same way as children from Steven Hawking and Phoenix school.

8 respite for children with ASD

- Parents of ASD children felt that there was a real need for a local specialist respite centre for young people with ASD.
- Although there was some provision within the borough at Discovery Home, some parents (particularly parents at Phoenix School) felt that this was not an appropriate venue for the child. Reasons given were:
 - Lack of staff awareness to the needs of ASD young people.
 - Building more appropriate for children with complex health needs and not for ASD young people.
- Parents of ASD children felt that there may come a time when they needed overnight respite care for their children, whereas parents of children with other disabilities were less likely to require these services.
- Although Parents of ASD children felt there was a need, they also said that they would not want this service at the risk of losing other support services such as after school clubs and there was recognitions that this kind of care was extremely expensive and only services a limited no of children and their families.

9 Limited opportunities

- Parents of children with hearing and visual impairment felt that there was very limited opportunities for their children or families to experience any short break what so ever, even though their child's disabilities were complex and often had a major impact on the ability to lead 'normal' family lives.
- Professionals within this field backed that view and felt that children and parents were not treated fairly in the allocation of short breaks and hoped that this would shift with new money within the near future.
- Children with complex communication problems were also amongst those who received very few short break opportunities. A professional from AFASIC said that a specialist youth club in Tower Hamlets was much need and could be provided a relatively low cost. A similar club in redbridge had 70 young people attending.
- Some parents reported that they had been assessed for short breaks and were eligible, however they were now languishing on waiting lists for want of suitable short break services to become available. This was backed up by some professionals who recognised that they had to wait for one child to leave the service before they were able to offer a service to another. This was often through lack of funds. Many providers said they could offer more if given the appropriate funding.

10 transport

- Some parents reported that transport was a major headache and the lack of transport prevented children and their families from accessing services which would benefit their children.
- Parents reported that they were sometimes unhappy with transport services as buses were sometimes late in picking up and dropping off. This meant that their child was often not able to access the full session at a given service.
- It was felt by some parents that the issue of transport was not give enough thought when considering how children might access services. An example of this was the very good services for disabled children at the Mile End Leisure Centre. Many families said that it was impossible to get their family to the centre and so it didn't really matter that these services were provided at all.
- A few parents were unhappy with the level of training of staff who assist children and young people on the Local Authority buses, feeling that they were ill equipped to deal with children and young people with behavioural difficulties.
- Some parents felt that problems associated with transporting their disabled child meant that all children in the family were restricted and missed out on opportunities to get out and about.

11 Sitting services

- Some parents were unhappy that they had lost a sitting service which they once received. They felt that this had been a major support to the family.
- Parents felt that children had previously really enjoyed going out into the community with their sitter and this service was greatly missed by the children and young people involved.
- Some parents said that of all the services that they received they recognised this one as giving the most benefit to them and their families.
- They reported that sitting services gave the opportunity for them to have some time to themselves. It also gave time for them to spend quality time with their other children whilst knowing the their disabled child was enjoying themselves.
- Parents general felt that the lack of such a service was a major gap in service provision and one that they would very much like to see return.
- A few parents said that they had been offered an alternative sitting service, but they had to be present with their child. Most felt that this was not a short break because it gave no opportunity to get away from their caring responsibilities.

12 Play schemes for disabled children and their siblings

- Some parents felt that there was very few play schemes that catered for their disabled child and for their able bodied siblings and the ones that were running had long waiting lists. One parent who had a place at the Toy Library scheme run on a Saturday morning felt that such schemes were enormously valuable for the whole family. He reported that:
 - It was a great opportunity for the disabled child to have quality play experiences with their siblings.
 - The other children in the family benefited by being able to play with a variety of children with a range of disabilities. This made the able bodied children more aware of difference and they were more relaxed around disability.
 - It gave the parent an opportunity to play with all of the children in the family and to relax with other parents in similar circumstance.
 - This kind of scheme normalized the family dynamic because children were able to see that other children and families had similar situations.
- Professionals from Tower Hamlets Play Association felt that integrated play services for children with disabilities and their siblings was something that they could provide. They were also keen to welcome more children with disabilities and their parents and felt that they had the expertise to ensure positive experiences for disabled children in Tower Hamlets.

13 support in universal settings

- There was several parents who felt that their children would benefit from universal play schemes, but felt that children may need 1-1 support to allow them to mix successfully with other children and to make the most of their experience.
- **Befriending** - One parent felt that young people with disabilities in youth provision could be paired with peers of their own age for a period whilst the young person was new to the group. This young person could be paid for their services and would be responsible for ensuring that the disable young person is involved in all aspects of the clubs activities.
- Another parents said that her child received 1-1 support during school hours, but couldn't access after school club because this 1-1 support was not available after school. She felt this was very wrong and prevented her child from accessing a service that was available to his able bodied class mates.

14 the need for specialist provision

- Some parents reported that they had tried universal services, but this had not been a rewarding experience for their child, because they had not been able to integrate. It was felt that there needed to be a mixture of both universal services with support and specialist provision where a universal service did not meet the needs of a child.
- Some professionals reported that universal services (even with support) was not appropriate for all children and that specialist provision must be provided to ensure that the needs of all children and young people were appropriately met. Youth services and after schools clubs were examples where it was felt that some children would fair better in specialist services which were better able to meet the needs of a particular group of young people.

15 poor communication

- Some parents said that they experienced poor communication between service providers. At it's worst, this could result in a child or young person missing out on short break experiences.
- Some parent felt that communication between transport providers and parents was poor. In their experience, this often meant that children and young people were not picked up or returned home on time and again this lack of communication might result in a child missing out.
- A few parents felt that a lack of communication between service providers had resulted in a lack of awareness of their child's needs. Two example of this were at Discovery Home where there was no female staff to deal with the needs of a teenage girl and on transport where assisting staff appeared totally unaware of the manifestations of a particular condition.

16 Lack of clarity/transparency around Short Break allocation

- Parents complained that they had little knowledge about how Short Breaks were allocated.
- One parent said that she had asked for a policy on how Short Breaks were allocated, but none was provided.
- Parent reported that they felt that short breaks were allocated in a very ad hoc manner and may be dependant on the professionals that you were involved with and their knowledge of the short break system.
- Some parents felt that their child wasn't given a fair share of Short Breaks and many gave examples of families that had access to many more services than themselves.
- Parents acknowledge that the amount of Short Break services should entirely depend on the needs of the child or young person and their family. However some parents felt that a new system needed to be agreed so that parents were clear about what short breaks they were entitled to and why.

17 counselling and support for parents

- Many parents stressed the need for counselling services, particularly when their child had been newly diagnosed with a disability. Some felt this was a gap in service provision which left parents depressed and isolated during the most difficult period of their lives.
- Some parents and professionals spoke about the need to have support services for parents of disabled children which focused on their 'all round' wellbeing. A service which offered advice, support groups, counselling and relaxation techniques such as message, yoga, reflexology etc. Under one roof was thought by professional and parents to have enormous benefits for parents and the whole family.
- There are many parent support groups in Tower Hamlets doing an excellent job of supporting parents, however some parents report gaps and have not been able to find a suitable group.

18 outings and holidays

- When discussing trips and family holidays, many parents reported that they had never had a family holiday because of the difficulties posed by taking their disabled child away on a long trip.
- Generally, parents felt that it would be enormously beneficial for all the family to be able to get away for a few days, although there was acknowledgement that this may only be possible if they had assistance both physically and financially.
- Parents who had family in Bangladesh and other countries acknowledged that they may choose to go back home to visit family if they are able to do this. However the parents that were consulted said that they did not feel that such holidays should be subsidized by Short Breaks funding. Some parents however felt that they would welcome a holiday in the countryside if this were available.
- Some parents said that their disabled child had never experienced any kind of holiday. Most felt that the right kind of holiday would be a fantastic experience for their disabled child and the whole family.

19 last word

It should be remembered that there are many parents and children in Tower Hamlets that are entirely happy with the services that they receive and where significant support is provided by staff and other parents.

This consultation deliberately sort the views of parents and professionals in trying to ascertain areas where improvements could be made, both in the quality and quantity of existing services and where service gaps might be usefully reviewed in the future.

There were times when I was overwhelmed by the skills and commitment of parents who work tirelessly to ensure that their child enjoys the best possible opportunities in life. As a group, parents present as entirely sensible and fair, keen to become involved in decisions that affect the lives of their children and families. This is was also true of many of the professionals I met who were truly inspirational in their commitment to provide excellent opportunities for children and young people with disabilities to grow and develop to their full potential.

Therefore, the findings of this consultation should not be viewed as negative – rather it is an opportunity to work with parents and professionals, using their experiences to shape future services which are family centred and responsive to the needs of children, young people and their families in Tower Hamlets.

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Agenda Item 10.1

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 142/090
Report of: Corporate Director (Communities Localities & Culture) Stephen Halsey Originating officer(s) Margaret Cooper – Head of Transportation & Highways/Luke Cully - Finance Manager		Title: Communities Localities & Culture Directorate Capital Programme 2010/11 Wards Affected: All	

Lead Member	Cleaner, Safer & Greener
Community Plan Theme	A great place to live
Strategic Priorities	2.1 Provide affordable housing and strong communities 2.2 Strengthen and connect communities 2.3 Support vibrant town centres and a cleaner public realm

1. **SUMMARY**

- 1.1 This report seeks Cabinet approval to the Capital Programme for Communities Localities & Cultural Services Directorate for 2010/2011.

Cabinet is recommended to:-

- 2.1 Include the schemes listed in appendix A to the report within the Communities Localities & Cultural Services Directorate's 2010/2011 Capital Programme.
- 2.2 Adopt Capital Estimates (sum specified in estimated scheme cost column) for the schemes as outlined in Appendix A to the report.
- 2.3 Agree that the Council's Measured Term Contracts be used for the implementation of the Transportation and Highways Works as appropriate.

3. **REASONS FOR THE DECISIONS**

- 3.1 Senior managers are required to obtain a Capital Estimate for any scheme in the Capital Programme. Where the estimate is over £250,000 the approval of the adoption of the Capital Estimate must be sought from the Cabinet.

4. ALTERNATIVE OPTIONS

- 4.1 Failure to adopt Capital Estimates will result in delays to progression of works funded via TfL, Local Implementation Plan, You Decide!, DCLG Public Realm Improvement Programme and Section 106

5. BACKGROUND

- 5.1 This report contains details of schemes which will form the Communities Localities & Cultural Services Capital Programme for 2010/2011 and in accordance with Financial Procedure FP3.3. Cabinet are requested to approve capital estimates for the projects. Funding for the programme is available from the following sources.

- Local Implementation Plan (TfL)
- Transport for London (TfL)
- Developer Contributions (S106) - from Olympic Park Transport and Environmental Management Strategy (OPTEMS)
- Capital Grants – including DCLG Public Realm Improvements
- Olympic Delivery Authority (ODA)
- London Thames Gateway Development Corporation (LTGDC)

- 5.2 All schemes link with the Council's Strategic Plan and Community Plan. Priority will be given to those schemes which are time constrained and must be subject to practical completion by the 31st March 2011. The estimated cost of schemes within the attached programme is approximately £8.64m (Transport for London LIP £3.210m, TfL other £1.221m, S106 £800k, Capital Grants £2.2m, SUSTRANS £100k, LTGDC £511k and ODA £600k) and funding identified for schemes at this stage equates approximately to this level. Of this total, some £4.906m is directly related to the Olympics impact.

- 5.3 Capital estimates include a fee of 20% of the total works cost which contributes towards the cost of staff resources engaged in the entire scheme development process from inception to construction.

- 5.4 This capital programme aims to deliver the priorities of the Council's Strategic Plan including the Local Area Agreement stretch targets on road safety and mandatory targets for the introduction and implementation of school travel plans set by central Government.

- 5.5 All works are fully funded and further opportunities may arise through the year to supplement this funding. At present discussion are taking place with the London Development Agency and LB Hackney regarding £3.5 million worth of schemes for enhancements to the Hackney Wick and Fish Island area. Details of schemes and funding are included at Appendix A and Members are recommended to adopt the capital estimates for these schemes in order to facilitate efficient delivery of the programme. As in previous years the Council's Capital Works Contract will be utilised for the implementation of the Programme in addition to other specialist Measured Term Contracts for drainage, street lighting and road marking works.

6. BODY OF REPORT

TfL – Local Implementation Plan (LIP) Allocation

6.1 The allocation of funding for local transport schemes is now derived from a formula based approach for 3 categories – Corridors, Neighbourhoods and Smarter Travel. In addition a needs-based prioritisation governs allocation of LIP funding for planned maintenance and bridges, while a competitive process still takes place for Area-Based schemes.

6.2 Of the total LIP allocation of £3.654m, the above categories received funding as follows:

LIP corridors	£1.288m
LIP neighbourhoods	£1.171m
LIP Area Based schemes	£ 565k
LIP maintenance	£ 215k
LIP Smarter Travel	£ 415k REVENUE for travel awareness and road safety education

This allocation is significantly higher than in previous year's and the Council has benefited from the formula-based approach to allocation of funding.

TfL – other funding

6.3 A number of major projects led by TfL have made provision for complementary measures to be delivered by the local authority. This includes the Mayor's cycle Hire Scheme for Central London, the pilot Cycle Superhighway along Cable Street to Leamouth and the Olympic Cycling and Walking routes focussed on Victoria Park as a hub for cycling activity during the Olympics.

Developer Contributions – S106

6.4 Arising from the Olympic Park planning application, some £20m of S106 planning obligation was allocated to ameliorating the transport impacts identified in the Transport Assessment accompanying the planning application. The strategy for managing these monies has been agreed in the Olympic Park Transport and Environmental Management Strategy (OPTEMS), developed by the Olympic Delivery Authority together with the 5 boroughs, Transport for London, London Development Agency and London Thames Gateway Development Corporation, and approved by the ODA Planning Decisions team.

6.5 The schemes approved for delivery in Tower Hamlets span the period from Olympic construction, through Games time to the conclusion of the Legacy Transformation stage in 2014 and are set out in Table 1 below. Members are recommended to adopt capital estimates for the schemes due to be delivered in 2010/11 as listed in Appendix A and note those others which will come forward in future.

Table 1 : OPTEMS approved schemes

Scheme	Summary	Implementation	Funding secured
Bow Roundabout – Bow Church - Scheme to be delivered by TfL	Pedestrian / cycle improvements at the roundabout and to crossings near the Gladstone statue	2010-2011	£ 800,000
Fairfield Road / Tredegar Rd junction	Signalisation to replace mini-roundabout and improve pedestrian facilities	2012-2014	£275,000
A/12 / Wick Lane junction	Enhancements to pedestrian / cycle environment following signalisation of the junction for Games	2012-2014	£280,000
Bow Area Traffic Management Review	Review of traffic management to take account of Olympic proposals and improve town centre viability	Study 2010/11 Works 2012-14	£250,000 £250,000
Cadogan Terrace and Greenway links	Improvements to traffic management and parking arrangements along park boundary to complement pedestrian / cycle improvements at south of Cadogan Terrace	2010/11	£550,000

Olympic Delivery Authority (ODA)

- 6.6 The ODA is under a Section 106 obligation to improve the link between the Greenway where it joins Wick Lane, and the St Mark's Gate entrance to Victoria Park. The value of this work is anticipated to be approximately £600,000 and the Council will be required to deliver the scheme on behalf of the ODA, hence adoption of a capital estimate at this stage will enable the start of works as ODA have now confirmed all planning conditions have been discharged and the design has been agreed by PDT.

DCLG Public Realm Improvements

- 6.7 Over the past 15 months the 5 Olympic Host Boroughs have collectively lobbied the Department for Communities and Local Government (DCLG) for additional support to ensure that the public realm in the boroughs surrounding the Olympic Park can be improved before the Games to create higher quality spaces for visitors and local residents to enjoy.

- 6.8 Following much negotiation an initial allocation of £27m has been confirmed as a first step towards delivery of a Public Realm programme currently valued at over £150m. Each borough was been allocated £5.4m of funding for early delivery of schemes and design of future schemes. The delivery of these schemes is mostly targeted for delivery in 2010/11 and was prioritised towards High Street 2012, Roman Road market and Victoria Park. Capital estimates for High Street 2012 were adopted by Cabinet in January 2010, while the adoption of capital estimates for works in 2010/11 for Roman Road and Victoria Park is included in Appendix A.

London Thames Gateway Hackney Wick and Fish Island funding

- 6.9 As part of its work on the development of legacy plans for the Hackney Wick and Fish Island area (in both LB Hackney and Tower Hamlets),and cognisant of the 5 boroughs Public Realm Improvement programme (above), the LTGDC has assessed the feasibility of a series of early win / strategic connection projects in the Hackney Wick & Fish Island area and approved 5 projects for implementation at a total value of £2,858,700.

Project 1 – **Red Path Crossing** (LB Hackney) – £110k

Project 3 – **Wallis Road ‘Park to Park’ Link** - £1.71m – a joint scheme along the boundary including the link from Victoria Park, across Cadogan Terrace and Wallis Road footbridge

Project 5 – **Hertford Union Canal improvements** - £505k

Project 6 – **Wick Lane public art & streetscape enhancement** - £130k

Project 7 – **Crown Close Bridge Link** - £370k

- 6.10 Projects to be delivered directly by this Council total £511k with British Waterways and LB Hackney being responsible for delivery of other elements of the package.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report outlines to Cabinet the Capital Programme for Communities Localities & Cultural Services Directorate for 2010/2011. Cabinet are requested to approve the programme and adopt Capital Estimates for the schemes as outlined within Appendices A and B, funding for these schemes is as outlined below.

Funding Source	Funding Secured
£,000	£,000
Local Implementation Plan (TfL)	3,210
Transport For London (TfL)	1,221
DCLG Public Realm Improvements	2,200
Developer Contributions (OPTEMS)	800
Olympic Delivery Authority	600
Sustrans	100
London Thames Gateway (LTGDC)	511
Total Funding Secured	8,642

7.2 In utilising the Measured Term Contracts, the Service Head Public Realm must be satisfied that these represent value for money for the Council.

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

8.1 In accordance with Financial Procedure FP 3.3, Senior Managers are required to obtain a capital estimate for any scheme in the capital programme. Where the estimate is over £250,000 the approval of the adoption of that capital estimate must be sought from Cabinet.

8.2 There is no legal impediment to approval of the estimates, as the projects to which they relate appear capable of being carried out within the Council's statutory functions. For example, the Council has a duty under the Highways Act 1980 to maintain highways for which it is the highways authority and where those highways are maintainable at public expense. The Council also has a network management duty under the Traffic Management Act 2004. It will be the responsibility of officers to ensure that individual projects are carried out lawfully within the Council's statutory functions.

8.3 Officers will need to ensure the Council complies with its obligation as a best value authority within the meaning of the Local Government Act 1999 to secure continuous improvement in the way its functions are exercised having regard to the combination of economy, efficiency and effectiveness. The Council must comply with the Public Contract Regulations 2006 and its own procurement procedures in relation to the projects.

8.4 The Measured Term Contracts which will be used to procure these works are already in place having been procured in accordance with the Public Contract Regulations 2006.

9. ONE TOWER HAMLETS CONSIDERATIONS

9.1 The Council's Accessible Transport Consultative Forum advises and directs traffic and transport projects from the point of view of people with mobility impairments. Direct engagement between users and providers has enabled several improvements to be made in service delivery, including the accessibility projects which have been funded in this programme.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

10.1 The use of monies as outlined within the report will support current policies to improve the local environment.

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 All Projects will be closely monitored to ensure that programmes are completed on time and within budget and to ensure that the Council is not exposed to financial risk.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 The majority of projects focus on improving walking, cycling and the streetscene of the borough and in so doing will contribute to designing out crime and making people feel safer using streets locally.

13. EFFICIENCY STATEMENT

- 13.1 All Transportation & Highways Capital Schemes will be implemented using the new Measured Term Contract. Efficiencies in the management and administration of this contract will be achieved in 2010/11 through reductions in numbers of low value individual works orders and invoices, and through introduction of on-line invoicing systems.

14. APPENDICES

Appendix A – Transportation & Highways Schemes

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

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
Capital Programme Papers & Files	Margaret Cooper ext. 6851

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Appendix A - Transport & Highways Schemes

Programme Category	Scheme	Capital Estimate £000 (incl fees) £'000	Funding Source	Scheme Details
TfL LIP Corridors	Cable Street / Watney Street	40	TfL	Re-siting of pedestrian crossing
TfL LIP Corridors	Cycle Parking	20	TfL	Borough-wide cycle parking at key destinations
TfL LIP Corridors	Bethnal Green Road	428	TfL	Continuing streetscene review complementing town centre improvement plan, incorporating decluttering, road safety and pedestrian improvements
TfL LIP Corridors	Roman Road (west)	200	TfL	Road Safety improvements with some streetscene enhancements
TfL LIP Corridors	Cycle routes	100	TfL	Match funding for SUSTRANS CONNECT2 Bethnal Green - Victoria Park cycle route via Meath Bridge
TfL LIP Corridors	New Road	150	TfL	Streetscene review incorporating decluttering, road safety, greening and pedestrian improvements
TfL LIP Corridors	Bus stop accessibility	100	TfL	Improved passenger access at 10 bus stops including removal of clutter
TfL LIP Corridors	Poplar High Street	250	TfL	Newby Place - Cotton St - completion of corridor improvement including resurfacing.
TfL LIP Neighbourhoods	Manchester Rd / Island Gardens / Stebondale area	400	TfL	Area-wide scheme including potential closure of Saundersness Rd to enhance cycle route connection to Foot Tunnel and enhancement of shopping
TfL LIP Neighbourhoods	Abbott Road / Aberfeldy Estate area	400	TfL	Traffic calming to improve pedestrian access to open space
TfL LIP Neighbourhoods	School Travel Plans: Old Bethnal Green Rd and Gosset St	167	TfL	Traffic calming to address issues raised by schools in Travel Plans
TfL LIP Neighbourhoods	Boroughwide School warning signs and markings	50	TfL	Measures to improve safety outside all schools at entry/exit times as identified in School Travel Plans.
TfL LIP Maintenance	Principal Road Renewal - Grove Rd (Old Ford - Gore Rd)	154	TfL	Planned resurfacing work tying in with Victoria Park improvements (below)
TfL LIP Maintenance	Principal Road Renewal Manchester Rd (Friars Mead - Amsterdam Rd)	46	TfL	Planned resurfacing work
TfL LIP Maintenance	Bridge assessment and strengthening - Victory Bridge assessment	15	TfL	Routine bridge assessment of Victory Bridge (where Ben Johnson Rd crosses Regents Canal)
TfL LIP Area Based Schemes	St Paul's Way	398	TfL	Transformational streetscene project in association with BSF and other development projects along route
TfL LIP Area Based Schemes	Shoreditch High St station (Wheler St)	167	TfL	Street improvements to accommodate entrance to new East London Line Shoreditch High St station
TfL Other Cycling on Greenways	Bethnal Green to Olympic Park	25	TfL	Match funding for SUSTRANS CONNECT2 Bethnal Green - Victoria Park cycle route via Meath Bridge
TfL Other Local Transport Funding	Minor works and feasibility	100	TfL	Feasibility works including Parking Stress survey
TfL Other Olympic Walking & Cycling	Cycle Route Improvements to Olympic Park	795	TfL	Improvements to key cycle routes to Olympic Park - Route 1 : Wapping - Regents Canal towpath - Hertford Union towpath to Fish Island and Route 2 : Lower Lee Valley from Manchester Rd - Leamouth
TfL Other Cycle SuperHighways	Cycle Parking (Unsecure)	40	TfL	Provision of 92 Sheffield cycle stands at THCH estates along Cable St - Leamouth Cycle Superhighway
TfL Other Cycle SuperHighways	Cycle Parking (Secure)	118	TfL	14 secure cycle cages/lockers at estates along Cable St-Leamouth cycle superhighway
TfL Other Cycle hire Scheme	CCTV	92	TfL	6 cameras within Central Zone (spitalfields area)

TfL Other Cycle hire Scheme	Fashion Street	19	TfL	Improvements for two-way cycling including traffic calming
TfL Other Cycle hire Scheme	Brick Lane	13	TfL	Improvements to provide for safer cycling
TfL Other Cycle hire Scheme	Bethnal Green Rd	48	TfL	Speed table at junction of Solater St with Bethnal Green Rd.
TfL Other Cycle hire Scheme	Vaughan Way	15	TfL	Traffic calming to facilitate safer cycling
TfL Other Cycle hire Scheme	Wapping High St	81	TfL	Modify priority at roundabout to assist cyclists with associated speed table and surfacing.
SUSTRANS CONNECT2	Bethnal Green - Victoria Park route	100	SUSTRANS	Bethnal Green - Victoria Park cycle route via Meath Bridge
DCLG Public Realm improvements	Roman Road (east)	600	DCLG	Implementation of Public Realm Strategy including electricity supply for market stalls, rationalisation of markets and urban realm improvements
DCLG Public Realm improvements	Victoria Park	1,600	DCLG	On-street improvements to complement Victoria Park Masterplan, including transformational design of Grove Road to reflect the park, improved approaches at St Stephen's Road and Cadogan Terrace, carriage-drive resurfacing and improved entrances.
Olympic Delivery Authority	Greenway - Victoria Park missing link	600	ODA	Redesign of Wick Lane underpass and link from Greenway to Victoria Park to extend the concepts incorporated in the Greenway improvements along to the park, creating an important pedestrian/cycle link between Victoria Park and the western access to the Olympic Games, as conditioned in the Olympic Games planning permission.
OPTIMS Section 106	Bow Area Traffic Management Review	250	OPTIMS	Review of traffic management to take account of Olympic proposals and improve town centre viability
OPTIMS Section 106	Cadogan Terrace and Greenway links	550	OPTIMS	Improvements to traffic management and parking arrangements along park boundary to complement pedestrian / cycle improvements at south of Cadogan Terrace
LTGDC Public Realm improvements	Roach Point Bridge improvements	60	LTGDC	Improvements to lighting on Roach Point bridge to complement other towpath improvements to be delivered by British Waterways
LTGDC Public Realm improvements	Greenway - Victoria Park missing link	130	LTGDC	Public art improvements to enhance street works funded through ODA (above)
LTGDC Public Realm improvements	Crown Close Bridge links	321	LTGDC	Environmental improvements to bridge landing points and link from the bridge, along Wick Lane, to the Greenway
		8,642		