# Meeting of the <br> OVERVIEW \& SCRUTINY COMMITTEE 

Tuesday, 6 September 2011 at 7.00 p.m.

A G ENDA

## VENUE

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

| Members: | Deputies (if any): |
| :---: | :---: |
| Chair: Councillor Ann Jackson Vice-Chair: Councillor Rachael Saunders |  |
| Councillor Tim Archer Councillor Stephanie Eaton Councillor Fozol Miah Councillor Sirajul Islam Councillor Amy Whitelock Councillor Zenith Rahman Councillor Helal Uddin | Councillor Peter Golds, (Designated Deputy representing <br> Councillor Tim Archer) <br> Councillor David Snowdon, (Designated Deputy representing Councillor Tim Archer) <br> Councillor Harun Miah, (Designated Deputy representing Councillor Fozol Miah) <br> Councillor Judith Gardiner, (Designated Deputy representing Sirajul Islam, Ann Jackson, Rachael Saunders, Zenith Rahman, Helal Uddin and Amy Whitelock <br> Councillor Ahmed Adam Omer, (Designated Deputy representing Ann Jackson, Sirajul Islam, Zenith Rahman, Helal Uddin and Amy Whitelock) <br> Councillor Bill Turner, (Designated Deputy representing Ann Jackson, Sirajul Islam, Zenith Rahman, Helal Uddin and Amy Whitelock) |

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

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Co-opted Members:
Mr Mushfique Uddin
1 Vacancy
Canon Michael Ainsworth
1 \text { Vacancy}
Jake Kemp
Rev James Olanipekun
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## (Muslim Community Representative)

- Roman Catholic Diocese of Westminster Representative
- (Church of England Diocese Representative)
- (Parent Governor Representative)
- (Parent Govenor Representative)
(Parent Governor Representative)

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

Antonella Burgio, Democratic Services,
Tel: 0207364 4881, E-mail: antonella.burgio@towerhamlets.gov.uk

## LONDON BOROUGH OF TOWER HAMLETS

## OVERVIEW \& SCRUTINY COMMITTEE

## Tuesday, 6 September 2011

7.00 p.m.

## SECTION ONE

## 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

## 2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

| 3. UNRESTRICTED MINUTES | $\mathbf{3 - 1 2}$ |
| :--- | :--- |
| To confirm as a correct record of the proceedings the |  |
| unrestricted minutes of the meeting of the Overview and |  |
| Scrutiny Committee held on 2 August 2011. |  |

4. REQUESTS TO SUBMIT PETITIONS

To be notified at the meeting.
5. SECTION ONE REPORTS 'CALLED IN'

One Section One report was 'called in' following the meeting of Cabinet held on 3 August 2011.
5.1 Call-In - The Baishakhi Mela in Banglatown, Brick Lane ..... 13-24
: Transfer to Community Management

To consider a call-in request made in respect of Cabinet's decision o the Baishakhi Mela festival.
(Time allocated - 30 minutes)
6. REPORTS FOR CONSIDERATION

### 6.1 Strategic Performance and Corporate Revenue and Capital Budget Monitoring Q1 2011/12

To consider the first quarter performance and budget monitoring report.
6.2 Sex Establishment Consultation ..... 91-138
To consider the consultation documentation, currently being used to consult the residents of Tower Hamlets on a new policy in relation to sex establishments in the borough.
6.3 Executive Decision Making by the Mayor ..... 139-152
To informs the committee of the process that has been established by which the Mayor may take decisions outside the context of the Cabinet meeting when necessary.
6.4 Re-established Inner North East London Joint Health Overview and Scrutiny Committee as a Standing Committee
To receive a verbal update on the re-established Inner North East London Joint Health Overview and Scrutiny Committee as a standing joint committee and appointments to this body.
6.5 Overview and Scrutiny Committee Work Programme ..... 153-158
To receive work programme for the Overview and ScrutinyCommittee for the municipal year 2011-12.
7. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED) CABINET PAPERS
(Time allocated - 40 minutes).
8. VERBAL UPDATES FROM SCRUTINY LEADS
(Time allocated - 5 minutes each)

## 9. ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

## Agenda Item 2

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

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

## Declaration of interests for Members

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

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

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

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

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

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-
i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and
iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

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

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


## LONDON BOROUGH OF TOWER HAMLETS

## MINUTES OF THE OVERVIEW \& SCRUTINY COMMITTEE

HELD AT 5.30 P.M. ON TUESDAY, 2 AUGUST 2011

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

## Members Present:

Councillor Ann Jackson (Chair)
Councillor Tim Archer
Councillor Rachael Saunders (Vice-Chair)
Councillor Stephanie Eaton
Councillor Amy Whitelock
Councillor Zenith Rahman
Councillor Helal Uddin

## Other Councillors Present:

Councillor Peter Golds
Councillor Judith Gardiner

## Co-opted Members Present:

Canon Michael Ainsworth - (Church of England Diocese Representative)
Jake Kemp
Rev James Olanipekun

## Guests Present:

## Officers Present:

| David Galpin | (Head of Legal Services (Community), Legal |  |
| :--- | :--- | :--- |
|  |  | Services, Chief Executive's) |
| Michael Keating | (Service Head, One Tower Hamlets) |  |
| Sarah Barr | (Senior Strategy Policy and Performance Officer, |  |
|  | Strategy Policy and Performance, Chief |  |
|  | Executive's) |  |
| Chris Naylor | (Corporate Director Resources) |  |
| Richard Parsons | (Service Head Procurement and Corporate |  |
|  | $\quad$ Programme, Resources) |  |
| Peter Hayday | (Interim Service Head, Financial Services, Risk |  |
|  |  | and Accountability) |
| Antonella Burgio |  |  |
|  |  | (Democractic Services) |

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sirajul Islam. Councillor Alibor Choudhury, Cabinet Member for resources apologised that he was unable to attend to present agenda item 8.1.
2. DECLARATIONS OF INTEREST

No declarations of personal or prejudicial interest were made.
3. UNRESTRICTED MINUTES

The Chair Moved and it was:-

## RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on $5^{\text {th }}$ July 2011 be approved and signed by the Chair as a correct record of the proceedings.

## 4. REQUESTS TO SUBMIT PETITIONS

None received.

## 5. REQUESTS FOR DEPUTATIONS

None received.

## 6. SECTION ONE REPORTS 'CALLED IN'

There were no decisions called in from the meeting of Cabinet held on 6 July 2011.

## 7. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED) CABINET PAPERS

The Chair exercised her powers to vary the order of business and accordingly this item was considered following agenda item 8.5.

Two written questions had been submitted under procedural rules and these were tabled at the meeting.

The Chair noted that no additional questions had been brought forward and suggested that Overview and Scrutiny Committee Members encourage Backbencher colleagues to use pre-decision scrutiny to ensure that formal responses were given by Cabinet Members to matters raised through this route.

## RESOLVED

That the written questions tabled at the meeting be referred to Cabinet at its meeting on 3 August 2011.

## 8. REPORTS FOR CONSIDERATION

The Chair moved to vary the order of business. The following reports; ‘Cabinet Report: Budget 2012/13-2014/15 - Resource Allocation and Budget Review', 'Cabinet Report - Contracts Forward Plan' and 'Regulation of Investigatory Powers Act 2000 (RIPA) Annual Report for 2010/11' were considered prior to agenda item 7.

### 8.1 Cabinet Report: Budget 2012/13 - 2014/15 - Resource Allocation and Budget Review

Chris Naylor, Corporate Director of Resources presented the report circulated at agenda item 8.1 assisted by Peter Hayday, Service Head, Financial Services, Risk and Accountability. The Corporate Director summarised the key areas of the report illustrating to Committee the areas of challenge that would be faced by the Council. These were

- Reduced funding (revenue, support grant and specific Government grants)
- Appraisal of budget pressures and risks (inflation, levels of reserves, demographic and local pressures)
- Closing the funding gap (income, grants and savings)

Cabinet would be asked to: stress-test the proposals. The Committee requested that Overview and Scrutiny be involved in the stress testing of provisions for service delivery during the period of the Olympic Games and proposed that the Authority reviewed measures implemented by past Olympic host authorities.

Action Sarah Barr, Senior Strategy, Policy and Performance Officer
In response to Members' questions, the Committee received the following information:

The Council could fund its priorities from any combination of 3 methods:

- generate additional revenue (e.g. increase fees and charges or raise council tax),;
- reduce costs; or
- On a one-off basis apply some of its revenue reserves.

The extent to which the Mayor's priorities would be delivered in the context of funding reductions and increased borough population would be a decision for Members. The report offered a financial outlook; no further Government
transitional grant funding would be given and figures for 2012/13 had been calculated on the assumption that Council Tax would not be increased.

To achieve savings, the Authority was exploring options for economies of scale, risk sharing and transformational change such as smarter working, use of new technologies, changes to working patterns, generic working, strategic partnership, and the personalisation programme.

Figures for core grants printed at 6.5 of the reports were based on available Government information. Further announcements of changes to funding for 2012/13 would probably not be forthcoming until November/December.

The Council would ensure that there was early consultation on future savings proposals to reduce the risk of judicial challenges on either the adequacy of the consultation or the associated Equality Impact Assessments. Members were reminded of their role in brokering community engagement in this regard.

## RESOLVED

1. That the financial outlook and medium term projections as set out in the report be noted.
2. The outcome of the review of the budget forecast for 2011/12; officers' advice on the risk of additional costs fall in 2011/12 - 2014/15 and the medium term financial forecast for 2012/13 - 2014/15 be noted.
3. That the position relating to funding for the capital programme be noted and the recommendation that non-ring fenced capital resources from Government should be treated in the same way as locally generated funding for capital planning purposes be noted.
4. That the position in relation to the Housing Revenue Account be noted.
5. That the approach to be taken to equality analysis of budget decisions in the 2012/13 cycle be noted.

### 8.2 Cabinet Report - Contracts Forward Plan

Richard Parsons, Service Head, Procurement and Corporate Programmes presented the report circulated at agenda item 8.2.

The quarterly report was a forward plan of supplies and services contracts and capital works and offered Cabinet the opportunity to request further information regarding any of the contracts in the period July 2011 - June 2012 that had not previously been reported.

It was noted that Council had taken a decision to allow Cabinet to apply the test for contracts that fell within the scheme instead of officers.

In response to questions on data provided at Appendix 1, the Committee was given the following information:

- The planned date for invitation to tender "Corporate contract for the provision of technical advisors for construction" (Development and Renewal Directorate) tender; was Autumn 2011.
- Written responses would be circulated to the Committee concerning:
- the estimated value of the CSF contract for overnight shortbreaks lots 1 and 2.
- the estimated contract value of the Adults Health and Wellbeing, Mental Health Day options

Action Richard Parsons, Service Head, Procurement and Corporate Programmes / Sarah Barr, Senior Strategy, Policy and Performance Officer

Councillor Rachael Saunders joined the meeting at 6.22p.m.

- re-contracting of domiciliary care would be reported separately to Cabinet as there had been some delays in the contract process
- a list of contracts that had and had not been accorded through the procurement process be provided for the Chair

Action Richard Parsons, Service Head, Procurement and Corporate Programmes

In response to Members' general questions, the following information was provided:

Concerning administration of contract rules to encourage tenders from local suppliers; the Committee was informed that the Council let both small and large contracts. All were considered on their individual merits taking a broad view of contract awarding, looking at how each might best be filled and the potential benefits of awarding to smaller organisations. Additionally, contracts up to a value of $£ 50,000$ were ring-fenced to local suppliers and all Council contracts were advertised through the Council's website and East London Business Place in order to better reach local business. The Council also held an annual suppliers' forum to which local suppliers were always invited. It was noted that currently the Council was implementing more measures than some of its neighbouring authorities.

Concerning whether the procurement team possessed the skills to know the best products in contractual terms, the Committee was informed that specifications were carefully specified and generated by the purchasing directorates and referred to a category manager within the Procurement Team. S/he worked collaboratively with the directorate stakeholders to develop a plan to determine how best value could be achieved. The plan was
tested in the directorate at the proposal stage to ensure that it was fit for purpose and, when necessary, external expertise was also sought.

Concerning mechanisms in place to ensure that Procurement provided the best services to residents in terms of events, the Committee was informed that Procurement team sought to ensure that its methods were transparent. The process was presently value based but dependant on the nature of contracts, other parameters such as risk, might appropriately be considered. The Authority was looking to review contract monitoring and management in future.

Concerning whether the details of awarded contracts were in the public realm, the Committee was informed that it was not always possible publish data for reasons of commercial confidentiality. However where possible the authority would be happy to publish contract elements that were not captured by such reasons.

The Chair agreed that specific contract questions from Councillor Helal Uddin be submitted through the Chair and that written responses be provided, concerning contract mechanisms in place and how these provided the best services to residents.

Action Chair / Councillor Uddin / Richard Parsons, Service Head, Procurement and Corporate Programmes

Concerning pressures from companies to renew existing contracts, the Committee was informed that the Council challenged contractors to offer better terms and had also undertaken some re-negotiations.

RESOLVED

1. That the report be noted and
2. That the contract summary at Appendix 1 be noted.

### 8.3 Regulation of Investigatory Powers Act 2000 (RIPA) - Annual Report for 2010/2011

Reverend James Olanipekun left the meeting at 6.53p.m.
The report was presented by David Galpin, Head of Legal Services, Community and reported on the Council's covert activities under the powers of the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 2010/11.

In response to Members' questions, the following information was provided:
The inspection undertaken in June 2010 had been unfavourable, primarily by reason of insufficient central control. New procedures had been introduced to
monitor and record activities and additional levels of scrutiny through the Standards and Overview and Scrutiny Committees had been put in place.

Use of RIPA powers in surveillance of touts in Brick Lane had led to enforcement action. The Council had taken action through the Licensing Act 2003 regime which placed responsibility on premises, rather than individual touts.

The Chair noted that the report findings would contribute to the Committee's Directorate Challenge programme. The Chair requested that Overview and Scrutiny Committee continue to receive future RIPA Annual reports.

Action David Galpin, Head of Legal Services - Community
The Chair also requested that Overview and Scrutiny Committee receive reports of all unfavourable external inspections in order scrutinise findings.

Action Sarah Barr, Senior Strategy, Policy and Performance Officer
RESOLVED

1. That the information regarding RIPA activity by the Council in $2010 / 11$ be noted.
2. That the results of inspection in $2010 / 11$ be noted
3. The information about the Protection of Freedoms Bill and its likely consequences be noted.

### 8.4 Council Motion 12.5 Housing Sales Phases 2 and 3

The motion had been discussed by Council at its meeting on 13 July 2011. The Chair presented the item and proposed that the matter be added to the work programme as a Directorate Challenge item for Development and Renewal Housing Service and that a meeting date be agreed

Action Councillor Ann Jackson/Sarah Barr, Senior Strategy, Policy and Performance Officer

The Chair suspended standing orders and Councillor Gardiner, who was in attendance at the meeting, was permitted to speak on the matter.

## RESOLVED

1. That the referred motion be added to the Overview and Scrutiny work programme as a Directorate Challenge session
2. That a date for the Challenge Session in which to consider the referral be agreed.

### 8.5 Scrutiny Work Programme

A verbal update on progress towards agreeing a scrutiny work programme 2011/12 was presented by Sarah Barr, Senior Strategy, Policy and Performance Officer. A first draft had been drawn up at an Overview and Scrutiny Committee Members' workshop in the previous week.

The following areas of investigation were also discussed:

- Councillor Tim Archer - East End Life and the Asset Strategy
- Councillor Amy Whitelock - links between adults and children's health matters
- Councillor Rachael Saunders - changes to North East London health service provision

The Head of Service encouraged the Committee to focus on how to develop a better insight of the challenges within directorates as well as the Council as a whole and explore the role of Scrutiny Leads in helping meet them. He also recommended that the Committee prioritise its work to ensure that focus was maintained during the municipal year and that resources to support it were used effectively.

RESOLVED
That the verbal update be noted

## 9. VERBAL UPDATES FROM SCRUTINY LEADS

The following Members presented verbal updates on their work areas:
Councillor Helal Uddin gave a verbal update on lettings policy for mental health needs.

Councillor Amy Whitelock gave a verbal update on the future of Children's Centres, staffing of adventure playgrounds, the CSF budget and service buyback by schools, the Munro Review of children's protection, the Lamb review of personal budgets for children with special educational needs, the youth service re-tender, the rise in child referrals from East London Mental Health Trust, Mr Jake Kemp felt that there could be a much better link between the work of the Scrutiny Lead and the role of the and the Committee's (schools governor) co-opted members.

Action: $\quad$ Mr Kemp and Councillor Whitelock to explore
Councillor Zenith Rahman gave a verbal update on street cleansing reviews and the relationship between and promotion of cultural and religious events.

Councillor Rachael Saunders gave a verbal update on the Dilnott Review, consultation with the community on personalisation, budget matters and
healthcare changes currently proposed and the reporting of hospitals data. She requested that 'Stress Points through Health Issues and Cuts in Services and Changes in Health Primary Care' be added to the work programme of the Health Scrutiny Panel which the Chair agreed.

Action Sarah Barr, Senior Strategy, Policy and Performance Officer
The Chair requested that the Development and Renewal and Adults Health and Wellbeing Directorate Challenge Sessions to explore budget and related issues be timetabled within the work programme

Action Sarah Barr, Senior Strategy, Policy and Performance Officer
Councillor Tim Archer gave a verbal update on the asset strategy, equality impact assessments and East End Life.

RESOLVED
That the verbal updates be noted.

## 10. ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

No items were tabled.

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## Agenda Item 5.1

| Committee: | Date: | Classification: | Report No. | Agenda Item <br> No. |
| :--- | :--- | :--- | :--- | :--- |
| OVERVIEW | 6 September 2011 | Unrestricted |  | 5.1 |
| AND |  |  |  |  |
| SCRUTINY |  | Title: Cabinet Decision Called-in: |  |  |
| Report of: <br> Service Head, Democratic Services <br> Originating Officer(s): <br> Antonella Burgio, Democratic Services | The Baishakhi Mela - Transfer to <br> Community Management <br> Wards: All |  |  |  |

## 1. SUMMARY

1.1 The attached report of the Corporate Director, Culture Learning and Leisure was considered by the Cabinet on 3 August 2011 and has been "Called-In" by Councillors Peter Golds, Craig Aston, Emma Jones, Gloria Thienel and David Snowdon. This is in accordance with the provisions of Part Four Sections 16 and 17 of the Council's Constitution.

## 2. RECOMMENDATION

2.1 That the Committee consider the contents of the attached report, review the Cabinet's provisional decisions arising and
2.2 decide whether to accept them or refer the matter back to Cabinet with proposals, together with reasons.

Local Government Act, 1972 Section 100D (As amended)

## List of "Background Papers" used in the preparation of this report

Brief description of "background paper"
Cabinet report - 3 August 2011

Name and telephone number of holder and address where open to inspection Antonella Burgio 02073644881

## 3. BACKGROUND

3.1 The request to call-in the Cabinet's decision was considered by the Assistant Chief Executive, Legal Services who has responsibility under the constitution for calling in Cabinet decisions in accordance with agreed criteria. Overview and Scrutiny ( O and S ) Procedure Rules require that the request for a call-in must give reasons in writing and outline an alternative course of action (Rule 16.3.3). It was considered that the reason given in the proforma 're-examine proposal', did not adequately satisfy this condition. Accordingly the request was rejected.
3.2 Councillor Golds, on behalf of the Councillors who signed the call-in proforma, challenged the refusal and provided an additional statement giving further reasons for the call-in; these are printed at section 5.2 of the report. The statement was considered by the Chief Executive and Monitoring Officer under O and S Procedure Rule 16.5 which provides that that "where a matter is in dispute, both the Chief Executive and the Monitoring Officer should be satisfied that one of the criteria [to refuse a request] applies."
3.3 The Chief Executive and Monitoring Officer each agreed that the additional statement satisfied the requirements of Overview and Scrutiny Procedure Rule 16.3.3 and the call-in request could be accepted and processed accordingly.

## 4. THE CABINET'S PROVISIONAL DECISION

4.1 The Cabinet after considering the report attached, at Appendix 1, provisionally decided:-

1. That it be agreed that the Baishakhi Mela in Banglatown, Brick Lane be returned to community management for 2012 and that the right to manage the Mela be granted for a period of nine years, subject to reviews at year one, three, and six by an independent panel;
2. That the approach to select a successor organisation as set out in the report (CAB 021/112), including the proposal to delegate the recommendation of the successor organisation to an independent panel which will be supported by staff, be agreed;
3. That the outline specification, as set out in paragraph 6.3 of the report (CAB 021/112), be agreed;
4. That the level of financial and other support for the successor organisation as set out in paragraph 6.4 of the report (CAB 021/112), be agreed; and
5. That the timetable for granting the right to manage the Mela, as set out in paragraph 6.6 of the report (CAB 021/112), be agreed.

### 4.2 Reasons for Decisions

These were detailed in paragraph 3.1 of the report (CAB 021/112) and stated that "The Council's management of the Mela was intended to be temporary and it is now considered the opportune time to return it to community management."

### 4.3 Alternative Options Considered

These were detailed in paragraphs 4.1 to 4.2 of the report (CAB 021/112) and reprinted as follows:
4.1 The option to continue to run the Mela in-house is not recommended as there is a strong wish within the community to return the management to a local organisation.
4.2 The option to cease to support the Mela is not recommended; there is huge local support for the event and without the Council managing the transfer arrangement it is likely to result in confusion and multiple competing rivalries.
5. REASONS / ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'
5.1 The Call-in requisition signed by the five Councillors listed gives the following reason for the Call-in:
'Re-examine proposal'
5.2 The reason provided in the original proforma was supplemented by the following statement:
'The report considered by Cabinet gave no reason why the Council should transfer management of the Mela following the events of 2008. The report gave no indication as to what circumstances had changed in the past three years which would precipitate this transfer.

There was no reference to the Deloitte report which triggered the 2008 change and what would be done in light of the report to provide transparency and financial rectitude should the council transfer management.

The 2011 Mela is already being investigated by Ofcom for media breaches and this is not mentioned in the report although the information is publicly available and will be well known to the Mayor and Cabinet.

The report does not indicate how the community management will be selected.

The idea of a nine year contract is unprecedented for such an event. A contract for this length of time would normally be associated with major engineering projects and not a community event.'
5.3 The requisition also proposed the following alternative course of action:
'More detailed report'.
6. CONSIDERATION OF THE "CALL IN"
6.1 Having met the call-in request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the call-in and decide whether or not to refer the item back to the Cabinet at its next meeting. The implementation of the Cabinet decision regarding "The Baishakhi Mela Transfer to Community Management" is suspended pending the Committee's decision in accordance with call-in procedures.
6.2 The following procedure is to be followed for consideration of the "Call In":
(a) Presentation of the "Call In" by one of the "Call In" Members followed by questions.
(b) Response from the Lead Member/officers followed by questions.
(c) General debate followed by decision.
N.B. - In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member(s) who presents the "Call $\ln$ " is not eligible to participate in the general debate.
6.3 It is open to the Committee to either resolve to take no action which would have the effect of endorsing the original Cabinet decision(s), or the Committee could refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

| Committee/Meeting: <br> Cabinet | Date: <br> Sassification: <br> Report of: | Clagsert No: <br> (CAB 021/112) |
| :--- | :--- | :--- | :--- |
| Corporate Director: Steve Halsey | Title: <br> The Baishakhi Mela in Banglatown, Brick <br> Lane: transfer to community <br> management |  |
| Originating officer(s) <br> Heather Bonfield: <br> Interim Service Head, Culture, Learning <br> and Leisure Services, CLC | Wards Affected: Bethnal Green South / Bethnal <br> Green North / Weavers |  |


| Lead Member | Cllr Rania Khan |
| :--- | :--- |
| Community Plan Theme | A Great Place to Live |
| Strategic Priority | Strengthen and connect communities |

## 1. SUMMARY

1.1 The Baishakhi Mela is a major Bengali New Year celebration that attracts people from Tower Hamlets, across Britain and from other countries. It has grown in size since it was founded in 1998 and it is estimated that in 2011 120,000 people visited the Mela and its environs in Brick Lane.
1.2 From 2002-2007 it was organised by the Baishakhi Mela Trust (BMT), but in 2008 the Council agreed to run the Mela in-house pending its return to community management. The Council organised the Mela in 2009, 2010 and 2011, but it is now considered the opportune time to appoint a successor organisation to continue to organise it. The suggested process for this is set out below.

## 2. DECISIONS REQUIRED

Cabinet is recommended to agree:
2.1 That the Baishakhi Mela in Banglatown, Brick Lane be returned to community management for 2012 and that the right to manage the Mela be granted for a period of nine years, subject to reviews at year one, three, and six by an independent panel.
2.2 The approach to select a successor organisation as set out in the report, including the proposal to delegate the recommendation of the successor organisation to an independent panel which will be supported by staff.
2.3 The outline specification as set out in the report as set out in paragraph 6.3 of the report

> 2.4 The level of financial and other support for the successor organisation as set out in paragraph 6.4 of the report
2.5 The timetable for granting the right to manage the Mela as set out in paragraph 6.6 of the report

## 3. REASONS FOR THE DECISIONS

3.1 The Council's management of the Mela was intended to be temporary and it is now considered the opportune time to return it to community management.

## 4. ALTERNATIVE OPTIONS

4.1 The option to continue to run the Mela in-house is not recommended as there is a strong wish within the community to return the management to a local organisation.
4.2 The option to cease to support the Mela is not recommended; there is huge local support for the event and without the Council managing the transfer arrangement it is likely to result in confusion and multiple competing rivalries.

## 5. BACKGROUND

5.1 The Baishakhi Mela first took place in 1998 and was originally funded by Cityside Regeneration. When this funding ended in 2002 the Baishakhi Mela Trust (BMT) was formed to take the event forward. This organisation had difficulty in finding funding for the event and during the period of its management, received practical support from the Council and grants ranging from $£ 4,000-£ 25,000$.
5.2 During this period there was growing disagreement within the community as to who should run the Mela, with two groups contesting the right - the BMT and the New Banglatown Baishakhi Mela Trust. In 2008 the issue came to a head when both organisations sought to run the event on Weavers Field on the same day. The 2008 Mela was again organised by BMT without financial support from the Council.
5.3 In November 2008 the Cabinet considered options to sustain this important cultural and community event. The options put forward were to contain the Council's role to licensing only, to continue to support BMT as the lead agency for the Mela or to manage the event in-house for a limited period and set up a new Trust. One-off funding was provided to sustain the Mela whilst its ability to generate income and sponsorship were developed to enable it to be self-sustaining in the future.
5.4 The Council managed the Mela in 2009, 2010 and 2011 during which time it increased sponsorship and identified and developed areas for income generation which could be continued by the successor organisation. In 2011 there was a high level of community engagement with regard to the arrangements and there appeared a keen appetite for the event to be returned to community management. As the Council intended to only undertake a transitional role, it is proposed that steps are taken to return this to community management for 2012
5.5 The Cabinet decision in 2008 indicated that the Council should form a Trust to take over the Mela. This has not proved practicable and it is now proposed to seek instead an organisation that is self-selected and formed from local people committed to managing a successful event.

## 6. BODY OF REPORT

6.1 During the development and implementation of the 2011 Mela there was increased engagement with the community, primarily through the voluntary Baishakhi Mela Advisory Board, but also through a more localised Mela Parade which involved a number of local organisations. There was a strong desire shown to return the Mela to community management and this report sets out a process for achieving this that relies on the community forming its own management arrangements rather than the Council trying to undertake this process.
6.2 It is proposed to undertake the following processes to allocate the right to hold the Mela in Weavers Field/Allen Gardens/Brick Lane:

- Cabinet approve the approach to return the Mela to the Community
- A specification will be produced (see headlines below)
- The opportunity to manage the Mela will be advertised widely
- Responses will be shortlisted (if necessary)
- Representatives of shortlisted organisations will make a presentation to/be interviewed by an independent panel who will recommend an applicant to Cabinet
- The Mela Selection Panel will be formed of suitable independent representatives. The Panel will, with the support of officers, examine detailed documentation and negotiate final arrangements with the preferred applicant
- A report will be submitted to Cabinet on 5 October recommending that the responsibility for the management of the Mela transfer to that organisation
- Cabinet approves the final arrangements
- Paperwork finalised and the right will be awarded for a period of nine years, with reviews at the end of one, three and six years. The review will be undertaken by the Independent Panel.
6.3 The Specification Headlines:
- The Mela to be held in Weavers Field/Allen Gardens/Brick Lane
- To take place in May
- A free to access event
- The applying organisation will either be a Trust or must form a Trust within one year of being appointed; the successful organisation will be not-for-profit.
- Board members will be selected by the Trust, but the Council would, to protect its own reputation, expect them to comply with the highest standards (i.e. people without criminal records).
- The organisation will apply for and secure annually a Premises License for the event, but it is not expected that the event will commence before 12.00 or end after 20.00
- There will be a requirement for a parade to form part of the event
- The successful organisation will need to demonstrate effective arrangements for consulting the local community on the contents of the programme and to offer a range of entertainments reflecting the tradition of Bengali arts. However the organisation will have artistic license with regard to the final programme
- A family zone should form part of the offer
- The organisation will be transparent in its financial arrangements
- The organisation will need to comply with all health and safety requirements and will need to satisfy the requirements of all the organisations that form the Safety Advisory Group; it is expected that professional support will be engaged for this activity in view of the anticipated audience numbers.
- The organisation will be expected to adhere to noise control measures
- The organisation will need to demonstrate annually that it has full insurance cover
- The Council would expect sponsors for the event to be acceptable (for example no cigarette / alcohol companies)

Should the terms of the specification not be sustained by the successful organisation, the Council may reduce/withdraw its support.
6.4 Support from the Council: The Council will, for the period of the award (subject to the successful organisation meeting the above requirements) provide the following support:

- A grant award for the parade. This will be allocated through the Council's mainstream grants awards process and be monitored to ensure the outputs demonstrate value for money. Grants are awarded for a period of three years
- The Council will provide road closures, parking suspensions, and training for high risk food traders free of charge
- The Council will enable restaurants (where pre-agreed) to have tables and chairs on Brick Lane on the day of the Mela free of charge
- Weaver Field/Allen Gardens will be provided free of charge
- The Council will assist in the clear-up of the area free of charge
- The Council will publicise the event free of charge in council publications, on council websites and in council premises
- The Council will, in 2012, passport remaining S106 (Balleymore) funding that it has secured for the Mela and which has to be used for participatory elements of the event
- The Council will not grant permission for any similar events in Weavers Field or any other park / open space.
- The Council will support the new Mela Trust to secure funding and ensure that funding will be available to the Trust to support its transition to full self-sufficiency
6.5 A Service Level Agreement will be required for the grant for the Parade in accordance with other mainstream grant allocations.
6.6 Timetable: It will be necessary to award the right to manage the Mela at least six months in advance of the event. Subject to the agreement of Cabinet at this meeting there will be two months to advertise, select the recommended organisation and finalise agreements ready to recommend award to 5 October Cabinet, which is a very tight (but achievable) timetable.


## 7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

7.1 This report seeks Cabinet approval to agree that the Baishakhi Mela be returned to community management for 2012 onwards and the approach to select a successor organisation.
7.2 The successor organisation will continue to receive support from the Council for the MELA for the period of the award as detailed in Para 6.4 of the report. Financial support could be made through the Council's mainstream grant programme for a period of three years which would be made subject to complying with conditions. For 2012 Section 106 funding has been secured to fund participatory elements of the event, this will be available for the MELA.

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

8.1 As this is the grant of a concession the Council is required to let it through an open and transparent process. Accordingly the selection of the organisation will be assessed against pre agreed selection criteria and bidders will be given the high level criteria and weightings with the invitation to bid.

## 9. ONE TOWER HAMLETS CONSIDERATIONS

9.1 The Tower Hamlets Baishakhi Mela is the largest celebration of the Bengali New Year outside of Bangladesh. It is therefore of great importance to the local community as well as an opportunity the spotlight the Borough as it is
broadcast through speciality media across the World and has, for three years, been featured by BBC Asia Network. Its primarily focus is to showcase the best of traditional and modern Bengali culture, but it attracts visitors from other cultures and ethnic backgrounds who come to enjoy the music, food, colour and excitement.

## 10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

10.1 Large crowds generate large amounts of litter and waste; wherever possible these are recycled.

## 11. RISK MANAGEMENT IMPLICATIONS

11.1 There is a risk that the successor organisation will not be able to generate sufficient funding to be able to run a successful event. During its three years of management the Council has been able to raise the level of income, for example by tendering for sole trading right for mobile phones, supply of ice cream, etc. The Council can assist by advising the successor organisation (if required) where to procure goods and services and an indicative budget available for artists, etc. The council is also assisting by absorbing some costs which could be recharged. (In doing this it is following the approach taken for other non-commercial events and festivals.) The Council will support the new Mela Trust to secure funding from other sources and will ensure that funding will be available to the Trust to support its transition to full self-sufficiency
11.2 There is a risk that after the Mela has been awarded other organisations may seek to run rival events. The Council will not allow its parks and open spaces to be used for such events and will reserve Weavers Field / Allen for the successful organisation.
11.3 Notwithstanding the above support the successor organisation may still fail; reviews will be undertaken at year one, year three and year six and a report will be submitted to Cabinet should it prove necessary to review the arrangements for the Mela.

## 12. CRIME AND DISORDER REDUCTION IMPLICATIONS

12.1 The detailed arrangements for the Mela will continue to be considered by the multi-agency Safety Advisory Group, which includes the Police. During the past three years there has been a very low level of crime and arrests at the Mela and robust arrangements have been in place to ensure that people entering Weavers Field are unlikely to cause problems, the event has been stewarded effectively and the crowd has been managed on exit. It is not anticipated that the new management arrangements will result in an increase in crime and disorder.

## 13. EFFICIENCY STATEMENT

13.1 Considerable officer time is taken with collaborating with the local community and organising the Mela. With the forthcoming emphasis on community engagement during the year of Olympic Games, the Royal Diamond Jubilee, and the need to stimulate income-generating events in parks and open spaces the transfer of responsibility for this event to the community who will welcome the opportunity to lead on this important event. Officer advice and support will however be available if required.

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

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## Agenda Item 6.1

| Committee/Meeting: | Date: | Classification: | Report No: |
| :--- | :--- | :--- | :---: |
| Overview \& Scrutiny | 6 September <br> 2011 | Unrestricted | 6.1 |
| Report of: | Title: <br> Strategic Performance and Corporate <br> Revenue and Capital Budget Monitoring <br> Q1 2011/12 (Month 3) Report to the <br> Corporate Director Resources | end of June 2011. |  |
| Originating officer(s) <br> Peter Hayday, Service Head Financial <br> Services, Risk \& Accountability <br> Michael Keating, Service Head One Tower <br> Hamlets <br> Wards Affected: <br> All |  |  |  |


| Community Plan Theme | All |
| :--- | :--- |
| Strategic Priority | All |

## 1 SUMMARY

1.1 Effective performance monitoring and reporting is crucial to the way the Council drives improvement in services. This is the first combined performance report covering the Council's Strategic measures and financial position for the current financial year. It covers the first quarter April to June 2011. Combining our performance and financial reporting in this way strengthens the Council's robust performance management arrangements.
1.2 This report will be considered by Cabinet at its meeting on $7^{\text {th }}$ September.
1.3 This performance report covers the authority's progress to date in 2011/12 (Quarter 1) against budget and service performance targets. This includes year end projection updates for the:

- General Fund Revenue and Housing Revenue Account;
- Capital Programme; together with
- An overview of performance for all of the reportable strategic measures.

The Strategic Measures Set represents the key priorities for the Council in 2011/12.

### 1.4 Finance Overview

1.4.1 As at the end of the first quarter ( $30^{\text {th }}$ June 2011) Directorates are forecasting spend in line with service budgets. However there are a number of risks that are detailed in the report, although at this stage it is anticipated that these can be contained through a mix of mitigating actions and specific risk provisions.
1.4.2 Cabinet is being asked to approve budget virements as set out in Appendix 3 of this report. There is no net impact on the Council's 2011-12 budget as a result of these virements: an allocation of $£ 2.1 \mathrm{~m}$ relates to the growth risks for which provision was included in the MTFP approved by Full Council in March 2011 and the other main virements relate to the movement of budgets between corporate costs and Children's (CSF) and Resources.

### 1.4.3 Housing Revenue Account

The projected outturn on the HRA is a break even position in line with the budget and the position reported last month.

### 1.4.4 Capital Programme

Directorates have spent $12.1 \%$ of their capital budgets for the year ( $£ 20.674 \mathrm{~m}$ against budgets of $£ 171.328 \mathrm{~m}$ ), and have projected a year-end underspend of $£ 2.915 \mathrm{~m}$ or $1.7 \%$ of the budget. However this assumes Cabinet approval to rephase some $£ 14$ million of BSF works from 2011/12 across the 3-year programme. Any resources not spent in the current financial year would be required to fund the capital programme in future years. The overall programme remains affordable within available resources.

### 1.5 Strategic Measures

Quarter 1 data is currently available for 16 measures. Of these ten are within their target range, and six are below the target range. Eight measures have improved compared to last year's Quarter 1 performance.
1.6 More detailed performance and financial information is contained in the report and appendices, as follows:

- Appendix 1 - provides the estimate budget outturn and explanations of major variances for Directorates for the General Fund
- Appendix 1a - provides a subjective analysis of forecast variances
- Appendix 2 - provides the estimate budget outturn and explanations of major variances for the HRA
- Appendix 3 - a schedule of new virements requiring Cabinet approval.
- Appendix 4 - provides details of the capital programme and details of how the initial 2011/12 capital budget has changed.
- Appendix 5 - provides an overview of performance for all of the reportable strategic measures. The Strategic Measures Set represents the key priorities for the Council in 2011/12.


## 2. DECISIONS REQUIRED

The Overview and Scrutiny Committee is recommended to:-
2.1. Review and note the Quarter 1 2011/12 performance;
2.2. Note the Council's financial position as outlined in paragraphs 3 and 4 and Appendices 1-4 of this report; and
2.3. Note the budget virements detailed in Appendix 3. These are being tabled at Cabinet for approval.

## Reasons for the Decision

Quarterly updates on the position of the capital programme and revenue expenditure against budgets are provided to Cabinet for information. This is the forecast position for the year as at the end of June 2011. The requested budget virements are to fund growth risks for which provision was included in the MTFP approved by Council in March 2011 and re-align service budgets as per paragraph 1.4.2 above.

## Alternative Options

Non approval of the budget transfers will mean affected Directorates will not be in a position to provide services within budget limits.
3.1 The following table summarises the current expected outturn position for the General Fund.

| SUMMARY | Latest <br> Budget <br> £'000 | Budget to Date £'000 | Actual to Date £’000 | Variance to Date £'000 | Forecast Outturn £'000 | Variance $£^{\prime} 000$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Adults Health and Wellbeing | 99,424 | 22,090 | 22,056 | (34) | 99,424 | 0 |
| Chief Executive | 10,628 | 2,657 | 2,734 | 77 | 10,628 | 0 |
| Children, Schools and Families+ | 82,210 | 20,552 | 82,998 | 62,446 | 82,210 | 0 |
| Communities, Localities and Culture | 70,400 | 14,096 | 14,020 | (76) | 70,400 | 0 |
| Development and Renewal | 16,995 | 4,249 | 4,146 | (103) | 16,995 | 0 |
| Resources | 10,373 | 2,594 | 3,284 | 690 | 10,373 | 0 |
| Corporate Costs/Capital Financing | 15,843 | 356 | 232 | (124) | 15,843 | 0 |
| TOTAL | 305,873 | 66,594 | 129,470 | 62,876 | 305,873 | 0 |

+ Variance to date explanations is included within paragraph 3.3

As can be seen from the table the Directorates are forecasting spend for the year in line with the net service budgets. However, there are a number of significant budget pressures in some service areas which are currently being managed and which are set out in detail below.

The table also shows a significant year-to-date variance in Children's, Schools and Families which is explained in Section 3.3 below. Other smaller year-todate variances are explained in the detailed budget analysis in Appendix 1 with an analysis of budget variances against expenditure type detailed in Appendix 1A.

### 3.2 Adults, Health and Wellbeing

## Projected variance Nil

Although at the end of month three Adults Health and Wellbeing are forecasting a break even position the Directorate continues to have a number of budget risks as a result of demographic changes:

## A Transition Clients for Learning Disabilities

The Directorate submitted a growth bid as part of the 2011/12 budget setting process for Learning Disability clients entering the Directorate from the Children Schools and Families Directorate. The forecast funding requirement for this financial year was $£ 0.6 \mathrm{~m}$.

The current forecast by the Directorate is that expenditure to be transferred from the Children Schools and Families Directorate for the 2011/12 financial year is $£ 0.7$; $£ 0.1 \mathrm{~m}$ more than had been expected. This represents the part year effect of 61 clients. The average unit cost per client is $£ 12,125$ which is higher than anticipated and has been affected by two care packages which are both over the cost of $£ 50,000$ per annum (one of these clients has a care package of $£ 104,030$ ).

## B Dementia Clients

The Directorate submitted a growth bid as part of the 2011/12 budget setting process for Older People with dementia. The forecast funding requirement for this financial year was $£ 2.1 \mathrm{~m}$.

The current forecast by the Directorate is that expenditure on supporting clients with dementia into elderly and mentally infirm residential placements is likely to be broadly in line with this projection.

## C NHS Social Care Funding

The forecast increased budget pressure of the above areas of service demand totals $£ 2.8 \mathrm{~m}$. However, it is currently planned to meet this additional cost through the application of additional funding made available through the NHS to support Social Care expenditure. This funding is the subject of a Section 256 agreement.

The total funding made available to the Directorate in 2011-12 through this agreement is $£ 3.7 \mathrm{~m}$. The balance of $£ 0.9 \mathrm{~m}$ is needed to meet the joint objectives of the Primary Care Trust (PCT) and the Council which are set out in the agreement.

Whilst this will offer a potential savings opportunity in 2011-12 of up to $£ 2.8 \mathrm{~m}$ this may not be mirrored in 2012-13 as the funding for that year has still to be confirmed and the Directorate will need to agree a business plan with the PCT for the use of any future funding.

### 3.3 Children, Schools and Families

## Projected variance NIL

At present, the directorate is reporting that it will be able to operate within budget for 2011/12.

Nonetheless, underlying pressures of $£ 0.9 \mathrm{~m}$ in Building and Technical Services (BATS), Buildings \& Development and Transport have no long-term funding to support them and will need to be addressed. This will involve:

- scaling down the activity in the BATS team on supporting schools' capital projects such that it operates sustainably;
- reprioritising support staff posts within CSF, through the Management and Administration review, to ensure that an affordable building development function is available; and
- considering policy changes to home-school travel in line with the recent internal review. This function, however, has a savings target of £0.3m over
three years and the underlying budget pressure is in excess of $£ 0.5 \mathrm{~m}$; the combination of these two may require some revisiting of the medium term financial forecast for this item, but not at this stage.

The expenditure to date for the department is significantly different to the profiled budget. The $£ 62.4 \mathrm{~m}$ variance includes full-year commitments of $£ 46.5 \mathrm{~m}$ and a further $£ 10.2 \mathrm{~m}$ of schools expenditure to be funded from the DSG. The balance of approximately $£ 6.0 \mathrm{~m}$ represents the difference between actual grant income received to date and the associated income profile. This is a timing difference which will un-wind over the course of the year.

### 3.4 Development and Renewal

## Projected variance NIL

A breakeven position is currently forecast, however the Directorate is actively reviewing the Third Sector requirement for savings opportunities where there is a net risk of a $£ 0.2 \mathrm{~m}$ overspend.

### 3.5 Corporate Costs \& Capital Financing

Projected variance NIL

The Corporate Cost and Capital Financing budget is currently forecast to spend in line with budget. However, a number of council wide risks are managed through this budget including the risk of one off unbudgeted costs that may arise through the year. At this stage in the financial year no significant risks or slippage to the approved savings programme have been identified.

### 3.6 HRA

Projected variance NIL

The overall projected HRA break-even position is the net result of a number of projected under and overspends. The main variances are, firstly, estate parking, which is forecast to underspend due to the replacement of the previous removal-based parking enforcement contract with a new ticket-based contract that offers improved value for money; secondly, leaseholder \& tenant service charge income is projected to be slightly higher than budgeted, although this is subject to the 2010/11 actualisation process; thirdly, it has previously been agreed that expenditure relating to the Housing Options Appraisal would be funded from HRA reserves.

### 3.7 Other Service Areas

There are no budget variances currently projected in Communities, Localities and Culture, Chief Executive and Resources with no significant budget risks currently identified.

### 3.8 Budget Virements

A number of budget virements have been requested which require Cabinet approval but are reflected in the forecast outturn figures in the above tables and the variance analysis in Appendices 1 and 1A. These virements do not have any net impact on the Council's 2011-12 budget and are set out in detail in Appendix 3.

The virements can be categorised into two broad groupings:

- those which reflect demand/cost growth for which specific budget provision was included in the Medium Term Financial Plan (Appendix B page 49) agreed by Full Council in March 2011 (references 1-4); and
- those where budgets had been divided between Corporate/Capital and the service directorates (Medium Term Financial Plan - Appendix A, page 47) with the view to identifying possible savings opportunities in the early part of 2011-12 which were over and above those in the approved savings programme (references 5-12).


### 3.9 Income Collection Performance Targets

Details of income collection during 2011/12 are shown below.

| Income Stream | Collected <br> in 2010/11 <br> \% | 2011/12 <br> Target to <br> $\mathbf{3 0 . 0 6 . 1 1}$ <br> \% | 2011/12 <br> Collected <br> to 30.06.11 <br> \% | Direction <br> of Travel |
| :--- | :---: | :---: | :---: | :--- |
| Business Rates | 99.60 | 24.49 | 29.88 | $\uparrow$ |
| Central Income | 90.00 | 70.00 | 69.00 | $\downarrow$ |
| Council Tax | 95.10 | 23.80 | 26.11 | $\uparrow$ |
| Housing Rents | 99.87 | 100.00 | 100.24 | $\uparrow$ |
| PCNs | 63.09 | 53.10 | 54.10 | $\uparrow$ |
| Service Charges | 110.40 | 27.60 | 32.80 | $\uparrow$ |

Income collection rates are currently broadly in line with target.

## 4. CAPITAL

4.1 The capital budget at the start of $2011 / 12$ as approved by Cabinet on $9^{\text {th }}$ February 2011 totalled $£ 149.8$ m. This has now increased to $£ 171.3 \mathrm{~m}$. This is due in the main part to slippage from 2010/11 being carried forward. Details of all the changes to the capital budget are set out in Appendix 4.
4.2 Total capital spend to the end of Quarter 1 represented $12.1 \%$ of the budget for 2011/12 as follows:

|  | Annual Budget <br> as at 30-Jun-11 <br> $\mathbf{£ m}$ | Actual <br> Spend as at <br> 30-Jun-11 <br> $\mathbf{£ m}$ |  |
| :--- | ---: | ---: | ---: |
| TOTALS BY DIRECTORATE: |  |  |  |
| Communities, Localities and Culture | 17.860 | 1.131 |  |
| Children, Schools and Families | 24.103 | 3.840 | $15.9 \%$ |
| Resources | 1.951 | 0.004 | $0.2 \%$ |
| Adults, Health and Wellbeing | 0.235 | 0.038 | $16.2 \%$ |
| Development and Renewal | 12.027 | 5.440 | $45.2 \%$ |
| Building Schools for the Future (BSF) | 78.701 | 7.162 | $9.1 \%$ |
| Housing Revenue Account (HRA) | 36.451 | 3.059 | $8.4 \%$ |
| GRAND TOTAL | $\mathbf{1 7 1 . 3 2 8}$ | $\mathbf{2 0 . 6 7 4}$ | $\mathbf{1 2 . 1 \%}$ |

4.3 Projected capital expenditure for the year, compared to budget is as follows:

|  | Annual Budget <br> as at 30-Jun-11 | Forecast to <br> 31-Mar-12 | Projected <br> Variance |
| :--- | ---: | ---: | ---: |
|  | $\mathbf{£ m}$ | $\mathbf{£ m}$ | $\mathbf{£ m}$ |
| TOTALS BY DIRECTORATE: |  |  |  |
| Communities, Localities and Culture | 17.860 | 17.820 | -0.040 |
| Children, Schools and Families | 24.103 | 23.172 | -0.931 |
| Resources | 1.951 | 1.951 | 0.000 |
| Adults, Health and Wellbeing | 0.235 | 0.194 | -0.041 |
| Development and Renewal | 12.027 | 10.453 | -1.574 |
| Building Schools for the Future (BSF)* | 78.701 | 78.632 | -0.069 |
| Housing Revenue Account (HRA) | 36.451 | 36.191 | -0.260 |
| GRAND TOTAL | $\mathbf{1 7 1 . 3 2 8}$ | $\mathbf{1 6 8 . 4 1 3}$ | $\mathbf{- 2 . 9 1 5}$ |

* This assumes that some $£ 14.0 \mathrm{~m}$ will be re-profiled into later years in the BSF programme.

Total projected expenditure for the year, as advised by Directorates managing capital schemes, totals $£ 168.4 \mathrm{~m}$ compared with the budget of $£ 171.3 \mathrm{~m}$, a forecast underspend of $£ 2.9 \mathrm{~m}$. The profiling of the BSF budget across the 3 year programme is currently being reviewed but it is anticipated that some $£ 14.0 \mathrm{~m}$ will need to be re-profiled into later years. A revised budget profile for BSF will be submitted in the next quarterly report to Cabinet. Any unspent resources at year-end will be required to be carried forward for use in future years.
4.4 Further details of the programme are provided in Appendix 4.

## 5. STRATEGIC PERFORMANCE MEASURES

5.1 The strategic measures enable the Council to monitor progress against its priorities outlined in the Strategic Plan. The Strategic Measures Set is reviewed on an annual basis as part of the refresh of the Strategic Plan to ensure that they are fit for purpose. Where necessary, there will also be inyear reviews of the measures.
5.2 The 2011/12 Strategic Plan has been developed in the context of the biggest savings the Council has ever had to make. There have also been significant national changes that will affect local services. The Strategic Plan and measures reflect these important challenges and opportunities for the Council.
5.3 The abolition of a number of centrally set performance processes and reporting systems has allowed us to streamline and narrow down our strategic measures, ensuring that they reflect what matters most locally. This is evident in the significantly reduced number of strategic measures in this year's Set. We currently have 38 measures which we will continue monitoring on a quarterly basis.
5.4 Changes have also been made to the way we report performance of the strategic measures. A bandwidth approach to monitoring performance has been introduced. Each measure has a target range comprising of a lower bandwidth, which indicates the minimum performance level, and the target. A traffic light system is being used to indicate performance against the target range. Where performance is below the range this will be coloured RED and GREEN where within range. To get a more detailed performance picture, we will also be noting the variance between actual performance and the target. Where actual performance is more than $10 \%$ off the target this will be RED, within $10 \%$ or less of the target AMBER, and GREEN where it is at or above target. This can be fully seen in Appendix 5.
5.5 Performance analysis included within the report is currently based on incomplete data as performance data for some indicators is not yet available. The majority of this is due to time lags in reporting of some measures

### 5.6 Strategic Indicator Performance - Quarter 1 April - June 2011

5.7 Performance against our strategic measures for Quarter 1 2011/12 is set out in Appendix 5.
5.8 The number of strategic measures available for reporting fluctuates between periods due to the different reporting frequencies of the measures. Of the 38 measures in the Strategic Set, 16, including subset of measures, (42\%) are reportable in this quarter.
5.9 Of the 16 reportable indicators:

- 11 (69\%) are within their target range
- 4 (25\%) met or exceeded their target;
- 8 (50\%) improved based on 2010/11 Quarter 1 outturn; and
- $5(31 \%)$ were below their target range, but 2 of these were less than 10\% off their Quarter 1 target.
5.10 We exceeded target on measures, including:

Housing
Number of affordable homes delivered - gross (Strategic208, National155); Number of social rented housing completions for family housing - gross figures only (Strategic223)
A number of affordable homes schemes and work on family rented units were pushed into 2011/12 which has affected this year's figures significantly. However these changes have been incorporated successfully into this year's targets and progress is looking positive. This is line with the Council's commitment to housing as one of our key priorities. This is a challenging area of work but we have maintained our commitment and are set to develop this area further as we begin to refresh our Housing Strategy and respond to national policy changes in a local context.
5.11 We have improved performance on a number of measures, compared to this time last year, including:

Housing
Number of affordable homes delivered - gross (Strategic208, National155); Number of social rented housing completions for family housing - gross figures only (Strategic223)

## Customer Access

## Overall Satisfaction (Strategic110a)

We have seen a significant increase in our overall customer access satisfaction rate compared to this time last year, going from 86.8\% - 91\%. This is reflective of our commitment to providing supportive and responsive services to our residents, and in sustaining this even through more difficult periods of reduced resources and strains on the public sector.

## High Risk Measures

5.12 As part of the analysis of each quarter, a risk analysis is undertaken to identify those measures which are at risk of not achieving their targets. This is based on a number of criteria including, whether or not they are currently meeting their Quarter 1 target; whether they are more than $10 \%$ off target; whether they are in the top half of performance in relation to London Councils' benchmarking; and whether performance has improved from this time last year. This results in a score out of 4 . The following measures have been highlighted as they have produced a risk score of 3 or above.

## Great Place to Live

- Net additional homes provided (Strategic207, National154)

This indicator does not measure a process which provides an even performance across the year. Completed housing units come in batches, as individual building projects complete, and the completion dates are never evenly distributed throughout the year. 34 units have been cleared and counted on the London Development Database (LDD). This is a provisional outturn only; a large number of net additional units have been completed, however they are currently non reportable via the LDD due to missing plot level breakdowns. If this information is collected from developers an additional 413 units would be reportable. Although developers are under no legal obligation to provide the Council with detailed completions information, processes are still being strengthened to collect outstanding information from them to maximise the numbers reported.

## - Overall employment rate - working age (Strategic311, National151)

Employment remains one of our top priorities, as we develop and progress a new approach to reducing unemployment and worklessness in Tower Hamlets through our new Employment Strategy. Alongside national initiatives, such as the Work Programme, we are also putting in place a range of programmes and support mechanisms to reach the hard to reach and the most vulnerable in our communities. This is an ongoing commitment which we are confident will see progress over time.

## Safe and Cohesive

- Number of most serious violent crimes per 1,000 population (Strategic402, National015)
There are number of ongoing activities planned to reduce most serious violent crime including the setting up of the Whitechapel Town Centre Team with the strength of 8 Police Constables to address cross ward issues with a key focus on violence.
- Number of serious acquisitive crimes per 1,000 population (Strategic403, National016)
Resources have been made available during 2011/12 to enable proactive operations to continue to arrest prolific offenders as well as deter opportunistic criminals. Targets are expected to be met and exceeded at the end of the year.


## 6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

6.1 Under Financial Regulations it is the responsibility of senior managers to spend within budgets and, where necessary, management actions will need to be taken over the remainder of the financial year to avoid overspend.
6.2 Any overspend we incur at the end of 2011/12, or at any time over the forthcoming period, will risk the financial position and would increase the savings targets required to meet spending cuts, with a potential impact on front-line services. We need to be prepared to demonstrate to Members that everything possible has been done to contain expenditure within budgets

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

7.1 The report provides performance information, including by reference to key performance indicators and the budget.
7.2 It is consistent with good administration for the Council to consider monitoring information in relation to plans and budgets that it has adopted.
7.3 Section 3 of the Local Government Act 1999 requires the Council as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Monitoring of performance information is an important way in which that obligation can be fulfilled.

Page 36
7.4 The Council is required by section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs. The Council's chief finance officer has established financial procedures to ensure the Council's proper financial administration. These include procedures for budgetary control. It is consistent with these arrangements for Members to receive information about the revenue and capital budgets as set out in the report.
7.5 Cabinet is asked to agree the virements and budget adjustments set out in Appendix 3. It is for Full Council to set the budget, but the Budget and Policy Framework Procedure Rules permit virements within the limits established by the Financial Procedure Rules.

## 8. ONE TOWER HAMLETS CONSIDERATIONS

The Council's Strategic Plan and Strategic Indicators are focused upon meeting the needs of the diverse communities living in Tower Hamlets and supporting delivery of One Tower Hamlets. In particular, Strategic priorities include the reduction of inequalities and the fostering of strong community cohesion and are measured by a variety of strategic indicators.

## 9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

An element of the monitoring report deals with environmental milestones within the Safe and Supportive agenda.

## 10. RISK MANAGEMENT IMPLICATIONS

In line with the Council's risk management strategy, the information contained within the Strategic Indicator Monitoring will assist the Cabinet, Corporate Directors and relevant service managers in delivering the ambitious targets set out in the Strategic Plan. Regular monitoring reports will enable Members and Corporate Directors to keep progress under regular review.

There is a risk to the integrity of the authority's finances if an imbalance occurs between resources and needs. This is mitigated by regular monitoring and, where appropriate, corrective action. This report provides a corporate overview to supplement more frequent monitoring that takes place at detailed level.

The explanations provided by the Directorates for the budget variances also contain analyses of risk factors.

## 11. CRIME AND DISORDER REDUCTION IMPLICATIONS

The Strategic Indicator set contain a number of crime and disorder items under the Safe \& Supportive theme, however there are no specific crime and disorder reduction implications.

## 12. EFFICIENCY STATEMENT

Efficiencies for 2011/12 are incorporated within the estimated forecast outturn.

## 13. APPENDICES

- Appendix 1 - provides the estimate budget outturn and explanations of major variances for Directorates for the General Fund
- Appendix 1a - provides a subjective analysis of forecast variances
- Appendix 2 - provides the estimate budget outturn and explanations of major variances for the HRA
- Appendix 3 - a schedule of new virements requiring Cabinet approval.
- Appendix 4 - provides details of the capital programme and details of how the initial 2011/12 capital budget has changed.
- Appendix 5 - provides an overview of performance for all of the reportable strategic measures. The Strategic Measures Set represents the key priorities for the Council in 2011/12.


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

## No "background papers" were used in writing this report

CORPORATE MONTHLY BUDGET MONITORING - JUNE 2011

|  |  | Original <br> Budget <br> £'000 | Latest Budget £'000 | $\begin{gathered} \text { Budget to } \\ \text { Date } \\ £^{\prime} 000 \end{gathered}$ | Actual to Date £'000 | Variance to Date £'000 | FULL YEAR |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  | Previous Forecast Outturn £'000 | Latest Forecast Outturn £'000 | Varia <br> Latest F Outt <br> £'000 | get to cast \% |
| ADULTS HEALTH \& WELLBEING | Expenditure Income | $\begin{aligned} & 111,548 \\ & (12,745) \end{aligned}$ | $\begin{aligned} & \hline 114,553 \\ & (15,129) \end{aligned}$ | $\begin{array}{r} \hline 22,155 \\ (65) \end{array}$ | $\begin{array}{r} 22,188 \\ (132) \end{array}$ | 33 $(67)$ (3) | $\begin{aligned} & \hline 115,085 \\ & (16,058) \end{aligned}$ | $\begin{aligned} & \hline 114,511 \\ & (15,087) \end{aligned}$ | (42) 42 0 | $\begin{array}{r}(0) \\ (0) \\ \hline\end{array}$ |
|  | Net Expenditure | $98,803$ | $99,424$ | 22,090 | 22,056 | (34) | 99,027 | 99,424 | 0 |  |




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CORPORATE MONTHLY BUDGET MONITORING - JUNE 2011



APPENDIX 1

APPENDIX 1

CORPORATE MONTHLY BUDGET MONITORING - JUNE 2011


| TOTAL FOR PRE-PRIMARY EDUCATION GF | Expenditure Income | 134 0 | 40 0 | 10 0 | 0 | (10) 0 | 40 0 | 40 0 | 0 | 0 | 0 |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Net Expenditure | 134 | 40 | 10 | 0 | (10) | 40 | 40 | 0 | 0 | 0 | Service Head | Kate Bingham | 0\% |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Date forecast last reviewed: | 24/06/2011 |  |
| TOTAL FOR PRIMARY EDUCATION |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| GF | Income |  |  | 0 | 0 | 0 |  | 0 | 0 | 0 | 0 |  |  |  |
|  | Net Expenditure | 4,003 | 4,564 | 1,141 | 0 | $(1,141)$ | 4,564 | 4,564 | 0 | 0 | 0 | Service Head | Kate Bingham | 0\% |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: | Low |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Date forecast last reviewed: | 24/06/2011 |  |


| TOTAL FOR SECONDARY EDUCATION GF | Expenditure Income | 5,338 0 | 4,768 0 | 1,192 | 57 0 | $(1,135)$ 0 | 4,768 0 | 4,768 | 0 | 0 | 0 0 |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Net Expenditure | 5,338 | 4,768 | 1,192 | 57 | $(1,135)$ | 4,768 | 4,768 | 0 | 0 | 0 | Service Head | Kate Bingham |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: | Low |  |


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| CHILDREN, SCHOOLS AND FAMILIES (General Fund Budget) |  |  |  |  |  | Previous |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  | Forecast |
|  | Budget | Budget | Date <br> ${ }^{\prime}$ | Date | Date | Outturn |

TOTAL FOR PRE-PRIMARY

TOTAL FOR SECONDARY
EDUCATION GF
CHILDREN, SCHOOLS AND
FAMILIES
(General Fund Budget)
EDUCATION GF
TOTAL FOR PRIMARY EDUCATIO
GF
G11 Early Years
G12 Local Authority Day
Nurseries
Nurseries
G13 Childrens Centres
G14 School Improvement
Primary






| 2,335 | 2,335 | 154 | 7 |
| :--- | ---: | ---: | ---: |

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| G79 CSF Resources Manageme | Expenditure Income | $\begin{aligned} & \hline 227 \\ & (47) \\ & \hline \end{aligned}$ | 227 (47) | 57 $(12)$ | 58 | 1 12 | 227 (47) | 227 $(47)$ | 0 | 0 | 0 |  |  | 0\% |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Net Expenditure | 180 | 180 | 45 | 58 | 13 | 180 | 180 | 0 | 0 | 0 | Vote Budget Manager: | Kate Bingham |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: <br> Date forecast last reviewed: | $\begin{aligned} & \text { Low } \\ & 24 / 06 / 2011 \end{aligned}$ |  |
| G67 Commissioned Services | Expenditure | $1,509$ | $1,509$ | ${ }^{377}$ | $816$ | $439$ | $2,022$ | $2,022$ | $513$ | 34 1.193 |  | 0 Substance Misuse £185k.to be funded from EIG transition funding. Expenditure includes commitments of $£ 404 \mathrm{k}$. Actual income includes substance misuse grant of 240k posted in April. Balance of income including EIG not posted regularly. |  | 0\% |
|  | Income | (43) | (43) | (11) | (250) | (239) | (371) | (556) | (513) | 1,193 |  |  |  |  |
|  | Net Expenditure | 1,466 | 1,466 | 367 | 566 | 200 | 1,651 | 1,466 | 0 | 0 | (11) | Vote Budget Manager: | Karen Badgery |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: <br> Date forecast last reviewed: | $\begin{aligned} & \text { Low } \\ & 24 / 06 / 2011 \end{aligned}$ |  |
| G68 Major Government Grant Funding | Expenditure Income | 0 | 0 | 0 | (4) | (4) | 0 | 0 | 0 | 0 0 |  | No longer used. |  | 0\% |
|  | Net Expenditure | 0 | 0 | 0 | (3) | (3) | 0 | 0 | 0 | 0 | 0 | Vote Budget Manager: Budget Risk: Date forecast last reviewed: | David Tully Low |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| G70 Childrens Information Systems | Expenditure Income | $\begin{aligned} & 265 \\ & (73) \end{aligned}$ | $\begin{array}{r} 265 \\ (73) \end{array}$ | $\begin{array}{r} 66 \\ (18) \\ \hline \end{array}$ | 114 0 | 48 18 | 294 (51) | $294$ | 29 22 | 11 $(30)$ |  | 0 Expenditure includes salaries for staff (Apr-May, total 50k) not part of this 0 vote wef 1 June. IDR (income) posted irregularly |  | 27\% |
|  | Net Expenditure | 192 | 192 | 48 | 114 | 66 | 243 | 243 | 51 | 27 | 0 | Vote Budget Manager: | lqbal Vaza |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: <br> Date forecast last reviewed: | Low <br> 24/06/2011 |  |




CORPORATE MONTHLY BUDGET MONITORING - JUNE 2011


| E10 Public Realm M\&A | Expenditure Income | $\begin{array}{r} 656 \\ (656) \\ \hline \end{array}$ | $\begin{array}{r} 817 \\ (656) \\ \hline \end{array}$ | $\begin{array}{r} 201 \\ (164) \end{array}$ | $\begin{array}{r} 150 \\ (164) \end{array}$ | $\begin{array}{r} \hline(51) \\ 0 \\ \hline \end{array}$ | $\begin{array}{r} 656 \\ (656) \\ \hline \end{array}$ | $\begin{array}{r} 817 \\ (656) \\ \hline \end{array}$ | 0 0 | 0 | ${ }_{2}^{25}$ | Re-apportionment of support co |  | 0\% |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Net Expenditure | 0 | 161 | 37 | (14) | (51) | 0 | 161 | 0 | 0 | 0 | Vote Budget Manager: | Jamie Blake |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Budget Risk: <br> Date forecast last reviewed: | Low June 2011 |  |
| E12 Transportation \& Highways | Expenditure Income | 10,394 $(2,704)$ | $\begin{aligned} & \hline 10,720 \\ & (2,704) \\ & \hline \end{aligned}$ | $\begin{aligned} & 1,665 \\ & (415) \end{aligned}$ | $\begin{aligned} & 1,167 \\ & (250) \end{aligned}$ | $\begin{array}{r} \hline(498) \\ 165 \\ \hline \end{array}$ | $\begin{aligned} & \hline 10,815 \\ & (2,704) \end{aligned}$ | $\begin{aligned} & \hline 10,720 \\ & (2,704) \end{aligned}$ | 0 0 | 0 | (1) | Variance to date reflects timing delays in processing high value invoices Variance to date reflects timing delays in posting capital fees |  | 0\% |
|  | Net Expenditure | 7,690 | 8,016 | 1,250 | 917 | (333) | 8,111 | 8,016 | 0 | 0 |  | Vote Budget Manager: <br> Budget Risk: <br> Date forecast last reviewed: | Margaret Cooper <br> High <br> June 2011 |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| E15 Clean \& Green | Expenditure | 33,425 | 33,363 | 6,863 | 4,480 | (2,383) | 33,582 | 33,363 | 0 | 0 | $(1)$0$(1)$ | Variance to date reflects timing delays in processing high value invoices |  | 0\% |
| 0 | Income | $(5,665)$ | $(5,666)$ | $(1,178)$ | 2,420 | 3,598 | $(5,665)$ | $(5,666)$ | 0 | 0 |  |  |  |  |  |
| 0 | Net Expenditure | 27,760 | 27,697 | 5,685 | 6,900 | 1,215 | 27,917 | 27,697 | 0 | 0 |  | Vote Budget Manager: <br> Budget Risk: <br> Date forecast last reviewed: | Simon Baxter High June 2011 |  |
| (0) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| (D) E23 Concessionary Fares | Expenditure | 5,749 | 5,770 | 1,443 | 1,793 | 350 | 5,770 | 5,770 | 0 | 0 | ( ${ }_{0}^{0}$ |  |  | 0\% |
|  |  |  |  |  |  |  |  |  | 0 | 0 |  |  |  |  |  |  |
| $\sigma$ | Net Expenditure | 5,746 | 5,746 | 1,437 | 1,793 | 356 | 5,746 | 5,746 | 0 | 0 | 0 | Vote Budget Manager: <br> Budget Risk: <br> Date forecast last reviewed: | John Chilton Low June 2011 |  |
| $\bigcirc$ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| E24 Parking Control | Expenditure | 7,457 | 7,457 | 1,735 | 1,359 | (376) | 7,457 | 7,457 | 0 | 0 | 0 The tracker saving of $£ 487 \mathrm{k}$ relating to 'Parking - Improved Income Collection, Debt Management 0 and Fraud Prevention' is not included in this projection |  |  |  |
|  | Income | $(7,457)$ | $(7,457)$ | $(3,377)$ | $(3,097)$ | 280 | $(7,457)$ | $(7,457)$ | 0 | 0 |  |  |  | 0\% |
|  | Net Expenditure | 0 | 0 | $(1,642)$ | $(1,738)$ | (96) | 0 | 0 | 0 | 0 | 0 Vote Budget Manager: Budget Risk: <br> Date forecast last reviewed: |  | John Chilton Low June 2011 |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Public Realm Total | Expenditure | 57,681 | 58,127 | 11,907 | 8,949 | $(2,958)$ | 58,280 | 58,127 | 0 | 0 | 0) |  |  | 0\% |
|  |  | (16,485) | $(16,507)$ | $(5,140)$ | $(1,091)$ | 4,049 | $(16,506)$ | $(16,507)$ | 0 | 0 |  |  |  |  |  |  |
|  | Net Expendifure | 41,196 | 41,620 | 6,767 | 7,858 | 1,091 | 41,774 | 41,620 | 0 | 0 | (0) | Service Head: | Jamie Blake |  |
| E80 Safer Communities Management |  |  |  |  |  |  |  |  |  |  | 5 Variance to date reflects redundancy \& severance costs |  |  | 0\% |
|  | Expenditure Income | $\begin{array}{r} 152 \\ (155) \\ \hline \end{array}$ | $\begin{array}{r} 136 \\ (155) \\ \hline \end{array}$ | $\begin{array}{r} 34 \\ (39) \end{array}$ | 192 <br> 0 | 158 39 | $\begin{array}{r} 129 \\ (155) \\ \hline \end{array}$ | $\begin{array}{r} 136 \\ (155) \\ \hline \end{array}$ | 0 0 | ${ }_{0}^{0}$ |  |  |  |  |  |  |
|  | Net Expenditure | (3) | (19) | (5) | 192 | 197 | (26) | (19) | 0 | 0 | Vote Budget Manager: Andy Bamber <br> Budget Risk: Low <br> Date forecast last reviewed: June 2011 |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| E81 Community Safety Partnership, DV \& HC | Expenditure | 1,506 | 1,981 | 495 | 83 | (412) | 1,502 | 1,981 | 0 | 0 | ${ }_{27}^{32}$ Community Safety Fund from GLA |  |  | 0\% |
|  |  | (60) | (556) | (139) | (186) | (47) |  | (556) | 0 |  |  |  |  |  |  |  |
|  | Net Expenditure | 1,446 | 1,425 | 356 | (103) | (459) | 1,442 | 1,425 | 0 | 0 | (1) | Vote Budget Manager: Emily Fieran-Reed <br> Budget Risk: Medium <br> Date forecast last reviewed: June 2011 |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| E83 Enforcement \& Intervention | Expenditure | 2,415 | 2,486 | 621 | 650 | 29 | 2,429 | 2,486 | 0 | 0 | 2 Community Safety Fund from GLA |  |  | 0\% |
|  | Income | (114) | (154) | (39) | (29) | 10 | (114) | (154) | 0 | 0 |  |  |  |  |  |  |  |
|  | Net Expenditure | 2,301 | 2,332 | 582 | 621 | 39 | 2,315 | 2,332 | 0 | 0 | 1 Vote Budget Manager: Gavin Dooley <br> Budget Risk: Medium  <br>  Date forecast last reviewed: June 2011 |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| E84 Drugs Action Team | Expenditure | 5,161 | 5,734 | 1,433 | 559 | (874) | 5,142 | 5,734 | 0 | 0 | Variance to date reflects timing delays in processing transactions/Budget change now reflects DAAT current year funding |  |  | 0\% |
|  | Income | (3,761) | $(4,306)$ | $(1,076)$ | (31) | 1,045 | (3,761) | $(4,306)$ | 0 | 0 |  |  |  |  |  |  |  |
|  | Net Expenditure | 1,400 | 1,428 | 357 | 528 | 171 | 1,381 | 1,428 | 0 | 0 | - | Vote Budget Manager: <br> Budget Risk: <br> Date forecast last reviewed: | Rachael Sadegh |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | Low <br> June 2011 |  |
| E85 Env Commercial Services | Expenditure | 4,431 |  | 1,124 | 941 | (183) | 4,434 |  | 0 | 0 | 3 Variance to date reflects timing of transactions |  |  | 0\% |
|  | Income | (1,354) | $(1,442)$ | (345) | (475) | (130) | (1,361) | (1,442) | 0 | 0 |  |  |  |  |  |  |
|  | Net Expenditure | 3,077 | 3,112 | 779 | 466 | (313) | 3,073 | 3,112 | 0 |  | 1 | 1 Vote Budget Manager: <br> Budget Risk: <br> Date forecast last reviewed: |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  | Medium June 2011 |  |


$0 \%$ .




| CORPORATE MONTHLY BUDGET MONITORING－JUNE 2011 |  |  |  |  |  |  | $\begin{aligned} & 2 \% \text { to } 5 \% \\ & \quad \text { Amber } \\ & >5 \% \text { Red } \end{aligned}$ |  |  |  |  | APPENDIX 1 | $\begin{aligned} & \text { Green } \\ & \text { Amber } \\ & \text { \% Red } \end{aligned}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| RESOURCES |  | Original Budget £＇000 | Latest Budget £＇000 | $\begin{aligned} & \text { Budget to } \\ & \text { Date } \\ & \text { £'000 } \end{aligned}$ | Actual to Date £＇000 | Variance to Date £＇000 | Previous Forecast Outturn £＇000 | FULL YEAR |  | Variance （Previous \＆ Latest Forecast Outturn） \％ | Explanation of any variance that is considered to be significant and all variances greater than $£ 100 \mathrm{~K}$ <br> Proposed mitigating action and dates |  |  |
|  |  | Latest Forecast Outturn £＇000 |  |  |  |  |  | Variance （Latest Budget to Latest Forecast $£^{\prime} 000$ Outturn） |  |  |  |  |
| R34 Internal Audit | Expenditure Income |  | $\begin{array}{r} 799 \\ (973) \end{array}$ | $\begin{array}{r} 799 \\ (973) \end{array}$ | $\begin{array}{r} 200 \\ (243) \end{array}$ | （243） | 0 0 | 799 $(973)$ | 799 $(973)$ | 0 0 <br> 0 0 |  | The budget to date versus the actuals to date reflects accruals and audit contract expenditure to be incurred at year－end． |  | 0\％ |
|  | Net Expenditure | （174） | （174） | （44） | （43） | 1 | （174） | （174） | 0 |  | 0 Vote Budget Manager： | Minesh Jani |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed： | Medium <br> 25／07／2011 |  |  |
| R40 Risk Management | Expenditure Income | 681 （592） | $\begin{array}{r} 681 \\ (592) \end{array}$ | 170 $(148)$ | 118 $(110)$ | （52） 38 | 681 $(592)$ | 681 （592） | 0 <br> 0 |  |  |  | 0\％ |  |
|  | Net Expenditure | 89 | 89 | 22 | （1） | （14） | 89 | 89 | 0 |  | Vote Budget Manager： | Minesh Jani |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed | Medium <br> 25／07／2011 |  |  |
| TOTAL FOR AUDIT \＆RISK | Expenditure Income | 1,480 $(1,565)$ | 1,480 $(1,565)$ | 370 $(391)$ | 318 $(353)$ | （52） 38 | 1,480 $(1,565)$ | 1,480 $(1,565)$ | 析 |  | － |  | 0\％ |  |
|  | Net Expenditure | （85） | （85） | （21） | （35） | （14） | （85） | （85） | 0 | ， | ）Service Head： | Minesh Jani |  |  |
| R36 Council Tax \＆NNDR | Expenditure Income | $\begin{array}{r} 33,865 \\ (31,197) \\ \hline \end{array}$ | $\begin{array}{r} 33,865 \\ (31,197) \\ \hline \end{array}$ | $\begin{array}{r} 8,466 \\ (7,799) \\ \hline \end{array}$ | $\begin{array}{r} 8,856 \\ (8,189) \end{array}$ | $\begin{array}{r} 390 \\ (390) \end{array}$ | $\begin{array}{r} 33,865 \\ (31,197) \\ \hline \end{array}$ | $\begin{array}{r} 33,865 \\ (31,197) \\ \hline \end{array}$ | 0  <br> 0 0 <br> 0  |  | Variances to date has been adjusted to reflect＂time lag＂between expenditure incurred and grant subsidy received． |  | 0\％ |  |
|  | Net Expenditure | 2，668 | 2，668 | 667 | 667 |  | 2，668 | 2，668 | 0 |  | 0 Vote Budget Manager： | Roger Jones |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed： | $\begin{aligned} & \text { High } \\ & \text { 27/07/2011 } \end{aligned}$ |  |  |
| R42 Debtors Income Service | Expenditure Income | $\begin{array}{r} 1,218 \\ (1,185) \end{array}$ | $\begin{array}{r} 1,218 \\ (1,185) \end{array}$ | $\begin{array}{r} 305 \\ (296) \end{array}$ | $\begin{array}{r} 275 \\ (316) \end{array}$ | $\begin{array}{\|l\|} \hline(30) \\ (20) \end{array}$ | $\begin{array}{r} 1,218 \\ (1,185) \end{array}$ | $\begin{array}{r} 1,218 \\ (1,185) \end{array}$ | 析 $\begin{aligned} & 0 \\ & 0\end{aligned}$ |  |  |  | 0\％ |  |
|  | Net Expenditure | 33 | 33 | 8 | （41） | （49） | 33 | 33 | 0 |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Vote Budget Manager： Budget Risk： Date forecast last reviewed： | $\begin{aligned} & \text { Roger Jones } \\ & \text { Low } \\ & 27 / 07 / 2011 \\ & \hline \end{aligned}$ |  |  |
| $\square$ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 央44 Cashiers | Expenditure | 480 | 480 | 120 | 151 | 31 | 480 | 480 | $0 \quad 0$ | 0 | Vote Budget Manager： <br> Budget Risk： <br> Date forecast last reviewed： |  | 0\％ |  |
|  | Income | （508） | （508） | （127） | （95） | 32 | （508） | （508） | $0 \quad 0$ |  |  |  |  |  |
|  | Net Expenditure | （28） | （28） | （7） | 56 | 63 | （28） | （28） | 0 |  |  | Roger Jones Low |  |  |
|  |  |  |  | $\begin{array}{r} 2,336 \\ (2,418) \\ \hline(83) \end{array}$ | $\begin{array}{r} 2,367 \\ (2,449) \\ \hline(82) \end{array}$ | $\begin{array}{r} 32 \\ (31) \\ \hline 1 \end{array}$ | $\begin{array}{r} 9,342 \\ (9,673) \\ (331) \end{array}$ |  |  |  |  | 27／07／2011 |  |  |
|  | Expenditure Income | $\begin{array}{r} 8,948 \\ (9,674) \end{array}$ | $\begin{array}{r} 9,342 \\ (9,673) \\ (331) \end{array}$ |  |  |  |  | $\begin{array}{r} 9,342 \\ (9,673) \\ \hline(331) \end{array}$ | $\begin{array}{l\|l\|} 0 & 0 \\ 0 & 0 \\ \hline 0 & \\ \hline \end{array}$ |  | The budget to date versus the actuals to date has been adjusted for accruals－ expenditure to be incurred at year－end and also two disputed Comms invoices that are being progressed with contractors． |  | 0\％ |  |
|  | Net Expenditure |  |  |  |  |  |  |  |  |  | Vote Budget Manager： | Claire Symonds |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed： | High <br> 27／07／2011 |  |  |
| R50 Customer Access |  |  | $\begin{array}{r} 6,650 \\ (3,305) \end{array}$ | $\begin{array}{r} 1,663 \\ (826) \\ \hline 836 \\ \hline \end{array}$ | $\begin{array}{r} 1,593 \\ (56) \\ \hline \mathbf{1 , 5 3 7} \end{array}$ | $\begin{aligned} & (70) \\ & 770 \\ & \hline 701 \end{aligned}$ | $\begin{array}{r} 6,650 \\ (3,305) \\ \hline \mathbf{3 , 3 4 5} \\ \hline \end{array}$ | $\begin{array}{r} 6,650 \\ (3,305) \\ \hline 3,345 \end{array}$ | 0 0 <br> 0 0 <br> 0 0 |  | Service＇s funding has reduced because of changes to basis of SLA income in 2011－12 without reductions in expenditure．Also，included in the budget to date variance is income anticipated to be received．Further actions are planned to address remaining expenditure and income shortfalls． |  | 0\％ |  |
|  | Expenditure | 6，745 |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Net Expenditure | 3，440 | 3，345 |  |  |  |  |  |  |  | Vote Budget Manager： | Claire Symonds |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed： | High <br> 26／07／2011 |  |  |
| R54 Housing Benefits | Expenditure | 187，969 | 187，969 | 46，992 | 62，655 | （15，663） | 187，969 | 187，969 | $0 \quad 0$ |  | 0 Variances to date has been adjusted to reflect＂time lag＂between expenditure incurred 0 and grant subsidy received． |  | 0\％ |  |
|  | Income | （187，474） | $(187,474)$ | $(46,869)$ | $(62,531)$ | 15，663 | $(187,474)$ | $(187,474)$ | $0 \quad 0$ |  |  |  |  |  |  |
|  | Net Expenditure | 495 | 495 | 124 | 124 | （0） | 495 | 495 | 0 0 |  | Vote Budget Manager： | Steve Hill |  |  |
|  |  |  |  |  |  |  |  |  |  |  | Budget Risk： <br> Date forecast last reviewed： | $\begin{aligned} & \text { High } \\ & \text { 27/07/2011 } \end{aligned}$ |  |  |
| R58 Benefits Admin | Expenditure | 8，034 | 8，034 | 2，009 | 1，973 | （36） | 8，034 | 8，034 | $0 \quad 0$ | 0 |    <br> Vote Budget Manager： Steve Hill  <br> Budget Risk： High <br> Date forecast last reviewed： <br> 27／07／2011  l   |  |  |  |
|  | Income | $(6,217)$ | （6，217） | $(1,554)$ | （1，519） | 35 | $(6,217)$ | $(6,217)$ | $0 \quad 0$ | 0 |  |  |  |  |  |  |
|  | Net Expenditure | 1，817 | 1，817 | 454 | 454 | （0） | 1，817 | 1，817 | 0 |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |



CORPORATE MONTHLY BUDGET MONITORING - JUNE 2011
Explanation of any variance that is considered to
be significant and all variances greater than $£ 100 \mathrm{k}$
Proposed mitigating action and dates

|  |  |  |  |  |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| 15,843 | 15,843 | 0 | 0 | 0 |  |  |
| $\mathbf{1 5 , 8 4 3}$ | $\mathbf{1 5 , 8 4 3}$ | 0 | 0 | 0 |  | $0 \%$ |

Proposed mitigating action and dates
LBTH Summary Position
Month 3 (June 2011)

|  | $\begin{aligned} & \text { Latest Budget } \\ & \text { £'000 } \end{aligned}$ | $\begin{aligned} & \text { Actual to Date } \\ & \text { £'000 } \end{aligned}$ | $\begin{aligned} & \text { Projected } \\ & £^{\prime} 000 \end{aligned}$ | $\begin{aligned} & \text { Variance } \\ & \text { £'000 } \end{aligned}$ | Comments |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Expenditure |  |  |  |  |  |
| Total Employee | 189,677 | 47,427 | 189,231 | (446) |  |
| Premises | 50,796 | 11,542 | 52,435 | 1,639 | D\&R - The forecast overspend relates to increased NNDR costs within Facilities Management, and increased rental payments to landlords for accommodation for Homeless families. |
| Transport | 15,751 | 6,523 | 16,624 | 873 |  |
| Supplies \& Services | 48,726 | 13,993 | 51,264 | 2,538 | D\&R - $£ 1.3 \mathrm{~m}$ relates to the Building Schools for the Future PFI contract; this will be funded by an agreed drawdown from reserves. The directorate also has other one-off project-based items of expenditure, which will be funded from reserves included withi |
| Third Party Payments | 139,908 | 39,549 | 141,030 | 1,122 | CSF - higher level of commissioned services funded by additional Government grants |
| Transfer Payments | 229,836 | 84,042 | 229,817 | (19) |  |
| Support Services | 54,301 | 22,133 | 54,425 | 124 |  |
| Capital Financing | 6,153 | (14) | 6,152 | (1) |  |
| Total Expenses | 735,148 | 225,195 | 740,978 | 5,830 |  |
| Income |  |  |  |  |  |
| Govt Grants | (248,928) | (72,107) | (249,275) | (347) |  |
| Other Grants \& Reimbursement | $(24,739)$ | (836) | $(29,036)$ | $(4,296)$ | D\&R - This relates to assumed drawdown from reserves for NNDR, Homelessness \& BSF supplies \& services (see above). |
| Customer \& Client Receipts | $(88,647)$ | $(20,644)$ | $(89,488)$ | (841) |  |
| $\square^{\text {Pecharges Within Authority }}$ | (66,960) | (23,597) | (67,307) | (346) |  |
| Interest \& Investment | (1) | (505) | (1) | 0 |  |
| Total Income | $(429,275)$ | $(117,689)$ | $(435,107)$ | $(5,830)$ |  |
| D |  |  |  |  |  |
| O Net Position | 305,873 | 107,506 | 305,871 | 0 |  |

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| The year to date variance is due to a lower than budgeted spend to date on planned and |  |  |
| :--- | :--- | :--- |
| esponsive repairs. The year-end position forecast is a slight underspend. |  |  |
| $\begin{array}{ll}\text { Vote Budge tanager: } \quad \text { Tower Hamlets Homes } & 0 \% \\ \text { Budget Risk: } \\ \text { Dase forecast last reviewed: } & \text { High }\end{array}$ |  |  |
|  |  |  |



[^0]| Provision for Bad \& Doubtful Debts | Expenditure | 900 | 900 | 225 | 0 | (225) | 900 | 900 | 0 | 0 |  | The year to date variance is due to the fact that actuals are processed at year-end, and this budget will be re-profiled to better reflect the anticipated spend pattern. Forecast spend is projected to be in line with the budget. |  | 0\% |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Net Expenditure | 900 | 900 | 225 | 0 | (225) | 900 | 900 | 0 | 0 |  | Vote Budget Manager: Budget Risk: | Chris Holme <br> Medium |  |
|  |  |  |  |  |  |  |  |  |  |  |  | Date forecast last reviewed |  |  |
| Capital Financing Charges | Expenditure | 28,244 | 28,244 | 7,061 | 0 | (7,061) | 28,788 | 28,748 | 504 | 2 |  | The year to date variance is due to the fact that actuals are processed at year-end, and this budget will be re-profiled to better reflect the anticipated spend pattern. The forecast is higher than the current budget due to additional capital charges arising from the recent Decent Homes announcement. (This variance is offset by the forecast variance in 'Housing Revenue Account Subsidy' budget line shown above.) |  | 2\% |
|  | Net Expenditure | 28,244 | 28,244 | 7,061 | 0 | (7,061) | 28,788 | 28,748 | 504 | 2 | (0) | Vote Budget Manager: Budget Risk: Date forecast last reviewed: | $\begin{aligned} & \text { Chris Holme } \\ & \text { High } \end{aligned}$ |  |
| TOTAL EXPENDITURE | Expenditure | 90,481 | 90,481 | 22,620 | 10,526 | $(12,095)$ | 90,736 | 90,694 | 213 | 0 |  |  |  | 0\% |
|  | Net Expenditure | 90,481 | 90,481 | 22,620 | 10,526 | $(12,095)$ | 90,736 | 90,694 | 213 | 0 | (0) | Service Head: | Chris Holme |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0\% |
| Contributions from Reserves | Total Net Expenditure | 335 | 335 | 84 | (18,527) | $(18,610)$ | 323 | 335 | (0) | (0) | (200) | Service Head: | Chris Holme |  |
|  | Income | (335) | (335) | (84) | 0 | 84 | (335) | (335) | 0 | 0 | 0 |  |  | 0\% |
|  | Net Expenditure | (335) | (335) | (84) | 0 | 84 | (335) | (335) | 0 | 0 |  | Vote Budget Manager <br> Budget Risk: <br> Date forecast last reviewed | Chris Holme Low |  |
| TOTAL FOR HOUSING REVENUE ACCOUNT Total Net Expenditure |  | 0 | 0 | (0) | (18,527) | $(18,526)$ | (12) | (0) | (0) | 0 |  | Director: | Aman Dalvi | \%\% |

General Fund - Virements Requiring Cabinet Approval


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| CAPITAL BUDGET RECONCILIATION QUARTER 1 2011/12 | $£^{\prime} 000$ |
| :---: | :---: |
| Initial Capital Budget 2011/12 (as reported at Cabinet on ${ }^{\text {th }}$ February 2011) | 149,756 |
| Adult Health and Well Being <br> Slippage on schemes in 2010/11 - Mental Health services, Improving the Care Home Environment for Older People and Efficiency Project - System/technology <br> Budget Adjustment on Mental Health services | 176 -1 |
| Chief Executive \& Resources <br> Slippage on ICT Telephony Invest to save \& Accommodation Strategy \& dilapidations | 1,731 |
| Communities Localities and Culture: |  |
| Total slippage on schemes in 2010/11 | 3,353 |
| Bancroft Library (Approved May 2011 Cabinet) | 500 |
| Contaminated land survey \& works budget Re-profiled | -238 |
| Developers Contribution (Approved May 2011 Cabinet £1m) RCDA - May 2011(£376k) \& Re-profiled budgets (-£446k) | 930 |
| TFL schemes including safety, cycling \& walking (Approved May 2011 Cabinet; £2.198m), TFL schemes Re-profiled (-£743k) | 1,455 |
| Victoria Park Masterplan - Budget Re-profiled (Initial budget approved September Cabinet 2008) | 264 |
| Watney Market (RCDA 1105 - June 2011) - Enable construction phase of scheme to progress | 250 |
| Public Realm Improvements (Approved May 2011 Cabinet) | 410 |
| Leamouth Depot Salt Barn (RCDA 1025 - May 2011) | 103 |
| Olympic Park (RCDA 1042 - May 2011) | 121 |
| Other Re-profiled budgets includes LPP schemes (-£187k) and various mainstream schemes (-£60k) | -247 |
| Children, Schools and Families: |  |
| Total Slippage on schemes in 2010/11 | 4,415 |
| Following confirmed funding 2011/12, June 2011 cabinet approved CSF Capital programme report outlining schemes to be approved for the year. Net adjustment to original estimate | -5,135 |
| Building Schools for the Future: |  |
| ICT budget slippage for 2010/11 | 1,100 |
| Budget re-profiling from 2011/12 to 2012/13 | -14,000 |
| Development and Renewal (including Housing): |  |
| Slippage on schemes 2010/11 | 16,311 |
| Decent Homes backlog (Approved in June 2011 Cabinet) | 12,942 |
| Housing Capital programme - Aids and Adaptation ( $£ 750,000$ ), Capitalisation of Voids ( $£ 1,500 \mathrm{~m}$ ) and Capitalisation of fees and charges ( $£ 650,000$ ), Overcrowding initiatives ( $£ 500 \mathrm{k}$ ) - June 2011 Cabinet approval following confirmed MRA - 2011/12 | 3,400 |
| Contingency to cover risks associated with the delivery of a major capital programme - Approved in June 2011 Cabinet | 1,000 |
| St Andrew's Health and Well Being Centre - Section 106 health monies - June 2011 cabinet approval - Full cost of $£ 5.2 \mathrm{~m}$, Unspent S106$£ 4,776,500$, remainder of $£ 423,500$ is to be sought from S106 allocation held for health purposes. | 423 |
| Other HRA Budgets Re-profiled includes Regional Housing Pot (-£554k), Housing Capital Programme (-£2.376m) \& Blackwall reach (-£1.217m) <br> D\&R and Housing GF budgets Re-profiled includes Millenium quarter ( $-£ 191 \mathrm{k}$ ); Bishop square ( $-£ 114 \mathrm{k}$ ); Roman Road shops (228k); White Chapel centre (-£4k) \& High Street 2012 (-£3.007m) | $-4,147$ $-3,544$ |
| Capital Budget Q1- June 2011 | 171,328 |

## CAPITAL MONITORING Q1

## SUMMARY

| Budget at <br> 30-Jun-11 | Spend to <br> 30-Jun-11 | Projection <br> $31-M a r-12$ | \% Budget <br> Spent | Projected <br> Variance <br> from <br> Budget |
| :---: | :---: | :---: | :---: | :---: |
| $£ m$ | $£ m$ | $£ m$ | $\%$ | $£ m$ |

## MAINSTREAM PROGRAMME

Communities, Localities and Culture
Children, Schools and Families
Adults, Health and Wellbeing
D\&R (excl BSF)
BSF
HRA
MAINSTREAM TOTAL
LOCAL PRIORITIES PROGRAMME

Communities, Localities and Culture
Children, Schools and Families
Chief Executive
D\&R (excl BSF)
BSF
HRA

LPP TOTAL

GRAND TOTAL

TOTALS BY DIRECTORATE:
Communities, Localities and Culture
Children, Schools and Families
Chief Executive
Adults, Health and Wellbeing
D\&R (excl BSF)
BSF
HRA

| 15.259 | 0.583 | 15.219 | $3.8 \%$ | -0.040 |
| ---: | ---: | ---: | ---: | ---: |
| 23.365 | 3.840 | 22.446 | $16.4 \%$ | -0.919 |
| 0.235 | 0.038 | 0.194 | $16.1 \%$ | -0.041 |
| 5.563 | 4.915 | 5.563 | $88.4 \%$ | 0.000 |
| 77.601 | 7.162 | 77.532 | $9.2 \%$ | -0.069 |
| 31.451 | 1.742 | 30.551 | $5.5 \%$ | -0.900 |
|  |  |  |  |  |
| 153.474 | $\mathbf{1 8 . 2 8 0}$ | $\mathbf{1 5 1 . 5 0 5}$ | $\mathbf{1 1 . 9 \%}$ | $\mathbf{- 1 . 9 6 9}$ |


| 2.601 | 0.548 | 2.601 | $21.1 \%$ | 0.000 |
| ---: | ---: | ---: | ---: | ---: |
| 0.738 | -0.001 | 0.726 | $-0.1 \%$ | -0.012 |
| 1.951 | 0.004 | 1.951 | $0.2 \%$ | 0.000 |
| 6.464 | 0.525 | 4.890 | $8.1 \%$ | -1.574 |
| 1.100 | 0.000 | 1.100 | $0.0 \%$ | 0.000 |
| 5.000 | 1.317 | 5.640 | $26.3 \%$ | 0.640 |
|  |  |  |  |  |
| $\mathbf{1 7 . 8 5 4}$ | $\mathbf{2 . 3 9 4}$ | $\mathbf{1 6 . 9 0 8}$ | $\mathbf{1 3 . 4 \%}$ | $\mathbf{- 0 . 9 4 6}$ |
|  |  |  |  |  |
| $\mathbf{1 7 1 . 3 2 8}$ | $\mathbf{2 0 . 6 7 4}$ | $\mathbf{1 6 8 . 4 1 3}$ | $\mathbf{1 2 . 1 \%}$ | $\mathbf{- 2 . 9 1 5}$ |


| 17.860 | 1.131 | 17.820 | $6.3 \%$ | -0.040 |
| ---: | ---: | ---: | ---: | ---: |
| 24.103 | 3.839 | 23.172 | $15.9 \%$ | -0.931 |
| 1.951 | 0.004 | 1.951 | $0.2 \%$ | 0.000 |
| 0.235 | 0.038 | 0.194 | $16.1 \%$ | -0.041 |
| 12.027 | 5.440 | 10.453 | $45.2 \%$ | -1.574 |
| 78.701 | 7.162 | 78.632 | $9.1 \%$ | -0.069 |
| 36.451 | 3.059 | 36.191 | $8.4 \%$ | -0.260 |
| $\mathbf{1 7 1 . 3 2 8}$ | $\mathbf{2 0 . 6 7 4}$ | $\mathbf{1 6 8 . 4 1 3}$ | $\mathbf{1 2 . 1 \%}$ | $\mathbf{- 2 . 9 1 5}$ |

CAPITAL MONITORING Q1
COMMUNITIES, LOCALITIES AND CULTURE

|  | Budget at 30-Jun-11 | $\begin{gathered} \text { Spend to } \\ \text { 30-Jun-11 } \end{gathered}$ | $\begin{array}{\|c\|} \text { Projection } \\ \text { 31-Mar-12 } \end{array}$ | \% Budget Spent | Projected Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | $\begin{gathered} \text { REASONS FOR } \\ \text { PROJECTED VARIANCES } \end{gathered}$ |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Transport |  |  |  |  |  |  |  |
| TfL schemes including safety, cycling and walking | 4.827 | 0.369 | 4.827 | 8\% | 0.000 | Schemes progressing as per the programme, majority of expenditure expected in Q3 and Q4 |  |
| TfL Cycle Superhighway 2 Supporting Measures | 0.112 | 0.001 | 0.112 | 1\% | 0.000 | Sites have been identified and works are expected to commence in Q2. |  |
| TfL Cycle Superhighway 3 Complementary Measures | 0.040 | 0.000 | 0.040 | 0\% | 0.000 | Works have now started on site and will be complete by the end of September as programmed. |  |
| Public Realm Improvements | 0.520 | 0.075 | 0.520 | 14\% | 0.000 | Schemes progressing as per the programme. |  |
| Olympic Delivery Authority | 0.000 | 0.008 | 0.000 | N/A | 0.000 |  |  |
| Developers Contribution | 2.106 | 0.130 | 2.106 | 6\% | 0.000 | Some schemes have been designed and will be progressing soon. We are waiting on developer on one scheme and another has legal issues. |  |
| OPTEMS section 106 | 0.045 | -0.041 | 0.045 | N/A | 0.000 | The credit balance will be settled once the report from the contractor is approved and the expenditure for the current year is expected in Q4. |  |
| Leamouth Depot Salt Barn | 0.160 | 0.004 | 0.160 | 3\% | 0.000 | Scheme programme has been slightly delayed due to preliminary grounds testing, this will be complete by the end of July and the scheme will then progress as scheduled. |  |
| Parks |  |  |  |  |  |  |  |
| Millwall Park/lsland Gardens | 0.005 | 0.000 | 0.005 | 0\% | 0.000 | Scheme is being reviewed. |  |
| Poplar Park | 0.086 | 0.000 | 0.086 | 0\% | 0.000 | New project manager reviewing the scope of works. |  |
| St Johns Park | 0.011 | 0.002 | 0.011 | 18\% | 0.000 |  |  |
| Schoolhouse Lane Multi Use Ball Games Area | 0.027 | 0.000 | 0.027 | N/A | 0.000 | Scheme is in design stage with works programmed for Q2-Q3. |  |
| Braithwaite Park | 0.017 | 0.000 | 0.017 | 0\% | 0.000 | Scheme is being reviewed. |  |
| Chicksand Ghat | 0.000 | -0.085 | 0.000 | N/A | 0.000 |  |  |
| Bethnal Green Improvements | 0.111 | 0.000 | 0.111 | 0\% | 0.000 | Phase 2 is currently in design stage with works programmed for Q3. |  |
| Victoria Park Masterplan (1) | 2.852 | 0.064 | 2.852 | 2\% | 0.000 | Expenditure reflected in LPP section below. |  |
| Cotton Street Open Space Landscape Improvements | 0.043 | 0.000 | 0.043 | 0\% | 0.000 | Scheme is being reviewed. |  |
| Culture and major projects Banglatown Art Trail \& Arches | 0.000 | -0.007 | 0.000 | N/A | 0.000 | Outstanding invoices to be settled. |  |
| Brady Centre | 0.148 | 0.000 | 0.148 | 0\% | 0.000 | Programme of work is currently being agreed. |  |
| Kobi Nazrul | 0.054 | 0.000 | 0.054 | 0\% | 0.000 | Works complete - Invoices to be processed. |  |
| Mile End Leisure Centre - Security Enhancements | 0.009 | 0.009 | 0.009 | 96\% | 0.000 | Complete |  |
| Poplar Baths | 0.028 | -0.002 | 0.028 | N/A | 0.000 | Works are progressing |  |
| Creation of Mobile Public Art | 0.070 | 0.000 | 0.030 | 0\% | -0.040 | Outstanding invoice to be processed. |  |
| Cable Street Mural | 0.056 | 0.002 | 0.056 | 4\% | 0.000 | Programme of work is currently being agreed. |  |
| Mile End Park Capital | 0.049 | 0.001 | 0.049 | 2\% | 0.000 | Programme of work is currently being agreed. |  |
| Bancroft Library | 0.500 | 0.000 | 0.500 | 0\% | 0.000 | Programme of work is currently being agreed. |  |
| Other |  |  |  |  |  |  |  |
| High Visibility Vehicles | 0.007 | -0.003 | 0.007 | N/A | 0.000 | Outstanding invoices to be settled. |  |
| Generators @ Mulberry Place \& Anchorage Hse | 0.014 | 0.000 | 0.014 | 0\% | 0.000 | Awaiting Landlord formal agreement. |  |
| Contaminated land survey and works | 0.060 | 0.013 | 0.060 | 21\% | 0.000 |  |  |
| 585-593 Commercial Road (Parking Pound) | 0.000 | -0.002 | 0.000 | N/A | 0.000 | Outstanding invoices to be settled. |  |
| Watney Market Ideas Store (1) | 3.181 | 0.000 | 3.181 | 0.0\% | 0.000 | Works in progress |  |
| Olympic Park | 0.121 | 0.044 | 0.121 | 37\% | 0.000 |  |  |
| MAINSTREAM TOTAL | 15.259 | 0.583 | 15.219 | 4\% | -0.040 |  |  |
| LOCAL PRIORITIES PROGRAMME |  |  |  |  |  |  |  |
| Victoria Park Masterplan (2) | 2.071 | 0.553 | 2.071 | 27\% | 0.000 |  |  |
| Essential Health \& Safety | 0.011 | 0.006 | 0.011 | 54\% | 0.000 | Scheme progress accelerated |  |
| Major Projects - LPP | 0.122 | 0.000 | 0.122 | 0\% | 0.000 | New contractor required to carry out outstanding works. |  |
| Culture - LPP | 0.013 | 0.000 | 0.013 | 0.0\% | 0.000 | Phase 2 of the scheme is currently being programmed |  |
| Watney Market Ideas Store (2) | 0.384 | -0.010 | 0.384 | -3\% | 0.000 | Works in progress |  |
| LPP TOTAL | 2.601 | 0.548 | 2.601 | 21\% | 0.000 |  |  |
| GRAND TOTAL | 17.860 | 1.131 | 17.820 | 6.3\% | -0.040 |  |  |

CAPITAL MONITORING Q1
CHILDREN, SCHOOLS AND FAMILIES

|  | Budget at 30-Jun-11 | $\begin{aligned} & \text { Spend to } \\ & \text { 30-Jun-11 } \end{aligned}$ | Projection <br> 31-Mar-12 | \% Budget Spent | Projected Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Condition and Improvement | 1.467 | 0.028 | 1.200 | 2\% | -0.267 | New works start in summer school holidays. Expenditure will be incurred in Quarters 2 and 3 | Some projects not yet committed so spend may occur in 12-13 |
| Basic Need/Expansion | 12.387 | 0.961 | 11.800 | 8\% | -0.587 | Some new projects in development stage main spend when on site. | Some phasing and projections cautious to reflect delay in govt allocations for 12-13. |
| Sure Start | 0.375 | 0.387 | 0.387 | 103\% | 0.012 | Overspend in Q1 covered within Early Years budget | Budget under review. |
| Primary Capital Programme | 6.387 | 2.180 | 6.387 | 34\% | 0.000 |  |  |
| Early Years | 0.283 | 0.206 | 0.206 | 73\% | -0.077 | Final spend against completed programme. |  |
| Bishop's Square | 0.352 | 0.025 | 0.352 | 7\% | 0.000 | Planning issues (Report to Dev C'ttee July 11) |  |
| Osmani - Redevelopment (1) | 0.400 | 0.000 | 0.400 | 0\% | 0.000 | Spend in Q2 |  |
| RCCO | 0.124 | 0.054 | 0.124 | 43\% | 0.000 | Payments in respect of final account adjustment. |  |
| TCF Kitchen \& Dining | 0.124 | 0.000 | 0.124 | 0\% | 0.000 | Main spend due Q2/3 |  |
| ICT | 1.466 | 0.000 | 1.466 | 0\% | 0.000 | Project allocation to be identified and agreed. |  |
| MAINSTREAM TOTAL | 23.365 | 3.840 | 22.446 | 16\% | -0.919 |  |  |
| LOCAL PRIORITIES PROGRAMME |  |  |  |  |  |  |  |
| Osmani - Redevelopment (2) | 0.088 | 0.000 | 0.088 | 0\% | 0.000 | Full spend in Q2 |  |
| Bishop Challoner - Community Facilities | 0.600 | 0.000 | 0.600 | 0\% | 0.000 | Land issues to be resolved. |  |
| Toby Lane | 0.014 | 0.000 | 0.014 | 0\% | 0.000 | Spend later in year. |  |
| Harry Gosling | 0.012 | 0.000 | 0.000 | 0\% | -0.012 |  |  |
| Youth Service ( BMX Mile End ) | 0.024 | -0.001 | 0.024 | -2\% | 0.000 | Final account to be settled. |  |
| LPP TOTAL | 0.738 | -0.001 | 0.726 | 0\% | -0.012 |  |  |
| GRAND TOTAL | 24.103 | 3.839 | 23.172 | 15.9\% | -0.931 |  |  |

CAPITAL MONITORING Q1
CHIEF EXECUTIVE \& RESOURCES

|  | Budget at 30-Jun-11 | $\begin{aligned} & \text { Spend to } \\ & \text { 30-Jun-11 } \end{aligned}$ | $\begin{array}{\|l\|l\|} \hline \text { Projection } \\ 31-M a r-12 \end{array}$ | $\begin{array}{c\|} \hline \text { \% Budget } \\ \text { Spent } \end{array}$ | Projected <br> Variance <br> from <br> Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| LOCAL PRIORITIES PROGRAMME <br> Resources |  |  |  |  |  |  |  |
| ICT - Software Licences | 0.186 | 0.000 | 0.186 | 0\% | 0.000 | Expenditure to go through in Q3 or Q4. |  |
| Telephony Invest to Save | 0.391 | 0.000 | 0.391 | 0\% | 0.000 | Budget expected to be utilised in Q3 |  |
| ICT | 0.000 | 0.004 | 0.000 | N/A | 0.000 |  |  |
| Priority Service Remediation/Backup Expansion | 0.220 | 0.000 | 0.220 | 0\% | 0.000 | Expenditure to be processed towards the end of Q2 or in Q3 due to invoice disputes. |  |
| Corporate |  |  |  |  |  |  |  |
| Accommodation Strategy | 1.154 | 0.000 | 1.154 | 0\% | 0.000 |  |  |
| TOTAL LPP | 1.951 | 0.004 | 1.951 | 0.2\% | 0.000 |  |  |

CAPITAL MONITORING Q1
ADULTS, HEALTH AND WELLBEING

|  | Budget at 30-Jun-11 | $\begin{gathered} \text { Spend to } \\ \text { 30-Jun-11 } \end{gathered}$ | Projection <br> 31-Mar-12 | $\begin{array}{c\|} \text { \% Budget } \\ \text { Spent } \end{array}$ | Projected <br> Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Mental health services | 0.137 | 0.032 | 0.137 | 23\% | 0.000 |  |  |
| Safety works | 0.000 | 0.002 | 0.000 | N/A | 0.000 |  |  |
| Improving the Care Home Environment for Older People | 0.020 | 0.000 | 0.000 | 0\% | -0.020 |  | AHWB met its programme objectives without using these resources and therefore the capital commitment is no longer required. |
| Efficiency Project - System/technology | 0.078 | 0.005 | 0.057 | 6\% | -0.021 | The projected scheme costs are committed. The main items of expenditure are $£ 22 \mathrm{k}$ project management costs to be charged in July and an interface being developed that will cost 28 k . | A review of the scheme costs has shown that there is likely to be an underspend of $£ 21 \mathrm{k}$. |
| MAINSTREAM TOTAL | 0.235 | 0.038 | 0.194 | 16.1\% | -0.041 |  |  |

CAPITAL MONITORING Q1
DEVELOPMENT \& RENEWAL

|  | Budget at 30-Jun-11 | $\begin{gathered} \text { Spend to } \\ \text { 30-Jun-11 } \end{gathered}$ | $\begin{array}{\|r\|} \hline \text { Projection } \\ \text { 31-Mar-12 } \end{array}$ | \% Budget Spent | Projected <br> Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Millennium Quarter | 0.100 | 0.029 | 0.100 | 29\% | 0.000 | This project is fully financed from Section 106 resources. | Full spend is projected. |
| Bishops Square | 0.150 | 0.061 | 0.150 | 41\% | 0.000 | The D\&R element of the Bishops Square Section 106 scheme incorporates a budget of $£ 150,000$ in this financial year. | Full spend is projected. |
| Roman Road Shops | 0.050 | 0.037 | 0.050 | 74\% | 0.000 | This project is fully financed from historic Local Authority Business Growth Initiative (LABGI) resources. | Full spend is projected. |
| St Andrew's Health and Well-Being Centre | 5.200 | 4.777 | 5.200 | 92\% | 0.000 | This Section 106 funded scheme to develop a new Health and Well Being Centre on the former St Andrew's Hospital site was approved by Cabinet on 10 March 2010 and 8 June 2011. The first tranche payment was made to the PCT in June 2011, with the final instalment paid in July 2011. | Full spend is projected. |
| Whitechapel Centre | 0.063 | 0.011 | 0.063 | 17\% | 0.000 | This scheme is mainly funded through Big Lottery and ERDF grants. Expenditure is being incurred in accordance with grant conditions and it is anticipated that full spend will be incurred by year-end. | Full spend is projected. |
| MAINSTREAM TOTAL | 5.563 | 4.915 | 5.563 | 88\% | 0.000 |  |  |
| LOCAL PRIORITIES PROGRAMME |  |  |  |  |  |  |  |
| High Street 2012 | 3.353 | 0.422 | 3.353 | 13\% | 0.000 | This scheme was initially approved by Cabinet in May 2009, but significant additional resources were secured from external agencies and agreed by Cabinet at the January and March 2010 meetings. | The spend during the financial year is anticipated to be in accordance with budget, however the phasing of the scheme is being reprofiled to ensure that resources carried forward from previous years will be utilised in accordance with grant conditions. |
| Emergency Property Works Contingency | 1.000 | 0.000 | 0.000 | 0\% | -1.000 | This is a demand led budget. Expenditure for the first three months of the financial year is in accordance with expectations, with outstanding commitments increasing expenditure over the remainder of the year. |  |
| Disabled Facilities Grant | 1.000 | 0.103 | 1.000 | 10\% | 0.000 | This is a demand led budget. Expenditure for the first three months of the financial year is in accordance with expectations, with outstanding commitments increasing expenditure over the remainder of the year. |  |
| Genesis Housing Group - Brodlove Lane Local Authority Grant | 0.363 | 0.000 | 0.363 | 0\% | 0.000 | This Local Authority Grant payment to Genesis Housing Group will be fully paid during the current financial year. | Full spend is projected. |
| Installation of Automatic Energy Meters | 0.174 | 0.000 | 0.174 | 0\% | 0.000 | This scheme was commissioned towards the end of 2009-10 with the unutilised resources carried forward. The residual balance is anticipated to be fully spent in the current financial year. | Full spend is projected. |
| Facilities Management (DDA) | 0.574 | 0.000 | 0.000 | 9\% | -0.574 |  |  |
| LPP TOTAL | 6.464 | 0.525 | 4.890 | 8\% | -1.574 |  |  |
| GRAND TOTAL | 12.027 | 5.440 | 10.453 | 45.2\% | -1.574 |  |  |

CAPITAL MONITORING Q1

## housing revenue account

|  | Budget at 30-Jun-11 | $\begin{aligned} & \text { Spend to } \\ & \text { 30-Jun-11 } \end{aligned}$ | $\begin{array}{\|c\|} \hline \text { Projection } \\ \text { 31-Mar-12 } \\ \hline \end{array}$ | \% Budget Spent | Projected Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Decent Homes Backlog Porgramme | 12.942 | 0.000 | 12.942 | 0\% | 0.000 | Following the Authority's allocation of Decent Homes Funding, Cabinet approved the initial refurbishment programme and the procurement methodology in June 2011. Works are expected to commence in September 2011, with full spend to be incurred in the current financial year in accordance with grant conditions and available resources. | Full spend is projected. |
| Housing Capital Programme | 12.709 | 1.592 | 12.709 | 13\% | 0.000 | The mainstream Housing Capital programme is managed by Tower Hamlets Homes on behalf of the Authority and incorporates work to the Council's own stock. Tower Hamlets Homes closely monitors this budget and the spend to the end of June is approximately in line with the target profile for this stage of the financial year. The initial budget agreed by Cabinet in February 2011 was $£ 6.6$ million, however this programme was revised by Cabinet in June 2011 in light of confirmation of available resources, including those carried forward from 2010-11. It is anticipated that all resources will be fully utilised in the current financial year. | Full spend is projected. |
| Ocean New Deal for Communities | 4.900 | 0.101 | 4.000 | 2\% | -0.900 | This project is funded from mainstream Capital Resources of $£ 4.9 \mathrm{~m}$ in 201112, following the final year of NDC grant entitlement in 2010-11. Minimal expenditure has been incurred to 30 June, however large contract payments are programmed later in the financial year. | A review of the profiling of the scheme payments indicates that an underspend is anticipated in the current financial year, with the resources being carried forward to finance the resulting commitment in 2012-13. |
| Regional Housing Pot | 0.900 | 0.049 | 0.900 | 5\% | 0.000 | Funding of approximately $£ 7.27$ million has been secured from the DCLG to facilitate the regeneration of the St Clement's Hospital site and to undertake masterplanning on the Malmesbury and Birchfield Estates. The masterplanning contracts have been let and on-going expenditure will be incurred during 2011-12. Funds are not specific to a particular financial year and delays in respect of decisions on the St Clement's Hospital site mean that resources will be carried forward for utilisation in later years as necessary. |  |
| MAINSTREAM TOTAL | 31.451 | 1.742 | 30.551 | 6\% | -0.900 |  |  |
| LOCAL PRIORITIES PROGRAMME |  |  |  |  |  |  |  |
| Council Housebuilding Initiative | 1.500 | 0.948 | 1.500 | 63\% | 0.000 | This project is funded through a mixture of Government grant, Section 106 receipts and Council resources. The scheme is being managed in accordance with the grant conditions in line with agreed delivery target dates. A review of the project is currently underway following difficulties that have been encountered on-site. The budget profile is being reviewed and will be updated in the second quarter's capital monitoring cycle. | Full spend is projected. |
| Blackwall Reach | 3.500 | 0.369 | 4.140 | 11\% | 0.640 | The Blackwall Reach project represents a $£ 13 \mathrm{~m}$ commitment over several financial years. Latest estimates are that expenditure of $£ 4,140,000$ will be incurred in 2011-12, with the remaining leasehold properties being acquired during 2012-13 and 2013-14. Current indications are that the 2011-12 budget may be exceeded, however this profile is flexible, with resources in place to adapt the profiled expenditure as necessary. |  |
| LPP TOTAL | 5.000 | 1.317 | 5.640 | 26\% | 0.640 |  |  |
| HRA TOTAL | 36.451 | 3.059 | 36.191 | 8.4\% | -0.260 |  |  |

CAPITAL MONITORING Q1
BUILDING SCHOOLS FOR THE FUTURE (BSF)

|  | Budget at 30-Jun-11 | Spend to <br> 30-Jun-11 | Projection 31-Mar-12\| | \% Budget Spent | Projected Variance from Budget |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | £m | £m | £m | \% | £m | REASONS FOR VARIANCES TO DATE | REASONS FOR PROJECTED VARIANCES |
| MAINSTREAM PROGRAMME |  |  |  |  |  |  |  |
| Wessex | 0.000 | 0.025 | 0.025 | N/A | 0.025 |  |  |
| St Paul's Way | 3.193 | 0.010 | 2.500 | 0\% | -0.693 | Based on on-site progress |  |
| Bethnal Green Tech. College | 0.000 | 0.003 | 0.300 | N/A | 0.300 | Based on on-site progress |  |
| Morpeth | 6.281 | 1.161 | 6.900 | 18\% | 0.619 | Based on on-site progress |  |
| Oaklands | 4.147 | 0.294 | 6.296 | 7\% | 2.149 | Based on on-site progress |  |
| Sir John Cass | 5.675 | 1.826 | 7.100 | 32\% | 1.425 | Based on on-site progress |  |
| Ian Mikardo | 1.088 | 0.657 | 1.100 | 60\% | 0.012 | Based on projected final account |  |
| Beatrice Tate | 2.000 | 0.002 | 0.600 | 0\% | -1.400 | Fees only in 2011/12 | Subject to financial contract close |
| Bowden House | 1.951 | 0.228 | 8.418 | 12\% | 6.467 | Based on on-site progress |  |
| PRU Harpley | 2.552 | 1.691 | 4.211 | 66\% | 1.659 | Based on on-site progress |  |
| Swanlea | 6.538 | 0.815 | 8.869 | 12\% | 2.331 | Based on on-site progress |  |
| Raines | 8.138 | 0.105 | 4.682 | 1\% | -3.456 | Based on on-site progress |  |
| Central Foundation | 8.977 | 0.030 | 4.804 | 0\% | -4.173 | Based on current on-site start date | Subject to financial contract close |
| Langdon Park | 10.607 | 0.143 | 4.261 | 1\% | -6.346 | Based on current on-site start date | Subject to financial contract close |
| Phoenix | 3.724 | 0.067 | 2.645 | 2\% | -1.079 | Based on current on-site start date | Subject to financial contract close |
| Stepney Green | 7.288 | 0.105 | 5.421 | 1\% | -1.867 | Based on current on-site start date | Subject to financial contract close |
| Bow Boys | 14.500 | 0.002 | 2.500 | 0\% | -12.000 | Fees only in 2011/12 | Subject to financial contract close |
| New School | 0.822 | 0.000 | 0.000 | 0\% | -0.822 |  |  |
| George Greens | 3.020 | 0.000 | 1.100 | 0\% | -1.920 | Fees only in 2011/12 | Subject to financial contract close |
| ICT infrastructure schemes | 1.100 | 0.000 | 5.800 | 0\% | 4.700 |  | Based on current financial spend model |
| Budget reprofiling to reflect actual progress on schemes | -14.000 | 0.000 | 0.000 | 0\% | 14.000 | A full budget reprofiling will be unde the financial year to reflect a full review incorporate the actual progress of the | ken during the second quarter of $v$ of the programme updated to individual schemes. |
| MAINSTREAM TOTAL | 77.601 | 7.162 | 77.532 | 9\% | -0.069 |  |  |
| LOCAL PRIORITIES PROGRA | ME |  |  |  |  |  |  |
| Wave 5 BSF | 1.100 | 0.000 | 1.100 | 0\% | 0.000 | To be claimed at end of year |  |
| LPP TOTAL | 1.100 | 0.000 | 1.100 | 0\% | 0.000 |  |  |
| GRAND TOTAL | 78.701 | 7.162 | 78.632 | 9.1\% | -0.069 |  |  |

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|  |  |  | Previous years' performance |  |  |  | 2011/12 PerformanceQuarter 1 Target Range |  |  |  | Analysis of performance |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |  |  |  |
|  | PI Description  <br> Month Actual 2009/10 Outturn <br> - Target - Aspirational Target - Lowest Performance | Responsible Officer \& Directorate |  |  |  |  | Actual 2009/10 | $\begin{gathered} \text { Target } \\ \text { 2010/11 } \end{gathered}$ | Actual 2010/11 | Q1 Actual (June 10/11) | $\begin{gathered} \text { Target } \\ 2011 / 12 \end{gathered}$ | $\begin{aligned} & \text { Lower } \\ & \text { Bandwidth } \\ & \text { Target } \end{aligned}$ | Target | Q1 Actual (June 11/12) | Within <br> Target Range (RED / GREEN) | Variance (performance against Q1 target) | Direction of Travel (comparing 11/12 and 10/11 Q1 actual) |
| Theme 1: One Tower Hamlets |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Percentage of earners that are LP07 or above of Local Authority staff that are women <br> Measured in: \% (This indicator was a former BVPI and is monitored as part of the Council's Workforce to Reflect the Community Strategy) <br> Good Performance: Higher | Simon Kilbey <br> Resources | 51 | 50 | 46.34 | 50 | 50 | 49.8 | 50 | 46.41 | RED | $\begin{aligned} & -7.2 \% \\ & \text { AMBER } \end{aligned}$ |  |
| Quarter 1: Performance is below the target range but has marginally improved against last year's year end performance. New initiatives have been agreed as part of the Workforce to Reflect the Community programme, which will be brought into play in order to have a greater medium term impact on this indicator. |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Percentage of earners that are LP07 or above of Local Authority staff that are from an ethnic minority. <br> Measured in: \% (This indicator was a former BVPI and is monitored as part of the Council's Workforce to Reflect the Community Strategy) <br> Good Performance: Higher | Simon Kilbey <br> Resources | 17 | 27 | 22.23 | 22 | 30 | 22.23 | 30 | 22.37 | GREEN | $-25.4 \%$ <br> RED |  |
| Quarter 1: Performance is within the target range but has marginally dipped after several months of steady increase, but can change with very small movements in numbers. New initiatives have been agreed as part of the Workforce to Reflect the Community programme, which will be brought into play in order to have a greater medium term impact on this indicato |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Percentage of earners that are LP07 or above of Local Authority staff who have a disability (excluding those in maintained schools.) <br> Measured in: \% (This indicator was a former BVPI and is monitored as part of the Council's Workforce to Reflect the Community Strategy. Staff who have a disability are those that identify themselves as such in the staff survey, against the definition provided in the Disability Discrimination Act 1995). <br> Good Performance: Higher | Simon Kilbey <br> Resources | 2 | 5.4 | 2 | 2 | 5.5 | 2 | 5.5 | 2 | GREEN | $-63.6 \%$ <br> RED |  |
| Quarter 1: Performance has remained constant in the last 2 months of this quarter. Of overall staff at LP07 and above, 3 have currently declared a disability. To reach our target, we woul require a total of 8 disabled staff at LP07 and above. Further improvement will rely in part on the rigour of the vacancy management / assurance processes. Additionally, we are due to undertake a staff equality audit which will improve data quality - this may result in more disabled staff identifying themselves to the Council for monitoring purposes. Currently, only $75 \%$ of staff overall have informed the Council whether or not they have a disability. |  |  |  |  |  |  |  |  | $\square$ |  | 40 |  |  |



|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  | Pre | vious ye | rs' perfo | rmance |  | 2011/12 | formance |  | Ana | lysis of perfo | rmance |
|  | PI Description |  |  |  |  |  |  |  |  |  |  |  | Direction of |
|  | Month Actual 2009/10 Outturn <br> - Target - Aspirational Target - Lowest Performance | Responsible Officer \& Directorate | Actual $2009 / 10$ | $\begin{gathered} \text { Target } \\ \text { 2010/11 } \end{gathered}$ | $\begin{gathered} \text { Actual } \\ 2010 / 11 \end{gathered}$ | Q1 Actual (June 10/11) | $\begin{aligned} & \text { Target } \\ & 2011 / 12 \end{aligned}$ | Lower Bandwidth Target | Target | Q1 Actual <br> (June 11/12) | Target <br> Range (RED / GREEN) | Variance (performance against Q1 target) | Travel (comparing 11/12 and 10/11 Q1 actual) |
| The | 2: A Great Place to Live |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Net additional homes provided <br> Measured in: Number (the sum of new build completions, minus demolitions, plus any gains or losses through change of use and conversions) <br> Good Performance: Higher | Jackie Odunoye <br> Development \& Renewal | 2398 | 2999 | 1163 | 92 | 1605 | 390 | 401 | 34 | RED | $-91.5 \%$ <br> RED |  |
| 34 un they Altho from | ave been cleared and counted on the London Development Database. This is a pro urrently non reportable via the LDD, due to missing plot level breakdowns. If this inf <br> developers are under no legal obligation to provide the Council with detailed comple to maximise the numbers reported. It also worth noting that housing completions ar | isional outturn o rmation is collec <br> ons information, spread out acr | ly; a large ed from d <br> processe ss the ye | number evelopers <br> are still b ar with the | net additi n addition <br> ing streng majority of | nal units have b 413 units woul <br> hened to collect ompletions exp | en comple be report <br> outstandin cted in Q4 | d; however <br> le. <br> information |  |  |  |  |  |
|  | Number of affordable homes delivered (gross) <br> Measured in: Number (the sum of social rent housing and intermediate housing - low cost home ownership and intermediate rent) <br> Good Performance: Higher | Jackie Odunoye <br> Development \& Renewal | 1931 | 1287 | 733 | 116 | 1231 | 297 | 308 | 326 | GREEN | $5.8 \%$ <br> GREEN |  |
| Quart to ma buildi <br> The f to com partn | target $=297.11 / 12$ target range $=1187-1231$. Performance is above target for Qua the target exactly as this indicator does not measure a process which provides an ev projects complete, and the completion dates are never evenly distributed throughout <br> cast is that our annual performance will be comfortably over the higher target figure o ete in March 2012, it is likely that some of these will slip into 2012/13. There are 38 d encouraged by the HCA, will be doing everything they can to ensure completion beff | rter 1, as 326 u n performance he year. <br> 1231. The total ferent schemes re 31.3.12. | its of new across the <br> predicted currently | affordable year. Com <br> output is 2 n site whi | ousing we leted hous <br> 34 units, bu are due to | e produced. It is ing units come <br> t as a quantity deliver units th | rare for o batches, <br> f these uni year and | quarter's figu individual <br> are schedule ur RSL |  | K |  |  |  |
|  | Number of social rented housing completions for family housing (gross figures only) <br> Measured in: Number (a count of the number of affordable housing - local authority, housing associations, and co-operative tenants. Family housing is 3 bedrooms or more) Good Performance: Higher | Jackie Odunoye <br> Development \& Renewal | 619 | 405 | 214 | 25 | 390 | 90 | 98 | 100 | GREEN | 2.04\% <br> GREEN |  |
| Quar unex <br> Simil | 1 target $=90$. Projected outturn for 2011/12 is considerably higher than was previously tedly fell into the statistics for the 11/12 financial year. <br> , the target for family housing for affordable rent has achieved the higher of our two p | forecast due to <br> ssible target fig | a number ures (90-98 | of scheme <br> with 100 | which fail <br> units of socis | d to complete by <br> ial rented units | $y 31.3 .11 a$ <br> f 3 bed and | d therefore larger sizes. |  |  |  |  |  |



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|  |  |  | Previous years' performance |  |  |  | 2011/12 Performance <br> Quarter 1 Target Range |  |  |  | Analysis of performance |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | PI Description  <br> Month Actual 2009/10 Outturn <br> - Target - Aspirational Target - Lowest Performance | Responsible Officer \& Directorate | $\begin{aligned} & \text { Actual } \\ & 2009 / 10 \end{aligned}$ | $\begin{aligned} & \text { Target } \\ & 2010 / 11 \end{aligned}$ | Actual 2010/11 | Q1 Actual (June 10/11) | $\begin{aligned} & \text { Target } \\ & 2011 / 12 \end{aligned}$ | Lower Bandwidth Target | Target | Q1 Actual <br> (June 11/12) | Within <br> Target Range (RED / GREEN) | Variance (performance against Q1 target) | Direction of Travel (comparing 11/12 and 10/11 Q1 actual) |
|  | Number of most serious violent crimes per 1,000 population <br> Measured in: Number (No. of recorded most serious violent crimes/total population $\times 1000$ ) Good Performance: Lower | Andy Bamber <br> Communities, Localities \& Culture | 2.14 | 2.0972 | 1.77 | 0.52 | 1.73 | 0.44 | 0.43 | 0.6 | RED | $-39.5 \%$ <br> RED |  |
| Quarter 1: This measure is off target for the April-June period. However, there are a number of ongoing activities planned to reduce most serious violent crime including the setting up of the Whitechapel Town Centre Team which will include 8 PCs to address cross ward issues with a key focus on violence. |  |  |  |  |  |  |  |  |  |  |  |  |  |
| ${ }^{\text {anden }}$ | Number of serious acquisitive crimes per 1,000 population <br> Measured in: Number (No. of recorded serious acquisitive crimes/total population $\times 1000$ ) Good Performance: Lower | Andy Bamber <br> Communities, Localities \& Culture | 20.29 | 20.09 | 22.81 | 5.17 | 22.58 | 5.7 | 5.65 | 7 | RED | $-23.9 \%$ <br> RED |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Theme 5: A Healthy \& Supportive Community |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  | Percentage of children becoming the subject of Child Protection Plan for a second subsequent time <br> Measured in: \% <br> Good Performance: Lower | Jenny Boyd <br> Children, <br>  <br> Families | 8.03 | 9-13\% | 10.16 | 11.67 | 7 | 16 | 7 | 0 | GREEN | $\begin{aligned} & 100 \% \\ & \text { GREEN } \end{aligned}$ |  |
| Target exceeded |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Namatiso | Social care clients and carers in receipt of Self Directed Support <br> Measured in: \% <br> Good Performance: Higher | Deborah Cohen <br> Adults, Health \& Wellbeing | 10.7 | 30 | 30.7 | 7.3 | 90 |  | 40.7 | 39.6 | GREEN | $\begin{aligned} & -2.7 \% \\ & \text { AMBER } \end{aligned}$ |  |



| Committee | Date | Classification | Report <br> No. | Agenda <br> Item No. |
| :--- | :--- | :--- | :--- | :---: |
| Overview and Scrutiny | 6 September <br> 2011 | Unrestricted |  | 6.2 |
| Report of: <br> Director, Culture, Leisure and <br> Communities <br> Originating Officer(s): <br> Sarah Barr, Senior Strategy, Policy | Sex Establishments in Tower Hamlets - A <br> Consultation |  |  |  |
| Ward Performance Officer, Chief <br> Executive's Directorate | affected: All |  |  |  |

## 1. SUMMARY

1.1 This report presents the draft consultation documentation, currently being used to consult the residents of Tower Hamlets on a new policy in relation to sex establishments in the borough.

## 2. RECOMMENDATIONS

2.1. Overview and Scrutiny Committee is asked to consider the draft consultation documentation and give feedback in relation to the questions posed.

## 3. BACKGROUND

3.1 New legislation has been introduced that allows local authorities to have greater control and regulation of sex establishments. This includes a category of premises called Sexual Entertainment Venues which includes places where lap dancing and striptease takes place.
3.2 As recommended by Government a draft policy has been produced that sets out the Council's approach to sex establishments and how the legislation will be implemented locally. This policy is now being consulted on, and Overview and Scrutiny Committee are being asked to comment as part of that consultation.
3.3 In 2008, the Council conducted an Overview and Scrutiny review of striptease premises. An extensive consultation process was carried out and there was an overwhelming response which said that striptease had an adverse impact on neighbourhoods and that the Council should
do all it could to restrict this type of activity. The scrutiny report produced was submitted as evidence for the Government's consultation on the proposed new legislation.

## 4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 There are no direct financial implications emanating from this report.

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

5.1 On 3 August 2011, Cabinet decided that Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) is to apply to the London borough of Tower Hamlets and that Schedule 3 shall come into force in Tower Hamlets on the day that the Council's policy for sex establishments comes into force. Cabinet agreed that the Council's draft policy for sex establishments should be the subject of consultation. This report seeks input from the Overview and Scrutiny Committee as part of the consultation process.
5.2 The Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") was amended in April 2010 to bring the licensing of lap dancing and pole dancing clubs and other similar venues under the more robust licensing regime set out in the 1982 Act, rather than dealing with the licensing of such premises under the Licensing Act 2003.
5.3 The 1982 Act provides for a category of sex establishment called a "sexual entertainment venue" ("SEV"). These are premises where "relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer". "Relevant entertainment" may take the form of any live performance or any live display of nudity and must be of such a nature that (ignoring financial gain) it must reasonably be assumed to have been provided solely or principally for the purpose of sexually stimulating any member of the audience.
5.4 The proposal is that the council will adopt a policy that defines localities and indicates that it is the council's position that there should be no such establishments in Tower Hamlets. If, as proposed, the Council adopts a policy for sex establishments, then the licensing committee (or sub-committees) would deal with applications for licences on their merits on a case by case basis, having regard to the terms of the policy.
5.5 Before adopting the policy, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and
those who don't. Some form of equality analysis will be required as the foundation of these considerations.

## 6. ONE TOWER HAMLETS

6.1 The draft Sex Establishment Policy has been developed with "One Tower Hamlets" as being a key part of its rationale. The Policy intends to contribute to retaining the richness in Tower Hamlets' diversity, recognise the importance of place shaping and ensuring connected and cohesive communities through planning and design and encourage respect among communities.

## 7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no implications in relation to Sustainable Action for a Greener Environment arising directly from this report.

## 8. RISK MANAGEMENT IMPLICATIONS

9.1 It is likely that the proposals if adopted may lead to a Legal challenge from businesses that are currently operating within the Borough. The proposals have been developed with the best available advice and opinion in order to resist any such legal challenge should it be made
9. APPENDICES

Appendix A - Consultation documentation "Sex Establishments in
Tower Hamlets - a consultation"

LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

\section*{LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT <br> | Background papers | Name and telephone number of and <br> address where open to inspection |
| :--- | :--- |
| None | N/A |}

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# Sex Establishments in Tower Hamlets a consultation 



In 2009 the last government granted local authorities greater powers to control and regulate sex establishments in their areas, such as lap dancing, pole dancing and table dancing clubs, strip shows, peep shows and live sex shows.

This was in response to local authorities' concerns that the existing system did not allow local people to have any control over whether sex establishments operated in their communities.

Around the time the government introduced the new legislation, Tower Hamlets Council conducted our own assessment and consultation to find out what local people think of sex establishments in the community.

The responses we received from local people and organisations were overwhelmingly weighted against having sex establishments in the borough, saying they have an adverse impact on neighbourhoods and that the council should do all we can to restrict this type of activity.

The council has therefore adopted the government's new legislation and to implement it we have produced a draft policy which says that sex establishments are not suitable for location anywhere within Tower Hamlets.

This draft policy has been based on views previously provided by the community, issues of community cohesion and empowerment, concerns about level of crime and fear of crime, and the suitability of localities to have sex establishments.

We are now asking the community, local businesses and organisations to tell us if you agree with this approach, by responding to this consultation and giving us your views. Implementation of the draft policy to restrict sex establishments in the borough will be entirely dependent on the views we receive through this consultation.

It is important to note that the legislation does not allow a ban on sex establishments for moral or equalities reasons. However, it does allow councils to restrict such premises on the basis of the locality being unsuitable.

Because we want the new policy to reflect the views of the Tower Hamlets community, responses from local residents, businesses and stakeholders and representative trade organisations will be given more weight than the views of those based outside the borough.

I do encourage you to contribute your views on this important issue by visiting www.towerhamlets.gov.uk/consultation and completing the online survey. I look forward to hearing your views.

## Consultation Survey

## Question 1

The legislation requires us to break Tower Hamlets down into a number of localities, based on the characteristics of that area. We think Tower Hamlets is made up of 23 localities, as defined on this map:


Do you agree with the way we have defined the localities?Yes $\square$ No

Why?
$\qquad$
$\qquad$
$\qquad$

## Question 2

We have summed up the characteristics of each locality by looking at the following aspects:

- population density and growth trends for residential amenity and related infrastructure
- locality and place profiles
- borough ethnicity profile
- economic and health specific deprivation indices

■ our diverse cultural communities.
We have also considered the locations of:

- premises attracting vulnerable people such as GP surgeries and addiction centres

■ areas and premises attracting families such as leisure and sport facilities and play spaces, parks and open spaces

- premises attracting young people such as schools, nurseries and other educational establishments
- places of worship.

We call these 'policy considerations'. Do you agree that the policy considerations we have identified are the right elements to consider when summing up the characteristics of an area?
$\square$ No

Why?
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$

## Question 3

The legislation allows us to limit the number of sex establishments in each locality, on the basis of the policy considerations. Taking into account the policy considerations for each of the 23 localities, we think that none of them are suitable locations for sex establishments. On this basis we propose that there should be 'nil' sex establishments in Tower Hamlets.

Do you agree?
Yes

No

Why?
$\qquad$
$\qquad$
$\qquad$

## Question 4

Do you have any other comments regarding the draft sex establishment policy?

## Submitting your views

We would prefer you to submit your responses by completing the online survey at www.towerhamlets.gov.uk/consultation

Alternatively, you can complete the form in this booklet and return it to us using this freepost address:

FREEPOST RRYE-RZAB-KBSX
Consultation
Mulberry Place
London E14 2BG
The closing date for responses is Moday 17 October 2011.
A draft policy has been produced which has been agreed by the council to be the basis of this consultation. The policy can be obtained on request by ringing the council's Licensing Service on $\mathbf{0 2 0} \mathbf{7 3 6 4} \mathbf{5 0 0 8}$ or emailing licensing@towerhamlets.gov.uk


## LONDON BOROUGH OF TOWER HAMLETS

DRAFT SEX ESTABLISHMENT LICENSING POLICY

## Contents

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## FOREWORD

Lead Member - Cleaner Safer
(To be drafted)

### 1.0 Introduction

1.1 This document sets out the London Borough of Tower Hamlets Council's draft policy (the "Policy") regarding the regulation of sex establishments and the procedure relating to applications for sex establishment licences.
1.2 This document relates to applications for sex establishment licences covering:

- sex entertainment venues
- sex cinemas
- sex shops
as set out in the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009.
1.3 The Council adopted the Act on [insert date of adoption].


### 2.0 Review and Consultation

2.1 In developing the Policy for the three kinds of sex establishment (sex shop, sex cinema and sex entertainment venue), the Council has had regard to Schedule 3 of the Local Government (Miscellaneous provisions) Act 1982, as amended by the Policing and Crime Act 2009. (The draft Policy was approved for consultation by Licensing Committee on (insert date)). It is subject to change dependent upon any relevant government guidance and secondary legislation that may be issued).
2.2 The Council recognises the important role that regulatory authorities, the licensed trade, residents, businesses and other stakeholders have to play in influencing this Policy. It therefore intends to take a wide range of views on the Policy as part of its consultation which takes place over a twelve week period before finalising and publishing the Policy.
2.3 Consultation on this Policy will take place with:

- the Chief Officer of Police for the London Borough of Tower Hamlets
- one or more persons who appear to the authority to represent the interests of persons carrying on sex establishment businesses in the authority's area and
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by or otherwise have an interest in the Policy. This includes but is not limited to:-
- regulatory authorities such as the fire authority
- community safety and child protection
- interested parties such as resident associations and trade associations.
2.4 The Licensing Authority will give due weight to the views of those consulted and amend the Policy where appropriate following responses received. In
determining what weight to give particular representations, the factors to be taken into account will include:-
- who is making the representation (what is their expertise or interest)
- what their motivation may be for their views
- how many other people have expressed the same or similar views
- how far representations relate to matters the Council should include in its Policy.
2.5 The full list of consultees, comments made and their consideration by the Council is available on request from the Licensing Service or by email to licensing@towerhamlets.gov.uk.
2.6 The Policy will be published via the Council's website www.towerhamlets.gov.uk. Hard copies will be available upon request from the Licensing Service.
2.7 If anyone wishes to comment regarding this Policy, please send them via email or letter to the Licensing Service:


## THE DRAFT SEX ESTABLISHMENT LICENSING POLICY Licensing Service Mulberry Place (AH) PO Box 55739 5 Clove Crescent London E14 1BY

2.8 Once adopted, the Council may review the Policy from time to time as it deems appropriate.
2.9 Working with its partners the Council will continue to ensure that it reasonably and proportionately reflects the needs of its local communities through:-

- continued meaningful consultation
- the promotion of a consistent and fair approach to regulation
- consultation with the police and other agencies as appropriate, to establish protocols for effective enforcement


### 3.0 Definitions

3.1 The Act - This refers to Schedule 3 of the Local Government Miscellaneous Provisions Act 1982 (as amended by the Policing and Crime Act 2009).
3.2 The Policy - Draft sex establishment licensing policy.
3.3 Relevant locality - This is the locality where premises are situated or where the vehicle, vessel or stall is going to be used. The locality and the area that this covers is a matter for the local authority to decide. This Council has determined that each ward within the borough represents a relevant locality for the
purposes of decision making. The Council may have regard to the area of more than one locality/ ward.
3.4 The Council - This means the London Borough of Tower Hamlets.
3.5 Display of nudity- This means: -

- In the case of a woman: exposure of her nipples, pubic area, genitals or anus; and
- In the case of a man: exposure of his pubic area, genitals or anus
3.6 The licensed premises - This is the premises, vessel, vehicle or stall which is subject to a sex establishment licence. The premises will be in possession of all appropriate consents and permissions required to operate. Note that licences are not required for the sale, supply or demonstration of birth control items.
3.7 The Organiser - This is any person who is responsible for the organisation or management of the relevant entertainment or the premises.
3.8 Permitted hours - These are the hours of activity and operation that have been authorised under a sex establishment licence.
3.9 Sex Articles - A sex article is anything for use in connection with or for stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity.
3.10 Sex Establishment - A Sex Establishment is a Sex Cinema, Sexual Entertainment Venue or Sex Shop.
3.11 Sex Cinema - A sex cinema is any premises, vessel, vehicle or stall used to a significant degree for the exhibition of moving pictures however produced, which are concerned primarily with the portrayal of, or primarily deal with or relate to or intending to stimulate or encourage sexual activity or genital organs or urinary excretory functions.
3.12 Sexual Entertainment Venue - A sexual entertainment venue is any premises where any live performance or any live display of nudity is of such a nature that, regardless of financial gain, it must reasonably be assumed to have been provided solely or mainly for the purpose of sexually stimulating any member of the audience.
3.13 Sex Shop - A sex shop is any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating sex articles or other things intended for use in connection with or for stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity.


### 4.0 Policy Considerations

### 4.1 Background

4.1.1 The overriding aim of Tower Hamlets is to improve the life prospects of its citizens by creating inward investment, improving the nature and quality of the public realm, changing the perception of the borough as run down and deprived, and improving the nature, quality and quantity of jobs in the borough. While this overarching aim is borough wide, its application is in each and every locality in Tower Hamlets.
4.1.2 In achieving these goals, the Council understands that the co-ordination and integration of policies, strategies and initiatives is important. This policy takes account of, and is supported by, other Council policies and relevant legislation mentioned below.
4.1.3 This Policy has therefore had regard to:-

- Community Strategy Plan 2008-2020
- Tower Hamlets Local Area Agreement
- Stronger and Safer Communities Strategy
- Tower Hamlets Enforcement Policy
- Tower Hamlets Cultural Strategy
- Tower Hamlets Core Strategy
- Tower Hamlets Town Centre Spatial Strategy
- The Human Rights Act 1998
- The Disability Discrimination Act 1995
- Tower Hamlets Statement of Licensing Policy (Licensing Act 2003)
- Tower Hamlets' Statement of Licensing Policy (Gambling Act 2005)
4.1.4 In devising this policy, consideration has also been given to underlying statistics and trends regarding Tower Hamlets and the key challenges they present, and to associated plans and policies to address these challenges within the Borough. While this policy has been determined on a locality by locality basis, the matters set out in this section affect all localities in the borough to a greater or lesser extent.


### 4.2 Demographics

4.2.1 The area of the borough is 19.77 square kilometres, making Tower Hamlets the $6^{\text {th }}$ smallest London borough.
4.2.2 The resident population in the 2001 census was 196,106 . By 2007 this had grown to 215,300 (ONS mid-2007 population estimates). This rate of growth was $17.9 \%$, which was the second largest rate for all of the London boroughs. The 2009 estimate of population is 234,828 (Mayhew Harper Associates Limited.)
4.2.3 The Greater London authority expects the acceleration to continue, so that by 2026 the population will be over 300,000, representing a rate of population growth of 2\% each year, nearly three times the rate of growth for London as a whole.
4.2.4 The small size of the borough and the size of the population means that the residential density of the borough is very high. In fact on average there are 11,900 people living in each square kilometre within the borough. This is the third highest residential density of all boroughs in England. The effect is that, all things being equal, any prospective sex establishment is likely to have a relatively large number of residents living in close proximity to it.
4.2.5 The small size of the borough relative to its population means that community facilities such as schools and places of worship, are situated close to each other and to the residential populations they serve. This also means that, all things being equal, any sex establishment is likely to have a community facility in relatively close proximity
4.2.6 The strong growth in population expected over the next decade, together with the growth of community facilities which must accompany such growth, mean that the issues of density will increase markedly in coming years. The Council intends to lay the foundations for such growth now by working to produce a step change in the character and quality of the urban realm in each locality in Tower Hamlets.

### 4.3 Ethnicity

4.3.1 Tower Hamlets is a multi-ethnic community, with $56 \%$ of the population being from non-white British ethnic groups, with about $34 \%$ being Bangladeshi, and 110 different languages being spoken by schoolchildren in the borough.
4.3.2 Sex establishments are unlikely to be used, or viewed, equally by all ethnic groups, but the Council must take account of the views of those who oppose such establishments in tightly knit, diverse residential communities.

### 4.4 Deprivation

4.4.1 Tower Hamlets ranks as the third most deprived borough in England, calculated on a range of measures of deprivation. (The English Indices of Deprivation.) Within the borough, $53 \%$ of children live on unemployment benefits (End Child Poverty.) The employment rate for the working age population in the Borough is $58.6 \%$ compared with the London average of $69.8 \%$ and the English average of $74.3 \%$. The rate of unemployment in Tower Hamlets is $14.5 \%$, the second worst unemployment rate in Great Britain.
4.4.2 The Council believes that it is key to effecting a step change in the economic performance of the borough that the character of all localities in the borough is continuously improved and that features which may be seen as impediments or disincentives to local investment are removed.

### 4.5 Canary Wharf

4.5.1 Despite the poverty and overcrowding within Tower Hamlets, the borough also accommodates once of the most important financial and business centres in the United Kingdom at Canary Wharf. The Council considers it vital for the economic performance of the borough that the character of Canary Wharf as a high-end business hub be preserved and enhanced.

### 4.6 Policy response

4.6.1 The Council has responded to the challenges described above in formulating its key strategic plans and priorities for the Borough.
4.6.2 Of prime importance is the Tower Hamlets 2008 - 2020 Community Plan, developed by the Tower Hamlets Partnership and adopted by the Council in 2008 after an extensive consultation process, with local residents, local business groups and individuals, and organisations reflecting the diversity of communities.
4.6.3 Looking forward to 2020, the aim of the Community Plan is to improve the quality of life for everyone who lives and works in the borough.
4.6.4 The aspiration of "One Tower Hamlets" runs throughout the Community Plan. One Tower Hamlets is about reducing inequalities and poverty, strengthening cohesion and making sure communities live well together.
4.6.5 Included as issues that emerged as significant priorities were the following: -
a) Concern about the level of crime and fear of crime
b) The importance of retaining the rich diversity of Tower Hamlets.
c) The importance of place-shaping and ensuring connected and cohesive communities through planning and design
d) The need to have and encourage respect among communities
4.6.6 The Council's vision is to achieve balanced, sustainable communities and neighbourhoods to enable a good quality of life for all. In consultation with its partners it has developed and adopted a number of strategies, policies and plans that set out how we mean to achieve this vision.
4.6.7 The Council's Core Strategy and Town Centre Spatial Strategy are key tools to realise the vision of the Community Plan. It is a 15 year plan which will shape what the Borough will look like. Key to this is the reinvention of the East End's historic hamlets or places. It is perceived that the Borough would benefit from the development of these town centres / places. The aim is to reinvent, strengthen and transform the places that make Tower Hamlets unique. The aim is also to ensure that the Borough will continue to be a place for diverse communities whilst also building on its strategic importance as a unique part of Inner London.
4.6.8 The Council aims to integrate this Policy with the objectives of the Community Plan and the Core Strategy so that it contributes to achieving the vision of the borough. While each locality and application must be considered on its merits, the Council does not consider that the presence of sex establishments tend to further those objectives. The provision of sex establishments is considered by this Council to contradict and undermine its stated aims and exacerbate the challenges it faces in bringing about

- Improving quality of life
- Reducing inequalities and poverty
- Strengthening community cohesion
- Ensuring communities live well together


## 5 The appropriate number of sex establishments

5.1 In formulating this policy for the appropriate number of sex establishments for each locality in the Borough, the Council has divided the Borough into 23 localities as set out in Map 1. The average size of each locality is 0.85 sq . km .

### 5.2 The Council has taken account of:

a. The Council's plans and proposals to improve the character and attractiveness of localities within the Borough so as to make them more attractive places to live, work and invest.
b. The dispersal of housing throughout the localities in the Borough, as shown on Map 3, so that any sex establishment would be likely to be in proximity to such a facility.
c. The rapidly increasing residential density of the Borough.
d. The deprivation of the residential communities in the Borough;
e. The dispersal of facilities for children, including schools, playgroups and children's centres throughout the localities in the Borough, as shown on Maps 6 and 7, so that any sex establishment would be likely to be in proximity to such a facility.
f. The dispersal of places of worship throughout the localities in the Borough, as shown on Map 8, so that any sex establishment would be likely to be in proximity to such a facility.
g. The dispersal of premises attracting vulnerable people such as GP surgeries, health centres, hospitals and dentists, as shown on Map 9, so that sex establishments are likely to be in proximity to such facilities.
h. Areas and premises attracting families such as leisure and sport facilities and play spaces and play path finders, parks and open spaces, as shown on Map 1, so that sex establishments are likely to be in proximity to such facilities.
i. The diversity of the residential population and the aim of improving community cohesion.
j. In the case of Canary Wharf, the special needs of that locality as a high grade business area.
k. The aim of gender equality, with particular reference to reducing the fear of crime among women and community attitudes to sex establishments.
5.3 The Council has also taken into account the review of striptease in the Borough carried out in 2008 by the Overview and Scrutiny Committee Working Group. An extensive consultation process was carried out and there was an overwhelming response that striptease had an adverse impact on neighbourhoods and that the Council should do all it could to restrict this type of activity.
5.4 Without prejudice to the above, it is the Council's view that having regard to each locality and recognising that because of the mix of uses, the character of the individual localities, the strategic vision of the Council and the existing locations of particular types of premises in those wards, it would be inappropriate for sex establishments to be located in the individual localities.
5.5 Further, the association that sex establishments have with a part of the "sex industry" and adult entertainment means that they are not suitable for location in those parts of the borough associated with commerce, family, retail and entrepreneurship, nor are they appropriate for location in residential areas or areas frequented by families and children.

### 5.6 For these reasons, the Council has set a limit on the number of sex establishments that it thinks is appropriate for its locality. Having regard to its analysis, the Council has determined that the appropriate numbers of sex establishments for each locality is as follows:

| Shoreditch Place | Appropriate Number |
| :---: | :---: |
|  | Nil |
| Bethnal Green | Nil |
| Globe Town | Nil |
| Victoria Park | Nil |
| Fish Island | Nil |
| Spitalfields | Nil |
| Whitechapel | Nil |
| Stepney | Nil |
| Mile End | Nil |
| Bromley by Bow | Nil |
| Aldgate | Nil |
| Shadwell | Nil |
| Limehouse | Nil |
| Bow Common | Nil |
| Poplar | Nil |
| Poplar Riverside | Nil |
| Tower of London and St Katherine | Nil |
| Docks |  |
| Wapping | Nil |
| Canary Wharf | Nil |
| Blackwall | Nil |
| Leamouth | Nil |
| Millwall | Nil |
| Cubitt Town | Nil |

5.7 While each case will be decided on its own individual merits, the Council intends that the nil policy will be strictly applied.
5.8 In formulating this policy, the Council has given particular consideration to the fact that there are existing sex establishments in the Borough some of which have been trading for considerable periods of time without complaint. The Council has also had due regard to the human rights of such traders. Nevertheless, in light of the public interest in, and the reasons for having this policy, the fact that an application relates to an existing trader against whom there has been no previous complaint is unlikely to be considered a reason for applying an exception to the policy.

### 6.0 General Policy

### 6.1 Principles to be applied

6.1.1 The policies in this section are to be read subject to the nil policy set out in Section 5.
6.1.2 Every application will be considered on its merits on a case by case basis in determining applications to grant, refuse, renew, transfer or vary a licence.
6.1.3 The applicant must effectively address the policies on the appropriate number and the character of the relevant locality before the application is considered.
6.1.4 Sex establishments are not to be functionally visible to passers- by on retail thoroughfares or pedestrian routes. Premises should be at basement level or with a main entrance away from such routes.
6.1.5 The Council shall have regard to all relevant considerations, including any representations received and comments made by:-

- Ward Councillors
- Police
- Fire Brigade
- Planning
- Environmental Health - Environmental Protection
- Environmental Health Commercial
- Community Safety
- Licensing Authority
- Interested Parties (local residents / businesses)
- Any representations made by the applicant.


### 6.2 Mandatory grounds

6.2.1 Specific mandatory grounds for refusal of a licence are set out in the Act. A licence cannot be granted:-
a) to anyone under 18 years of age
b) to someone who has held a licence that was revoked in the last 12 months (from the date of revocation)
c) to someone who has been refused a new or renewal of licence within the last 12 months (from the date of making the application)
d) to an individual who is not resident in an EEA state, or has not been resident for six months prior to the making of an application
e) to a company not incorporated in an EEA state.
6.2.2 In considering whether a mandatory ground for refusal applies, the Council will carry out appropriate investigations, including through the application form and applicant interviews.

### 6.3 Discretionary grounds

6.3.1 The Council may refuse a licence if:-
a) the applicant is unsuitable to hold a licence because they have been convicted of an offence or for any other reason
b) were the licence to be granted, renewed or transferred, the business to which it relates would be managed or carried on for the benefit of a person other than the applicant, who would have been refused a licence if they had applied themselves
c) the number of sex establishments or sex establishments of a particular kind in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that place / locality
d) the grant or renewal of licence would be inappropriate having regard to:
i. the character of the relevant locality
ii. the use to which any premises in the vicinity are put; or
iii. the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
6.3.2 In determining the suitability of the applicant and others, the Council shall normally take into account:-
a. previous knowledge and experience;
b. any evidence of the operation of any existing / previous licence, including any licence held in any other borough
c. any reports about the applicant, beneficiaries and management of the premises received from objectors or the Police and any criminal convictions or cautions.
6.3.2 The Council intends positively to investigate such matters, including through the application form and interviews.
6.3.3 The Council's approach to the appropriate number of sex establishments is set out in section 5 above.
6.3.4 In considering the character of the locality, the Council shall not normally grant a licence to operate as a sex establishment if the character of the surrounding area to the proposed licensed premises is such that granting a licence is considered inappropriate.
6.3.4 In considering the vicinity of the premises, the Council shall not normally grant a licence to operate as a sex establishment where there are residentially occupied premises, schools (including nursery groups) and other places / access routes used to a significant degree by children or young persons, or places of worship within 200 metres of the premises seeking a licence. Further, the Council shall not normally grant a licence to operate as a sex establishment, if it will result in more than one premises licensed as a sex establishment within 200 metres of residentially occupied premises, schools
(including nursery groups) and other places / access routes used to a significant degree by children or young persons, or places of worship. The fact that premises are not within 200 metres of such sensitive uses does not mean that a licence will be awarded. The application must also be judged against all other policies in this plan.
6.3.5 In considering issues of the character of the locality and the vicinity of the premises, the Council may also have regard to the following factors:-
a) the proximity of residents to the premises, including any sheltered housing and accommodation for vulnerable persons
b) the proximity of educational establishments to the premises
c) the proximity of places of worship to the premises
e) access routes to and from schools, play areas, nurseries, children's centres or similar premises
f) the proximity to shopping centres
g) the proximity to community facilities / halls and public buildings such as swimming pools, leisure centres, public parks, youth centres / clubs (this list is not exhaustive)
h) the potential impact of the licensed activity on crime and disorder and public nuisance
i) the potential cumulative impact of licensed premises in the area taking into account the days and hours of operation of the activity and the character of the locality where the premises are situated
j) the nature and concerns of any objections received from residents/establishments objecting to the licence application.
k) any evidence of complaints about noise and/or disturbance caused by the premises.
I) current planning permission/ planning requirements on the premises
m ) any current planning policy considerations
n) proximity of other sex establishments
o) whether there is planned regeneration of the area
p) any current licences related to the premises in relation to activities, uses and hours
q) comments / observations of the Police and Council Officers, including compliance with licensing conditions, relevant history (including noise complaints) together with details of previous convictions/ prosecutions pending.
6.3.5 The above factors are not an exhaustive list of considerations but are merely indicative of the types of factors which may be considered in dealing with an application.
6.3.6 All applications for new licences for sex establishments, as described in the Act shall be referred to the Licensing Sub-Committee for decision.

### 6.4 Renewal Applications

6.4.1 When considering a renewal application then, in addition to the policies set out above, the Council may take into account the policies set out above, together with:
a) the type of activity to which the application relates
b) the duration of the proposed licence
c) the days and hours of operation of the activity
d) the layout and condition of the premises
e) the use to which other premises in the vicinity are put
f) the character of the locality in which the proposed premises are situated
g) the levels of crime and disorder in the area
h) past demonstrable adverse impact from the activity
i) whether appropriate measures have been agreed and put into effect by the applicant to mitigate any adverse impacts
6.4.2 It should be noted that the Council in applying its decision-making discretion may consider it appropriate to refuse the renewal of the licence even where there has been no change in the character of the relevant locality or in the use to which any premises in the locality are put.
6.4.3 If a renewal application is not opposed, may be approved under authority delegated to relevant officer(s). All contested applications for renewal, as described in the Act, shall be referred to the Licensing Sub-Committee for decision.

### 6.5 Variation Applications

5.5.1 Where an application is made to vary any of the terms and conditions of an existing licence, whether on renewal or not, the Council will take into account the policies set out above.

### 7.0 The Application Process

### 7.1 Making an application

7.1.1 Any application should be made in writing to the Licensing Service. At the address:-

Licensing Service
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London
E14 1BY
7.1.2 The Service contact number is 02073645008.
7.1.3 Applications may take 12 weeks to determine. Initial applications for sexual entertainment venues will take longer, because the Council is prohibited from determining them until the Second Appointed Day, which is 6 months after the First Appointed Day (the date the Council adopted the Act).
7.1.4 Applicants for a licence must complete and return the application form (which can be provided on request from the Licensing Service) together with:-
a . five sets of floor plans, drawn to scale and showing all means of entry and exit, any parts used in common with any other building and indicating how the premises lie in relation to the street;
b. five sets of plans showing the existing and front elevation of the premises depicting all signage;
c. five sets of plans (scale 1:500) showing the sex establishment in relation to other premises within 200 metres;
d. five sets of plans (scale 1:50) showing the layout of the sex establishment; $e$. the correct fee as set by the Council
7.1.5 As part of the application process, applicants are required to post an A3 notice at the proposed site for 21 days, from the date the application is lodged with the Council, setting out the application details. Notices are available from the Licensing Service. The notice must be posted in a prominent position for the whole of that time and be easily read by passers-by.
7.1.6 Applicants are also required to place a public notice in a local newspaper, which has predominant circulation in the Borough, at their expense. A specimen advertisement is available from the Licensing Service. The newspaper notice should appear in the publication within 7 days of the application being lodged.
7.1.7 Where applications are made otherwise than electronically, the applicant must send a copy to the chief officer of police not later than 7 days after making the application.
7.1.8 Officers from Environmental Health (Commercial) Service and the Fire Authority will inspect the premises to ensure that required technical standards are met. If works are required to bring the building up to standard, the applicant will be notified. Licences will not be issued until all required works are satisfactorily completed.
7.1.9 As part of the established procedure for dealing with applications, Environmental Health - Environmental Protection Officers are consulted. If there is the possibility of noise nuisance from amplified music or other noise sources, these officers may also carry out an inspection and recommend noise insulation work. Any requirements they identify must be complied with at all times any licence is in force.
7.1.10 Comments on applications are also sought from local Ward Members, the Police, the Planning and any other relevant service or organisation as deemed appropriate by the Council.
7.1.11 Applicants are warned that any person who, in connection with an application for the grant renewal or transfer of a licence, makes a statement which s/he knows to be false in any material respect, or which s/he does not believe to be true, is guilty of an offence and liable to summary conviction to a fine not exceeding $£ 20,000$.
7.1.12 Any licence approved does not constitute any approval under any other statute or bye-law. The applicant must ensure that all other necessary consents and approvals are obtained prior to operation.
7.1.13 The Council will not determine an application for grant of a licence unless the applicant allows an authorised officer a reasonable opportunity to enter the proposed sex establishment to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.
7.1.14 On the grant of a licence, the licence document will have the agreed days and hours of operation set out, together with any other specific and/or standard conditions applied. Licence holders must comply with this.

### 7.2 Renewal of Licences

7.2.1 To continue operating as a sex establishment, licence holders must make a renewal application prior to the expiry of the existing licence.
7.2.2 The Council will not determine an application for renewal of a licence unless the applicant allows an authorised officer a reasonable opportunity to enter the proposed sex establishment to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.
7.2.3 The application form, with relevant plans and fee should be sent to the Licensing Service. Please note that applications for renewals of licence are also subject to the site and newspaper notice requirements and the police notification requirements set out in the above paragraphs 7.1.5, 7.1.6 \&7.1.7.

### 7.3 Variations

7.3.1 Variation applications relate only to proposed changes to such matters as the hours and area of the premises covered by the licence. Any changes in Licensee must be the subject of a transfer application.
7.3.2 All variation applications for sex establishment licences must be referred to the Council's Licensing Sub-Committee for decision. Applicants must not operate any revised or varied arrangements until such an application has been approved and any revised or varied licence has been issued.

### 7.4 Transfer of Licence

7.4.1 The Council will not determine an application for transfer of a licence unless the applicant allows an authorised officer a reasonable opportunity to enter the proposed sex establishment to make such examination and enquiries as may be necessary to determine the suitability of the applicant and the sex establishment.

### 7.5 Representations on an Application

7.5.1 Any person wishing to object to an application must submit a written representation within the 28 day consultation period specified to the Licensing Service, setting out the grounds of objection.
7.5.2 Representations must be made within 28 days of the application being submitted. Representations made before the application is submitted can be taken into account. The Council also has discretion to consider representations made after the 28 day consultation period although this will be assessed on a case by case basis.
7.5.3 The Local Government (Miscellaneous Provisions) Act 1982 specifies that the identity and address of an objector shall not be revealed to an applicant without their consent.
7.5.4 However, the general grounds of any objection made on the application must be provided to the applicant prior to the determination of the application. The report to the Licensing Sub-Committee may have full details of the objections, including any actions / undertakings proposed by the applicant to address matters raised.
7.5.5 Additionally, the applicant and any persons who made representations and who wish to attend the hearing will have the opportunity to address the Licensing Sub-committee before the application is determined.

### 8.0 Duration of Licence

8.1 Sex Establishment Licences will normally expire on an annual basis, but can be issued for a shorter term if deemed appropriate.

### 9.0 Appeals

9.1 There is no right of appeal:-
a) against refusal of licence on the grounds set out in paragraph 5.6 or 6.2.1 above, unless an applicant can prove the appropriate ground of refusal does not apply to them.
b) where refusal of licence is based on the grounds set out in paragraph 6.3.1 (c) and (d) above.
9.2 Any appeal to the Magistrates' Court must be made within 21 days from the date on which the person is notified of the decision.
9.3 Where an appeal is lodged (other than on grounds stated at paragraph 9.1) against refusal to renew or for revocation, the licence remains in force until such time as the appeal is determined. Where an appeal is lodged against conditions applied to a licence, the conditions are deemed not to come into force until the determination or abandonment of the appeal.

## Appendix

Locality Maps

| Map | Characteristics |
| :---: | :---: |
| Map 1 <br> Defines Localities / Places in Tower Hamlets |  |
| Map 2 <br> - Localities <br> - Land use in the Borough (residential, educational, parks, open spaces, offices, retail, industrial) <br> - Waterways | Demonstrates the high urban density of the Borough and dispersal of community facilities. |
| Map 3 <br> - Localities <br> - Residential Land use | Demonstrates the high concentration of residential land use in the Borough. There are varying concentrations of residential land use. There are very few localities/places without residential use. |
| Map 4 <br> - Localities <br> - Current premises that would require Sexual Encounter Establishment Licence <br> - Schools <br> - Children Centres <br> - Places of Worship | Demonstrates the density of schools and places of worship in the Borough. |
| Map 5 <br> - Localities <br> - Sports and Leisure facilities | Demonstrates that the sports and leisure facilities are sporadically distributed in the Borough with a concentration around Canary Wharf Isle of Dogs and the west side of the Borough. |
| Map 6 <br> - Localities <br> - Places where play facilities are available | Demonstrates that play facilities are widely available in the Borough in nearly all localities |
| Map 7 <br> - Localities <br> - Schools <br> - Playgroups <br> - Children Centres | Demonstrates that for most of the Borough there is a uniform spread of schools and children centres. |
| Map 8 <br> - Localities <br> - Places of Worship | Demonstrates that there is a variable distribution of Places of worship in the Borough. |
| Map 9 <br> - Localities <br> - Hospitals <br> - Doctors <br> - Dentists | Demonstrates that for most of the Borough there is a uniform spread of hospitals, doctors and dentists. |

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Tower Hamlets borough boundary
Locality boundary
Parks and Open Spaces

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Map 2


- Junior School
- Nursery School
- Primary School
- Secondary School

Locality boundary
Parks and Open Spaces

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Map 3

$\underbrace{\text { ju}}$ Tower Hamlets borough boundary
Locality boundary
Land Use (2007) Crown copyright Cities Revealed
Residential

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## Map 4



- Sports and leisure facilities

5Tower Hamlets borough boundary

Locality boundary

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Map 5


3
Tower Hamlets borough boundary
Locality boundary
Sports and leisure facilities

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## School type

- Infant School
- Junior School
- Nursery School
- Primary School
- Secondary School

| 0 | 250500 | 1,000 | 1,500 | 2,000 |
| :--- | :--- | :--- | :--- | :--- | Metres

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Map 7


## School type

- Infant School
- Junior School
- Nursery School
- Primary School
- Secondary School
$0 \quad 260 \quad 520 \quad 1,040 \quad 1,560 \quad 2,080$

Metres

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## Map 8



נֹ
Tower Hamlets borough boundary
Locality boundary
Places of worship

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Scale: 1:35,000 @ A4
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| Committee | Date | Classification | Report <br> No. | Agenda <br> Item No. |
| :--- | :--- | :--- | :--- | :---: |
| Overview and Scrutiny | 6 September <br> 2011 | Unrestricted |  | 6.3 |
| Report of: <br> Assistant Chief Executive (Legal <br> Services) <br> Originating Officer(s): <br> John S. Williams, Service Head, <br> Democratic Services |  |  |  |  |

## 1. SUMMARY

1.1 This report informs the committee of the process that has been established by which the Mayor may take executive decisions, including Key Decisions, outside the context of the Cabinet meeting where necessary.
1.2 Any Mayoral decisions taken under these arrangements will be published on the Council's website and notified to all Councillors by e-mail. Guidance has been issued to Corporate Directors on the operation of the Mayoral decision making process.

## 2. RECOMMENDATIONS

2.1 That the Committee note the arrangements that are now in place for executive decision making by the Mayor and notification of Mayoral decisions to Councillors.

## 3. BACKGROUND - THE EXECUTIVE SCHEME OF DELEGATION

3.1 Under the 'Mayor and Cabinet' form of executive that the Council is now operating, all executive powers are vested in the Mayor and it is for the Mayor to decide which of those powers he will discharge personally and which he will delegate.
3.2 The law permits the Mayor to delegate specific executive functions to the Executive as a whole (the Cabinet); a committee of the Executive or an individual member of the Executive; an officer; an area committee; a ward councillor in accordance with s. 236 of the Local Government and Public Involvement in Health Act 2007; joint arrangements; or another local authority. The Mayor may amend or revoke any delegation of an executive function at any time.
3.3 The Mayor is required to present to the Annual Council Meeting a written record of delegations made by him ('the Executive Scheme of Delegation').
3.4 The Executive Scheme of Delegation presented by the Mayor to the Annual Council Meeting on $18^{\text {th }}$ May 2011, amended to include Cabinet appointments made subsequently, is attached at Appendix $A$ and this will now be incorporated into the Council's Constitution. The scheme confirms that:-
i) all executive functions delegated to Chief Officers continue unchanged; and that
ii) in relation to decision making at Member level, the Mayor has not delegated any powers to the Cabinet, either collectively or individually, and has not appointed any committees or panels of the executive.

## 4. THE PROCESS FOR EXECUTIVE DECISION MAKING BY THE MAYOR

4.1 The Executive Scheme of Delegation provides for executive decisions of the Mayor to be taken and recorded in one of two ways - either at the Cabinet meeting, in which case the Mayor's decisions are recorded in the minutes of the meeting, or outside the context of the Cabinet meeting using a separate executive decision-making procedure. The arrangements for this procedure are attached at Appendix B. Key points to note include:-

- There is still a need for a full written report in the same format as would be required for a Cabinet agenda item.
- The report must be accompanied by a completed pro-forma that includes an executive summary and the proposed decision, and must be signed off by the relevant Chief Officer, the Chief Finance Officer, the Monitoring Officer and the Chief Executive before being presented to the Mayor for decision.
- The same requirements as for Cabinet items also apply in relation to advance publication of the report and, for a Key Decision, prior inclusion on the Forward Plan;
- Where it is necessary to take a Key Decision that has not been published in advance on the Forward Plan, the urgency procedures in the Constitution still need to be followed (i.e. depending on the timescales notification to, or agreement by, the Chair of O\&S Committee).
- Decisions will be published on the Council's website and (unless agreed for exemption under the same procedures as for a Cabinet report) may be 'called-in' for consideration at the O\&S Committee.
- Mayoral decisions will be logged by Democratic Services and held in a book that will be open for public inspection. Proposed decisions will be allocated a log number only when they have received full officer sign off.
- Of course Part 2 (exempt) information will not be published, made available for inspection or included in the Forward Plan.
4.2 In accordance with the above that the new process does not override the existing provisions that are in place to ensure well informed, accountable and transparent decision making, and is not necessarily a 'fast-track' route to a decision. It is expected that relatively few decisions will be made using this procedure but it does represent an alternative method for obtaining Mayoral approval to a proposal where the timing of Cabinet meetings is problematic.
4.3 Full guidance on the operation of the executive decision making process has been issued to Chief Officers.

5. COMMENTS OF THE CHIEF FINANCE OFFICER
5.1 There are no financial implications arising directly from this report.
6. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)
6.1 The report correctly outlines the effect of sections 14 and 18 to 20 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 in relation to the discharge of executive functions in a mayor and cabinet executive.
6.2 Executive decisions taken by the elected mayor are subject to the access to information provisions set out in the Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.
6.3 The provisions in the Council's Constitution empowering the Overview and Scrutiny Committee to scrutinise decisions taken in connection with the discharge of executive functions apply to mayoral decisions in the same way that they would apply to other executive decisions.

## 7. ONE TOWER HAMLETS

7.1 There are no implications for One Tower Hamlets arising directly from this report.

## 8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no implications in relation to Sustainable Action for a Greener Environment arising directly from this report.

## 9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management implications arising directly from this report.

## 10. APPENDICES

Appendix A - Executive Scheme of Delegation
Appendix B - Process for Executive Decision Making by the Mayor

## LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

## LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT <br> Background papers <br> Name and telephone number of and address where open to inspection <br> None

## EXECUTIVE SCHEME OF DELEGATION

## 1. PURPOSE

1.1 The purpose of this Executive Scheme of Delegation is to:-

- be clear about who can make which executive decisions including Key Decisions;
- facilitate the smooth running of Council business;
- ensure that the Mayor is able to provide effective strategic leadership for the overall policy direction of the Council and to promote partnership working with other agencies; and that officers take responsibility for operational matters and policy implementation


## 2. THE CONSTITUTION

2.1 Once presented by the Mayor to the Annual Council Meeting or to the Monitoring Officer, this Executive Scheme of Delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply alongside the Rules of Procedure and Access to Information provisions included in the Constitution.

## 3. AMENDMENTS TO THE EXECUTIVE SCHEME OF DELEGATION

3.1 This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Part 4.4 of the Constitution.

## 4. NON-EXECUTIVE DECISIONS

4.1 No delegated power in this Executive Scheme of Delegation applies to any decision that relates to a matter that is not an Executive function either by law or by the allocation of local choice functions under the Council's Constitution.
5. THE COMPOSITION OF THE EXECUTIVE
5.1 The Executive shall consist of ten people, namely the Mayor and nine Councillors as set out below:-

| Name | Ward | Portfolio |
| :--- | :--- | :--- |
| Mayor Lutfur Rahman | N/A | Mayor |
| Councillor Ohid Ahmed |  <br> Lansbury | Deputy Mayor |
| Councillor Rofique Ahmed |  <br> Globe Town | Cabinet Member for <br> Regeneration |
| Councillor Shahed Ali | Whitechapel | Cabinet Member for <br> Environment |


| Councillor Abdul Asad | Whitechapel | Cabinet Member for <br> Health and Wellbeing |
| :--- | :--- | :--- |
| Councillor Alibor Choudhury | Shadwell | Cabinet Member for <br> Resources |
| Councillor Shafiqul Haque | St. Katharine's <br> \& Wapping | Cabinet Member for <br> Jobs and Skills |
| Councillor Rabina Khan | Shadwell | Cabinet Member for <br> Housing |
| Councillor Rania Khan | Bromley-by-Bow | Cabinet Member for <br> Culture |
| Councillor Oliur Rahman |  <br> Stepney Green | Cabinet Member for <br> Children's Services |

## 6. DELEGATIONS TO THE EXECUTIVE

6.1 The Mayor has not delegated any decision-making powers to the Executive acting collectively.
6.2 The Mayor has not delegated any decision-making powers to any of the Councillors appointed by the Mayor to the Executive acting individually.
6.3 The Mayor may, in accordance with Part 4.4 of the Council's Constitution, appoint such committees of the Executive as he considers appropriate from time to time, but he does not appoint any such committees at this time.

## 7. DELEGATIONS TO OFFICERS

7.1 The Mayor has delegated to officers decision making powers in relation to Executive functions as set out at Parts 3 and 8 of the Council's Constitution.
8. OTHER DELEGATIONS
8.1 The Mayor has not delegated any powers to any area committee, or to any ward Councillor in accordance with s. 236 of the Local Government and Public Involvement in Health Act 2007.
8.2 The Mayor has delegated powers to joint arrangements with other local authorities as set out in Article 11 of the Council's Constitution
8.3 Subject to 8.2 above, the Mayor has not delegated any powers to any other local authority.

## PROCESS FOR EXECUTIVE DECISION MAKING BY THE MAYOR

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
(i) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
(ii) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
(iii) authority has been delegated but the Mayor nevertheless decides to take the decision himself,
the decision shall be made by the Mayor individually, after consultation with the Chief Executive, the Monitoring Officer, the Corporate Director, Resources and such other Corporate Director(s) or Cabinet Member(s) the Mayor may determine.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
(a) at a formal meeting of the Executive, notice of which has been given in accordance with Part 4.4 of the Constitution and to which the Access to Information Rules at Part 4.2 of the Constitution shall apply; or
(b) in accordance with the procedure at 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.

5 The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
(i) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options and recommendations in the same format as would be required if the decision were to be taken at a meeting of the Executive;
(ii) In the case of a Key Decision as defined in Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forward Plan, and the provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply; and
(iii) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.
6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-
(i) Recorded in a log held by the Service Head, Democratic Services and available for public inspection; and
(ii) Published on the Council's website;
save that no information that in the opinion of the Assistant Chief Executive (Legal Services) is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules shall be published, included in the decision notice or available for public inspection.

## LONDON BOROUGH OF TOWER HAMLETS

## MAYORAL DECISION PROFORMA

Mayoral Decision Log No: (To be inserted by Democratic Services after CE's approval given)

Title: (To be inserted by Chief Officer seeking the decision)

Is this a Key Decision: Yes / No (Report author to delete as applicable)

UNRESTRICTED / RESTRICTED (Report author to delete as applicable and if restricted, to state which of the exempt/confidential criteria applies)

## EXECUTIVE SUMMARY

(To be completed by Chief Officer seeking the decision)

Full details of the decision sought, including reasons for the recommendations; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Assistant Chief Executive (Legal Services); implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

## DECISION

(Recommendations of the Chief Officer, as set out in the attached report, to be entered here)

## APPROVALS

## 1. Corporate Director

I approve the attached report and recommendations above for submission to the Mayor.

Signed
Date $\qquad$
2. Chief Finance Officer

I have been consulted on the above recommendations and my comments are included in the attached report.

Signed
Date $\qquad$
3. Assistant Chief Executive (Legal Services)

I have been consulted on the above recommendations and my comments are included in the attached report.
(For Key Decision only - delete as applicable)
I confirm that this decision:-
(a) has been published in advance on the Council's Forward Plan OR
(b) is urgent and subject to the 'General Exception' or 'Special

Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed
Date
4. Chief Executive

The recommendations above are consistent with the Council's agreed Budget and Policy Framework and will contribute to the achievement of the authority's Strategic Plan.

Signed
Date $\qquad$
5. Mayor

I agree the recommendations above for the reasons set out in the attached report.

Signed
Date

## PROCESS FOR EXECUTIVE DECISION MAKING BY THE MAYOR

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
(i) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
(ii) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
(iii) authority has been delegated but the Mayor nevertheless decides to take the decision himself,
the decision shall be made by the Mayor individually, after consultation with the Chief Executive, the Monitoring Officer, the Corporate Director, Resources and such other Corporate Director(s) or Cabinet Member(s) the Mayor may determine.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
(a) at a formal meeting of the Executive, notice of which has been given in accordance with Part 4.4 of the Constitution and to which the Access to Information Rules at Part 4.2 of the Constitution shall apply; or
(b) in accordance with the procedure at 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.

5 The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
(i) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options and recommendations in the same format as would be required if the decision were to be taken at a meeting of the Executive;
(ii) In the case of a Key Decision as defined in Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forward Plan, and the provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply; and
(iii) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.
6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-
(i) Recorded in a log held by the Service Head, Democratic Services and available for public inspection; and
(ii) Published on the Council's website;
save that no information that in the opinion of the Assistant Chief Executive (Legal Services) is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules shall be published, included in the decision notice or available for public inspection.

## LONDON BOROUGH OF TOWER HAMLETS

## MAYORAL DECISION PROFORMA

Mayoral Decision Log No: (To be inserted by Democratic Services after CE's approval given)

Title: (To be inserted by Chief Officer seeking the decision)

Is this a Key Decision: Yes / No (Report author to delete as applicable)

UNRESTRICTED / RESTRICTED (Report author to delete as applicable and if restricted, to state which of the exempt/confidential criteria applies)

## EXECUTIVE SUMMARY

(To be completed by Chief Officer seeking the decision)

Full details of the decision sought, including reasons for the recommendations; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Assistant Chief Executive (Legal Services); implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

## DECISION

(Recommendations of the Chief Officer, as set out in the attached report, to be entered here)

## APPROVALS

## 1. Corporate Director

I approve the attached report and recommendations above for submission to the Mayor.

Signed
Date $\qquad$
2. Chief Finance Officer

I have been consulted on the above recommendations and my comments are included in the attached report.

Signed
Date $\qquad$
3. Assistant Chief Executive (Legal Services)

I have been consulted on the above recommendations and my comments are included in the attached report.
(For Key Decision only - delete as applicable)
I confirm that this decision:-
(a) has been published in advance on the Council's Forward Plan OR
(b) is urgent and subject to the 'General Exception' or 'Special

Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed
Date
4. Chief Executive

The recommendations above are consistent with the Council's agreed Budget and Policy Framework and will contribute to the achievement of the authority's Strategic Plan.

Signed
Date $\qquad$
5. Mayor

I agree the recommendations above for the reasons set out in the attached report.

Signed
Date

## Agenda Item 6.5

| Committee | Date | Classification | Report <br> No. | Agenda <br> Item No. |
| :--- | :--- | :--- | :--- | :---: |
| Overview and Scrutiny | 6 September <br> 2011 | Unrestricted |  | 6.5 |
| Report of: <br> Assistant Chief Executive (Legal <br> Services) <br> Originating Officer(s): <br> Sarah Barr, Senior Strategy, Policy <br> and Performance Officer, Chief <br> Executive's Directorate <br> Overview and Scrutiny Committee Work <br> Programme 2011-12 |  |  |  |  |

## 1. SUMMARY

1.1 This report outlines the work programme for the Overview and Scrutiny Committee for the municipal year 2011-12.
2. RECOMMENDATIONS

Overview and Scrutiny Committee is asked to -
2.1. Agree the work programme for the 2011-2012 municipal year set out in Appendix A.
2.2 Note that the work programme may be amended throughout the year if required.

## 3. BACKGROUND

3.1 The Overview and Scrutiny Committee work programme for the 201112 municipal year is attached at Appendix A. This sets out the pieces of work which will be undertaken by the Committee throughout the year, in addition to the monthly Committee meetings. Reports and findings from this work will be considered at the monthly committee meetings.
3.2 In addition to this work the Committee will also consider reports for predecision scrutiny, regular monitoring reports and Budget and Policy Framework Items, as set out in the Council's Constitution.
3.3 For each piece of work, the work programme shows the Scrutiny Lead, the methodology that will be used and the proposed timescale for the piece of work.
3.4 This work programme was developed at a workshop for all Overview and Scrutiny Committee members. Each member was able to list all the issues that they would like the Committee to consider throughout the year and these were then prioritised by the Committee.
3.5 Given the significant savings that the Council has to find, the top priority for the Committee was scrutiny of the budget and the budget setting process. This is reflected in the proposed pre-budget directorate scrutiny sessions.
3.6 Given the constantly changing political and financial climate which all local authorities are working in, the Overview and Scrutiny Committee may decide to undertake additional pieces of work throughout the year. If there are significant changes an updated work programme will be agreed by the Committee later in the year.

## 4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This report describes the Overview and Scrutiny work programme in 2011-12.
4.2 There are no financial implications arising from this report.
5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)
5.1 Rule 8 of the Overview and Scrutiny Procedure Rules, contained in the Council's Constitution, provides that the Overview and Scrutiny Committee will be responsible for agreeing the overview and scrutiny work programme for the year. The recommendations in the report are consistent with that rule.
5.2 The activities included in the work programme appear consistent with the functions of the Overview and Scrutiny Committee as set out in Article 6 of the Council's Constitution.
5.3 In determining the work programme, the Committee should have due regard to the Council's public sector equality duty under section 149 of the Equality Act 2010. The Council is required to have due regard, when exercising its functions, to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't.

## 6. ONE TOWER HAMLETS

6.1 There are no implications for One Tower Hamlets arising directly from this report. However many of the pieces of work proposed will be considering issues of inequality, community cohesion and community leadership.

## 7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no implications in relation to Sustainable Action for a Greener Environment arising directly from this report.

## 8. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management implications arising directly from this report.

## 9. APPENDICES

Appendix A - Overview and Scrutiny Commmittee Work Programme 2011-12

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

| Background papers | Name and telephone number of and <br> address where open to inspection |
| :--- | :--- |
| None | N/A |

## APPENDIX A: Overview and Scrutiny Committee Work Programme 2011-12

| DIRECTORATE \& LEAD | TOPIC | METHODOLOGY | TIMESCALE |
| :--- | :--- | :--- | :--- |
| ALL DIRECTORATES <br> (One Tower Hamlets) <br> Lead: <br> Cllr Ann Jackson | Scrutiny of the budget setting <br> process <br> Review of Equality Impact <br> Assessments <br> Progress against first round of <br> savings | Pre-Budget Directorate <br> Scrutiny Sessions | October - March |
|  | Public Consultation | Review | September - December |
| ADULTS HEALTH AND <br> WELLBEING | Transformation of Adult Social <br> Care - views of service users | Survey of service users and <br> public event. Led by Health <br> Scrutiny Panel. | August - November |
| Lead: |  |  |  |
| Cllr Rachael Saunders | Ongoing changes in health <br> sector - views of service users | Stakeholder and public <br> engagement in local areas. <br> Led by Health Scrutiny Panel <br> and THINk. | October |
| CHILDREN SCHOOLS AND <br> FAMILIES | Children's Centres - Impact of <br> new model | Review |  |
| Lead: <br> Cllr Amy Whitelock | Rhild and Adolescent Mental <br> Health Services (CAMHS) | To be addressed through <br> Health Scrutiny Panel. | October |


|  | COMMUNITIES LOCALITIES AND CULTURE | Street Cleaning | Review/Challenge Session | March - May |
| :---: | :---: | :---: | :---: | :---: |
|  | Lead: <br> Cllr Zenith Rahman | Cultural Activities | Scrutiny lead to investigate with officers and present findings to committee | March - May |
| $\begin{aligned} & \text { D } \\ & \stackrel{0}{0} \\ & \text { D } \\ & \text { M } \end{aligned}$ | DEVELOPMENT AND RENEWAL <br> Lead: <br> Cllr Helal Uddin | Changes in national housing policy including affordable rents and the local response | Engagement with Tower Hamlets Housing Forum | September - October |
|  |  | Housing and lettings policy for those with high mental and physical health needs | Review | March - May |
|  | CHIEF EXECUTIVE'S <br> Lead: <br> Cllr Tim Archer | East End Life Costs | Scrutiny lead to investigate with officers and present findings to committee | August - September |
|  | RESOURCES | Asset Management | Review | March - May |
|  | Lead: Cllr Sirajul Islam | Workforce to Reflect the Community | Scrutiny lead to investigate with officers and present findings to committee | September - November |


[^0]:    INDIRECT EXPENDITURE BUDGETS

