



Meeting of the

# CABINET

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Wednesday, 10 April 2013 at 5.30 p.m.

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## AGENDA – SECTION ONE

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### VENUE

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

#### Members:

|                             |   |
|-----------------------------|---|
| Mayor Lutfur Rahman         | – (Mayor)                                   |
| Councillor Ohid Ahmed       | – (Deputy Mayor)                            |
| Councillor Rofique U Ahmed  | – (Cabinet Member for Regeneration)         |
| Councillor Shahed Ali       | – (Cabinet Member for Environment)          |
| Councillor Abdul Asad       | – (Cabinet Member for Health and Wellbeing) |
| Councillor Alibor Choudhury | – (Cabinet Member for Resources)            |
| Councillor Shafiqul Haque   | – (Cabinet Member for Jobs and Skills)      |
| Councillor Rabina Khan      | – (Cabinet Member for Housing)              |
| Councillor Rania Khan       | – (Cabinet Member for Culture)              |
| Councillor Oliur Rahman     | – (Cabinet Member for Children's Services)  |

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

#### Committee Services Contact:

Matthew Mannion, Democratic Services,  
Tel: 020 7364 4651, E-mail: [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk)

## Public Information

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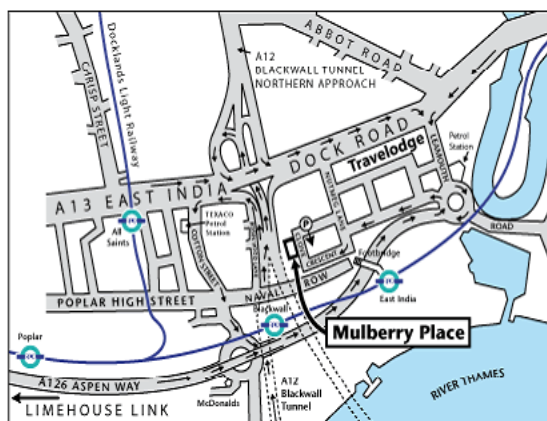
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QR code for smart phone users

# LONDON BOROUGH OF TOWER HAMLETS

## CABINET

WEDNESDAY, 10 APRIL 2013

5.30 p.m.

### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### PUBLIC QUESTION AND ANSWER SESSION

There will be an opportunity (up to 15 minutes) for members of the public to put questions to Cabinet members before the Cabinet commences its consideration of the substantive business set out in the agenda.

Questions can be submitted in advance to the Town Hall or be asked on the evening.

Send any questions to Matthew Mannion, Democratic Services, Town Hall, Mulberry Place, Poplar, E14 2BG or email [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk) by 5pm Wednesday, [Insert Date].

### 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 1 - 4)

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 Monitoring Officer.

### 3. UNRESTRICTED MINUTES

| PAGE NUMBER | WARD(S) AFFECTED |
|-------------|------------------|
| 5 - 16      |                  |

The unrestricted minutes of the Cabinet meeting held on 13 March 2013 are presented for information.

### 4. DEPUTATIONS & PETITIONS

To receive any deputations or petitions.

### 5. OVERVIEW & SCRUTINY COMMITTEE

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

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

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

## **UNRESTRICTED REPORTS FOR CONSIDERATION**

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

|            |  |                  |                       |
|------------|--|------------------|-----------------------|
| <b>6.1</b> | <b>The Lettings Policy 2013 and the Lettings Plan</b>                              | <b>17 - 128</b>  | <b>All Wards</b>      |
| <b>6.2</b> | <b>Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule</b>     | <b>129 - 190</b> | <b>All Wards</b>      |
| <b>6.3</b> | <b>Revised Planning Obligations Supplementary Planning Document (SPD)</b>          | <b>191 - 264</b> | <b>All Wards</b>      |
| <b>6.4</b> | <b>Affordable Housing Supplementary Planning Document (DPD)</b>                    | <b>265 - 334</b> | <b>All Wards</b>      |
| <b>6.5</b> | <b>Bow Bridge Estates (Poplar HARCA): updated CPO Resolution)</b>                  | <b>335 - 354</b> | <b>Bromley-By-Bow</b> |
| <b>6.6</b> | <b>Older Persons Housing Statement</b>   | <b>355 - 430</b> | <b>All Wards</b>      |
| <b>6.7</b> | <b>Queen Elizabeth Olympic Park Bye-laws</b>                                       | <b>431 - 458</b> | <b>Bow East</b>       |
| <b>6.8</b> | <b>Communities, Localities &amp; Culture Directorate Capital Programme 2013/14</b> | <b>459 - 474</b> | <b>All Wards</b>      |

### **7. A PROSPEROUS COMMUNITY**

|            |   |                  |                                     |
|------------|---|------------------|-------------------------------------|
| <b>7.1</b> | <b>Children Schools and Families Capital Programme</b>            | <b>475 - 488</b> | <b>All Wards</b>                    |
| <b>7.2</b> | <b>Holy Family and Our Lady's Schools - Proposed Amalgamation</b> | <b>489 - 494</b> | <b>Limehouse</b>                    |
| <b>7.3</b> | <b>Bow School - Proposals for September 2014</b>                  | <b>495 - 512</b> | <b>Bow East;<br/>Bromley-By-Bow</b> |

### **8. A SAFE AND COHESIVE COMMUNITY**

### **9. A HEALTHY AND SUPPORTIVE COMMUNITY**

|            |  |                  |                  |
|------------|--|------------------|------------------|
| <b>9.1</b> | <b>Adult Social Care Local Account (April 2011 – Dec 2012)</b> | <b>513 - 578</b> | <b>All Wards</b> |
|------------|--|------------------|------------------|

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



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

**12. UNRESTRICTED REPORTS FOR  
INFORMATION**

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

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

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

**EXEMPT/CONFIDENTIAL SECTION (PINK)**

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

|  | <b>PAGE<br/>NUMBER</b> | <b>WARD(S)<br/>AFFECTED</b> |
|--|------------------------|-----------------------------|
| <b>14. EXEMPT / CONFIDENTIAL MINUTES</b> |                        |                             |

The exempt / confidential minutes of the Cabinet meeting held on 13 March will be tabled for information.

**15. OVERVIEW & SCRUTINY COMMITTEE**

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

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

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

**EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

**16. A GREAT PLACE TO LIVE**

**16 .1 Ocean Estate Retail Units**

**St Dunstan's  
& Stepney  
Green**

17. **A PROSPEROUS COMMUNITY**
18. **A SAFE AND COHESIVE COMMUNITY**
19. **A HEALTHY AND SUPPORTIVE COMMUNITY**
20. **ONE TOWER HAMLETS**
21. **ANY OTHER EXEMPT/ CONFIDENTIAL  
BUSINESS CONSIDERED TO BE URGENT**
22. **EXEMPT / CONFIDENTIAL REPORTS FOR  
INFORMATION**

## SCRUTINY PROCESS

The Overview and Scrutiny Committee, at its meeting on **Tuesday 7<sup>th</sup> May 2013** may scrutinise provisional decisions made in respect of any of the reports attached, if it is “called in” by **five** or more Councillors except where the decision involves a recommendation to full Council.

The deadline for “Call-in” is:      Friday 19 March 2013                      **(5.00 p.m.)**

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

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# Agenda Item 2

## **DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

### **Interests and Disclosable Pecuniary Interests (DPIs)**

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

### **Effect of a Disclosable Pecuniary Interest on participation at meetings**

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

**Further advice**

For further advice please contact:-

Isabella Freeman, Assistant Chief Executive (Legal Services), 020 7364 4801; or  
John Williams, Service Head, Democratic Services, 020 7364 4204

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

| Subject   | Prescribed description  |
|---|---|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain.  |
| Sponsorship                                       | <p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>   |
| Contracts   | <p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>   |
| Land  | Any beneficial interest in land which is within the area of the relevant authority.   |
| Licences  | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.  |
| Corporate tenancies                               | <p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>  |
| Securities  | <p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |

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**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.36 P.M. ON WEDNESDAY, 13 MARCH 2013**

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

**Members Present:**

|                             |   |
|-----------------------------|---|
| Mayor Lutfur Rahman         | (Mayor)                                   |
| Councillor Ohid Ahmed       | (Deputy Mayor)                            |
| Councillor Rofique U Ahmed  | (Cabinet Member for Regeneration)         |
| Councillor Shahed Ali       | (Cabinet Member for Environment)          |
| Councillor Abdul Asad       | (Cabinet Member for Health and Wellbeing) |
| Councillor Alibor Choudhury | (Cabinet Member for Resources)            |
| Councillor Shafiqul Haque   | (Cabinet Member for Jobs and Skills)      |
| Councillor Rabina Khan      | (Cabinet Member for Housing)              |
| Councillor Rania Khan       | (Cabinet Member for Culture)              |
| Councillor Oliur Rahman     | (Cabinet Member for Children's Services)  |

**Other Councillors Present:**

|                           |   |
|---------------------------|---|
| Councillor Peter Golds    | (Leader of the Conservative Group)  |
| Councillor Ann Jackson    | (Chair, Overview & Scrutiny Committee)                                      |
| Councillor Md. Maium Miah | (Advisor to the Mayor and Cabinet on Third Sector and Community Engagement) |
| Councillor Gulam Robbani  | (Executive advisor to the Cabinet and Mayor on adult social care)           |

**Officers Present:**

|                   |   |
|-------------------|---|
| Andy Bamber       | – (Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture) |
| Robin Beattie     | – (Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)         |
| Jill Bell         | – (Head of Legal Services (Environment), Legal Services, Chief Executive's)                       |
| Kate Bingham      | – (Acting Service Head Resources, Children Schools & Families)                                    |
| Isobel Cattermole | – (Corporate Director, Education, Social Care and Wellbeing)                                      |
| Sarah Barr        | – (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)          |
| Deborah Cohen     | – (Service Head, Commissioning and Health, Education, Social Care and Wellbeing)                  |
| Chris Holme       | – (Acting Corporate Director - Resources)   |

|                    |   |
|--------------------|---|
| Numan Hussain      | – (Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's)                               |
| Shazia Hussain     | – (Service Head Localisation, Communities Localities & Culture)   |
| Kevin Kewin        | – (Service Manager, Strategy & Performance, Chief Executive's)  |
| Ellie Kuper-Thomas | – (Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's) |
| Takki Sulaiman     | – (Service Head Communications, Chief Executive's)  |
| Ann Sutcliffe      | – (Service Head Strategic Property, Development and Renewal)  |
| David Tolley       | – (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)    |
| Matthew Mannion    | – (Committee Services Manager, Democratic Services, Chief Executive's)  |

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from the Head of Paid Service, Steven Halsey, and the Corporate Director for Development and Renewal, Aman Dalvi.

## **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

None were declared.

## **3. UNRESTRICTED MINUTES**

The unrestricted minutes of the ordinary meeting of the Cabinet held on 13 February 2013 were presented for information.

## **4. PETITIONS**

No petitions were received.

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

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

Councillor Ann Jackson, Chair of the Overview and Scrutiny Committee (OSC), addressed Cabinet and highlighted some specific issues that had been raised during the Overview and Scrutiny Committee meeting the previous evening:

- The Committee were concerned about the impact of gambling in particular on young people and in increasing domestic violence. She welcomed the Mayor's expressed desire for a 'no casinos' policy for the borough and stated that OSC may also add gambling to its work programme for next year.
- OSC had received a report on the progress made in implementing the Asset Management Scrutiny Review's recommendations. In particular the Committee felt there was a need for a policy on the Community Right to Buy requirements. Questions had also been raised on improving access to underused buildings and on ensuring health and environmental impacts were fully considered during procurement.
- The Committee had also received a Budget and Performance Report and had raised concerns in a number of areas including an increase in domestic violence, the number of carers receiving needs assessments, slippage in capital programmes and employment data.
- Co-opted Members had raised concerns about the Faith Buildings Grant Programme and officers had agreed to circulate more information on applications received so far and to respond to any concerns.

The **Mayor** thanked Councillor Ann Jackson for her presentation.

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

The Clerk advised that no requests had been received by the Assistant Chief Executive (Legal Services) to 'call-in' for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Mayor in Cabinet, at the Cabinet meeting held on 13 February 2013.

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

### **6.1 Licensing Policy Review**

Councillor Ohid Ahmed, the Deputy Mayor, introduced the report. He explained that the Council was required to publish a statement of Licensing Policy and that this must be kept under review. This report was asking for agreement to go out to consultation on the policy document.

The **Mayor** agreed the recommendations as set out in the report.

#### **RESOLVED**

1. To agree the forward programme for consulting on the Statement of Licensing Policy.
2. To agree, if appropriate, that the consultation should be based on the existing Policy as detailed in Appendix One and the proposed changes detailed in Appendix Two.

3. To agree that the Council should consult on whether or not to adopt the sexual entertainment licensing regime under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

## 6.2 Gambling Policy

Councillor Ohid Ahmed, the Deputy Mayor, introduced the report. He explained that the Gambling Policy had been out to review and was now being presented for agreement before being submitted to Council for adoption. He noted that the impact of gambling was a big concern to councillors. He reported that he had been to parliament to lobby MPs and Lords about his concerns.

During discussion a number of Cabinet Members raised concerns about the impact of gambling on residents in the borough including:

- The impact on families when one member had a gambling addiction including the potential for violence.
- The limited powers that Councils had to control gambling.
- The need to examine best practice at other councils in determining the best approach.
- Whether there could be a community campaign to raise awareness of the issues.
- The Council should look to try and maintain a 'no casinos' policy.

The **Mayor** thanked all those who had contributed to the debate. He agreed with the concerns expressed and he asked officers to urgently seek to develop a 'no Casinos' policy and to report back to Cabinet at the earliest opportunity on the proposals. He then approved the recommendations set out in the report.

### RESOLVED

1. To consider the proposed Gambling Policy and agree that it may go forward to full council for adoption.
2. To note that it is intended to present the Gambling Policy to Full Council on the 17<sup>th</sup> April 2013.
3. To recommend that Full Council approve the Gambling Policy.

## 7. A PROSPEROUS COMMUNITY

### 7.1 Woolmore School - Proposed Expansion

Isobel Cattermole, the Interim Corporate Director of Education, Social Care and Wellbeing, introduced the report. She highlighted the need for an increase in the provision of school places.

The **Mayor** agreed the recommendations set out in the report.

### **RESOLVED**

1. To note the contents of this report;
2. To agree that statutory proposals should be published for the enlargement of Woolmore Primary School to admit 90 pupils in each year from September 2014.

## **7.2 Academy Conversions - Old Ford and Culloden Primary Schools**

Isobel Cattermole, the Interim Corporate Director of Education, Social Care and Wellbeing, introduced the report. She explained that the two schools had been accepted by the Department of Education for conversion to Academy status and that the Council was therefore required to agree various matters such as the transfer of land and deeds of variation.

During discussion a number of Members expressed opposition to the Academy process and concern about its impact on education overall, in particular in creating a piecemeal education system.

The **Mayor** noted the concerns and asked officers to explore options for monitoring Academies, in particular around special measures and also what would happen should an Academy wish to convert back to local authority control. However, despite the opposition of his administration and other Members to the Academy process, the **Mayor** made it clear that the Council would work with all schools for the good of their pupils. He then accepted the recommendations in the report.

### **RESOLVED**

1. To approve the land disposal for both schools;
2. To approve the Council to enter into commercial and staffing transfers for both schools;
3. To approve the Council to enter into all other necessary documentation to ensure the liability under the Grouped Schools PFI arrangements for Old Ford School are transferred to the Academy;
4. To authorise the Corporate Director, Education, Social Care and Well-Being in consultation with the Assistant Chief Executive Legal Services and Corporate Director Resources to settle remaining issues associated with the conversion for the two schools;
5. To authorise the Assistant Chief Executive (Legal Services) to execute all documentation required to implement those decisions at 1 to 4.

6. To authorise the Section 151 Officer to execute the Local Government (Contract) Act 1997 Certificate required to implement the decisions at 1 to 4.

## **8. A SAFE AND COHESIVE COMMUNITY**

Nil items.

## **9. A HEALTHY AND SUPPORTIVE COMMUNITY**

### **9.1 The Establishment of the Tower Hamlets Health and Wellbeing Board (to follow)**

This report was withdrawn.

### **9.2 Tendering of Carers' Hub**

The **Mayor** accepted the recommendations set out in the report.

#### **RESOLVED**

1. To approve the outcome of the tendering of the Carers Hub Services and award the contract to the Carers Centre, as the highest ranking bidder following the evaluation process.
2. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1 once the standstill period has expired and any objections dealt with.

### **9.3 New Information Advice and Advocacy (IAA) Services Tender**

During discussion the **Mayor** noted a request that the hubs and outreach services be evenly spaced across the borough. He accepted the recommendations as set out in the report.

#### **RESOLVED**

1. To approve and award the contract for the Information, Advice and Advocacy services to the REAL who will lead a consortium of specialist providers.
2. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1 once the standstill period has expired and any objections dealt with .

### **9.4 Letting Supporting People Contracts 2012- 2015: The Mobilisation Plan**

Councillor Abdul Asad, the Cabinet Member for Health and Wellbeing introduced the report. He reported that the contracts looked to make use of

local provider to encourage local employment and also required adherence to the London Living Wage.

The **Mayor** noted that there was a Restricted/Exempt appendix to consider later on the agenda.

Following that further discussion, the **Mayor** amended the recommendations to limit the maximum length of contract extension.

#### **RESOLVED**

1. To agree the proposed re-commissioning mobilisation plan with proposed contract extensions limited to a maximum of up to 12 months and that any further necessary extensions are agreed by Cabinet .
2. To note that officers will work to keep the required extension period to a minimum period possible. No blanket extensions will be applied. All extensions will be expressed as 'up to' the agreed period.
3. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1.

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

#### **10.1 Strategic Performance, General Fund Revenue Budget and Capital Programme Q3**

The **Mayor** agreed the recommendations as set out in the report.

#### **RESOLVED**

1. To review and note the Quarter 3 2012/13 performance; and
2. To note the Council's financial position as detailed in sections 3 and 4 and Appendices 1-4 of this report.

#### **10.2 Implementing Local Structures – Local Community Ward Forums**

Shazia Hussain, Service Head Localisation, introduced the report. She highlighted the consultation that had taken place and the fact that participatory budgeting provided budgets of £10k per year for the forums to invest.

During discussion of the report Councillor Ohid Ahmed, the Deputy Mayor, welcomed the report and thanked officers for their work.

In response to questions the **Mayor** highlighted that all Councillors were very welcome to attend their local forum meetings.

**RESOLVED**

1. To approve a yearly programme of 3 x LCWF meetings in each of the Borough's wards.
2. To agree the detail for each of the LCWF meetings in the yearly programme.
3. To agree to implement a participatory budgeting process and the allocation of £10K per ward for 2013/14 and 14/15.
4. To agree the role of the Community Plan Delivery Groups (CPDGs) in co-commissioning services identified through LCWF priority setting.

**10.3 Fees and Charges 2013/14**

In response to questions, Robin Beattie, Service Head Strategy and Resources, explained that the parking restrictions around Fish Island were subject to an ongoing review and additional consultation.

The **Mayor** agreed the recommendations as set out in the report.

**RESOLVED**

Adults, Health and Wellbeing

1. To approve the revised fees and charges as set out in Appendix 1 with effect from 1st April 2013 (or as soon as is practical thereafter)

Chief Executives

2. To approve the revised fees and charges as set out in Appendix 2 with effect from 1st April 2013 (or as soon as is practical thereafter)

Communities, Localities and Culture

3. To approve the revised fees and charges as set out in Appendix 3 with effect from 1st April 2013 (or as soon as is practical thereafter)

Children's, Schools and Families

4. To approve the revised fees and charges as set out in Appendix 4 with effect from 1st April 2013 (or as soon as is practical thereafter)

Development & Renewal

5. To approve the revised fees and charges as set out in Appendix 5 with effect from 1st April 2013 (or as soon as is practical thereafter)



#### 10.4 Contracts Forward Plan Q4

During discussion Councillor Ohid Ahmed, the Deputy Mayor, asked officers to investigate the possible inclusion of a 2 year break clause in contract AHWB 4352 (Framework for Community Equipment Services).

The **Mayor** altered the recommendations to state that all contracts could go out to tender but for three contracts to be presented back to Cabinet for approval.

#### RESOLVED

1. To approve that all the contracts can go to tender.
2. That the Corporate Director for the service has delegated power to award the contract subject to consultation with the Mayor and the lead member and the Assistant Chief Executive (Legal Services) prior to award except for the following contracts where the decision to award must come back to cabinet:
  - AHWB4397 (Community Based Mental Health Services)
  - AHWB4398 (Older People and Other Community Based Services)
  - AHWB4378 (Extra Care Sheltered Housing)
2. To authorise the Assistant Chief Executive (Legal Services) to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 1 above.

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

Nil items.

#### 12. UNRESTRICTED REPORTS FOR INFORMATION

##### 12.1 Exercise of Corporate Directors' Discretions

The **Mayor** accepted the recommendation set out in the report.

#### RESOLVED

1. To note the exercise of Corporate Directors' discretions as set out in Appendix 1.

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

#### RESOLVED

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

- (a) As it was likely, in view of the nature of the business to be transacted in Section Two of the agenda, that if members of the public were present during consideration of this business there would be disclosure of exempt information.
- Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 (“the 1972 Act”). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.
    - Agenda item 14 “Exempt/ Confidential Minutes” – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs
    - Agenda item 19.1. “Letting Supporting People Contracts 2012-15: The Mobilisation Plan” contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda item 14 “Exempt/ Confidential Minutes” – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs
  - Agenda item 19.1. “Letting Supporting People Contracts 2012-15: The Mobilisation Plan” contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.

that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

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

The Exempt/Confidential Minutes of the Ordinary Cabinet meeting held on 13 February 2013 were **tabled** for information.

**15. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**16. A GREAT PLACE TO LIVE**

Nil items.

**17. A PROSPEROUS COMMUNITY**

Nil items.

**18. A SAFE AND COHESIVE COMMUNITY**

Nil items.

**19. A HEALTHY AND SUPPORTIVE COMMUNITY**

**19.1 Letting Supporting People Contracts 2012- 2015: The Mobilisation Plan - Exempt Appendices**

**RESOLVED**

1. To note the information contained in the exempt appendix in relation to the main report.

**20. ONE TOWER HAMLETS**

Nil items.

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

Nil items.

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

Nil items.

The meeting ended at 6.29 p.m.

Chair, Mayor Lutfur Rahman  
Cabinet

# Agenda Item 6.1

|   |   |  |                                 |
|---|---|--|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet  | <b>Date:</b><br>10 <sup>th</sup> April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 93/123 |
| <b>Report of:</b><br>Corporate Director, Aman Dalvi<br><br><b>Originating officer(s)</b><br>Colin Cormack - Service Head, Housing Options |   | <b>Title:</b><br>The Allocations Scheme 2013 and Lettings Plan<br><br><b>Wards Affected:</b> All |                                 |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Councillor Rabina Khan  |
| <b>Community Plan Theme</b> | A Great Place To Live   |
| <b>Strategic Priority</b>   | Providing quality affordable housing.<br>Improving and maintaining the quality of housing, including maximising energy efficiency.<br>Enabling people to live independently |

## 1. **SUMMARY**

- 1.1 The 2010 Lettings Policy has been in operation for a little over two years. In informing cabinet of its headline successful outcomes, this report proposes a number of amendments to the Policy. In part, these are based on consideration of the Policy's operational application since 2010 but they also take advantage of the Localism Act's relaxation of certain legislative constraints that previously informed how, at the time, the 2010 Lettings Policy needed to be framed.

## 2. **DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Agree the Allocations Scheme 2013 set out in Appendix 1.
- 2.2 Agree the priority target groups set out in paragraph 11.3 of the report.
- 2.3 Consider the impact assessment in Appendix 2.

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

- 3.1 As an overarching observation, the 2010 Lettings Policy has successfully delivered its core goal of being a simple and transparent mechanism for helping those most in housing need. Its development though was influenced by legislative constraints that, only recently, have been relaxed by the Localism Act.

3.2 There are opportunities then to amend the Lettings Policy to take advantage of this relaxation and, at the same time, officers invite adoption of a number of other policy and procedural amendments that, having been identified through consultation with residents and stakeholders, come together as a proposed Allocations Scheme 2013.

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

4.1 Some fifteen Policy amendments are proposed and this report recommends the adoption of all of these. The alternative is to either not amend the Policy or to adopt some, but not necessarily all, of the recommended amendments.

#### 5. **BACKGROUND**

5.1 In March 2010, Cabinet agreed to the adoption of a 2010 Lettings Policy, a policy that had been developed and evolved over the preceding months in response to concerns that the then existing Lettings Policy lacked transparency, defied ease of understanding and failed to give sufficient priority to some of the most pressing of housing needs groups, notably overcrowded households.

5.2 The subject of extensive consultation with residents and stakeholders, the 2010 Lettings Policy simplified the prioritisation process by introducing 4 x distinct Priority Bands, 'promoted' the status of overcrowded households to match that of homeless households and brought renewed emphasis to length of time waiting.

5.3 Having secured the endorsement of Cabinet, officers set to the significant task of moving from the old to the new policy, a programme of work streams that, in particular, demanded major revisions to IT systems both in the Council and across those Registered Providers as members of the Common Housing Register. The culmination of this work saw the 2010 Lettings Policy "Go-Live" in October 2010.

5.4 To complement the adoption of the 2010 Lettings Policy, the commitment was given to present to members an Annual Lettings Plan, this being a mechanism designed to analyse the consequences of the new Policy and to permit and effect changes to it if:-

- i) such consequences were adverse or contrary to expectations
- ii) additional influences or demands dictated such a revision

5.5 It quickly became apparent that the 2010 Policy was delivering to and, indeed, exceeding expectations. Within this, it was anticipated that, with overcrowding being the trigger for much of the homeless presentations, prioritising overcrowded families would serve ultimately to prevent

homelessness at its source. However, there was a readiness to acknowledge that the clients' appreciation of this might take some while, with the potential then for a period where temporary accommodation numbers might increase.

5.6 In the event, this did not materialise [see below], and this is considered as a testament to how the 2010 Policy was appropriately and successfully prioritising those most in housing need.

5.7 This, the first Annual Lettings Plan, had every prospect then of merely needing to present some modest changes, principally around the operation of the Policy as well as a number of key efficiency initiatives that, if they are to be introduced, will require formal adoption.

5.8 However, the Localism Act makes specific reference to what might more appropriately be described as 'Allocations Schemes' and the delay in presenting this report to Members has been occasioned to allow for the passage of the Act through Parliament in order that its key influences can be considered early as part of the Lettings Plan process.

## 6. **BODY OF REPORT**

6.1 Deciding just who should benefit from the allocation of a social housing tenancy is, by its very nature, complicated. The exercise to consider one person's entitlement over another, if it is to avoid the risks associated with subjective influences, needs to rely on simple rules that are fairly and consistently applied.

6.2 The previous Lettings policy claimed to do that, suggesting that an available property would be considered in a cascading exercise of considering the highest priority first from the total of competing bidders. In practice, significant numbers of properties, whilst being the subject of the bidding process, were then only considered for certain groups of applicants. Where a property benefits from being on the ground floor and of having had physical adaptations, limiting consideration to urgent health cases is appropriate. However, this practice was also extended to routinely consider bids only from groups such as homeless households (to achieve the annual lets quota), transferring tenants or other priority groups.

6.3 There was nothing untoward in this but the consequence for residents was of confusion and, from this, suspicion that the system was inequitable. People with a highly placed bid one week found subsequent weeks' bids featuring outside of any prospect of an offer. Indeed, perhaps the biggest obstacle to clarity and credibility was the Community Group 3 category for it contained two distinct groups; an upper strata of those in housing need (who had prospects for an offer) and a lower strata of not in need households (with little or no prospects).

6.4 There was no obvious 'public' separation of the two groups and this led to disappointment and suspicion when one household from Community Group

3 succeeded in securing an offer despite waiting less time than another Community Group 3 household.

6.5 The 2010 Lettings Policy introduced clear and unambiguous Priority Bands and a fundamental commitment to consider the bidders for any advertised property strictly in order of those priority bands and, for separation within the band itself, by date order. To remind, those Priority Bands are:-

| <b>Band 1 – High Priority: Group A</b>            |  |
|---|--|
| Emergencies                                       | <ul style="list-style-type: none"> <li>Urgent housing need combined with serious welfare, medical, safety or emergency factors</li> </ul>  |
| Ground Floor medical                              | <ul style="list-style-type: none"> <li>Assessed for ground floor property for medical/disability reasons or Cat A/B wheelchair</li> </ul>  |
| Priority Decants                                  | <ul style="list-style-type: none"> <li>CHR Tenants whose home is due to be demolished in less than one year or tenants who need a 4 bed or a wheelchair accessible property</li> </ul>                     |
| Under Occupiers                                   | <ul style="list-style-type: none"> <li>Social Housing Tenants who want to move to a smaller property.</li> </ul>   |
| <b>Band 1 – High Priority: Group B</b>            |  |
| Priority Medical                                  | <ul style="list-style-type: none"> <li>Serious health problem that is severely affected by housing circumstances</li> </ul>  |
| Priority Social                                   | <ul style="list-style-type: none"> <li>Urgent need to move on social, safety or Welfare grounds</li> </ul>   |
| Decants   | <ul style="list-style-type: none"> <li>CHR Tenants whose home is to be demolished in more than one year</li> </ul>   |
| Priority Groups                                   | <ul style="list-style-type: none"> <li>Groups given priority in the community's interest or because of their circumstances</li> </ul>  |
| <b>Band 2 - Priority Band</b>                     |  |
| Overcrowded and Homeless applicants               | <ul style="list-style-type: none"> <li>Overcrowded tenants of CHR partner landlords</li> <li>Housing applicants who are overcrowded</li> <li>Homeless households</li> </ul>                                |
| <b>Band 3 - General Band</b>                      |  |
| Applicants who are not overcrowded                | <ul style="list-style-type: none"> <li>Tenants of CHR partner landlords who are not overcrowded or other housing need</li> <li>Housing applicants who are not overcrowded or other housing need</li> </ul> |
| <b>Band 4 - Reserve Band</b>                      |  |
| Applicants who do not qualify of Bands 1, 2, or 3 | <ul style="list-style-type: none"> <li>Applicants who do not have a local connection</li> <li>Property Owners &amp; Leaseholders</li> <li>Tenants of non-CHR partners</li> </ul>                           |



6.6 The success of the 2010 Lettings Policy though is tangible and it is worthwhile then comparing some key statistical data from the application of the Old and the 2010 Lettings Policies, thus:-

|                                  | Old Policy –<br>2009/10<br>[last full year] | 2010 Policy –<br>2011/12<br>[1 <sup>st</sup> full year] |
|----------------------------------|---|---|
| Overcrowded Lets                 | 1,054 [40%]                                 | 1,642 [61%]   |
| Homeless Lets                    | 943 [36%]                                   | 357 [13%]   |
| Homeless Temporary Accommodation | 1,883                                       | 1,858   |

## 7. Building on the Successes

7.1 As referred to in Paragraph 5.4 above, the capacity to present an Annual Lettings Plan was introduced to allow for any necessary Policy revisions, particularly in response to any unanticipated or adverse outcomes as well as any failure to address key objectives, especially around tackling overcrowding as the main source of homelessness.

7.2 However, it is clear from the implementation of the 2010 Lettings Policy since its go-live date that no fundamental revisions to the prioritisation process are required. Accordingly, this report presents key recommendations to cabinet in order to :-

- Explore and consider for adoption some of the opportunities as are available by the Localism Act's relaxation of legislative constraints that previously dictated elements of the 2010 Lettings Policy e.g. the requirement to accept onto the Housing Register people with no local connection, and
- From that, to also consider a number of policy and operational changes that have been identified as adding further value to the allocation mechanisms, making these "smarter" by either introducing efficiencies in processes or by making the best use of social housing stock. Each of these is introduced as specific themes.

7.3 Before debating each theme however, the following summarises the Localism Act's provisions as they relate to social housing allocations reform in order to underpin then the recommendations for the policy revisions proposed.

7.4 The Act gives much greater freedom to local authorities to set their Allocations Schemes, albeit whilst still requiring that certain groups of people should be given "reasonable preference" (overcrowded, homeless, medical, social, etc.).

7.5 For example, Allocations Schemes can now take into account :-

- A person's limited prospect of gaining a social tenancy, even empowering local authorities to prevent those not in housing need from being on the housing register.

- The financial resources available to the person with a view to limiting their access to the waiting list.
- Any behaviour by the person or a member of their household that affects their suitability to be a tenant
- The extent or otherwise of any local connection, removing the current obligation to open the Housing Register to everyone, even those with no local connection

Following consultation on the above proposals, The Government published its statutory guidance on the allocation of accommodation in June 2012

7.6 The Housing Options Service therefore progressed through a series of consultative programmes with key stakeholders, especially at member level and with partners from the Common Housing Register to help identify areas where, either operationally or procedurally, amendments to the 2010 Lettings Policy could be considered in an exercise to develop the 2013 Allocations Scheme.

7.7 Relying on that work, a schedule of policy revisions and service efficiencies was drawn up and this was used to inform a comprehensive programme of consultation that was undertaken during October and November 2012. That engagement included :-

- on-line resident surveys as advertised widely through general and specialist local media, and direct mail shots to a proportion of new applicants
- Direct targeting of all households on the waiting and transfer lists, including non-borough residents, via the Homeseekers Web Page
- resident drop-in sessions
- group and individual engagement with partner landlords
- partners landlords themselves engaging with their own residents
- direct non-partner landlord engagement

A summary of the consultative work is captured at Appendix 3

## 8. **Lettings: Revisions to policy and operational practice**

8.1 Detailed in the paragraphs below are the potential revisions to operational practice or policy and, where appropriate, a summary of residents' views. From this, suggestions as to how the 2013 Allocations Scheme could be framed are made by identifying these as separate amendments to the 2010 Lettings Policy [Appendix 1]. They are though detailed below as distinct themes.

## **Joining the Housing List**

### **8.2 The Application Process**

- 8.2.1 The Localism Act and the Allocations Code of Guidance invite the potential for Councils to deny access to its Housing Register any person who is not likely to succeed in their pursuit of a social housing tenancy. There is merit in this. Primarily, it avoids the raising of expectations and, instead, gives such households an immediate awareness that they need to adopt other measures to satisfy their housing need. In addition, potentially significant business costs associated with the administration of registering, reviewing and updating of such applications can be avoided.
- 8.2.2 Practically though, it is fairly anticipated that there could well be similar or greater costs associated with explaining any decision not to accept an application, with doubtless a costly appeal mechanism needed to be employed.
- 8.2.3 For this reason, it is not proposed to recommend any mechanism that seeks to deny access to the housing register any household solely because they lack a housing priority. Rather, and in appreciation still of the merit of those not in housing need being made aware of their very limited prospects for a social housing tenancy, the proposal is that Bands 1 & 2 will be deemed the “Housing Need” Bands.
- 8.2.4 Those households not in housing need are to be registered in Bands below 1 and 2. Currently, there is reliance on a total of four bands, the fourth being employed to register households with no local connection, tenants of partner landlords and property owners/leaseholders. This report makes separate recommendations on how, in future, all three of these categories should be dealt with, to the extent that Band 4 would no longer be required. The remaining Band 3 would be deemed the “Housing Options” Band.
- 8.2.5 Bands 1 & 2, being households in housing need, are to benefit from the Lettings Service’s refocus of resources, giving capacity for a tenancy attainment function to assist urgent cases, vulnerable households, under-occupiers, over crowded households, those who in particular are more vulnerable to the consequences of Welfare Reform and those whose individual housing needs demand often bespoke solutions.
- 8.2.6 Examples include targeting those households not taking advantage of their chronological progression, under-occupiers and those disabled households who require specialist housing that often dictates a design and build approach.
- 8.2.7 Resourcing this focussed tenancy attainment function can be achieved within existing resources by adopting a lighter touch approach to households in Band 3. The norm for applicants in this Band will be that the Service will not initiate contact. For example, the regular reviewing of Band 1 & 2 cases (to establish any change in circumstances) will be substituted with the

expectation that Band 3 households will need to inform any such changes. Enquiries on housing prospects, whilst receiving bespoke information for Bands 1 & 2, will involve Band 3 households being directed towards self-help opportunities as facilitated by the wider services available from Housing Options.

8.2.8 Likewise, responses to information requests on bidding successes e.g. “where did I come in my last bid” will be achieved directly through IT enhancements that will include automatic bid position as each bid is lodged and property outcome [the priority banding and registration date of the successful bidder] at the end of the bid cycle, a mechanism just as useful of course for those households in Bands 1 and 2.

### 8.3 Local Connection

8.3.1 There are, principally, four elements to this. The first relates to pre-Localism Act statutory requirements that any household, regardless of where it currently resided, could join any council’s housing register. Such households, with no local connection at all to Tower Hamlets, are currently placed in Band 4. Their prospect of being offered a social housing tenancy is all but nil. Despite this, there is an administrative cost in maintaining such applications and, in addition, the size of the council’s housing register is distorted and not fully reflective of demand. For this reason, the recommendation is to take the opportunity being made available by the Localism Act and generally deny access to our housing any household with no local connection. There will however be safeguards to this as confirmed at Paragraph 8.3.13 below, including ‘exceptional grounds’ at v).

8.3.2 Aside from that specific category of household, the current policy does entertain applications from persons who satisfy the current “Local connection” criteria. Currently, those criteria are any one of the following:-

- i. has lived in the borough for 6 months in the last 12 months or 3 years in the last 5 years (not necessarily continuously)
- ii. has close relatives in the borough (who have themselves lived in the borough for a minimum of 5 years)
- iii. has permanent employment in the borough (regardless of how long that employment has been)

8.3.3 With demand ever increasing, the growing realisation was of needing to give priority to local people for homes in the borough and that meant asking residents if they wished the adoption of measures designed to make the “Local Connection” definition stricter. In this regard, Cabinet is reminded that over 2,000 households on the Council’s Housing Register live outside of the borough and a further 700 currently live in the borough but have failed to provide sufficient proof of residence to establish a “Local Connection” under existing definition. Resident consultation was therefore conducted on all three

definitions and the overwhelming view was that the criteria needed to be much stricter.

- 8.3.4 In considering local connection by length of time someone has themselves lived in the borough, there has been very little appetite to keep to the existing “6 months in the last 12 months or 3 years in the last 5 years” with a 6 : 1 ratio seeking change. Asked whether that change should be for a continuous period of, respectively, 3, 5 or 7 years, the favoured option has been for the 3-year proposal. That is recognised as being less strict than many other London Boroughs particularly those in the West London Partnership who are looking at setting limits of 5 years residency.
- 8.3.5 However, officers are nonetheless minded to propose this amendment to the definition of the Local Connection, appreciating that living in any area for 3 years continuously is not at odds with inheriting a perception that one is “local” to that area. It is therefore proposed that the Local Connection definition as it pertains to the length of time a household has itself lived in the borough be revised so that, for the 2013 Allocations Scheme, it will read “*must have lived continuously in the borough for 3 years at the time of registration and need to remain resident in the borough to preserve that registration*”. Within this expectation though, safeguarding mechanisms will be employed where an individual household falls within one of the reasonable preference groups but has not yet accrued the necessary residential qualification. These mechanisms will include the capacity to still register an application if, upon review, the decision to otherwise exclude is deemed inappropriate. Examples will include significant social or medical reasons where application of a period of occupancy criteria would be deemed unreasonable or disproportionate.
- 8.3.6 That aspect of Local Connection by way of relatives living in the borough also encouraged the majority view that this definition needs to be stricter. A number of options were presented for consideration from “no reliance for relatives” to requiring those relatives themselves to have been resident for varying periods (respectively 10, 15 and 20 years). No one option featured significantly over any other, in the context anyway of there being only a modest response to the consultation exercise (less than 2% of the total on the Housing Register).
- 8.3.7 For that reason, and in the context this is about households who themselves do not live in the borough and have made a home for themselves elsewhere, the proposal before Cabinet is to generally not accept applications from non-borough residents who cite as their reason for wishing to join the fact that they have relatives in the borough. That said, it is recognised that there might again be other over-riding imperatives.
- 8.3.8 Examples are likely to include the care of close relatives who are dependents or other extenuating reasons. If then the Council is satisfied that it is in its own best interests to assist an out of borough resident, for example by avoiding the otherwise cost of providing social care direct, or, upon review, other extenuating reasons are accepted, it will recognise a Local Connection via that close relative and therefore access to the Housing Register.

- 8.3.9 The final opportunity to currently derive a Local Connection is by way of having permanent employment in the borough. The majority view is that this needs to be removed as, currently, this allows non-residents to first secure employment locally and then seek housing. Again, appreciating that this affects households who do not live in the borough and have made a home for themselves elsewhere, Cabinet is asked to agree that where a person is employed should not be permitted to give them entitlement to claim a Local Connection.
- 8.3.10 As with the residential qualification though, safeguarding mechanisms will again be available where an individual household falls within one of the reasonable preference groups and seeks access to the housing register on the grounds of having permanent employment within the borough. These mechanisms will include the capacity to still register an application if, upon review, the decision to otherwise exclude is deemed disproportionate
- 8.3.11 Amendments to the Local connection criteria will only be applied to households who are currently living out of the borough or who have only lived in the borough for so short a time that they have failed to establish a local connection already. It will not be applied to households who have achieved the current six months in twelve, or three years in five expectations. This also means that those households to whom a statutory homeless duty has been accepted will likewise not be affected by the changes.
- 8.3.12 Moreover, in introducing these amendments, contact will be made with all affected households and, where it is recorded that each comes within one of the reasonable preference groups, they will be invited to make representations to permit the council to consider continuation of the registration if this is deemed appropriate and proportionate. Furthermore, any negative decisions will be the subject of an independent appeal mechanism.
- 8.3.13 However, it is appreciated that, for the purposes of assessing a homeless duty, the local connection criteria as it pertains to Part 7 of the Housing Act 1996 still relies on the six months in twelve/three years in five expectation. In order to prevent the practice of using a homeless application to circumvent the new local connection criteria, any newly accepted homeless households will not be eligible to join the Housing register until said household has satisfied that new local connection criteria, for the purposes of which, "living for three years continuously in the borough" includes occupying accommodation provided by the council in the discharge of its homeless duty even if outside of the borough's boundaries. Again though, this will be the subject of a review mechanism to gauge the merit of still registering such an application if, upon review, the decision to otherwise exclude is deemed either inappropriate or disproportionate
- 8.3.14 Aside from the wider safeguards described above, it is important to preserve the ability to apply some specific and fundamental exceptions. These are defined as:-
- i) As per the new regulatory requirement, for Armed Forces personnel

- ii) Any application pursuant to a local or national mobility scheme
- iii) Sub-Regional, or Regional, nominations
- iv) Other recognised reciprocal arrangements
- v) Other exceptional reasons, or where it is in the council's interest to do so, subject to agreement of the Service Head/Lettings Manager

#### **8.4 Anti-Social Behaviour**

8.4.1 A council or housing association tenancy is an important public asset and for that reason, residents' views were sought on the potential for not allowing people with a history of bad behaviour to join our Housing Register. To assist, the consultation process reminded that the aspects of bad behaviour being considered included perpetrators of domestic violence, racial harassment and hate crimes and people who have lost their tenancy because of serious breaches of their tenancy.

8.4.2 The consultation results were, not unsurprisingly, overwhelmingly in favour of some form of sanction. The single largest view was for a permanent ban but a ban for any one of a number of term of years (3, 5 or 7) was in the majority and, from that, the policy amendment proposal before Cabinet is to introduce a temporary 3-year ban on joining the housing register for any person with a history of anti-social behaviour as defined in Paragraph 8.4.1 above.

8.4.3 In practice then, any applicant, partner or other member of the household who has been convicted of, or had legal action taken against them, for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff and residents in the applicant's neighbourhood will be excluded until they are able to demonstrate that, for a period of not less than three years, there has been no repeat occurrence although earlier reviews may be considered in exceptional circumstances.

8.4.4 An important consideration relates to persons whose mental health may have been a contributory factor in the incidents. As advised in the revised policy at Appendix 1, an applicant who suffers from a mental ill health shall not be ineligible if the conduct in question was directly attributable to said mental ill health, the council usually relying on medical evidence to assist in determining this aspect.

#### **8.5 Persons earning a high salary**

8.5.1 As part of the consultative exercise, the value of mixed communities was recognised and it was reminded that social housing should not just be for those people who, for whatever reason, are the most deprived. However, it was appreciated that people who have high earnings have many other housing options available to them – a private sector tenancy, maybe shared ownership or even home ownership.

8.5.2 Based on that premise, residents were asked whether income thresholds should be introduced and, if so, at what level. There was a fivefold call for

thresholds, with the significant majority suggesting a limit of £60k per annum. However, it is questioned whether this limit, reflecting no doubt the low earnings of so many of our residents, is nonetheless too low to be appropriate in the context of such issues as the cost of home ownership and even shared ownership in the borough.

- 8.5.3 Further influenced by the Affordable Rent regime, the amendment to the lettings Policy before Cabinet is that a joint-income limit of £85K per annum be introduced, this figure increasing annually by the rate of RPI. This figure will not be applied retrospectively but, instead, introduced to influence eligibility considerations for all new applications.

## **8.6 People who already own a property**

- 8.6.1 Until the law changed, the Council was required to open the Housing Register to everyone. With the new ability to adapt our policies and procedures to suit local needs, the consultation exercise sought views on whether, in adopting a general rule to preclude home owners from joining the Housing List, there could be some for flexibility in some circumstances.

- 8.6.2 The consensus was to accept the merit of appreciating exceptional circumstances where home owners, if unable to realise their assets to source their own housing solution, might be given access to the Council's Housing list, most likely by way of a fixed term tenancy, as a Management Priority award especially where:-

- An elderly person needs sheltered accommodation – likely this will place the application in Band 3
- A disabled person's home is unsuitable but it cannot be adapted – likely this will place the application in Band 1B (unless an 'Emergency')
- There are other emergency medical reason to move – likely this will also place the application in Band 1B (unless an 'Emergency')

And the proposal is therefore that the 2013 Allocations Scheme will reflect the position that home owners will not normally be permitted to join the Housing Register save in the three exceptional circumstances above.

- 8.6.3 The 2013 Allocations Scheme and its complementary operational procedures will set out the mechanisms to be employed to assess an individual's inability to attend to their housing needs by asset realisation

## **8.7 Other Exceptional Circumstances**

- 8.7.1 The above provisions attempt to capture when, typically, any class of household may or may not be accepted on the Housing Register. In so doing, these reflect on broad categorisation around reasonable preference and the extent or otherwise of local connection.



8.7.2 In addition to this, it is considered appropriate to preserve the capacity to either:-

- i) accept onto the housing register, or
- ii) refuse to register

individual applications. Although not exhaustive, examples of the former could include specific social or other imperatives, whilst examples of the latter might embrace contrived applications or a deliberate worsening of circumstances. Acceptance or rejection decisions may be time limited and all decisions shall be in writing and subject to independent review by an officer senior to the decision maker.

### Bidding for properties and managing offers and refusals

#### **8.8 Bid Limits**

8.8.1 When, in 2009/10, the 2010 Lettings Policy was in its draft stage, consultation with residents came out overwhelmingly in favour of limiting bids, subject to specific provision being made to permit multiple bids on new developments. In the event, this opportunity was not progressed in the adoption of the 2010 policy.

8.8.2 It has since then been appreciated that this was an opportunity missed. All the partner stakeholders voice the view that a limit on the number of bids a resident can lodge is vital if inefficiencies are to be avoided. For example, in the 12 months to 30<sup>th</sup> September 2012, nearly 2¼ million bids were submitted for just 3,877 advertised properties.

8.8.3 Unlimited bidding tangibly fosters an environment where bids are lodged regardless of any intention to consider accepting the property in question. Indeed, on average last year, each advertised property was viewed and rejected four times before finally being accepted.

8.8.4 Anecdotally, it is suggested that those households who have achieved the top of the chronological queue know they have reached this position and use unlimited bidding to the disadvantage of those households immediately beneath them. Aside then from the significant administrative costs associated with so many bids, the whole bidding concept can be brought into disrepute, especially to those “always coming second” households.

8.8.5 Operationally, mitigations for unlimited bidding and subsequent refusals, which are to be discussed below, sees landlords having to introduce practices such as multiple viewings. These can raise expectations of a possible offer and, if then an offer does not materialise, the potential for resident dissatisfaction is high.

8.8.6 Aside from the strong views of partner landlords, including Tower Hamlets Homes, that bids limits should be introduced, consultation was also had with

residents. Collectively, when asked whether bids should be limited and penalties introduced if offers are refused, the ratio of 60:40 in favour has been realised. Within that outcome though, solely limiting bids was not popular.

- 8.8.7 That said, the consultation missed the opportunity of reminding of the intention to respond to requests for facilities on the Homeseekers bidding web site such as “real time” information on the lodged bid’s actual position. This is a particularly significant enhancement as it will permit applicants to appreciate obviously unsuccessful bids and allow these to be withdrawn and placed elsewhere.
- 8.8.8 A combination of options around the maximum number of bids permissible in any one bidding cycle has resulted in preference being expressed for three bids. Although being an operational rather than a policy imperative, the 2013 Allocations Scheme at Appendix 1 reflects this proposal, complementing the same with details around how a single bid will count in cases of multiple property availability in new developments; the “group bid” process e.g. *“all 2-bedroom 2<sup>nd</sup> floor properties with identical attributes in the same block”*.

## 8.9 **Managing Refusals**

- 8.9.1 Aside from the advice that, on average last year, each advertised property was viewed and rejected four times before finally being accepted, the consultation process also took the opportunity to inform that there are many examples of people who have bid for, but then refuse, upwards of 20 or more properties
- 8.9.2 This slows up how quickly we can let a property and, thus, frustrates people who are genuinely interested in those vacancies from getting a speedy offer. In addition, it occasions a differing level of service to, amongst others, homeless households who, with the statutory obligation to accept the first offer (subject to a review), have upwards of a 9 in 10 acceptance rate.
- 8.9.3 For these reasons, the consultation results were significantly in favour of introducing penalties and the single highest response was that a permanent ban on bidding be applied upon refusal of the third offer. Collectively though, the proportional representations for various temporary ban periods covering 12, 24 and 60 months was higher than the “permanent ban” lobby.
- 8.9.4 Accordingly, this report recommends a 12-month demotion to the bottom of the priority group be employed upon refusal of the third offer, with this penalty being repeated for any subsequent offer refusal. On the expiry of the 12-month period, if no other offers have been rejected in the intervening period, the original priority date is then restored.
- 8.9.5 Offer refusals include circumstances such as unreasonably failing to attend a viewing and the above provisions are in addition to the Policy imperatives that reflect first offer acceptances for any Band 1B Priority Target Groups

and management cases, and possible down-grading of priority for Emergency Medical applications.

- 8.9.6 This is possibly a little more tolerant than many London authorities; penalties are known to be applied after one or two refusals. However, it is recognised that harsher sanctions can be applied in the future if the proposed mechanism does not alter refusal rates.
- 8.9.7 One important facet in considering refusals is the view that better advertisements would minimise refusals of properties. It has been suggested that there is significant reliance on the property details in East End Life, the contention being that, whilst the web-pages do hold more information on each property, many clients might not be “computer literate”.
- 8.9.8 The truth is however that over 93% of bids are made on-line. Work will though be done within space limitations to see what can be achieved to both improve print-copy information and signpost readers to consider the web information ahead of placing their bid.

### **Additional Proposals**

#### **8.10 Bidding for certain property sizes**

- 8.10.1 The current Lettings Policy recognises the value of giving accommodation of sufficient size to achieve the separation of sexes. For example, a couple with two children of opposite sex will be expected to occupy a 3-bedroom property whereas a couple with two children of the same sex will only be entitled to a 2-bedroom property.
- 8.10.2 The Coalition Government’s Welfare Reform proposals include provisions that influence this by applying a percentage reduction in the amount of Housing Benefit payable if, in a formula set by the Government, a household has more bedrooms than it needs. For the purpose of this definition of “more bedrooms than needed” it is expected that children of the opposite sex who are under the age of ten years will be expected to share a bedroom.
- 8.10.3 The council considers this to be short-sighted, it failing to appreciate that children age and, all too soon, such room sharing will lead to overcrowding. Nonetheless, appreciating the financial impact on families, it is the proposal to amend the Lettings Policy to permit families to bid for one bedroom less than their current policy entitlement if, otherwise, they would be vulnerable to impact from the “Bedroom Tax”. If and when a family successfully moves into a new home, any subsequent transfer application will start with a new date for that application.

#### **8.11 Keyworkers**

- 8.11.1 In 2002, the Council introduced a “Key Worker” scheme which was aimed at providing housing for certain professions, like teaching and nursing, who otherwise were having difficulty getting accommodation in the borough.

8.11.2 However, in the intervening years, the surge in demand for housing does call into question the principle of setting aside upwards of 50 properties per annum to be reserved for people who, aside from likely being able to access other housing options, are generally recognised as being less in need than many other households.

8.11.3 Appreciating the existence of other initiatives for key workers e.g. HomeBuy, as well as opportunities other than social renting that are actively referred to in housing options discussions, the potential to cease the Key Worker scheme was included in the consultation. The strength of opinion in support of such cessation saw a response rate in excess of 3 : 1 in favour and, for this reason, this report includes the recommendation that the Key Worker Scheme cease. This decision, if agreed, will be applied forthwith, those individuals registered on the scheme being contacted and apprised of their wider housing options. This contact will include inviting individuals to make representations about the decision in order for the council to consider and reflect upon any undue consequences of hardship.

## 8.12 **Tenants of Non-Partner Landlords**

8.12.1 The current Lettings Policy, in recognising that non-partner social landlords are not required to afford access to their properties, currently places those of their tenants who are seeking a transfer in Band 4. In so doing, no regard is had to the individual's overcrowded circumstances if it were, the respective application would be in the relevant higher Band.

8.12.2 It is considered that this failure to recognise an individual's housing need by awarding them due and reasonable preference renders the council vulnerable to challenge to such an extent as to merit recommending amending the Lettings policy to permit non-partner landlord tenants equal access to the Priority preferences as their circumstances dictate.

8.12.3 This proposal, if adopted, lifts such applications out of Band 4 into one of the other higher bands and, as advised above, as this means no applicable categories for Band 4, this Band is removed.

## 8.13 **Medical Appeal Mechanism**

8.13.1 The current mechanism relies on a 3-stage process of assessment, Stage 1 appeal and, as appropriate, a 2<sup>nd</sup> Stage appeal. This is a time consuming and costly process and, significantly, delays the giving a key decisions to applicants. Analysis of the processing times of appeals lodged in 2011/12 saw these average 6 months.

8.13.2 Moreover, during this period, only 5 cases were successful out of the original 1,512 medical applications at the 2<sup>nd</sup> Stage. The recommendation then is to employ mechanisms similar to others that reflect the pursuit of housing priority , not least homeless applications and management priority

where, following an assessment, a single (often statutory) appeal process is afforded.

8.13.3 With the introduction of this revised mechanism and as appreciated by the Impact assessment, the 5 x successful cases will be examined to understand why they were not awarded priority at the initial assessment and the findings will be used to revise procedures and practices as may be necessary to ensure such cases are properly assessed first time.

## 8.14 **Implementation**

8.14.1 Implementation of any adopted revisions will invariably require varying degrees of amendments to the IT systems associated with Lettings process. Experience during the last, albeit major, exercise to revise the Allocation Scheme in 2010 suggests a minimum 3-6 month period and, in appreciation of that, much ground work has already been done, not least to be able to bring in the “bidding for smaller” capacity quickly.

8.14.2 This period will be used to mount a comprehensive programme of information and advice to residents about all the changes; what they mean, what are their benefits and how best they can use these to maximise their own housing opportunities.

## 9. **Summary of the Policy and Operational provisions proposed**

- I. Bands 1 & 2 will be defined as the “Housing Needs” Bands, Band 3 as the “Housing Options” Band.
- II. Subject to other policy influences, Persons deemed not in housing need will still be permitted to join the Housing Register
- III. In order to join the Housing Register, a person must be able to satisfy the Local Connection criterion.
- IV. That criterion is defined as having lived continuously in the Borough for a period of no less than three years.
- V. Local connection will not be accrued by virtue of either having relatives who live in the borough or by having permanent employment in the borough
- VI. An exception to V. above is:-
  - a) As per the new regulatory requirement, for Armed Forces personnel
  - b) Any application pursuant to a local or national mobility scheme
  - c) Sub-Regional, or Regional, nominations
  - d) Other recognised reciprocal arrangements

- e) Other exceptional reasons, or where it is in the council's interest to do so, subject to agreement of the relevant Service Head/Lettings Manager
- VII. Persons who have been established as perpetrators of ASB will be precluded from joining the Single Housing Register for a period of 3 years from eviction, service of NOSP, conviction, etc.
- VIII. Persons who have a joint annual income in excess of £85,000 will likewise not be permitted to join the Housing Register, this figure increasing annually at the rate of RPI. As confirmed in Paragraph 8.5.3, this figure will not be applied retrospectively but, instead, introduced to influence eligibility considerations only for all new applications.
- IX. Homeowners will likewise be denied the opportunity to join the Housing Register save in exceptional circumstances of housing need and where they are unable to realise their assets in order to themselves address that housing need
- X. A general capacity to either accept or reject individual persons outside of the wider provisions of the Allocations Scheme, with the possibility of time-limited decisions that anyway would be subject to independent review by an officer senior to the original decision maker.
- XI. Participants in the Choice based lettings mechanism will be permitted a maximum of three bids per weekly bidding cycle. There will however be specific arrangement around multiple-bids for new developments when, as described in Paragraph 8.8.8 above, a single bid will count in cases of multiple property availability in new developments, one bid for all properties with the same attributes, including size and floor level.
- XII. Persons who refuse offers of accommodation will be subject to a temporary 12-month demotion to the bottom of their respective band upon refusal of a 3<sup>rd</sup> or any subsequent offer
- XIII. Households with children under the age of ten years and of opposite sex will be permitted to bid for properties that permit those children to share a bedroom subject to this being one bedroom less than they would otherwise be entitled to under the 2010 Lettings policy and subject to the arrangement not creating statutory overcrowding.
- XIV. The Key work scheme is to cease
- XV. Tenants on non-partner landlords will be given equal reasonable preference by having their respective housing needs recognised, their application being placed in the relevant Priority Band rather than the current Band 4

## 10 Safeguards & Mitigations

- 10.1 Appendix 2 to this report contains the comprehensive Impact Assessment of all of the recommended amendments to the Allocations Scheme. In the same way that Section 9 of this report summarises these amendments, this section of the report summarises the safeguards and mitigations identified by the Impact Assessment, presenting these against each relevant amendment.
- 10.2 **The 3-year Residency Criteria:** Upon the adoption of the recommendation to introduce a 3-year minimum residency criteria, all persons who do not live in the borough will be removed from the Housing Register. This will include non-borough residents who previously secured a “local connection” by way of having permanent employment in the borough, or by having close family living here.
- 10.3 To mitigate any adverse impact, all affected persons will be contacted and advised of the criteria changes. They will be invited to make representations if they feel that the decision causes significant hardship and an appeal mechanism will be employed to consider the representations. The appeal, if it recognises such adverse and significant hardship will restore the application in to the relevant Priority Band 1, 2 or 3.
- 10.4 This opportunity will be further extended to all in-borough applicants who have either not reached the current residential requirements, or may simply not have actioned their individual applications as diligently as they perhaps should have. Indeed, the intention is to write to these particular households in the period between Cabinet approval and actual Scheme amendments “Go-Live”, they being invited to evidence their local connection pursuant to the current scheme before the changes come into effect. In essence, this will be a process of transitional relief.
- 10.5 That specific invitation to all in-borough applications who have failed to evidence a local connection will be complemented by the further advice that the council will entertain applications to waive these requirements in exceptional circumstances or where their enforcement would cause undue hardship.
- 10.6 **Earnings Threshold:** Any blanket approach risks being one without safeguards. The intention with this amendment is to again entertain representations from individual applicants to allow consideration to permit joining the Housing Register if they are able to demonstrate some unanticipated or disproportionate impact or exceptional hardship.
- 10.7 **Key Workers:** Abolishing this scheme affects just 42 households currently. All will be specifically re-reassessed and awarded appropriate priority under the new Allocation Scheme. In addition, all who are to be removed from the register will be notified in writing and will be given the opportunity to make representations about any hardship they may suffer. Importantly, such written advice will be around three months ahead of Scheme amendments, this then

giving a limited period to continue to allow person to bid for suitable homes before their priority status is removed.

- 10.8 **Bid Limits & Penalties:** Although not reflected in the Impact Assessment for these apply to all applicants equally, it is considered worthwhile emphasising the complementary work associated with these proposals to generally minimise impact. Aside from the intention to provide clear and consistent information ahead of these changes, IT enhancements are planned that, in particular, will give bidders ‘live feedback’ on the position of a bid as lodged. This will allow immediate appreciation of a failed bid and the opportunity of placing it elsewhere. Lodged bids will be responded to with a pop-up message that reminds of the penalty potential if three offers are refused unreasonably. On that point, an appeal mechanism will be employed to ensure that any decision to place at the bottom of the Priority Band is a reasonable penalty in all circumstances.

## 11 The Lettings Plan

- 11.1 Following the adoption of the 2010 Lettings Policy, the June 2010 Cabinet agreed to set targets for the new Band 1 B ‘Priority Targets Groups’, these being designed to reflect certain specific priorities outside of the wider imperatives to consider the “reasonable Preference” groups, not least overcrowded households.

- 11.2 The table below outlines outcomes against each of those targets

| <b>Priority Target Group</b>                | <b>Original Target</b> | <b>Demand Nov 2012</b> | <b>Lets 10/11</b> | <b>Lets 11/12</b>   |
|---|------------------------|------------------------|-------------------|---------------------|
| Intensive Community Care and Support Scheme | 20                     | 14                     | 7                 | 25                  |
| Key Worker Scheme                           | 25                     | 42                     | 11                | 30                  |
| Supported Housing Move On Scheme            | 50                     | 4                      | 7                 | 15                  |
| Host Team Referrals                         | 50                     | 13                     | 32                | 128                 |
| Applicants Leaving Care                     | No Target              | 11                     | 7                 | 26                  |
| Sons and Daughters of CHR Partner Landlords | No Target              | 11                     | 5                 | 6                   |
| Foster Carers                               | 8                      | 3                      | 2                 | 1                   |
| Retiring from tied housing                  | No Target              | 0                      | 0                 | 0                   |
| Waiting List Decant                         | No Target              | 12                     | 7                 | 22                  |
| <b>Totals</b>                               | <b>145</b>             | <b>110</b>             | <b>78</b>         | <b>253</b>          |
| <b>Band 3 Lets</b>                          | <b>Original Target</b> | <b>Demand Nov 2012</b> | <b>Lets 10/11</b> | <b>Lets 11/2012</b> |
| Bedsit/1-bedroom                            | 40                     | 6109                   | 96                | 86                  |
| 2 bedroom                                   | 7                      | 71897                  | 8                 | 13                  |
| 3 bedroom                                   | 3                      | 958                    | 1                 | 3                   |
|   | 50                     | 8,964                  | 105               | 102                 |



- 11.3 Under the allocations scheme, “Priority Target Groups” are in Band 1 Group B. Cabinet is asked to consider and agree revised targets for each of the priority targets groups as detailed below.

### **Priority Target Groups**

There are some changes to the groups proposed. The Keyworker Target Group will be ended as recommended in the report-but ‘Armed Forces Personnel’ will be set up as a new target group because under new legislation armed forces personnel are required to be given additional housing preference if in urgent housing need.

Placing Armed Forces Personnel in Band 1 Group B, as one of the Priority Target Groups will ensure compliance with current legislation and effective monitoring and rehousing of such applicants within a reasonable period. Currently no target is being suggested because existing numbers on the Housing Register are unknown but current numbers and new applications are likely to be low.

| <b>Priority Target Group</b>                    | <b>Proposed Target</b> |
|---|------------------------|
| Intensive Community Care and Support Scheme     | <b>35</b>              |
| Supported Housing Move On Scheme/HOST referrals | <b>75</b>              |
| Applicants Leaving Care                         | <b>No Target</b>       |
| Sons and Daughters of CHR Partner Landlords     | <b>No Target</b>       |
| Foster Carers                                   | <b>8</b>               |
| Retiring from tied housing                      | <b>No Target</b>       |
| Waiting List Decant                             | <b>No Target</b>       |
| <b>Totals</b>                                   | <b>118</b>             |
| <b>Band 3 Lets</b>                              | <b>Proposed Target</b> |
| Bedsit/1-bedroom                                | <b>92</b>              |
| 2 bedroom                                       | <b>28</b>              |
| 3 bedroom                                       | <b>16</b>              |

- 11.4 Intensive Community Care and Support Scheme: In 2011/12, 25 applicants were rehoused. There are currently 14 applicants waiting to be rehoused. It is proposed to increase the number in the scheme to 35 for 2013/14. The rationale for this relates to an increase in demand due to more applicants with learning disability being included and referred under the scheme. The higher target will increase opportunities for applicants living in supported

accommodation to live independently and will create vacancies for other applicants in need of this type of accommodation

- 11.5 Key Worker Scheme: to be removed from the Priority Target Group list
- 11.6 Supported Housing Move On Scheme: In 2011/12, 15 applicants were rehoused and there are currently 4 applicants waiting to be rehoused. Many of these applicants have been moved into private sector accommodation, which is why the number of lets and demand has reduced. However, some will still need to be moved into social housing so as to create vacancies for new residents and it is therefore proposed to limit the target to 25 for 2013/2014
- 11.7 Host Team Referrals: In 2011/12, 128 applicants were rehoused under the rough sleepers initiative, whereas the year before only 32 lets were made. That is because there was a surge in demand last year because of the need to improve turn over and capacity within the hostel sector. However, it is felt that the private sector remains as an alternative source of supply and, accordingly, a target of 50 for 2013/14 is proposed. However, for the purposes of the plan, this group is merged with the Supported Housing Move On Scheme group to give a total quota of 75.
- 11.8 Applicants Leaving Care: In 2001/12, 26 care leavers were rehoused. Some 11 applicants remain waiting. However, no target is proposed as these cases will be rehoused as required.
- 11.9 Sons and Daughters of CHR Landlords. In 2011/12, 6 applicants were rehoused under the severe overcrowding policy provisions or where priority was awarded on medical grounds to a member of the household. There are currently 11 cases waiting under this provision. It is not proposed to set a target to limit the number but to respond to demand in line with the Council's overcrowding reduction strategy.
- 11.10 Foster Carers: 1 applicant was rehoused under this provision in 2011/12 and there are currently 3 applicants waiting. No target is proposed as applicants who qualify are accepted under this provision as being in need of urgent need of rehousing.
- 11.11 Retiring from tied housing: No applicants were rehoused under this provision in 2011/12 and there is currently no applicant waiting to be housed. No target is proposed; in these cases there is a contractual duty to offer rehousing from tied accommodation on retirement
- 11.12 Waiting List Decant: In 2011/12, 22 applicants were rehoused under this provision and there are currently 12 households waiting to be rehoused. Applicants qualify where they are living with a tenant in accommodation that is to be decanted. No target is proposed as qualifying applicants are offered rehousing as required

- 11.13 Annual Band 3 Quota: It was agreed that a small annual quota of lettings be made available for applicants in Band 3. These are applicants who have a local connection but who are not in housing need. It includes private sector tenants who are keen to progress to more secure forms of tenure as well as tenants of Common Housing Register partner landlords who want to move to the same size accommodation. Applicants will be considered in preference date order.

It was appreciated that these applicants have little chance of moving as they are considered adequately housed. Therefore, this quota target improves their rehousing chances. That said, applicants in Band 3 do not fall within the “reasonable preference” Categories. Therefore, the quota needed to be modest in order to comply with legislative requirements that expect preference for housing to those that do fall within these categories.

In 2011/12, 102 lets went to applicants in Band 3, against a target of 50. The demand for housing from this Band currently is 8964.

In these circumstances it is proposed that the quota for Band 3 should be increased to 6% of annual lettings which will equate to roughly 136 lets. This % will be spread equally in the ratio of bedroom demand from Band 3 households up to 3-bedroom in size, thus:-

|                |   |          |
|----------------|---|----------|
| 1 Bedroom Need | - | 92 [68%] |
| 2 Bedroom Need | - | 28 [21%] |
| 3 Bedroom Need | - | 16 [11%] |

## 12. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 12.1. This report seeks Cabinet approval to adopt the Allocations Scheme 2013 which will amend, where appropriate, the Lettings Policy that was adopted in March 2010. This follows the completion of a public and stakeholder consultation process.
- 12.2. The amendments to the Policy are, in part, based upon a review of the operation of the Policy since 2010, but also take advantage of the Localism Act’s relaxation of certain legislative constraints that have previously informed how the Lettings Policy needed to be framed. Revision of the Policy also offers the opportunity to amend current procedures and improve operational practice as outlined in the report.
- 12.3. The report recognises the need for enhancements to the I.T. system to allow ‘real time’ information to be made available to inform households of the progress of their bids, and also to limit the maximum number of bids permissible to three applications in any one bidding cycle. This will help to reduce the workload required to administer the lettings process. There will be expenditure associated with enhancements to the I.T. systems, but at this

early stage, it is not possible to quantify these costs, however they must be contained within the existing Lettings budget.

- 12.4. The 'One Tower Hamlets Considerations' section of the report, highlights the ever increasing demand for Social Housing within Tower Hamlets. However, with a limited supply to meet that demand, on-going review of the Lettings Policy is necessary to ensure that best use is made of the limited resources that are available to the Council, and to introduce efficiencies in processes, where appropriate.
- 12.5. All consultation costs involved with the preparation of the revised policy have been met from within existing budgets.

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

- 13.1 The Council is required to comply with the requirements of Part VI of the Housing Act 1996 when allocating housing accommodation. Section 166A of the Housing Act requires the Council to have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation. The Council is required to allocate housing in accordance with the allocation scheme. Until now the Council has called its allocation scheme the Lettings Policy.
- 13.2 Section 166A of the Housing Act 1996 specifies a number of matters that the Council's allocation scheme must contain. In particular, the scheme must secure that reasonable preference is given to the following categories of people with urgent housing needs –
  - People who are homeless
  - People to whom the Council owes a homelessness duty under the Housing Act 1996
  - People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
  - People who need to move on medical or welfare grounds
  - People who would suffer hardship if they were prevented from moving to a particular locality in Tower Hamlets.
- 13.3 The scheme may also give additional preference to these categories of people.
- 13.4 Following the House of Lords decision in *R (on the application of Ahmad) v Newham LBC* [2009] UKHL 14, it is also clear that reasonable preference does not mean absolute priority over everyone else and that a scheme may provide for factors other than those in section 166A to be taken into account in determining which applicants are to be given preference. It is important, however, that such additional factors do not dominate the scheme and that the scheme continues to operate so as to give reasonable preference to the

above categories of persons. The Council's existing allocation scheme was framed with these requirements in mind.

- 13.5 The Localism Act 2011 introduced a number of key changes to the framework for local authority allocations schemes under Part 6 of the Housing Act 1996. Amongst these changes, section 160ZA(7) now gives local housing authorities power to set qualifying criteria in relation to the classes of persons to whom they will allocate housing accommodation.
- 13.6 The Secretary of State has published statutory guidance under section 169 of the Housing Act 1996 which deals with the making of allocations schemes following the Localism Act amendments. The guidance is entitled "Allocation of accommodation: guidance for local housing authorities in England" and was published in June 2012. The Council is required to have due regard to the guidance when carrying out its functions under Part 6 of the Housing Act 1996.
- 13.7 It is clear from the statutory guidance that in setting qualifying criteria or imposing requirements as to classes of persons who will be granted preference, the Council should consider the impacts of those criteria or requirements. This is to ensure that the persons in urgent housing need continue to receive reasonable preference and that any policies adopted do not result in harsh and unexpected impacts. When setting its allocations scheme, the Council must also 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. An impact assessment is set out in Appendix 2, which provides information relevant to these considerations.
- 13.8 Section 166A of the Housing Act 1996 specifies minimum mandatory consultation required before making an alteration to an allocation scheme reflecting a major change of policy. The Council must send the scheme to every private registered provider with which it has nomination arrangements and ensure they have a reasonable opportunity to comment on the proposals. It is likely that proper consideration of the impacts of the new policy requires a greater degree of consultation than the statutory minimum. For example, consultation may be required with people on the waiting list to assess both equality impacts and whether the proposed changes will result in harsh or unexpected impacts. Details of the consultation conducted are set out in the body of the report.
- 13.9 The report proposes to have a single "Housing Options" band (Band 3). The intention is for applicants without any housing need to be permitted to register for housing and to be placed in Band 3. The people in this 'Housing Options' band will have a low level of preference under the scheme. The Council is required by Section 166A(9) to provide applicants with general information to enable them to assess whether accommodation appropriate to their needs is likely to be made available and, if so, how long it is likely to be before such accommodation becomes available. If the changes are

accepted, it will be important that officers ensure the Council continues to meet this obligation, even while redirecting Band 3 applicants to self-help resources.

- 13.10 The report proposes tougher criteria before applicants can establish a local connection with Tower Hamlets in order to be accepted onto the housing waiting list. Subject to specified, appropriate exceptions the requirement will be for 3 years' continuous residence in the borough. A local connection will not be established by employment in the borough or a connection with relatives living in the borough. This represents a considerable shift away from the policy in the existing lettings policy which admits a local connection is established by residence in borough for 6 months in the last 12 months or 3 years in the last five years or permanent employment in the borough.
- 13.11 The Council's proposed approach to local connection differs from both the statutory definition in section 199 of the Act and the guidelines issued previously on when a person should be considered normally resident in an area. However, consideration must be given to the way in which the Council proposes to use its new approach to local connection. Section 167(2A)(c) of the Housing Act 1996 provides that local connection (as defined in section 199) is one of the factors that the Council may legitimately take into account when determining its priorities for allocating accommodation. However, the Council's intention is not so much to use local connection as a factor for determining priorities for allocating accommodation, but rather to use it as a form of qualifying criteria which the Council may introduce under section 160ZA. Before introducing the new qualifying criterion, it is essential that the Council fully considers what the impacts will be, particularly in relation to the 2068 applicants who will be removed from the waiting list by reason of application of the new local connection requirement. The impact assessment at Appendix 2 sets out the proposal to allow exceptions to the general position, so applicants who will be removed from the list will be written to and offered an opportunity to request a review if they believe the change in circumstances will cause them hardship that the Council has not anticipated.
- 13.12 The report proposes to preclude perpetrators of anti-social behaviour from joining the single housing list for a period of three years after eviction, service of a Notice Seeking Possession or conviction, is permitted under the Housing Act 1996. Under Section 166A(5)(b) the Lettings Policy may determine priorities for allocating housing accommodation based on any behaviour of a person (or of a member of the person's household) which affects the person's suitability to be a tenant.
- 13.13 The report proposes qualifying criteria that exclude: people whose households have a joint annual income of £85,000; and homeowners. These appear to be permissible qualification requirements, provided that the Council takes into account the impacts of the requirements. These impacts need to be fully assessed. The Lettings Policy should also permit deviation from the policy if an applicant is able to demonstrate circumstances of unexpected hardship.

- 13.14 The report proposes introduction of a maximum number of three bids per weekly bidding cycle. This is an administrative matter designed to make operation of the scheme more efficient. It does not appear to affect the giving of reasonable preference and, provided it does not have that effect, is permissible under the Housing Act 1996.
- 13.15 The report proposes a temporary reduction in priority within bands to persons who refuse a third offer of accommodation. This is the sort of provision which may be permissible under the Ahmad decision referred to in paragraph 13.3 above. It is recommended that the imposition of this measure be restricted to cases where the person has refused three reasonable offers of accommodation.
- 13.16 The report proposes to permit households to apply for smaller properties than they would otherwise be entitled to, on the assumption that there are children under ten who will share a bedroom. This is permissible having regard to the bedroom standard and is specifically contemplated in the Guidance. It does mean, however, that the household may become overcrowded when the children reach the age of 10.
- 13.17 The report proposes to remove the key worker scheme. There is no legislative requirement for this scheme and, accordingly, it may be removed if that seems reasonable following consideration of the impacts consequent upon the change. Persons who are currently accorded preference by reason of being key workers will need to be written to in the manner recommended in paragraph 13.10 in respect of persons affected by the changes to local connection.
- 13.18 The report proposes to give equal reasonable preference to tenants of non-partner landlords and this appears to be consistent with the requirements of the Housing Act 1996.
- 13.19 It is consistent with the Council's statutory housing functions and its own allocations scheme for the Council to consider and adopt a Lettings Plan as proposed in the report. The proposed Lettings Plan has been prepared on a rational basis, having regard to the housing demand in the borough and the lettings made in 2009/2010. It provides a permissible means of ensuring the Council effectively gives reasonable preference and additional preference to prescribed persons under the allocations scheme and in accordance with the Housing Act 1996.

#### 14. **ONE TOWER HAMLETS CONSIDERATIONS**

- 14.1 'One Tower Hamlets' is an overarching theme that, in strengthening local leadership, reinforces the commitment to reducing poverty and inequality and bringing local communities closer together. The expectation is of assessing the relevance of this report to these One Tower Hamlets objectives.

- 14.2 Doing so has called upon a reflection of the fact that there is significant demand for social housing in Tower Hamlets but limited supply to meet that demand. Therefore, whilst continuous improvement to the Allocations Scheme is required, any such changes need to bring about a balance between the best use of the limited resources and our responsibilities to the One Tower Hamlets themes.
- 14.3 It was therefore essential to conduct an impact assessment on the proposals as suggested for the 2013 Allocations Scheme because of the potential that such amendments might lead to discrimination or adverse outcomes for some sections of our communities.
- 14.4 The comprehensive impact assessment did not consider any of the proposed changes to have the prospect of adverse consequences on any particular section of the community, notwithstanding a total of 15 policy and operational changes.
- 14.5 Possibly the most significant change centres around 'Local connection', its definition and application. When considering the potential to remove from the Housing Register non-borough residents [be they 'no local connection' or 'local connection only by way of relatives or employment'], it was identified that, proportionally there are more white and black applicants registered from outside the borough seeking housing. However, it was subsequently shown that the majority of the applicants from these two groups also did not have any priority for housing, this then negating any disproportionate impact.
- 14.6 As to those elements associated with local connection by way of a span of time that is to grow to three years, it was not possible to establish how many applicants would fail to meet the 3 years residency criteria because data on when applicants moved in to the borough is not presently collected. Thus, in order to mitigate any as yet unforeseen consequences, safeguards will be employed to acknowledge exceptional circumstances, these being designed to minimise or negate any adverse impact on applicants who may have serious urgent housing need but fail the 3 years continuous residency.
- 14.7 This said, the capacity to have an Allocations Scheme that considers the significance of local residency is itself something in tune with the goal of keeping local communities together, that of course being balanced by obligations any such scheme must have to Persons from the Reasonable Preference groups.
- 14.8 The earnings threshold could, at first sight, be seen as putting into tension community cohesion by placing a barrier to some local people because they have secured employment. Nonetheless, it is being commended for adoption principally because the scarce resource that is social housing is generally being limited to those with no other housing options; shared ownership, outright ownership or private sector renting for example. Importantly, if these options were generally not available in the borough i.e. social housing was in the significant majority, this proposal might see certain persons obliged to move away. In the event though, the various tenures in



this borough are all well provided for, thus giving a wide option of housing solutions to those earning salaries in excess of £85,000 p/a.

- 14.9 The operational changes associated with both Bid Limits and Medical appeals have not been considered as being in tension with the one Tower Hamlets considerations. Indeed, active engagement with stakeholders and residents provided the opportunity for consultation, participation and involvement on these as well as all the other proposals, with this then leading to support for the same.
- 14.10 This may be best exemplified by the proposal to end the Key Worker Scheme. Analysis demonstrated that it was not necessarily equitable to target certain professions [Health, Fire Service, Police] when to do so would be to the disadvantage of others in similar circumstances. It was apparent from the consultation results that this view was shared widely for there was overwhelming support to end this scheme.
- 14.11 The final significant aspect of the proposals related to the capacity to permit households to bid for accommodation smaller than their ideal. Again, this was precipitated by external forces directly associated with Welfare Reform, being designed to give individuals the capacity to down size in the face of threats to their income support. The proposals contribute to tackling the potential for poverty, maximise the capacity of local people to live locally, the alternative being them needing to move away to source cheaper accommodation and, it is appreciated, do not either advantage or disadvantage any particular group of persons.
- 14.12 Finally, an Action Plan has been agreed to ensure all the changes are effectively communicated to applicants and this is set out within the Impact Assessment – Section 6, Page 21 - as appended to this report, that said changes are adequately and regularly monitored and reported upon and that the outcomes are reviewed accordingly.

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

- 15.1 None identified.

16. **RISK MANAGEMENT IMPLICATIONS**

- 16.1 None identified.

17. **CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 17.1 The proposal to render ineligible for registration and application from persons responsible for anti-social behaviour has the potential to reinforce other measures designed to bring about reduction in crime and disorder.

18. **EFFICIENCY STATEMENT**

18.1 Much of the policy revisions relate to making the best use of the scarce stock that is social housing. However, a number of proposals around limiting bids and managing refusals will see activity levels within the Lettings Service drop. This, coupled with the intention to have a light touch approach to Band 3 households will allow some direct savings to be identified. Some resources will be directed towards wider service improvements under the auspices of the Service's developing role of providing a proactive tenancy attainment service for those in housing need without the need for growth but, in addition, it is anticipated that some modest savings might be further available. The extent of these is though, as yet, unquantified.

19. **APPENDICES**

Appendix 1 Copy of the 2013 Allocations Scheme

Appendix 2 Impact Assessment

Appendix 3 Summary of Consultation results

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**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

| Brief description of "background papers" | Name and telephone number of holder and address where open to inspection. |
|--|---|
| None                                     |   |

## Tower Hamlets Common Housing Register Allocations Scheme

### Introduction

1. Many people in Tower Hamlets apply for the limited supply of social housing available each year. Tower Hamlets Council and its Registered Social Landlord partners have jointly created a Common Housing Register for everyone who applies for housing and is eligible and qualifying to go onto the Register. All available housing is offered to people on the Housing Register.
2. Although the Council and its partners work to provide as many homes as possible, there are many more people on the Housing Register than there are homes available. Many who apply will have little or no chance of being offered a home. Even those who apply and do have a chance may have to wait a long time.
3. People have many important reasons for wanting to move, such as being overcrowded, not having a secure place of their own, wanting to be nearer family, a friend, to work or wanting to move to another area.
4. However, some people must be rehoused because their homes are being demolished as part of plans to regenerate the Borough and to improve the quality of life for all residents. Other people live in homes that are larger than they need and therefore by moving to smaller homes their larger home can be offered to a family on the Housing Register.
5. Some people also need to be rehoused because where they live is very unsuitable. This may be because it is too small, is bad for someone with serious health or disability problems or needs such major repairs that it is not possible for them to live there whilst the repairs are being done. Other people are threatened with homelessness and apply for help.
6. All these competing demands have to be considered and difficult decisions made about who should be offered the limited number of homes available each year. As required by law, the Council and its Common Housing Register partners have developed this Allocations Scheme in order to decide how to give priority for housing. This was after consultation with applicants on the Housing Register, Tower Hamlets residents and other stakeholder organisations and partners.
7. Not having a good home is hard to bear for many people. An important aim of the Allocations Scheme is to make it clear how decisions are made so that people who are not offered a home can understand how priority for housing is decided and have trust and confidence in how decisions are made. Some people have very little chance of being offered a home and it is important this is made clear so that they know where they stand and can consider any other options they may have.
8. How applicants are assessed; the priority they are given and how it is decided who will be offered a home is set out on the following pages. The document is in two parts.

**Part I - shows how priority is decided and how homes are allocated**

## **Part II - sets out the full policy in detail**

### **Equalities statement**

9. We are committed to delivering quality services to all, responding positively to the needs and expectations of all users of the service. We are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief. This commitment derives from our respect for every individual. This allocations scheme applies equally to everyone who applies to or is on the Housing Register.

### **Key links**

10. This Allocations Scheme has been developed by having regard to the "Allocation of Accommodation –Guidance for Local Authorities in England", published in June 2012 by Department for Communities and Local Government. In developing this scheme the Council has also had regard to the Homelessness Strategy, Tenancy Strategy and Overcrowding Reduction Strategy. These documents are available on the Council's website.

## Allocations Scheme - Part 1 -

### How priority for housing is decided

11. The Council and its Common Housing Register partners have agreed to have three bands in the Allocations Scheme. Everyone eligible to be on the Housing Register will be put in one of three bands depending upon the information given at the time of application or following any change of circumstances. The bands are described below. Band 1 and Band 2 are the housing needs bands, where applicants attract reasonable preference; Band 3 is the housing options band where applicants have been assessed as having no housing need e.g. are not overcrowded. The norm for applicants in Band 3 will be that the Service will not initiate contact. For example, the regular reviewing of Band 1 & 2 cases (to establish any change in circumstances) will be substituted with the expectation that Band 3 households will need to inform any such changes. Enquiries on housing prospects, whilst receiving bespoke information for Bands 1 & 2, will involve Band 3 households being directed towards on-line self-help opportunities as facilitated by the wider services available from Housing Options

### The Three Bands

| Bands  | Categories in each band   |
|--|---|
| <b>Band 1</b><br><br><b>High Priority Housing Need</b> | <b>Group A</b><br>Emergencies<br>Medical/Disability need for ground floor or wheelchair accessible property (category A & B)<br>Priority decants<br>Under – occupiers<br><hr/> <b>Group B</b><br>Priority medical<br>Priority social<br>Decants<br>Priority Target groups and armed forces personnel in urgent housing need |
| <b>Band 2</b><br><br><b>Priority Housing Need</b>      | Overcrowded applicants<br>Homeless applicants   |
| <b>Band 3</b><br><br><b>General Housing Options</b>    | Households with no defined Housing Need   |

12. How the bands are made up depends upon several factors. First of all the law says that the Allocations Scheme must give “*reasonable preference*” to

people who are overcrowded, homeless or need to move on medical, welfare or hardship grounds. The law also says that people can be given “*additional preference*”, because of serious medical, emergency or social and welfare problems.

13. Applicants who must be given reasonable preference or who have been given additional preference are, depending on their circumstances placed in the “Housing Needs” Bands 1 or 2 where they have a greater chance of being offered a home. Many councils are choosing not to register applications from people deemed not to be in housing need. Tower Hamlets recognises that those not in housing need might still want to be given the opportunity for a social housing tenancy, however small that opportunity might be. For that reason, non-housing need households will be placed in Bands 3, being primarily registered for housing advice and options.
14. Therefore the Council permits some homes to be made available to applicants in Band 3 in order to meet local Tower Hamlets needs. The law allows for this as long as the amount of property set aside for this purpose does not dominate the scheme.

#### **How do you decide which band my application will be in?**

15. This will depend upon your circumstances at the time of your application or after notifying us of any change in your circumstances after you have been put on the Housing Register. For example, you may be placed in a lower priority band, but can be considered for a higher priority band after an investigation or assessment of any circumstances that may qualify you for additional priority. Similarly, your priority may drop if any change in personal circumstances dictates this. Appendix 1 sets out how these decisions are made.

#### **I am on the Housing Register. What happens next?**

16. Applicants on the Housing Register can apply through the Choice Based Lettings system for homes that are provided by the Council and the Common Housing Register partner landlords.

#### **What is Choice Based Lettings?**

17. This is a method of letting homes by advertising them so that applicants can “bid” for them. Some homes will be let through direct offers process but most of the homes provided by the Council and the Common Housing Register partners are let through this method. This way everyone can see the homes that are available each advert cycle and decide whether they want to apply for them.
18. Under choice based lettings, applicants can bid for homes advertised each advert cycle. The highest priority eligible bidder for any one home is usually offered it first and then the next and so on until the home is accepted. Letting homes in this way means that applicants are considered for homes that they express an interest in. It therefore gives choice to applicants over property location and type.

#### **Grouped bids**

19. In certain circumstances, properties that are advertised may be grouped into one single advertisement. This will include advertisements for new build properties and those properties made available following regeneration schemes, where properties will be grouped by property type and size. Where there are grouped advertisements, applicants who place one bid will be considered for all properties within the group.

**There are four steps to Choice Based Lettings: -**

**Step One:** Available homes are advertised

**Step Two:** Applicants can “bid” for up to three properties each advert cycle

**Step Three:** A short list is drawn up in priority order for each advertised home from those who have bid for it

**Step Four:** A home is usually offered to the highest priority bidder first. If refused it is offered to the next priority bidder and so on until it is accepted.

**How do you decide between bids?**

20. Applicants on the Housing Register are in one of the three bands. Each applicant will be given a preference date. How this is decided will depend upon the band and may change if an applicant moves from one band to another. See Appendix 2 for how “*preference dates*” are decided.
21. When more than one applicant in the same band bids for a home it will usually be offered to the applicant with the earliest preference date in the band.

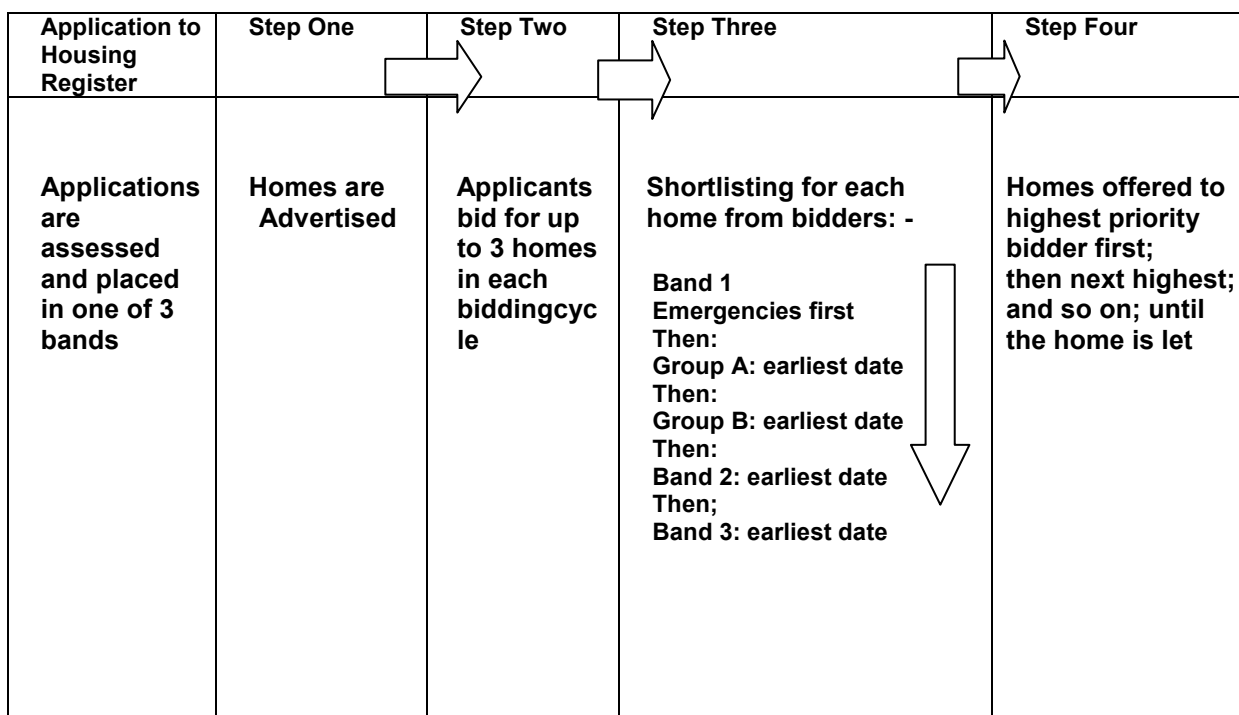
**Are all Properties let in this way?**

22. Not all properties are let in this way. The Council is keen to allocate some properties to its Priority Target Groups. The Priority Target Groups are identified as those groups to whom a proportion of lettings will be made each year and includes groups such as foster carers, supported housing move-on, people leaving care. In addition, some homes will be let directly (see 77 for more information); and a small number will be made available to applicants in Band 3 as part of the Lettings Plan. This is to reflect the council’s strategic housing need and financial priorities. They are reviewed as part of the Lettings Plan periodically. The Council monitors the lets that are made to these groups and if choice based lettings has not achieved the target lets; the Council will intervene via direct lets or restricted adverts.

**Local Lettings Plans**

23. From time to time the Council and its Common Housing Register partners may adopt local lettings plans for new build homes. The purpose of these is to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area - (see paragraph 61-64).

### Diagram - Choice Based Lettings:



### Part II – Allocations Scheme in detail

#### Making an application to the Housing Register

##### How do I join the Housing Register?

24. Everyone who wants to join the Housing Register has to fill in an application form. This is to make sure that we have the information needed to decide your priority for housing and to make sure everyone is assessed in the same way.

If you need it, we can help you to fill in these forms. Lettings, Housing Options and One Stop Shop staff, advice centres, local Housing Association offices and lots of other groups around the Borough will be happy to advise you about your application.

Normally, anyone can join the Housing Register so long as they:

- Are over 18 years of age
- Have lived in the borough continuously for the last 3 years
- Are not guilty of bad behaviour
- Do not have a sole or joint income of more than £85,000 per annum
- Are not a home-owner

25. There are certain people who cannot join the Housing Register. These are explained in more detail below. Every application will be considered on its own merits and we will consider all circumstances before making a final decision on eligibility for the Housing Register.



### **What happens if you decide I am not eligible to be on the Housing Register?**

26. If we decide that you are not eligible for the Housing Register, we will tell you why. You can ask us to review the decision. How this is done is set out in Appendix 3. Every application is treated individually and we will take into account any exceptional or mitigating factors you ask to be considered.

### **Who is ineligible to join the Housing Register?**

27. In consultation with the Common Housing Register partnership, the Council has determined that a number of categories of applicants will be ineligible to join the Housing Register. These are set out below:

#### **Applicants with no local connection**

28. The Council has adopted simple rules to define a person having a “Local Connection” – they must have lived continuously in the borough for 3 years at the time of registration and need to remain resident in the borough to preserve that registration. Any new homeless applicants will have to satisfy the 3 year continuous residency condition. However, in circumstances where a full housing duty is owed and a person is placed in accommodation pursuant to Section 188 that is outside the borough, this will be deemed to be in-borough for the purposes of accruing time towards the necessary 3-year residency condition.
29. A person cannot claim a local connection because they have employment in the borough, or because they have relatives living in the borough.

The Local connection condition will only be applied to households who are currently living out of the borough or who have failed to establish a local connection already. Therefore, existing applicants at the time of the policy implementation who have achieved the current six months in twelve, or three years in five conditions, will not be affected. This also means that those households to whom a statutory homeless duty has been accepted will likewise not be affected by the changes. Safeguarding mechanisms will be employed where an individual household falls within one of the reasonable preference groups but has not yet accrued the necessary residential qualification. These mechanisms will include the capacity to still register an application if, upon review, the decision to otherwise exclude is deemed disproportionate.

In addition, some fundamental exceptions will be applied. These are defined as: -

- As per the new regulatory requirement, for Armed Forces personnel
- Any application pursuant to a local or national mobility scheme
- Sub-Regional, or Regional, nominations
- Other recognised reciprocal arrangements

30. Other exceptional reasons, or where it is in the council's interest to do so, subject to agreement of the relevant Service Head/Lettings Manager. An example would be to avoid an otherwise high cost for providing social care direct, when an out of borough relative is willing to do so, and Social Care team confirm that the relative will be able to provide that care. In such circumstances, the Council will recognise a local connection and the requirement for the applicant to be moved closer. These cases will be placed in Band 1 Group B either on medical or management ground.

### **Other Exceptional Circumstances**

The above provisions attempt to capture when, typically, any class of household may be accepted on the Housing Register. In so doing, these reflect on broad categorisation around reasonable preference and the extent otherwise of local connection.

In addition to this, it is considered appropriate to preserve the capacity to either: -

accept onto the housing register, or  
refuse to register

individual applications. Although not exhaustive, examples of the former could include specific social or other imperatives, whilst examples of the latter might embrace contrived applications or a deliberate worsening of circumstances. Acceptance or rejection decisions to join the housing register may be time limited and all decisions shall be in writing and subject to independent review by an officer senior to the decision maker.

### **Applicants with a history of bad behaviour**

31. The Council does not allow access to the Housing Register to those applicants with a history of bad behaviour. Any applicant, partner or other member of their household who has been convicted of, or had legal action taken against them for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff and residents in the applicant's neighbourhood, or who has been evicted for rent arrears. Legal action includes relevant convictions, service of injunction, behaviour causing the landlord to serve notice of intention to seek possession, a court order or revocation of licence to occupy. An applicant who suffers from a mental illness and who has either been convicted or has had legal action taken against them as defined above shall not be ineligible if the conduct in question was directly attributable to their mental illness. In these circumstances the Council will usually require medical evidence to help determine the applicant's eligibility. Applications from people excluded under this section will need to demonstrate a change in behaviour. Usually, applications will be reconsidered after 3 years, during which time it must be demonstrated that there has been no repeat occurrence. Earlier reviews may be considered in exceptional circumstances.

### **People earning a high salary**

32. Applicants will not be entitled to join the Housing Register where there is a sole or joint income of £85,000 per annum or more. This figure, set as of

31<sup>st</sup> March 2013, will be increased annually by the rate of RPI. Existing households at the time of the policy coming into effect will not be affected.

### **Homeowners**

33. Homeowners are not entitled to join the Housing Register. An exception might be made where homeowners are unable to realise their assets to source their own housing solution. These applicants may be granted a management or medical priority, and would include such circumstances as:

An elderly person needs sheltered accommodation – likely this will place the application in Band 3.

A disabled person's home is unsuitable and it cannot be adapted – likely this will place the application in Band 1B (unless an 'Emergency')

There are other emergency medical reason to move – likely this will also place the application in Band 1B (unless an 'Emergency')

34. Applicants will be required to provide appropriate documentation, e.g. proof of ownership, valuation of the property, proof of income, report from social care team, hospital, GP, occupational therapist reports regarding the suitability and viability of adaptations in their current property and any risk to health or life in order for an assessment and decision to be made by the Council's Lettings team.
35. Any tenancy awarded under such circumstances may be of a fixed –term.

### **What happens when I make an application to go on the Housing Register?**

36. When your application to go on the Housing Register is received your details will be registered on a computer. We have a duty to protect public funds and the information you give on your form will, upon appropriate request, be shared with other public agencies (such as the Department for Work and Pensions); Council departments (such as Housing Benefits and Council Tax) or any other appropriate agency, solely to detect and prevent fraud. We will share the information you give us with Registered Social Landlords and other housing authorities for the purposes of housing nominations.

### **Obligation to be truthful**

37. Section 171 of the Housing Act 1996 makes it an offence to withhold information that we reasonably require to assess your application, or to provide false information that leads to your gaining a tenancy. We will take appropriate action (including legal action) against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home. A person guilty of an offence under this section is liable on summary conviction to a fine. Legal proceedings may begin if:
- i. any false information is given, or information withheld, on an application form to appear on the Housing Register

- ii. any false information is given, or information withheld, in response to subsequent review letters or other update mechanisms
  - iii. any false information is given, or information withheld, by applicants during a review.
38. We will check if you, or anyone in your household, are already registered on the Housing Register. You can only be on one active application at any one time.

**When someone else at your address wants to join the list**

39. If you are a tenant of one of the partner landlords and someone living with you applies for separate housing, we will ask you to give an undertaking that, if you move, you will make sure no one is left in the property. Normally, until you give this written guarantee of vacant possession, you will not be able to bid for available homes and we will not actively consider your application.

**Joint tenants who want to be re-housed separately**

41. If you are a joint tenant you will be required to apply together or end your existing joint tenancy otherwise you will not be able to sign a new tenancy if you are made an offer through the housing register. You should seek legal advice before ending your joint tenancy.

Where the above situation arises because of relationship breakdown, you must show formal evidence of separation, and end the existing tenancy before you can sign a new tenancy. Any cases accepted onto the Housing Register and subsequently made any offers will be subject to this condition.

**Proof Required**

42. We may ask housing applicants to provide independent documentary proof of the following:
- identity;
  - relationship to and between all those named on the application;
  - immigration status;
  - the property you currently live in – where, the occupation status and how long
  - previous property details and reasons for moving;
  - if you have a local connection with the Local Authority area
  - salary levels, proof of income e.g. pay slips, P60
  - formal evidence proving separation and relationship breakdown
  - main bank account into which benefits or salary is paid
  - School letters
  - utility bills
  - proof of benefits including proof of receipt of child benefits
  - Residence order
43. For every person on the application we must normally see at least **two** of the following forms of proof of identity, and proof of where they currently live and previously lived:
- full birth certificate;

- medical card;
- marriage certificate;
- driving licence;
- National Insurance card;
- passport;

44. We will then assess what priority your application has and tell you:

- which Band your application is in;
- your preference date;
- the size of property you can bid for.

### **Who can be on my application?**

45. Only those in your immediate family, or others if previously agreed, will be registered as part of your household for the purposes of the Housing Register. Immediate family means the main applicant, their spouse or partner, their children (except as below) and anyone with whom they have to live because of extenuating circumstances. If you are the main applicant, immediate family does not include your or your partner's parents; grandparents; aunts or uncles; grandchildren; nieces or nephews; cousins; children over 18 living with a partner (whether married or not); children over 18 who have their own children; friends; lodgers; brothers or sisters.
46. If you have to live with someone that we do not usually define as immediate family because you have to provide or receive care or support you can ask us to review the decision not to include these people on your application. If there is a health need for you to live together the Council may seek advice from a health professional before deciding whether or not they should be included.
47. If there is a justifiable and genuine social need for you to live together the Housing Management Panel will make the decision. If you share custody of children with someone else, we will decide who is the main provider of care by looking at who is paid child benefit or tax credits and whom the children stay with for the most nights each week. If you are not the main care provider your children will not normally be considered as part of your household for the purposes of the Housing Register.

### **What happens if I owe rent?**

48. It is very important that you pay your rent. If you do not then you risk losing your home. If you are having difficulties then you should speak with your landlord who will be able to provide you with advice and support. If you owe no more than four weeks of your weekly charge (that is the **net** amount you have to pay after any benefit has been deducted), then your housing application will not be affected. You will be asked to sign an undertaking that you will pay any arrears before you move.
49. If you owe no more than 10 weeks of your weekly charge and you have been keeping to an agreement to pay off the arrears for at least 8 weeks then your housing application will not be affected. You will be asked to sign an undertaking that you will continue to pay the arrears if you move. If you owe more than 10 weeks of your weekly charge then you will normally not be considered for any homes you may apply for.

50. Each case will be considered on its individual merits by Common Housing Register partner landlords, the Council's homeless or lettings service. Discretion can be used by a manager to override arrears if it is considered that unreasonable hardship would otherwise occur.
51. If the Housing Management Panel makes this decision then you will be asked to make an agreement to pay your arrears and sign an undertaking that you will continue to keep to the agreement if you move.

#### **When your application is accepted**

52. You can then look at the properties advertised in each advertising cycle and apply for those you are interested in and that are suitable for your household size and any medical needs. Each applicant is permitted to place 3 bids in each advert cycle.

#### **What happens to my application if I am accepted as homeless?**

53. If the Council accepts it has a homeless duty to you your application will be placed in Band 2 on the Housing Register or Band 1 Group B if you are accepted as single homeless and in priority need because of your vulnerability. Your preference date will be the date you made a homeless application. Any earlier preference date will be lost if you were already registered on the housing register.
54. If the Council has accepted a homeless duty to you and the Council recognises that you must have ground floor or wheelchair accessible category A or B property based on the recommendation made by the health advisor, you will be placed in Band 1 Group A.
55. If you are already on the Housing Register, your existing preference date will no longer apply. You will be given a new homeless preference date which will be the date you applied as homeless. Your position in the queue will change and you will not keep the time you have previously spent in the band.
56. You will then be able to bid for available homes that are advertised. If you have not moved in to a permanent home or private sector accommodation within 24 months then your application will be placed on autobid for all suitable and reasonable vacant homes that become available. Refer to paragraph 64 for more information on autobid. Where appropriate and justified due to high priority of the applicants direct offers may be agreed by Lettings Manager
57. You will be made one offer of a suitable and reasonable home to ensure that the Council properly ceases any duty to you. Where necessary direct offers will be made. We cannot tell you how long this may take after the 24 month time limit is up. You will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in. You will be asked to explain why you cannot live in a particular area or in a specific type of home. You will not be asked to live in an area where you are not safe. If you are made an offer of suitable accommodation and refuse unreasonably, the Council will, in all likelihood, cease its statutory duty to you and you will be asked to leave any temporary accommodation provided by the council. If you then secure your own

accommodation and wish to be considered on the Housing Register, you must make a fresh application. You will be assessed on your new circumstances and be given a new preference date.

58. **Choice Based Lettings: The Four Steps In detail**

**Step One -Advertising Homes**

**How will I know about homes to be let?**

59. Homes that become available to let will be advertised periodically. Currently, information is available on the Homeseekers and Council's websites, in East End Life, One Stop Shops, local housing and local Registered Provider offices. Policy, advertising mechanisms might change, but you will be kept informed of any such changes.
60. Where possible, the advertisement will have a photograph of the property or the block it is in and will endeavour to include information about:
- § who the landlord is;
  - § the rent;
  - § the sort of property it is: floor level, type and how many bedrooms;
  - § the area it is in;
  - § the size of household that can apply;
  - § if there are special facilities for households with particular medical or other needs who will be given preference for it;
  - § whether there are any special features or where certain conditions apply such as limited to applicants who qualify under a local lettings plan or priority target group.

**Local Lettings Schemes**

61. From time to time the Council and its Common Housing Register partners may adopt local lettings schemes. These schemes are designed to encourage residents to develop lasting connections with the area; to help sustain a community; to reduce overcrowding and tackle other housing needs in the local area.

**How these schemes would work**

62. Homes available for letting at broadly the same time will be identified as suitable for local lettings. Usually these will be new build, Registered Provider homes. The qualifying criteria will be defined for each local lettings scheme including consideration only being given to applicants who meet the criteria set down for each scheme. The criteria may vary between schemes but will be made clear at the start.
63. The Common Housing Register Forum must agree a local lettings scheme. Homes will be advertised through the choice based lettings scheme as only suitable for applicants who qualify for the scheme. Where possible bidding will be restricted to applicants who meet the criteria for the scheme. Applicants will then be short listed in the normal way and homes offered in priority order.

64. If it is not possible to let all the available properties earmarked for a local lettings scheme, the remaining properties will be let in the normal way and the policy criteria to qualify will not be applied. Properties suitable for applicants with high priority needs, for example with special needs adaptations, may be excluded from the scheme.

### **Step Two –Bidding for advertised homes**

- You can place up to 3 bids per cycle (refer to paragraph 19 on grouped adverts) on homes that are suitable for your size of household as set out in the table below.
- You should not bid for homes that you are unlikely to accept if they are offered to you

Currently, bids can be made as follows: -

- On line on the Homeseekers website
- By telephone
- Exceptionally, by the 'Auto Bid process

The Council will be introducing other mechanisms as technologies evolve.

### **Auto Bidding**

If the Council is satisfied that you are unable to register your own bid you can register your choices with us then we can bid on your behalf. These auto bids will act as if you have told us about an interest in an advertised home and you should be very sure about the choices you make before telling us about them so that the auto bidding system can bid for the type of home you are willing to accept. If you are an accepted homeless applicant or priority social (management) case you will be given limited time for bidding before you are placed on autobid and you will be considered for all suitable homes unless there is very good reason why you can't be rehoused in a particular area or accept a particular property type. This is to ensure you are rehoused as soon as possible. If you refuse a suitable offer of accommodation made under the autobid option your priority will be withdrawn if under the policy you are entitled to one offer only. .



### What size home can I apply for?

65. You can only apply for a size of home suitable for the number of people in your household. How this works is set out in the table below.

| Household size  | Bedroom need        | Bed spaces                 |
|---|---------------------|----------------------------|
| Household 1 or 2 adults                               | Studio or 1 bedroom | 1 or 2 bed space           |
| Household with one child                              | 2 bedrooms          | 3 or 4 bed spaces          |
| Household with two children – same sex                | 2 bedrooms          | 4 bed spaces               |
| Household with 2 children – opposite sex              | 3 bedrooms          | 4 or 5 bed spaces          |
| Household with 3 children                             | 3 bedrooms          | 5 or 6 bed spaces          |
| Household with 4 children same sex or two of each sex | 3 or 4 bedroom      | 5 or 6 bed spaces          |
| Household with 4 children – 3 same sex 1 opposite sex | 4 bedroom           | 6 or 7 bed spaces          |
| Household with 5 children                             | 4 bedroom           | 7 or 8 bed spaces          |
| Household with 6 children – same or opposite sex      | 4 or 5 bedroom      | 8 or 9 bed spaces          |
| Household with 6,7 or more children                   | 5 bedrooms or more  | 9 or 10 or more bed spaces |

### Can I apply for a smaller home than I need?



66. To ensure applicants do not face undue financial hardship when they move to their new homes, they will be permitted to bid for properties that have one bedroom and one bedspace less than their assessed housing need. This will enable choice to many applicants who will be affected by the April 2013 Welfare Reforms and other financial imperatives allowing the selection of a home that is smaller than ideal requirements as assessed under the Allocations Scheme. If and when a family successfully moves into a new home which is smaller than their assessed bedroom need, any subsequent transfer application will start with a new date for that application.
67. A single parent will be classed as needing up to two bed spaces

- 68. In the list above, two same sex siblings when part of the same household can share a bedroom regardless of age. If a sibling sharing in this way makes an individual application to live independently and not as part of the household, they will be classed as overcrowded for the purpose of the individual application.
- 69. A health advisor may recommend a size of property for you that is different to that set out above.

**Step Three - Short listing**

- 70. A shortlist will be drawn up from those who have bid for a home. Applicants who have bid for a home are selected by comparing the size of the home with the number of people on their application.

**Short listing Priority Order**

|               |                |   |
|---------------|----------------|---|
| <b>Band 1</b> | <b>Group A</b> | <b>Emergencies first:</b><br><b>Then:</b> <br><br><b>Earliest preference date: Then:</b>  |
|               | <b>Group B</b> | <b>Earliest preference date</b>   |

**Then:** 

|               |                                 |
|---------------|---------------------------------|
| <b>Band 2</b> | <b>Earliest preference date</b> |
|---------------|---------------------------------|

**Then:** 

|               |                                 |
|---------------|---------------------------------|
| <b>Band 3</b> | <b>Earliest preference date</b> |
|---------------|---------------------------------|

**Step Four – Making offers of a home**

- 71. Homes will be usually offered to highest priority applicant on the short list first. However, preference for ground floor homes will unusually be given in priority order to existing management, decant or under occupying tenants currently living on ground floor or applicants recommended ground floor only accommodation on medical grounds.

If more than one applicant in the band applies for a home, it will usually be offered to the one who has waited the longest in the band, which is the applicant with the earliest preference date. (See Appendix 2)

72. Where necessary a number of applicants may be invited to view a property so that if the applicant with the highest priority does not accept the property it can be offered to another applicant without delay.
73. If a home has been advertised for a particular group in order to meet annual targets it will be offered to the applicant in that group with the earliest preference date.
74. If an offer is refused it will be offered to the next applicant on the shortlist and so on until the home is accepted.
75. Landlords can reject an applicant, if after a financial assessment it is established that the applicant will not be able to afford the tenancy.
76. You should not bid for homes that you would not be willing to accept if they were offered to you. To help you make an informed choice about the properties that you bid for, the Homeseekers website will provide you with your position in the queue for that property at the time that you place the bid. This will be a snapshot, because applicants who bid after you may change your final position. However, it will give an indication of whether or not you have a reasonable chance of being shortlisted for that property.

#### **Direct Offer Policy**

77. The Council and its Common Housing Register partners will as far as possible let the majority of property through the choice based lettings scheme. However, the Council and its partners can offer a home directly to some applicants without advertising the home through the scheme if circumstances justify it. Reasons for this can be: to meet the need of a high priority applicant; or to meet a legal obligation; to facilitate an under occupation move, or for effective management of the Council's or partners housing stock; in relation to public protection cases; as part of overcrowding reduction initiatives; or for split households.
78. Direct Offers can also be made on Sheltered Housing vacancies where the property has been advertised once and has not been let.

#### **How will I know if I will be offered a home that I have applied for?**

79. We receive a lot of bids for advertised homes. We will only ever contact the applicant who has been successful with the details of when they can view the property. Information on the position that you came for a property will be provided to you at the point of bidding so that you can make an informed choice.
80. When you view the property you will be told what repairs are to be done to it, whether any allowances are payable to help you move or decorate, and when you would be expected to move in. If you view a property on Monday, Tuesday or Wednesday your tenancy will usually start on the following Monday. If you view the property on Thursday or Friday, your tenancy will usually start on the second Monday after the viewing.

#### **Is there any penalty if I refuse or not turn up to view it?**

81. If you do not attend a viewing, this will be taken as you having refused the property unless there are very good reasons why you could not turn up AND you could not tell us beforehand. You must tell us if you are not able or prepared to attend a viewing, giving at least 24 hours' notice.

**What happens if I refuse three offers?**

82. You should only bid for properties that you wish to accept the tenancy on if offered. If you refuse a home that is offered to you we will review your application. A 12-month demotion to the bottom of the Band your application is currently in will be enforced upon refusal of a third offer from the date this policy came into effect. In addition, this penalty will be repeated every time you refuse a subsequent offer. The original priority date will be restored on expiry of that 12 month period.

**Does one offer only rule apply to you?**

83. One offer only rule applies to cases awarded emergency, homeless, priority social (management), medical, priority target group priority .The details of this are covered below.
84. If you are offered a home as an emergency category on medical grounds and refuse the offer your priority will be withdrawn and you will be placed in Band 1 Group B as a priority medical category.
85. If your application has been awarded emergency management or is in priority social category, or a priority target group in Band 1 Group B and you refuse an offer unreasonably your priority will be withdrawn. If you are in Band 1 Group B as a priority medical case and you refuse an offer, your case may be reviewed and consideration given to withdrawing your priority.
86. If you are an applicant where the Council has accepted a homelessness duty to then different rules apply. As an applicant that has been accepted as homeless, you will receive just one offer of accommodation. It is very important that you speak to someone in the Homelessness Team before you refuse an offer made to you as duty owed to you will be ceased.
87. You can ask us to review the decisions to withdraw any priority award. We will consider every review on its merits. However, on review justifiable and genuine reasons will have to be shown as to why the property was not suitable for you or why it was not reasonable for you to accept the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past) when making a decision about the reasonableness of any offer you refuse. (See Appendix 3 on right to a review)

**Information about homes that have been let**

88. We know it is difficult to wait for a suitable home to become available and that many applicants on the Housing Register can be under a lot of pressure. It is only natural that people will speculate about the reasons when they see

someone else get a home where they may not seem to be in as urgent need as they are.

89. Please remember that someone may be rehoused before you because: -
- their application was in a higher band than yours;
  - they had been waiting longer than you in a band
  - they bid for a property you did not bid for
  - they were eligible for a home that you were not eligible for
  - they were overcrowded and you are not
  - their household has been given priority on health grounds
  - they had to move because of an emergency;
  - they have had to move because their home is being demolished, refurbished or repaired;
  - Homes meets their specialist requirement e.g. are wheelchair accessible
90. We will publish information about homes that have been let and as far as possible give information about the length of time you may have to wait. This will be provided to help applicants make informed choices when bidding.
91. We will not publicise information about specific applicants and properties as that information is confidential, but the information given will show the type of home it was and the length of time a household had been waiting.

### **Other Re-housing Opportunities**

92. If you are already a tenant of a landlord who is a member of the Common Housing Register partnership there are other re-housing opportunities you may wish to consider.
93. These schemes will vary over time, but opportunities that may be available are:
- move to a smaller property with a range of incentives and/or a cash incentive depending on your landlord
  - mutually exchange your tenancy with another tenant
  - participate in a chain lettings moves
  - Cash Incentive Scheme – apply for a grant to help buy your own home
  - Shared ownership where you could part buy part rent a home
  - Move to the private rented sector including via a special initiative if you are overcrowded that provides financial assistance. See separate policy on this.
  - Move out of the borough if your landlord has housing elsewhere

### **Re-housing opportunities in detail:**

#### **Under occupation or downsizing**

94. We award a high priority to those tenants who want to move to smaller accommodation and who are prepared to give up at least one bedroom. You

could move in or outside of the borough although there will be limited scope for a move outside of Tower Hamlets.

95. If you are a transferring under occupier, you can apply for a home one bed larger than you need and you will be given priority to move as long as you give up at least 1 bedroom. If you are on benefits and under occupy your home you may lose benefit so please check with the Benefits Team before making this decision.
96. If you live in a home with 3 bedrooms and you are assessed as needing 1 bedroom you will get priority if you apply for a home with 1 or 2 bedrooms.
97. The greater the number of bedrooms you give up, the higher your priority to move. If you are a Council tenant and you give up at least 1 bedroom, the Council will be able to help you with a range of incentives depending on your needs e.g. help with removals, handy person service, help towards advance rent payment, payment for white goods etc. Incentives are reviewed regularly so please check with the Council what incentives are currently available. If you are not a council tenant you should check with your own landlord what incentives, if any, are available for you.

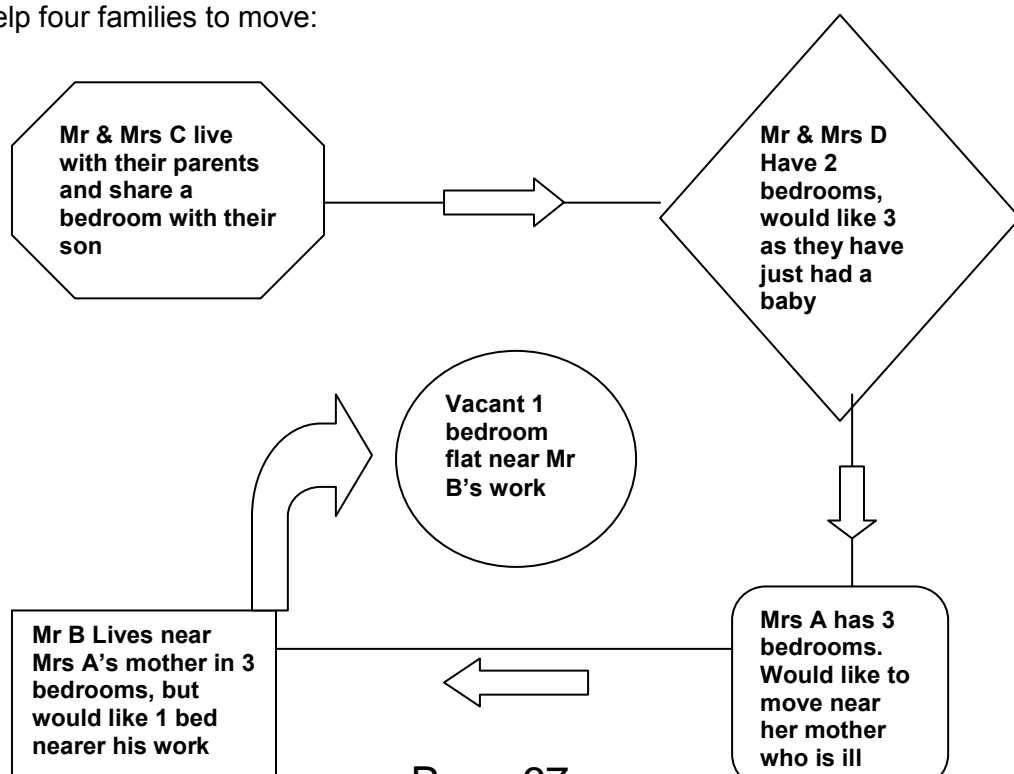
#### **Mutual Exchange Scheme**

100. If you apply to the housing register for a move, when you move, it does not have to be to a vacant home. It could be a home that is currently being lived in by someone else who also wants to move. This is what happens when someone sells his or her home using an estate agent.
101. A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved. Given the shortage of available homes in this area for many tenants this is their best prospect for moving.
102. All Council and RP tenants who ask to move may be registered for the mutual exchange scheme. Your landlord will work with you to try to find a partner to swap homes with you. If you are put in touch with a partner, neither of you are under an obligation to agree, nor will it affect your housing application if you refuse to swap. You can register for home swap at [www.homeswapper.co.uk](http://www.homeswapper.co.uk). The Council and many of the Registered Providers subscribe to this service, which means you may not need to pay to register. Details of your home will be advertised. However, your personal details, your full address, and your contact details will not be published without your express permission.
103. If you are a under occupying Council tenant who swaps homes with another Council tenant in the Borough whose home is too small for their family, we will offer you a range of incentives, which may be subject to change on a yearly basis.
104. Legally, your landlord can only say no to your request to exchange for a limited number of reasons:
  - that either tenant is moving to a home that is inadequate for their needs, e.g. on health grounds, or that it would be too small;

- that either tenant is moving to a home that is substantially too large for their requirements;
  - your landlord will usually agree to your moving to a home that has 1 bedroom more than you need, but no bigger;
  - that there is a current order for possession made by the Court in respect of any of the tenancies involved;
  - that any of the properties are adapted, sheltered, warden-controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it;
  - that the accommodation is tied;
  - that the landlord is a charity and the proposed occupation would conflict with their aims;
  - that any of the tenants has been issued with a Notice of Seeking Possession.
105. Your landlord may say that you cannot swap tenancies straightaway if, for example, you owe rent, or there are repairs needed to the property that you have to carry out. However, once these matters have been sorted out, they should say yes.
106. Your landlord is obliged to tell you in writing the reasons why they are saying no to your request. Whatever the decision, you should be told within 42 days of requesting to exchange. You have a right to refer the decision to the County Court under 86 of the 1980 Act if you disagree with it.

### Chain Lettings

107. Chain Lettings is a way for us to use a vacant property as part of a chain, in the same way as estate agents do in the private owner-occupying sector. Each year, we will set a target for the number of homes to be let to existing Council and partner landlord tenants. Wherever possible, these lets will be part of a chain of moves, and may include mutual exchanges.
108. This is an example of how a chain could work with one vacant home used to help four families to move:



109. In order for chain lettings to work, it is necessary for us to identify useful vacant properties and withdraw them from being advertised. Discretion has been given to senior officers to decide when properties can be removed from the overall lettings scheme to make chains work so helping more people to move.

### **Mobility Schemes**

112. The Council currently participates in two separate mobility schemes. The first of these is designed to facilitate those social tenants who need to move to other parts of London for employment, educational or social reasons or if they under occupy their current accommodation. This is the Pan-London Mobility Scheme operating currently under the name "Housingmoves". Tenants of participating local authorities or housing associations who meet the criteria are able to bid for 1, 2 and 3 bedroom homes that are advertised through the Housingmoves website. This is a reciprocal mechanism, with nominations out being matched by nominations in.
113. The second is the Seaside and Country Homes Scheme that offers tenants who are 60 years or older the potential to access to properties along the southwest coast from Cornwall through to the countryside from Shropshire to Cambridgeshire, over to Norfolk and Lincolnshire in the east. This scheme does not guarantee a move although it is recognised that the highest priority is available to those giving up large sized accommodation.

To find out more information about these schemes please visit [www.housingmoves.org](http://www.housingmoves.org).

### **Priority on Health grounds**

114. There are times when people need to move because of their health or a disability. Priority on health or disability grounds will only be awarded after an assessment if someone in the household has: -

- *a severe longterm limiting illness, or*
- *a permanent and substantial disability*

**AND**

- *their health or quality of life is severely affected by the home they live in*

115. **Please Note: A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition.**

### **How is it decided if I should have additional priority on health grounds?**

116. An officer in the Lettings Team will make decisions on medical applications and may ask qualified health advisers to recommend who should be given additional preference for housing on health or disability grounds. The health advisor does not make a recommendation based upon how ill you are. They will look at how your health or disability problem affects you on a day-to-day basis and how your housing affects your health or quality of life. They will



assess each person with a health or disability problem and also consider the impact on your whole household. In addition, other non-medical factors affecting you or members of your family can be taken into account where appropriate.

117. In reaching a decision on whether or not to make a priority award on medical grounds, an officer from Lettings, where appropriate, will have regard to comments and information from your own doctor as well as other medical professional opinions.
118. Case examples are given on the “Homeseekers” website [www.thhs.org.uk](http://www.thhs.org.uk) as a guide to the kind of decisions made.
119. There are two levels of additional priority on medical grounds linked to housing circumstances that can be awarded.

### **Emergency Medical**

120. This is the highest priority award and will normally be considered where the criteria for a priority medical award is met **and** one or more of the following conditions also applies:
  - someone is in hospital/residential care and cannot return home because it is not suitable;
  - there is a risk to life;
  - there are very exceptional circumstances
  - when the Adult Services Directorate makes a nomination under the Independent Living and Community Support Scheme (see priority target groups in Band 1 Group B below)
121. When awarded emergency medical status, the application will be placed in Band 1 Group A. The preference date will be the date the award was made. Applicants awarded emergency priority are considered first within Band 1 Group A in preference date order when bidding for the available homes.

### **Priority Medical award**

121. This recommendation will normally be considered if you, someone on your application or for whom you provide care, has a severe long term limiting illness or permanent and substantial disability. Health or quality of life must be severely affected by the place you live in now.
122. **Please Note: A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability.**
123. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

**Examples include:**

- the current home does not reasonably allow essential health treatment there e.g. renal dialysis;
- the ability to live independently in the community is at risk without suitable
- accommodation;
- someone is housebound, effectively housebound or cannot reasonably access the essential facilities in their home;
- if there are critical concerns about someone's safety e.g. through falls due to difficulties with access.

124. Applicants who are awarded priority medical status will be placed in Band 1 Group B (unless they are already in Group A as an under occupier). Your preference date will be the date you applied for the assessment.

**Other Recommendations that can be made on health grounds**

125. The health advisor can also make recommendations about the type of property that is most suitable on health grounds. This can include access, space, location, or access to a garden.
126. When a property with one of these features is advertised, preference for it may be given to applicants where a recommendation by health advisors has been accepted.

If a specific recommendation has been made by the health advisor that a specific type of home or facilities are *essential* you will only be considered for homes that meet this recommendation.

**Some specific housing need recommendations that can be made****(a) Use of a Garden**

127. The health advisor will normally make this recommendation if there is a capacity to benefit from a safe supervised outdoor play area by a child under 18 in your household with either:
- a permanent and substantial physical disability;
  - severe long term limiting illness;
  - the severest forms of learning disabilities; or
  - the severest forms of behaviour problems
128. A garden may be recommended for an adult in the following circumstances:
- if they have a severe cognitive impairment that means they do not sense danger, are at risk of wandering and so need constant supervision;
  - if they have a severe, permanent and substantial disability or severe long term

- limiting illness and caring for children is causing concern such that their continued residence is at risk, or the stress of caring for them is exacerbating the health problems; or
- if they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.

**(b) Extra space**

129. The health advisor will normally only recommend that you need extra space if:

- you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities;
- or the severest forms of behaviour problems **and** it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health;
- you are having health treatment at home that needs large machinery or a stock of health supplies to be stored e.g. you are having renal dialysis at home;
- you need a full time carer to provide support night and day;
- you have a permanent and substantial disability or long term limiting illness or
- severe learning disability and need additional space for specialist equipment; or
- you have a severe long-term limiting illness and sharing a bedroom will exacerbate your health problems e.g. you have an immune deficiency

**(c) Ground Floor or category A or B wheelchair accessible on health / disability grounds**

130. An additional recommendation that can be made is that an applicant must have ground floor on health or disability grounds or must have a ground floor property that is wheelchair accessible category A or B. This may be recommended by a health advisor if you have a permanent and substantial disability or severe long term limiting illness that means that your mobility or exercise tolerance is so severely restricted you cannot safely manage any stairs.

131. Applicants awarded the recommendation that they must have ground floor will be placed in Band 1 Group A unless no medical priority has been awarded. Apart from emergency status, Band 1 Group A is the highest possible priority in the allocations scheme. The preference date will be the date the application for an assessment was made.

132. Where an under occupier, decant, management applicant currently on the ground floor and in Band 1 Group A has bid for a ground floor property with an earlier preference date than an applicant who has been given a recommendation that they must have a ground floor property on medical grounds, discretion may be exercised to offer the property first to the applicant with the medical recommendation.

**(d) Environment**

133. The majority of the housing stock in Tower Hamlets is in blocks on estates. Some of these blocks are tower blocks, many are smaller blocks. Very little street accommodation becomes available each year. The decision as to whether an advertised home will meet your housing needs is best made by you, sometimes with help, and dependent on you being given information about the property so that you can make an informed decision. The health advisor will only recommend a quieter environment if you have severe long term limiting illness or permanent and substantial disability where stress has been identified as a seriously exacerbating factor or you would be considered vulnerable living in a more active area.

**(e) Care and Support**

134. If you need care because of your health problems, there are different ways in which support can be provided. You could live with the person you are supporting (or who supports you). Or you each may want to have your own home, but move nearer to each other. As you can choose to apply for advertised homes you should talk with the person you support (or who supports you) about the best solution to your support needs. You may want to consider both applying for homes in each other's areas to see who is successful first. Or it may be that one area is better for you both because it is near a particular doctor, or hospital, or other support. The health advisor will only give preference to an application where care and support are an issue if your application meets the criteria to be given preference on health grounds and there is no one currently living with you who can reasonably provide the support you need.

**Homes that may be offered first to certain groups of applicants**

**Designated accommodation**

135. There are some homes that have been designated for specific groups of people, either because of age, disability or other defined criteria. When this type of vacancy occurs it will be advertised giving preference to those who meet the designated criteria. This will be specified in the advert and we will only let the property to a household that meets all the designated criteria.

**Homes designated as wheelchair accessible Category A or B**

136. Will be allocated to applicants recommended for this type of property.

**Homes with access to gardens or play areas, on the ground floor**

137. There is a large demand for homes on the ground floor, with gardens. Preference for this type of accommodation may be given first to households that the health advisor have recommended should live in this type of home. Normally, tenants currently living on the ground floor and who are under occupying, being decanted, have been given a priority social award, and those recommended ground floor only on health grounds will be considered in priority order.

### **Homes provided by RPs with a specialist remit**

138. There are Registered Providers who provide specialist services to specific groups of people in the local community. This can be because these groups of people have been disadvantaged in the past or have special needs. When one of these landlords has an available home it will be advertised only to those who meet the designated criteria. This may be specified in the advert or used when we come to decide who should be made the offer of the home. We will only let the property to an application from a household that meets all the criteria.

### **Discretionary Additional Priority**

#### **I have an urgent or unusual reason for wanting to move**

139. There are times when an applicant may be considered for discretionary additional priority for unusual or urgent reasons that are not covered by the general criteria in the allocations scheme. There are also times when it is in the community's interest that a household is given additional priority for housing.
140. The Housing Management Panel will make all decisions to award discretionary additional priority under this policy unless an application is considered an emergency. In these cases a senior manager will make the decision.
141. The circumstances under which a discretionary priority award may be agreed are:
- i. Where an applicant has an exceptional need or where a combination of significant social/welfare/medical/safety or urgency factors occur that cannot be adequately dealt with within the normal rules of the Allocations scheme.
  - ii. Where it is in the Council or a Common Housing Register partner landlord's interest to award additional priority for: effective management of the stock; for financial or legal reasons; or in order to support housing strategy objectives or priorities; or to remedy an injustice.
142. The purpose of having this discretion is to respond to exceptional cases. Whilst it is not possible to define all the circumstances where discretion should be exercised, any decisions should fall within the guidance set out above for genuinely exceptional and justifiable reasons.
143. Decisions to grant discretionary additional priority should not be made in circumstances that do not reflect the broad direction of policy and priorities set by the Council and its Common Housing Register partners.
144. Some examples are given below as a guide.
- if moving will prevent a child or elder needing to live in institutional care;
  - if you are attending Court as a witness against someone accused of anti-social behaviour;

- if you are threatened with or are experiencing violence and it is no longer reasonable for you to live at home;
- if you are threatened with or are experiencing problems that mean it is no longer reasonable for you to live at home.

145. The list is not exhaustive and an award may not be made in every case where these circumstances apply. Each case will be individually considered based on the information and evidence available to the case.
146. The demand for homes in Tower Hamlets is so great that even with discretionary additional priority award you may have to wait a long time before you will be offered an alternative home. If you are Council or Residential Social Landlord tenant all other options will also be considered to assist you that are set out in paragraph 93 onwards.

**If I want to be considered for additional priority what should I do?**

147. We will need to investigate your circumstances and gather information and evidence in order to assess your claim.
148. First, you should tell your landlord why you want to move. If you are not happy speaking with your landlord about this, you can ask for help from staff in the Lettings Team, One Stop Shop, Housing Office, legal or other voluntary advice centres in the Borough.
149. In most cases, reports on behalf of tenants will be co-ordinated by their Housing Officer or equivalent. This will ensure staff managing the tenancy are aware of all issues affecting residents in their area.
150. If you are not a tenant, then a lettings officer will be assigned to the investigation if it is considered inappropriate for the investigation to be carried out locally.
151. You may ask someone else to make a request on your behalf. This may be a solicitor, a social worker, or other advocate. If a third party makes a request, it will usually be referred to your housing officer or lettings officer to investigate.
152. The officer managing your case will get information from all relevant sources and then submit it to the Lettings Team. It is in your interest to present all available information or evidence about the circumstances that you feel justifies you being considered for a discretionary additional priority award and therefore given greater priority for housing over other applicants on the housing register.
153. We will consider the reasons why you feel you cannot continue to live where you do now. We will also consider whether it is reasonable for you to live there, the support you have there and if there are actions that can reasonably be taken to help you to continue to live there. If there is no other effective solution available, giving additional priority for rehousing you may be decided upon as the most appropriate course of action.
154. We will not normally consider referrals on grounds of health or overcrowding as provision for this is already made elsewhere in this policy.

155. The officer dealing with your case will prepare a report that gives full details of the grounds for additional priority to be considered. This should include evidence from all relevant interested parties (such as the Police, Victim Support, Social Services, Schools, Anti-Social Behaviour Control Unit, health professionals etc.) This co-ordinating role is important as it ensures that local staff are aware of issues in their area.
156. We receive hundreds of requests each year to carry out assessments for priority on social grounds. The Lettings Team will make an initial decision on whether or not your application should be referred to the Panel. You will be told the decision and if you disagree with it you may ask for a review of the decision as set out in Appendix 3.

### **If you fear violence**

157. If you feel unable to continue to live where you are because of fear of violence then you should approach the Council's Housing Options (Homeless) Service, which has a statutory duty to carry out an assessment and consider whether the Council has a housing duty to you. This includes if you are experiencing any type of hate crime: domestic violence, racial harassment, or other harassment from any other source. They will decide if a statutory duty is owed to you.
158. We are committed to taking all legitimate action against the perpetrators of anti-social behaviour or hate crime. This could include taking legal action against perpetrators. The aim is to ensure that you have a safe place to live and where appropriate we will do all we reasonably can to secure this for you.
159. We will not give priority for housing to the perpetrators of anti-social behaviour unless there are overwhelming and justifiable reasons to do so.
160. Where a referral is made to the Homeless Service, Homeless Officers will explain to you what will happen.
161. Where appropriate your case can also be referred to the Housing Management Panel.

### **The Housing Management Panel**

162. This is a panel of at least three officers, one of whom will be a manager. The Panel will make all decisions on requests for discretionary additional priority unless the case is considered an emergency. In these circumstances a decision can be made by a senior manager before a meeting of the panel. Normally you will not be able to attend the panel meeting, although in exceptional cases the Chair has discretion to agree to your attendance.
163. The officers on the Panel will not have had anything to do with your case previously. They will make a decision based on the information and evidence they are given about your case. It is therefore important that you tell the officer who is investigating your case everything that may be relevant.
164. The Panel sits regularly. If discretionary additional priority is awarded, the Lettings Team will write to you with the decision and any conditions of the award. If it is decided that no priority will be given, or that more information is

needed before a decision can be made, then the officer investigating your case will write to you giving details.

165. We aim to inform you within five working days of the Panel meeting with details of the decision, the reasons for it and any conditions attached to it. If you do not agree with the decision you can ask for a review.

**What additional priority may be awarded to my application?**

166. There are two levels of additional priority that can be made to your application, a) additional priority social need award and b) emergency priority award. They are set out in detail below.

**Additional priority social need award**

167. This is one of the awards that can be made by the Housing Management Panel. If it is awarded the application will be placed in Band 1 Group B. Your preference date will be the date your case was first considered by the Panel.
168. The Lettings Officer managing your case will review the priority awarded to your application every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.
169. It is important that you make an informed decision about the type of homes that will become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than most applicants in housing need on the Housing register.
170. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation. Where appropriate you may be made a direct offer.
171. If you have not moved to permanent accommodation within three months then your application will be included on lists for all suitable and reasonable vacant homes that become available. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.
172. If you refuse a home that is offered to you, the additional priority awarded to your application will be withdrawn. If temporary accommodation has been provided this will also be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in paragraphs 81 to 86 of this policy document will apply.
173. If you disagree with a decision made you can ask for a review. (See Appendix 3) Whilst we will consider every review on its merits, for a review to succeed



there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

### **Emergency priority award**

174. This is the highest priority award available and will only be given in exceptional circumstances. Your preference date will be the date your case was first considered by the Panel or the date of an award if a senior manager makes the decision. If awarded, the application will be placed in Band 1 Group A. Applicants awarded emergency status are considered first for any suitable homes available.
175. The Lettings Officer managing your case will review the priority awarded to you every three months to confirm whether the award made to you continues to be justified. If due to change of circumstances it is considered the award is no longer justified your application will revert to the status before the award was made. It is therefore very important that you continue to report anything that happens that may be relevant to your award.
176. It is important that you make an informed decision about the type of homes that will become available. The additional priority you have been given reflects a genuine and compelling reason for you to move. This will give you higher priority than any applicants on the Housing register except emergency cases agreed before you.
177. Offers with this award will be made on a like-for-like basis, unless there are sound reasons why this should not be the case. You will only receive one offer of suitable and reasonable accommodation.
178. If you have not moved in to permanent accommodation within one month then your application may be included on lists for all suitable and reasonable vacant homes that become available. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe. Where appropriate a direct offer may be made.
179. If you refuse a home that is offered to you the emergency priority awarded to your application will be withdrawn. If you do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand. In addition, the penalties for refusals set out in paragraphs 81 to 86 of this policy document will apply.
180. If you disagree with a decision made you can ask for a review (See Appendix 3). Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if

the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

### **When you need re housing because of the condition of your home**

181. When a surveyor employed by either the Council or partner landlord reports that it is not reasonable or possible for you to continue to occupy your home while repairs are being carried out, your application will be awarded an emergency priority and placed in Band 1 Group A. The preference date will be the date the award was made.
182. Offers with this award will be made on a like-for - like basis, unless there are genuine reasons why this should not be the case.
183. If you have not accepted an offer of permanent alternative accommodation within one month of the award being agreed then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
184. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.
185. You will be made only one offer of permanent alternative suitable and reasonable accommodation with this priority. If you refuse it then temporary accommodation will be secured for you for the duration of the repair works and you will be expected to move back to your home once the repairs are completed.
186. If we are not able to secure permanent alternative suitable and reasonable accommodation for you within 3 months of the award being agreed, or if it is not safe for you to continue to live in your current home, then temporary accommodation will be secured for you for the duration of the repair works. The emergency priority award will be withdrawn and you will normally be expected to move back to your home once the repairs are completed.

### **What if I disagree with the Panel's decision?**

187. If you disagree with any decision of the Housing Management Panel you can ask for a review (See Appendix 3).
188. Whilst we will consider every review on its merits, for a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying your application being given higher priority; and the reasons why you feel the offer made was not suitable or reasonable.

### **How long before I am housed if I am awarded additional priority?**

189. We are not able to tell you how long you can expect to wait before an offer of alternative accommodation is made to you. This is dependent on the number of suitable available homes that become available and the number of other applicants who may have greater priority than you. However applicants given emergency status are considered first for all the homes available. Applicants given discretionary emergency priority are in Band 1 Group A, the highest priority band in the Allocations scheme.

### **Priority Target Groups**

190. Listed below are groups of applicants that will be given additional priority because of their specific circumstances; or that it is in the community's interest to do so; or where they may be a statutory duty. Applicants in these groups will be placed in Band 1 Group B and are referred to as "*priority target groups*".
191. Target will be set for these groups based upon the number of applicants who qualify for these groups and an assessment of the housing needs and priorities prevailing in the borough in order to balance the group's needs with other applicants and the housing supply available. Targets will be decided in order to plan for the anticipated number that will require housing.
192. To qualify for a priority target group, you must be eligible for the housing register according to the prevailing Allocations scheme. It is in yours and your sponsor's interests to provide sufficient information and evidence to demonstrate that you are eligible.
193. Unless otherwise stated, there will be no time limit on the choices you can make when your application is in one of these groups. When considering what is suitable and reasonable, you will be asked to confirm the areas of the Borough or types of property that you cannot live in. This is not the same as properties you do not want to live in and you will be asked to explain why you are not able to consider them. You will not be asked to live in an area where you are not safe.
194. It is important that you make an informed decision about the type of homes that will become available. You will receive only one offer of suitable and reasonable accommodation with this additional priority and if it is refused then the award will be withdrawn. If your application is otherwise eligible for the housing register it will be removed from the priority group and re-assessed for priority.
195. If you are offered a home but do not attend a viewing, we will assume that you have refused the property unless there are genuine reasons why you could not turn up and you could not tell us beforehand.
196. You can ask us to review the decisions to withdraw any priority award as set out in Appendix 3. We will consider every application for a review on its merits. For a review to succeed there should be genuine reasons why the property was not suitable for you or why it was not reasonable for us to make you the offer. We will consider whether you have chosen the property (either in response to an advert or if the property meets the choices you have told us about in the past); the circumstances that you have told us about justifying

your inclusion in the quota group; and the reasons why you feel the offer made was not suitable or reasonable.

### **Care Leavers**

197. The Council's Social Services Leaving Care Team will sponsor you for housing priority. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.

### **Intensive Living and Community Care and Support (ILCCS)**

198. The Council's Adults Services department that administers the ILCCS scheme and sponsors single people living in hostel accommodation for housing priority. You will be considered for bed-sit or 1-bedroom properties only.
199. If you have not moved in to permanent accommodation within 12 months then your application will be included on lists for all suitable and reasonable vacant homes that become available.

### **Foster Carers**

200. If the Council's Social Services Department will sponsor you for housing priority you will normally be considered for one additional bedroom to that needed by your immediate family.

### **Living in a decant block with a Council or partner landlord tenant**

201. You will placed in this group if you have been living with a Council or partner landlord tenant for the previous 12 months as your only or principal home prior to a decant being declared to the property.
202. If you have not moved in to permanent accommodation within 6 months then your application will be included on lists for all suitable and reasonable vacant homes that become available. Where appropriate you may be made a direct offer.
203. We are not able to guarantee that we will be able to help you with re-housing before the tenant has to move. If you are still living with the tenant when they have to move you will be expected to make your own arrangements for housing and you may be able to continue with your housing register application from your new address.

### **Sons and Daughters of tenants of CHR partner landlords**

204. Your application can be placed in this group if you have been living with your parents for the previous five years as your only or principal home, and they are tenants of the Council or a Common Housing Register partner landlord, and one of the following circumstances apply:
- your parents are registered on the housing register and their application has been awarded a health priority;

- you need no larger than a home with 1 bedroom and your parents are giving up a 4 bedroom home or larger because they have been successful for the Cash Incentive Scheme;
- you need no larger than a 1 bed home and your parent/s also wish to move to a smaller property where there is a net bed gain and a 2 bed or larger property would be available to let to another household on the housing register. In these circumstances we will make direct offers to both parties simultaneously to ensure vacant possession of the existing tenancy
- your parents' household (excluding you and your immediate family and anyone else who is not their immediate family) is living in overcrowded conditions lacking two or more bedrooms.

205. We cannot guarantee that you will be offered housing before your parents move. If you are living with them when they move you will be expected to make your own arrangements. If they do not give their landlord vacant possession they may be asked to return any Cash Incentive Grant. If your parents fail to move once you do then, unless there are justifiable circumstances, your landlord will seek possession of your new home.

#### **Retiring from tied accommodation**

206. If you have been an employee of the Council or partner landlord and have been living in accommodation provided by them for the better performance of your duties for at least the previous five years and you are retiring due to age or health grounds.

#### **Host Team Referrals (Supported Housing Move-On)**

207. If you are living in supported housing provided by a RP and you no longer require the specialist housing services provided with your tenancy. To qualify to be included in this priority group, your application should be supported by the Council's Adult Services Department and your landlord.
208. If you are accepted as homeless and vulnerable due to age; mental or physical illness; disability; risk of violence at home and/or your institutional background and have been placed in supported housing. The Council's Housing Options team will refer applicants under this scheme for a move through the housing register.
209. The Council's Housing Options Team administers the Rough Sleeper Initiative and sponsors single applicants living in hostel accommodation for housing priority. You will be considered for bed-sit or 1-bedroom properties only.

#### **Ex service personnel**

210. Ex service personnel will have their applications assessed in line with this policy. Local connection criteria will not be applied. In some cases, where there is an urgent need for rehousing because of serious injury, illness or disability, applicants will be placed in Band 1, Group A. This is where a wheelchair home is required or emergency priority has been awarded because social or medical grounds apply.

## Decants

### **What happens if a decision is made to refurbish, redevelop or demolish my home, and I have to move?**

211. If you are a Council or partner landlord tenant and your landlord makes a decision that you have to move then we will do our best to ensure that you and your family are re-housed to a home that you will be happy in. This process is called '*decanting*'. It means that a property has to be empty for works to take place or a decision to demolish the property has been made. This usually happens only after residents have been asked for their views or when there has been an emergency leaving property unsafe. Unless otherwise stated here, the prevailing allocations scheme will apply to all applicants. You will be told the date on which your home has to be empty. This is called the '*clearance date*'.

### **What happens if my home has to be decanted?**

212. Your landlord will usually talk to you about all the re-housing options available to you and your family. Some schemes may involve new homes being built. Others will mean you have the right to return to your old home once works are finished. You may wish to move to another part of the Borough or consider home ownership. We will try to help you make an informed decision about the best choices for your family. You will be asked to fill in a re-housing application form. If anyone in your household has special housing needs because of health or disability problems you will be asked to fill in a housing health assessment form.

### **Will I be offered new homes being built?**

213. Many decant schemes include new homes being built to replace those being demolished. The new homes will usually be owned by a Registered Social Landlord, not the Council. You may be offered a tenancy with the new landlord. You will be told at the beginning of a decant scheme whether or not new homes are being built. If they are, then you may be given the choice of them. We will try to develop a new home that meets your family's housing needs but we cannot promise that in every case it will be possible. If more tenants want new homes than the numbers that are being built or more than one household wants a single plot, preference will be decided as follows:
214. Tenants with decant status where their clearance date is less than a year away; or need a 4 bed home or larger; or a home that is wheelchair accessible category A or B, will be placed in Band 1 Group A. The preference date will be the clearance date. Priority for available homes will be given in clearance date order with the tenant with the earliest date being considered first and so on. Where tenants have bid for a home and have the same clearance date, any tenants with a medical award or are overcrowded will be given preference. If this does not resolve the issue, the tenant with the earliest tenancy date will be given preference.
215. Tenants with decant status in Band 1 Group A who have not received or accepted an offer within six months of their clearance date will have their case reviewed by a senior officer and where appropriate, their priority may be amended.

216. Tenants with decant status where their clearance date is more than a year away will be placed in Band 1 Group B. Their preference date will be the clearance date. Priority for available homes will be given in preference date order as above.

**What happens if I have an “option to return”?**

217. Some regeneration schemes mean that your current home will be refurbished. Sometimes your home will be demolished. In either case you may be given an option to return to the new properties built on the site of your demolished block or to your old home once works to it have been completed. You will be given a written promise of the option to return. Your landlord will find a temporary home for you to live in until you can return permanently. Wherever possible the temporary home will be suitable for your family’s housing needs. However, if we cannot find a property that meets all your housing needs you may have to move to a home that is like-for-like with the home you are leaving. You may be in a temporary home for some time, maybe years if a new home is being built. If you change your mind and want to stay in the temporary home permanently, wherever it is reasonable for you to do so we will agree.

**Do I have to move to new homes built to replace my demolished home?**

218. Wherever possible you will be given the choice of where you want to move. However, you will be given a date by which you have to make a final decision about whether or not you want to move to new homes being built. This is to ensure that a home will be available for you and choices about that home (such as layout, colours, fittings or adaptations) can be made whilst it is being built.
219. If you do not want to move to new homes being built then your application will be put in Band 1 Group A or B as set out above. You can then apply for any vacant properties that are advertised. Your preference date will be the clearance date your landlord has decided is necessary to have the properties empty. Preference will then be decided as set out above.

**What happens if I do not apply for a new home before the clearance date?**

220. Whilst we will try to help you find a new home that meets all of your choices it may not be possible. It is important that you make an informed decision about the type of homes that will become available.
221. If you haven’t been able to identify a home you want then it may be necessary to serve a legal notice. This is a legal document that allows your landlord to ask a Court to instruct you to leave your home. You will not be homeless if this happens, as we will have to assure the Court that we have suitable alternative accommodation available for you to move in to. This may be like-for-like the property you are leaving.
222. Serving a legal notice is always a last resort when you have not accepted any of the other housing options available to you. We have to do this to ensure that a decant scheme can proceed so protecting the interest and rights of other residents.

### **If my home is being decanted how many homes can I apply for?**

223. Until you accept an offer of re-housing you can continue to apply for any homes that interest you up until six months before the decant scheme's clearance date.
224. If you have not moved by this date, then you will be made an offer of the next property that we consider reasonable to meet the minimum housing needs of your family. If you do not accept it then we may ask a Court to instruct you to move as described above.
225. If you are successful for an advertised vacancy and it is suitable and reasonable your landlord will expect you to move to it. If you do not and a legal notice has been served (as described above) either the property will be held for you or you will be made an offer of the next property that we consider reasonable to meet the minimum needs of your family. If you still do not move then your landlord may ask a Court to make you move.

### **What size home can I apply for?**

226. You can apply for the size of home that meets the needs of your household, as described above in paragraphs 65 - 69.
227. However, if you currently live in a home that is larger than that standard you can apply for a home that has one bedroom larger than the standard to a maximum of the same size as your current home up to a 3 bed property. If you choose to apply for a larger home than the standard then it must be a flat or maisonette on the same floor level as you are now living. For example if you live in a 3 bedroom flat on the 4th floor and you need a 1 bedroom home you can apply for a 1 bedroom property on any floor level or a 2 bedroom flat or maisonette on the 4th floor or above.
228. There is a shortage of homes with four or more bedrooms so you will only be considered for this size home if you need it.
229. If you choose to move to new homes being built you will only be considered for the size of home that meets the needs of your household as set out in paragraphs 65 - 69.
230. If you are a Council tenant and you agree to move to a smaller home you will be entitled to the incentives that are available as set out in paragraph 97.
231. If, during the course of the decant, a separate re-housing application is received from your address that has been awarded additional priority because of the decant (e.g. if your son or daughter wish to be re-housed independently) you will only be able to apply for a home the size of your own assessed need.

- **Will I get help with the cost of moving?**

232. If you have been living in the property for at least 12 months before a decant is agreed then a '*Home Loss*' payment will be made. The Government, not your landlord, decides the amount, which is reviewed annually. For joint



tenancies only one payment is made. You will be told if there is any change in this amount following the annual review.

233. Your landlord will also pay reasonable removal expenses. This is for things such as the cost of hiring a removal van; disconnection and reconnection of services such as gas, electricity and your telephone; hiring a plumber to connect your washing machine and an electrician or engineer to move your cooker. You should always use properly qualified people and must ensure that properly registered fitter carries out any works to your gas supply.
234. There is a maximum amount that will be paid. When your landlord visits to talk to you about the decant, they will tell you how much you can claim. You will be asked to provide receipts that show that you have paid for the service. In some cases your landlord may be able to give you some of the money before you move if you would otherwise have difficulty paying for services at the time of moving.
235. If you owe your landlord money, such as rent arrears, they may deduct it from any Home Loss or expense payments you claim. If the money you owe is more than you can claim you will be expected to make an agreement to pay the outstanding amount back.

**What happens to other people who won't be moving with me? Will they get help finding a home?**

236. Anyone who is not your immediate family, as defined above, will have to register separately for housing unless your landlord agrees otherwise. There is provision to house them through a priority target group in Band 1 Group B. To qualify for this group the person must be able to prove that they were living with you in the property as their only or principal home continuously for at least 12 months before the decant scheme was agreed.
237. They must also be eligible to be on the housing register. Their application will be placed in Band 1 Group B. Their preference date will be the date the decant was agreed. They can then apply for advertised vacancies.
238. If they refuse a home that is offered to them their priority will be withdrawn. If they do not attend a viewing, we will assume that they have refused the property unless there are genuine and substantial reasons why they could not turn up and could not tell us beforehand.
239. They can ask us to review a decision to withdraw any priority award (See Appendix 3)
240. We will try to ensure that they have at least one offer before you have to move, but we cannot promise that this will happen. If they are still living with you when you are moving they will be expected to leave the property when you do and make their own arrangements for housing.
241. You have to give your landlord vacant possession of your home as described above. If you do not give vacant possession your Home Loss payment may be withheld and your new home may not be available to you.

242. Anyone who does not qualify for this additional preference may apply for housing in the usual way but will be expected to leave the property when you do and make his or her own arrangements for housing.

**I own a home that is included in a decant scheme. Will I be re-housed?**

243. Unless there are exceptional circumstances, we will not consider you for housing priority if you are a homeowner. We may be able to help you find shared ownership or other low cost home ownership opportunities, but once your landlord has negotiated to buy back your home, you will be expected to make your own arrangements for housing.
244. On the exceptional occasions that it is agreed a homeowner is to be considered for housing priority, they will be included on lists for all reasonable vacant properties that become available.
245. If you are offered a property that your landlord thinks is reasonable and then refuse to move to it, the property will be held whilst your landlord asks a Court to instruct you to move.
246. If you do not apply for a property then you will be made an offer of the next available property that your landlord considers reasonable to meet the minimum needs of your family and this will be held whilst your landlord asks a Court to instruct you to move.
247. If you have not moved within one month of the completion date of your property being bought back then you will be made an offer of the next property that your landlord considers reasonable to meet the minimum housing needs of your family. If you do not accept it then your landlord may ask a Court to instruct you to move, as described above.

## **Appendix 1 - How decisions are made to place you in a Band**

### **Band 1 Group A**

#### **Emergencies**

248. The decision to award an emergency priority can be made by a senior manager or the Housing Management Panel based on the individual circumstances of the household. It will usually consist of a combination of exceptional social/welfare/ safety/ medical and urgency factors affecting an applicant or their household that cannot be adequately dealt with within the normal rules of the Allocations Scheme. (see paragraphs 120 and 175 – 180).

#### **Decants**

249. The decision to decant a block can only be made by councillors (for Council properties) and Management Boards (for partner landlord properties). (See paragraphs 211 – 247).

#### **Ground Floor Priority/Category A or B Wheelchair Home**

250. The decision to award priority for ground floor on medical or disability grounds is made following a medical assessment and recommendation by a health advisor. (See paragraphs 130 – 132).

#### **Under occupiers or downsizing**

251. If you are an existing social housing tenant applying for a home with at least 1 bedroom less than you currently have – (See paragraphs 93 – 97; and 103). (If you are a tenant of a landlord who is not a partner in the Common Housing Register then a reciprocal agreement will be required)

### **Band 1 Group B**

#### **Priority Medical Award**

252. This award is given following a health assessment and recommendation by a Health Advisor. (See paragraphs 121 – 134).

#### **Priority Social Award**

253. The decision to make this award is made by a Panel including a senior officer in circumstances as set out in this policy. (See paragraphs 139– 189)

#### **Priority Target groups**

254. The decision to make this award is made by a Lettings Officer if evidence is provided to verify that an applicant meets the criteria for the relevant target group. (See paragraphs 190 – 210 for details of the groups).

#### **Priority Target group - Single homeless in priority need due to vulnerability**

255. The Council's Housing Options Service makes this decision following an assessment (see paragraphs 53 – 57).

**Band 2****Homeless applicants with children and in priority need**

256. The Council's Housing Options Service makes the decision on homeless applications whether the Council accepts a full statutory duty following investigation and an assessment. (See paragraphs 53 – 57)

**Overcrowded applicants**

257. This will be based upon an assessment and verification of your circumstances as stated on your housing application. (Note: Single applicants lacking a room of their own will be included in this category. This includes applicants who have been found to be homeless but following assessment are not in priority need).

**Band 3**

- **Applicants who are not overcrowded**

258. This will be based upon an assessment and verification of your circumstances as stated on your housing application. This will include applicants who are tenants of Common Housing Register partner landlords who are not overcrowded but wish to move to the same size property.

## **Appendix 2 - Preference Dates**

259. Each applicant will be given a preference date on the housing register. In some bands this will be their original date of application. For others it will be a date of notification of their change of circumstances especially where higher priority has been given. How the preference date is decided for each category in each band is set out below.

### **Band 1 Preference dates**

|  |  |
|--|--|
| <b>Group A</b>   | <b>Sorted by emergencies first then earliest preference date as defined below.</b>   |
| <b>Emergencies</b>   | <b>Date of Award</b>   |
| <b>Ground Floor<br/>Medical/Disability/Wheelchair<br/>Accessible Category A or B</b>   | <b>Date of application for medical<br/>assessment</b>                                |
| <b>Priority Decants<br/>(less than a year to clearance date<br/>– or as a decant require 4 bed or<br/>larger – or as a decant require<br/>wheelchair accessible category A<br/>or B)</b> | <b>Earliest clearance date</b>   |
| <b>Under Occupiers</b>   | <b>Greatest number of bedrooms released<br/>first then date order of application</b> |
| <b>Group B</b>   | <b>Sorted by earliest preference date as<br/>defined below</b>                       |
| <b>Priority Medical</b>  | <b>Date of application for assessment</b>  |
| <b>Priority Social</b>   | <b>Date of award by Housing management<br/>panel</b>                                 |
| <b>Decants<br/>(More than a year to clearance<br/>date)</b>  | <b>Earliest clearance date</b>   |
| <b>Priority Target Groups</b>  | <b>Date of application for the target group</b>                                      |
| <b>Priority Target Group Single<br/>homeless assessed as in priority<br/>need due to vulnerability where<br/>the Council has accepted a full<br/>statutory duty</b>                      | <b>Date of application as homeless</b>   |

### **Band 2 Preference Dates**

|  |  |
|--|--|
| <b>Overcrowded applicants on the<br/>Housing register on the date this<br/>Allocations scheme is<br/>implemented</b>                           | <b>Original date of application (defined as<br/>the date the application was received)</b> |
| <b>New applicants who are<br/>overcrowded</b>  | <b>Date of application (defined as the date<br/>the application was received)</b>          |
| <b>Applicants who are not<br/>overcrowded on the date this<br/>Allocations scheme is<br/>implemented who have since<br/>become overcrowded</b> | <b>Date of notification of change of<br/>circumstances</b>                                 |

|   |  |
|---|--|
| <b>Applicants moving from Band 1 to Band 2</b>  | <b>Earliest preference date in Band 1 or 2 (if they were previously in Band 2)</b> |
| <b>Homeless applicants with children where the Council has accepted a full statutory duty</b> | <b>Date of application as homeless</b>   |
| <b>Single non priority homeless</b>   | <b>Date of application as homeless</b>   |

#### **Band 3 Preference Dates**

|  |                                     |
|--|-------------------------------------|
| <b>Applicants who are not overcrowded</b>  | <b>Date of application</b>          |
| <b>Tenants of Common Housing Register partner landlords who are not overcrowded but wish to move to the same size home</b> | <b>Date of application</b>          |
| <b>Applicants moving to Band 3 from Bands 1 or 2 due to change of circumstances</b>  | <b>Earliest date of application</b> |

#### **Appendix 2 continued:**

#### **What if my circumstances change?**

260. If your circumstances change, for example you change address or your family composition changes, or you apply for additional priority on medical or social grounds you may be moved to another band and be given a new preference date. The following rules apply should this happen.

#### **Rule 1:**

261. When moving up a band, i.e. to a higher priority band, a new preference date based upon the change of circumstances will be given.
262. The reason for this rule is that an applicant will not overtake applicants that were already in the high priority band before them.

#### **Rule 2:**

263. If an applicant moves from Band 1 to Band 2 - they will retain the earliest preference date they were in Band 1 or 2 (if they were previously in Band 2).
264. Applicants in Bands 1 & 2 fall within the categories where the law states they must be given "*reasonable preference*" on the Housing register. The reason for this rule is that if an applicant was in this category in Band 1, it is considered fairest that they do not lose time spent waiting in a "*reasonable preference*" category if they move to Band 2 where they will also be in this category. The preference date will be the earliest date the applicant was in reasonable preference category.

#### **Rule 3:**

265. If an applicant moves from either Band 1 or 2 to Band 3 – they will retain their earliest date of application.

266. The reason for this is that if, due to a change of circumstances, an applicant moves to a lower priority band they do not lose time already spent on the Housing register in a higher band.

### **Appendix 3 - Right of Review**

#### **What if you make a decision about my application that I do not agree with?**

267. You can ask for a review on any decision that is made about your application. You should do this within 28 days of the decision being notified to you. If you ask us to review a decision to exclude you from the housing register, a more senior officer who did not make the original decision will carry out a review.
268. If you ask us to review a decision on the suitability or reasonableness of an offer of accommodation that you have refused so that the priority awarded to your application is withdrawn, a more senior officer who did not make the original decision will carry out a review.
269. If you disagree with the Council's decision following a recommendation by a health advisor, a review will be carried out by another health advisor who has not been involved in the first assessment of your application for priority on health grounds. The Council will make a final decision based upon the recommendation of the second health advisor.

Further enquiries may be made at any stage of this process if appropriate.

270. If you ask us to review a decision about the priority awarded to your application by the Housing Management Panel, the Panel will first review any additional information or evidence that is presented. If you still disagree with the Panel's decision, a more senior officer than the chair of the Panel will carry out the review, which will be our final decision.
271. For reviews of any other decision made regarding your application, an officer who was not involved in the original decision, but not necessarily someone more senior to the officer, who made the first decision, will carry out a review.
272. If you wish to request a review of a decision it should normally be in writing. This is to make sure that we have a record of what you have told us.
273. In exceptional circumstances we will agree to you making the request in person. We will aim to tell you the result of a review within 56 days from the date of your request unless it is necessary to request further information. If more time is needed we will let you know. Normally, the decision is made more quickly than this. We will also tell you how we have made our decision.

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# Equality Analysis (EA)

Financial Year  
**2012/13**

## Tower Hamlets Allocations Scheme Review 2013

### Section 1 – General Information (Aims and Objectives)

The purpose of Tower Hamlets Common Housing Register Allocation Scheme is to set out the order of priorities for allocating a limited supply of housing to the substantial number of applicants on the Housing Register.

The 2012/13 review of the Allocations Scheme has a number of aims, these include:

- Common housing register benefits local people in most housing need
- maximise rehousing opportunities for those in housing need
- improve acceptance rate of offered properties
- ensure current applicants on the housing register are not disadvantaged by national welfare benefit changes
- improve the efficiency of the medical appeal process
- improve the allocation of wheelchair adapted and accessible properties
- review the key worker scheme to better manage resources

The review was completed in November 2012 and the following revisions are proposed:

1. Establish minimum continuous residency criteria of 3 years as a criterion for entry onto the housing register.
2. Introduce criteria restricting main or joint applicants with income above a specified limit from entry onto the housing register.
3. Restrict home owners from joining the housing register, unless there are very exceptional circumstances
4. Amend the bidding criteria to allow households to bid for 1 bedroom smaller than the assessed need, to mitigate for the impact of the Welfare Reform changes.
5. Apply a limit to the number of bids per advert cycle
6. Apply penalties for refusing offers
7. Reducing the two-stage medical appeal process to a one-stage appeal process.
8. Abolish the key worker scheme so that resources can be used to target anyone in housing need.

## Background

A fundamental aim of the Common Housing Register (CHR) Allocations Scheme is to ensure decisions to offer housing are made in a way that is fair, clear and unambiguous. Applicants on the housing register are assessed and prioritised in accordance with the CHR Allocations Scheme.

The demand for social housing is much greater than the supply. In 2010, the Allocations Scheme was reviewed with the fundamental goal of managing expectations and supporting applicants in difficult housing circumstances to permit them to better understand their rehousing chances, by explaining the limitations of the housing supply. The Banding 1 – 4 mechanism introduced allowed those in the two lower priority bands to recognise their low prospects of obtaining a social housing tenancy and then allow them to consider alternative housing options e.g. private sector rented.

The Coalition Government has introduced legislative changes that will significantly affect how local authorities manage their housing registers. The law enables housing authorities to better manage their housing register by giving them the power to determine which applicants do or do not qualify for an allocation of social housing. Local authorities are now able to devise policies to meet local needs.

The 2012/13 review of the Allocations Scheme took place following the implementation of the Localism Act 2011. The Act gives much greater freedom to local authorities to set their allocation schemes, albeit whilst still requiring that certain groups should be given 'reasonable preference' e.g. households who are homeless, living in insanitary, overcrowded and unsatisfactory housing conditions, or people who need to move on medical or welfare grounds.

For example, allocations policies can now take into account:

- A person's limited prospect of gaining a social tenancy, even empowering local authorities to prevent those not in housing need from being registered on the housing register.
- The financial resources available to the person with a view to limiting their access to the housing register.
- Any behaviour by the person or a member of their household that affects their suitability to be a tenant.
- The extent or otherwise of any local connection, removing the current obligation to open the housing register to everyone, even those with no local connection.

The Localism Act also introduces important reforms to social housing and homelessness. The Act allows councils to permanently discharge their homelessness duty by making available suitable accommodation in the private rented sector (PRS). The Localism Act removes the discretion for homeless families to reject privately rented accommodation without there being any loss of the statutory duty owed.

These changes could help the Council to discharge its homeless duties, manage local demand more effectively and make better use of the social housing stock. Local Authorities across the country including neighbouring authorities have already revised the criteria for joining their housing registers. The proposed changes are designed to enable Tower Hamlets to adopt changes that benefit local people recognising that the demand for social housing in the borough may significantly increase as a result of restriction being applied by other local authorities – which might make the current Tower Hamlets CHR more viable and appealing.

Overcrowding remains the main cause of housing need in the borough with 9, 474 (40%) households on the housing register are classified as overcrowded.

Table 1 Appendix 1 illustrates the significant increase in demand for housing in Tower Hamlets from 2002 to 2012.

## Section 2 – Evidence (Consideration of Data and Information)

### Social Housing

Social housing accounts for approximately 45% of the borough's housing stock, one of the highest in London. There are currently 23, 848 households registered on the Housing register requiring rehousing. There has been a steady increase over the years. Between April 2008 and October 2011 the number of households on the borough's Housing register increased by 8.3%.

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##### Appendix 1 – List of Tables

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## Section 3 – Assessing the Impacts

### ESTABLISH 3–YEAR MINIMUM RESIDENCY CRITERIA

The existing Allocations Scheme had to be framed to comply with previous legislation that meant applicants to the housing register qualified to join even if they lived outside of the borough or owned a home. Albeit they were generally placed in the lowest priority Band.

Under the Tower Hamlets CHR Allocations Scheme, generally, applicants living outside of the borough were placed in 4 Band and had very little prospect of rehousing. Exceptions were made if applicants were able to satisfy one of the following local connection criteria:

have lived in the borough for 6 months in the last 12 months or 3 years in the last 5 years (not necessarily continuously)

have close relatives in the borough (who have themselves lived in the borough for a minimum of 5 years)

have permanent employment in the borough (regardless of how long that employment has been)

With increased demand for housing in the borough it is recognised that priority should be given to local people for homes in the borough. The change in policy will restrict applicants from joining the housing register unless they can prove that they have lived in the borough continuously for 3 years.

The introduction of the residency criteria will only apply to new housing applicants and those living outside of Tower Hamlets when the new policy comes in to effect, unless they fall under the exceptions categories outlined further below.

There are currently 23,848 applicants on the Housing Register as shown in Table 2 Appendix 1.

Table 8 below shows that in October 2012 there were 2,796 people on the Housing Register categorised as having “no local connection”. Of this total number, 732 applicants presently live in the borough and their respective “no local connection” priority reflects their individual inability to evidence having lived in the borough for at least 6 months in the last 12 months or 3 years in the last 5 years.

**Table 8: Housing Register applicants with no local connection – By Ethnicity**

| <b>Banding 4</b>    | <b>High Level Ethnicity</b> | <b>Total</b> | <b>%</b> |
|---------------------|-----------------------------|--------------|----------|
| NO LOCAL CONNECTION | Asian                       | 1248         | 44.6%    |
|                     | Black                       | 544          | 19.5%    |
|                     | Dual                        | 95           | 3.4%     |
|                     | Other                       | 129          | 4.6%     |
|                     | Refused                     | 5            | 0.2%     |
|                     | White                       | 755          | 27.0%    |
|                     | Not completed               | 20           | 0.71%    |
| <b>Total</b>        |                             | <b>2796</b>  |          |

The current Allocations Scheme dictates that persons without a local connection will be placed in Band 4. The significance of this is that these then have no real prospects of ever receiving an offer. The relevance of the proposed amendments to the local connection criteria does though invite different impact mitigations depending on whether the applicant is an in-borough or an out-of-borough applicant.

For in-borough applicants who have either not reached the current residential requirements, or may simply not have actioned their individual applications as diligently as they perhaps should have, each will be written to in the period before scheme amendments “Go-Live”. They will be invited to evidence their local connection pursuant to the current scheme before the changes come into effect. In essence, the opportunity for transitional relief.

That specific invitation to all in-borough applications who have failed to evidence a local connection will be complemented by the further advice that the council will entertain applications to waive these requirements in exceptional circumstances or where their enforcement would cause undue hardship.

The remaining 2064 are out-of-borough applicants. Table 9 below identifies the current priority Banding of each application.

**Table 9 - Priority Bands of applicants living out of borough**

|                            |             |
|----------------------------|-------------|
| 1A EMERGENCY               | 4           |
| 1A MEDICAL                 | 6           |
| 1A UNDEROCCUPIERS          | 1           |
| 1B PRIORITY MEDICAL        | 6           |
| 1B PRIORITY SOCIAL         | 3           |
| 1B PRIORITY TARGET         | 23          |
| 2 OVERCROWDED              | 172         |
| 3 SHR ADEQUITELY HOUSED    | 283         |
| 4 NO LOCAL CONNECTION      | 1381        |
| 4 TENANT OF NON PARTNER RP | 151         |
| 4 OWNEROCCUPIERS           | 34          |
| <b>Total</b>               | <b>2064</b> |

Of these, 20 have been awarded the higher priorities ranging from 1A Emergency to 1B Social. Consideration was given to the opportunity for these cases to automatically remain on the register as they have been given priority due to exceptional circumstances. However, it is proposed that these cases should instead be reviewed to ensure that they still qualify and that their circumstances are still of sufficient exception to justify that they remain on the housing register even though they live outside the borough. If that is the case, then they will not be removed from the register or lose their already awarded priority. This review will be done in a formal process linked to the Housing Management Panel and will be initiated by direct communication with each of the 20 households in question.

There are a further 23 applicants in Priority 1B Target group categorised as keyworkers. This target group will be removed and analysis of the impact of this is considered separately below.

Some 172 applicants are in Band 2 having been categorized as overcrowded and given reasonable preference priority due to established local connection through employment or close relatives living in the borough. The number is comparatively small given that there are 9,163 applicants in Band 2 generally, 7,779 of whom are overcrowded with the remaining applicants being accepted statutory homeless households (refer to Table 2 Appendix 1). Notwithstanding then the general impact mitigations described below, it is considered important to reflect on the knowledge that these 172 applicants will anyway receive reasonable preference priority from their own local authority as required by legislation and likely as not a better prospect of being rehoused under their own borough’s allocation scheme

Finally, there are 1849 applicants in Bands 3 and 4. They have very little prospect of ever being made an

offer accommodation, advice best exemplified by the fact that, between April 2012 and December 2012, only 36 of the 1,453 lets in that period went to applicants in Band 3 and 4, a figure that included in-borough Band 3 & 4 applicants. Therefore, actual impact on this group of people will be very marginal.

Nonetheless, aside from the specific engagements planned with the Priority Band 1A and 1B applicants, all affected applicants will be notified in writing and will be given the opportunity to make representations about any adverse impact that might arise as a result. The Council, whilst recognising that an applicant's reasonable preference in their local council area might well mitigate such impact, will nonetheless consider allowing an applicant to remain on our register if he or she is able to demonstrate significant or disproportionate hardship as a result.

Table 10 below illustrates the average number of years applicants in Tower Hamlets wait for rehousing for each of the bedroom sizes.

|                  |          |
|------------------|----------|
| Bedsit/1 bedroom | 3 years  |
| 2-bedroom        | 4 years  |
| 3-bedroom        | 7 years  |
| 4-bedroom        | 8 years  |
| 5-bedroom        | 10 years |
| 6-bedroom        | 7 years  |

#### Table 11 - Out of Borough Housing Register Applicants

Table 11 below shows the ethnic breakdown of those registered as "Out of Borough", who will be affected by the changes.

#### Table 11 - Out of Borough Housing Register Applicants by Ethnicity

|                             | <b>All housing register apps</b> |               | <b>Out of Borough Apps</b> |             |
|-----------------------------|----------------------------------|---------------|----------------------------|-------------|
| <b>High Level Ethnicity</b> | <b>Nos</b>                       | <b>%</b>      | <b>Nos</b>                 | <b>%</b>    |
| Asian                       | 12,692                           | 53.2 %        | 707                        | 34.2%       |
| Black                       | 3,128                            | 13.1 %        | 492                        | 23.8%       |
| Dual                        | 640                              | 2.7 %         | 80                         | 3.9%        |
| White                       | 5,949                            | 24.9 %        | 672                        | 32.5%       |
| Other                       | 1,321                            | 5.5 %         | 96                         | 4.7%        |
| REFUSED to say              | 65                               | 0.3 %         | 2                          | 0.1%        |
| Not completed               | 77                               | 0.3 %         | 16                         | 0.8%        |
| <b>Sum:</b>                 | <b>23,872</b>                    |               | <b>2,064</b>               |             |
| <b>Percent:</b>             |                                  | <b>100. %</b> |                            | <b>100%</b> |

When compared to overall demand on the housing register, proportionally there are more white and black applicants registered from outside the borough seeking housing. However, Tables 12 and 13 below show that majority of the applicants within two groups do not have any priority for housing, which

negates any disproportionate impact on these groups.

| Band         | Asian      | Black      | Dual      | Other     | REFUSED  | White      | Blank     | Total       |
|--------------|------------|------------|-----------|-----------|----------|------------|-----------|-------------|
| 1A_EMERGE    | 1          | 1          |           |           |          | 2          |           | 4           |
| 1A_MEDICAL   |            | 2          |           |           |          | 4          |           | 6           |
| 1A_UNDROCC   |            |            |           |           |          | 1          |           | 1           |
| 1B_PRIOMED   | 1          |            |           | 1         |          | 4          |           | 6           |
| 1B_PRIOSOC   | 1          | 1          |           |           |          | 1          |           | 3           |
| 1B_PRIOTRG   | 7          | 8          | 1         |           |          | 7          |           | 23          |
| 2_OVERCRWD   | 86         | 32         | 4         | 3         |          | 44         | 3         | 172         |
| 3_SHRADQHS   | 90         | 60         | 11        | 8         |          | 113        | 1         | 283         |
| 4_NOLOCAL    | 463        | 350        | 61        | 75        | 1        | 419        | 12        | 1381        |
| 4_NONCHR     | 44         | 33         | 3         | 7         |          | 64         |           | 151         |
| 4_OWNEROCC   | 14         | 5          |           | 2         |          | 13         |           | 34          |
| <b>Total</b> | <b>707</b> | <b>492</b> | <b>80</b> | <b>96</b> | <b>1</b> | <b>672</b> | <b>16</b> | <b>2064</b> |

| Band         | 18 to 25   | 26 to 40    | 41 to 50   | 51 to 60   | Over 60    | Total       |
|--------------|------------|-------------|------------|------------|------------|-------------|
| 1A_EMERGE    |            | 2           | 1          | 1          |            | 4           |
| 1A_MEDICAL   |            |             | 1          |            | 5          | 6           |
| 1A_UNDROCC   |            |             |            |            | 1          | 1           |
| 1B_PRIOMED   |            |             |            | 2          | 4          | 6           |
| 1B_PRIOSOC   |            | 2           |            | 1          |            | 3           |
| 1B_PRIOTRG   | 3          | 14          | 4          | 2          |            | 23          |
| 2_OVERCRWD   | 27         | 113         | 26         | 4          | 2          | 172         |
| 3_SHRADQHS   | 27         | 144         | 65         | 34         | 13         | 283         |
| 4_NOLOCAL    | 182        | 699         | 257        | 153        | 90         | 1381        |
| 4_NONCHR     | 9          | 55          | 33         | 25         | 29         | 151         |
| 4_OWNEROCC   |            | 14          | 11         | 4          | 5          | 34          |
| <b>Total</b> | <b>248</b> | <b>1043</b> | <b>398</b> | <b>226</b> | <b>149</b> | <b>2064</b> |

With regards to age, applicants between the ages of 26 -40 make up the largest proportion of those living out of borough.

### **Housing Register applications in 2011/12**

Table 14 below show similar patterns in that majority of new applications accepted on the housing register were placed in the lowest Bands 3 and 4 with very little prospect of rehousing. It is not possible to establish how many applicants would fail to meet the 3 years residency criteria because data on when applicants moved in to the borough is not presently collected. New applicants living in the borough, provided they continue to live in Tower Hamlets, will qualify once the residency condition is met. There will be exceptions to this rule, and safeguards will be in place to allow cases where there are exceptional circumstances. This will negate any adverse impact on applicants who may have serious urgent housing need but fail the 3 years continuous residency criteria.

| Band      | 1 | 2 | 3 | 4 | 5 | 6 | Total |
|-----------|---|---|---|---|---|---|-------|
| 1A_DECANT |   |   |   | 1 |   |   | 1     |
| 1A_EMERGE |   |   | 1 |   |   |   | 1     |

|              |             |            |            |           |          |          |             |
|--------------|-------------|------------|------------|-----------|----------|----------|-------------|
| 1A_MEDICAL   | 7           | 9          | 7          | 1         |          |          | 24          |
| 1A_UNDROCC   | 21          | 21         | 2          | 2         | 1        |          | 47          |
| 1B_DECANT    |             |            | 1          |           |          |          | 1           |
| 1B_PRIOMED   | 6           | 4          | 2          | 6         |          |          | 18          |
| 1B_PRIOSOC   | 2           | 2          |            |           |          |          | 4           |
| 1B_PRIOTRG   | 6           | 1          | 1          |           |          |          | 8           |
| 2_OVERCRWD   | 239         | 221        | 223        | 49        | 3        | 1        | 736         |
| 3_CHRTRANS   | 84          | 83         | 38         | 9         |          |          | 214         |
| 3_SHRADQHS   | 427         | 72         | 20         | 1         |          |          | 520         |
| 4_NOLOCAL    | 221         | 47         | 24         | 5         |          | 1        | 298         |
| 4_NONCHR     | 15          | 8          | 12         | 2         |          |          | 37          |
| 4_OWNEROCC   | 2           | 4          | 4          | 1         |          |          | 11          |
| <b>Total</b> | <b>1030</b> | <b>473</b> | <b>335</b> | <b>76</b> | <b>4</b> | <b>2</b> | <b>1920</b> |

**Table 15 Applications Received and Made Active in 2011-12  
By Age and Ethnicity**

| Ethnicity    | Age Groups |            |            |            |            | Tot         | %     |
|--------------|------------|------------|------------|------------|------------|-------------|-------|
|              | 18 to 25   | 26 to 40   | 41 to 50   | 51 to 60   | Over 60    |             |       |
| Asian        | 321        | 554        | 108        | 44         | 42         | 1069        | 55.6% |
| Black        | 51         | 105        | 54         | 30         | 13         | 253         | 13%   |
| Dual         | 21         | 30         | 11         | 4          | 1          | 67          | 3.5%  |
| Other        | 10         | 42         | 15         | 9          | 9          | 85          | 4.4%  |
| Refused      | 1          | 7          | 2          |            |            | 10          | 0.5%  |
| White        | 92         | 167        | 63         | 58         | 56         | 436         | 22.7% |
| <b>Total</b> | <b>496</b> | <b>905</b> | <b>253</b> | <b>145</b> | <b>121</b> | <b>1920</b> |       |

**Table 16 - Housing Register Applicants by Tenure Type**

An analysis of the tenure type of those on the current housing register show that the greater proportion is currently living with family. On this basis it is concluded that the greater proportion of people claiming a connection with the borough are also living with family members.

**Table 16 Applications Received and Made Active in 2011-12  
By Tenure Type and Ethnicity**

| Tenure Type  | Asian       | Black      | Dual      | Other     | Refuse to say | White      |             |
|--------------|-------------|------------|-----------|-----------|---------------|------------|-------------|
| COUNCIL      | 124         | 34         | 5         | 5         | 4             | 39         | 211         |
| FAMILY       | 445         | 56         | 13        | 15        | 2             | 115        | 646         |
| HOSTEL       | 25          | 17         | 6         | 2         | 1             | 45         | 96          |
| LODGER       | 7           | 1          |           | 2         |               | 5          | 15          |
| OTHCOUNCIL   | 6           |            | 1         |           |               | 2          | 9           |
| OTHER        | 13          | 13         | 4         | 2         |               | 15         | 47          |
| OWNOCC       | 7           | 3          |           |           |               | 2          | 12          |
| PRIVATE      | 201         | 70         | 29        | 28        | 3             | 119        | 450         |
| RSL          | 240         | 59         | 9         | 31        |               | 91         | 430         |
| TIED         | 1           |            |           |           |               | 3          | 4           |
| <b>Total</b> | <b>1069</b> | <b>253</b> | <b>67</b> | <b>85</b> | <b>10</b>     | <b>436</b> | <b>1920</b> |



Some specific and fundamental exceptions will be applied as defined: -

As per the new regulatory requirement, for Armed Forces personnel  
Any application pursuant to a local or national mobility scheme  
Sub-Regional, or Regional, nominations  
Other recognised reciprocal arrangements  
Other exceptional reasons, or where it is in the council's interest to do so, subject to agreement of the relevant Service Head/Lettings Manager

All applicants affected by the policy amendments will be contacted and offered the opportunity to seek a review if they consider 'exceptional grounds' exist. Such request for reviews will be considered in accordance with established procedures.

### **INCOME LEVEL AS A HOUSING REGISTER CRITERIA**

The proposal to establish an income criterion in relation to joining the housing register has the potential to affect new housing register applicants. An income level of £85,000 is proposed only for new single or joint applicant(s).

The Strategic Housing Market Assessment carried out in 2009 established the following: -

The average property price in Tower Hamlets in 2009 was £309, 3262.

The lowest quartile entry-level price in the Borough was in Bromley By Bow/Mile End East for a 1-  
□bedroom flat at £169,995, rising to £250,000 in Blackwall/Cubit Town/Millwall2.

An income of £46,100 (single) is needed to access the cheapest entry-level property (one bedroom flat) □in Bromley by Bow/Mile End East area and £60,300 (dual) in Bethnal Green North/Weavers/Mile  
□End/Globe Town area2.

The lowest private sector entry rental costs in the Borough start at £720 a month for a one bedroom flat □in Bow East/Bow West rising to £1,000 in St Katherine's/Wapping/Shadwell2.

Currently those people wishing to buy or rent through First Steps homeownership scheme require gross household income of up to £64,300 per annum when applying for 1 and 2 bedroom properties. Or up to £77,200 per annum when applying to buy or rent a family sized property 3+ bedrooms.

For owner occupation lending for single incomes assumed to be 3.5x the gross income and lending for joint incomes based on a 2.9x multiplier.

The Boroughs employment strategy 2011 shows that the Tower Hamlets median household income currently stands at around £29,550, which is just above the 2010 median of £29,400.

Tower Hamlets has a relative high number of households with an income of less than £15K a year. The rate is below the GB average but above the Inner London and London rate. More than 21,000 households in Tower Hamlets have an income of 15K or less.

Based on the information in the table below, since over 80% of Tower Hamlets residents earn less than £60K per annum, the proposed income criteria will not affect the majority of applicants to the housing register.

**Table 17 : Household income distribution in Tower Hamlets and Greater London**

| Borough              | Unequalised                            |           |           |           |          |           | Equalised                              |           |           |           |          |           |
|----------------------|--|-----------|-----------|-----------|----------|-----------|--|-----------|-----------|-----------|----------|-----------|
|                      | Percentage of households earning under |           |           |           |          |           | Percentage of households earning under |           |           |           |          |           |
|                      | Under 15k                              | Under 30k | Under 45k | Under 60k | Over 60k | Over 100k | Under 15k                              | Under 30k | Under 45k | Under 60k | Over 60k | Over 100k |
| <b>Tower Hamlets</b> | 23.8                                   | 48.16     | 67.13     | 80.34     | 19.66    | 5.35      | 20.7                                   | 50.82     | 71.62     | 84.47     | 15.53    | 3.50      |
| <b>London</b>        | 21.3                                   | 45.53     | 65.24     | 79.13     | 20.87    | 5.48      | 17.3                                   | 47.43     | 69.85     | 83.82     | 16.18    | 3.40      |

(Source: CACI Paycheck 2012)

Using JSA (Job Seekers Allowance) as a guide to people who are not working that may apply to the housing register; according to the Tower Hamlets Employment Strategy 2011, Black (African) residents are proportionally more likely to be claiming JSA than any other ethnic group.

**Table 18 - JSA Claimants by ethnic group**

| Ethnicity             | Population (20-64) | Claimant count | Incidence   |
|-----------------------|--------------------|----------------|-------------|
| White (British/Irish) | 48,179             | 2,875          | 6.0%        |
| Bangladeshi           | 38,647             | 3,650          | 9.4%        |
| White (Other)         | 6,961              | 560            | 8.0%        |
| Mixed                 | 8,199              | 330            | 4.0%        |
| Other Asian           | 8,932              | 280            | 3.1%        |
| Black (African)       | 6,484              | 725            | 11.2%       |
| Black (Other)         | 7,638              | 650            | 8.5%        |
| Other (inc Chinese)   | 7,472              | 355            | 4.8%        |
| Unknown               | 25,569             | 740            | 2.9%        |
| <b>Total</b>          | <b>158,081</b>     | <b>10,175</b>  | <b>6.4%</b> |

(Source: DWP Claimant Count, April 2010, Mayhew 2010 population estimate for Tower Hamlets)

The most significant component of this group is people of Somali origin, who are well represented within the Borough. However, this group is less numerous as a percentage of the population. Numerically, the highest number of claimants are Bangladeshi residents, who have the second highest claimant rate; this is higher than the White (British/Irish) population which has the second highest number of claimants overall.

The current CHR application process does not collect information on an applicant's income, so it is not possible to identify what the income levels are of those on the housing register. However, based on the above information it is not expected to impact greatly on new applicants.

Setting the threshold at £85,000 for sole or joint income will ensure anyone who does not qualify to join the housing register has sufficient means to secure their own housing solutions whether that is renting in the private sector, shared ownership or outright purchase. Small number of applicants who may be affected will be directed to our Housing Options team for appropriate advice and assistance.

As with other amendments to the Allocations Scheme, mechanisms will be employed to consider representations in individual cases and allowing people onto the register if they are able to demonstrate some unanticipated or disproportionate impact or exceptional hardship.

## RESTRICT HOME OWNERS FROM JOINING THE HOUSING REGISTER

People who own their home or own residential accommodation elsewhere will be restricted from joining the housing register. Currently homeowners are placed in Band 4, the lowest priority Band. Lettings to people in Band 4 currently represent only (0.8%) of all lets. In 2011/12 only 3 lets were made to owner-occupiers.

**Table 19 – Demand from Owner Occupiers by Ethnicity**

| Banding 4          | Ethnicity | Total      | %     |
|--------------------|-----------|------------|-------|
| OWNER<br>OCCUPIERS | Asian     | 75         | 55.6% |
|                    |           |            | 0.0%  |
|                    | Black     | 17         | 12.6% |
|                    | Other     | 6          | 4.4%  |
|                    | Refused   | 2          | 1.5%  |
|                    | White     | 35         | 25.9% |
|                    |           |            | 0.0%  |
| <b>Total</b>       |           | <b>135</b> |       |

## AMEND THE BIDDING CRITERIA TO ALLOW HOUSEHOLDS TO BID FOR 1 BEDROOM SMALLER THAN THE ASSESSED NEED

Tower Hamlets bedroom standard is quite generous, in that it would deem a family with two children of different sex under the age of 10 requiring a 3-bedroom property. Under the Welfare Reform changes, this family would only be eligible for Housing Benefit for a 2-bedroom property and not considered overcrowded.

Families in Tower Hamlets are - on average - larger in size than families in London or the UK, and this is reflected in the Child Benefit Statistics. In Tower Hamlets, 29 per cent of families (receiving Child Benefit) had 3 or more children, compared with 18 per cent in London and 16 per cent nationally. One in eight (12 per cent) of Tower Hamlets families had four or more children compared to 5 per cent in London and 4 per cent in the UK (*HM Revenue and Customs; Child Benefit Statistics, August 2009*).

Therefore, applicants are more likely to be affected by the Welfare Reform changes as those with a minimum of two children under the age of 10, of both genders, lacking one bedroom under the current assessment criteria will be affected.

An analysis of lettings by bedroom size in 2011/12 shows that the greatest number of lets made is of two-bedroom properties and the main reason for the letting is overcrowding (under the current assessment criteria). The option of bidding for one bedroom less than the current needs assessment may bring a shift of bidding for smaller size accommodation. However, the expectation is that applicants will only bid for smaller size accommodation if they are affected by the benefit cap and unable to find additional income to meet the housing benefit shortfall.

A number of local authorities including Newham, Haringey, Hackney, Hillingdon Westminster etc., either already have a policy requiring children of different sex to share a bedroom up until the age of 8, or have changed their policy to allow children of different sex to share of a bedroom up to the age of 10 years, in line with the welfare reform changes.

Tower Hamlets has no proposal to change its current bedroom standard. This measure is viewed as providing an additional choice to families. This option allows a household to decide whether to remain in their current housing situation until their income reaches a level that they can bid on a property allowing

children of different sex to have their own bedroom, or bid on a smaller property within their current income level.

**Table 20 - Lettings by bedroom size and Band**

| Total Lets for 2011-12                   |            |            |            |            |           |          |             |
|--|------------|------------|------------|------------|-----------|----------|-------------|
| Band                                     | Bedrooms   |            |            |            |           |          |             |
|  | 1          | 2          | 3          | 4          | 5         | 6        |             |
| 1A DECANT                                | 24         | 18         | 26         | 11         | 4         |          | 83          |
| 1A EMERGENCY                             | 21         | 19         | 32         | 19         | 7         | 2        | 100         |
| 1A MEDICAL                               | 41         | 23         | 37         | 17         | 7         |          | 125         |
| 1A UNDOCCUPIER                           | 46         | 41         | 5          | 1          |           |          | 93          |
| 1B DECANT                                | 10         | 8          | 5          |            |           |          | 23          |
| 1B PRIORITY MEDICAL                      | 29         | 21         | 32         | 19         | 11        | 1        | 113         |
| 1B PRIORITY SINGLE HOMELESS              | 80         |            |            |            |           |          | 80          |
| 1B PRIORITY SOCIAL                       | 33         | 13         | 10         | 5          |           |          | 61          |
| 1B PRIORITY TARGET GROUP                 | 233        | 19         | 1          | 1          |           |          | 254         |
| 2 OVER CROWDING                          | 316        | 623        | 343        | 58         | 17        |          | 1357        |
| 2 PRIOTY HOMELESS                        |            | 190        | 49         | 7          | 8         |          | 254         |
| 3 ADEQUATELY HOUSE TRANSFER (CHR TENANT) | 33         |            |            |            |           |          | 33          |
| 3 ADEQUATELY HOUSED                      | 63         | 6          |            | 2          | 1         |          | 72          |
| 4 NO LOCAL CONNECTION                    | 6          | 4          | 4          |            |           |          | 14          |
| 4 TENANT OF NON-CHR PARTNER              | 4          |            |            |            |           |          | 4           |
| 4 OWNER OCCUPIER                         | 3          |            |            |            |           |          | 3           |
| Cat fail                                 | 26         | 6          | 2          |            |           |          | 34          |
| <b>Total</b>                             | <b>968</b> | <b>991</b> | <b>546</b> | <b>140</b> | <b>55</b> | <b>3</b> | <b>2703</b> |

**Table 21- Lettings in 2010/11 by size & ethnicity**

| Total Lets for 2011-12 |            |            |            |            |           |          |             |        |
|------------------------|------------|------------|------------|------------|-----------|----------|-------------|--------|
| Bedrooms Required      |            |            |            |            |           |          |             |        |
| Ethnicity              | 1          | 2          | 3          | 4          | 5         | 6        | Total       |        |
| Asian                  | 378        | 509        | 358        | 103        | 43        | 3        | 1394        | 51.57% |
| Black                  | 192        | 143        | 47         | 18         | 7         |          | 407         | 15.06% |
| Dual                   | 30         | 21         | 8          | 2          |           |          | 61          | 2.26%  |
| Other                  | 50         | 43         | 34         | 10         | 4         |          | 141         | 5.22%  |
| White                  | 318        | 275        | 99         | 7          | 1         |          | 700         | 25.90% |
| <b>Total</b>           | <b>968</b> | <b>991</b> | <b>546</b> | <b>140</b> | <b>55</b> | <b>3</b> | <b>2703</b> |        |

Analysis of the lettings by bedroom size and ethnicity shows that the largest ethnic groups to be affected will be that of Asian people. As mentioned above this is reflective of the housing register.

**Streamlining the Medical Appeal Process**

The proposal to streamline the medical appeal to a one-stage instead of a two-stage appeal process, will affect all future applicants applying for rehousing on health grounds. Statistics show that only a small percentage of medical applications, (4.2%) go onto the second stage of appeal.

The **current** process, which includes a first and second stage appeals, can take up to six month for a final decision to be made. Reducing the appeal process to only one stage of appeal will reduce the processing time by two months. In the period 1/4/2011 to 31/4/2012, there were 1512 medical

applications, 235 went on to first stage appeal and 65 went to second stage appeal.

Five people obtained a positive result from the second stage appeal process. The 5 benefiting from the second stage appeal process represents less than 1 % of those making a medical application.

The Council will examine why those 5 cases were not awarded priority at the initial assessment and then unsuccessful at the first stage appeal. Findings will be used to revise procedures and practices as may be necessary to ensure such cases are properly assessed first time.

**Table 22 – Medical Applicants and Appeals 2011/12**

| Medical Applications   | 1st Stage Appeal | 2nd Stage Appeal |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
|--|------------------|------------------|------|-----|--------|-----|-------|---|--------------|------------|------------------|--|----------|---|----------|---|----------|----|----------|----|----------|----|----------|----|----------|---|------|----|------------------|--|-------|----|-------|---|-------|----|-------|---|-----------|---|-------------------------|--|---------|---|-----------|----|-------|---|--------|---|--------|-----|------|---|-------------|---|-------|---|------------------|--|----------|---|-----|---|-------|-----|---------|---|-------------|---|---------------|--|-----------------|---|-------------------|----|-----------|-----|------------------|---|------------|---|--|------------|--|------|-----|--------|-----|-------|---|--------------|------------|------------------|--|----------|---|----------|---|----------|----|----------|----|----------|----|----------|----|----------|---|------|----|------------------|--|-------|----|-------|---|-------|----|-------|---|-----------|---|-------------------------|--|---------|---|-----------|----|-------|---|--------|---|--------|-----|------|---|-------------|---|-------|---|------------------|--|----------|---|-----|---|-------|-----|---------|---|-------------|---|---------------|--|-----------------|---|-------------------|----|-----------|-----|------------------|---|------------|---|--|------------|--|------|----|--------|----|-------|---|--------------|-----------|------------------|--|----------|---|----------|---|----------|----|----------|----|----------|----|----------|---|----------|---|------|---|------------------|--|-------|----|-------|----|-------|----|-------|---|-----------|---|-------------------------|--|---------|---|-----------|----|-------|---|--------|---|--------|----|------|---|-------------|---|-------|---|------------------|--|----------|---|-----|---|-------|----|---------|---|-------------|---|---------------|--|-----------------|---|-------------------|---|-----------|----|------------------|---|------------|---|
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| 7 | 65 + | 14 | <b>Ethnicity</b> |  | Asian | 49 | Black | 4 | White | 10 | Other | 1 | Not known | 3 | <b>Religious Belief</b> |  | Buddist | 0 | Christian | 44 | Hindu | 0 | Jewish | 0 | Muslim | 115 | Sikh | 0 | No Religion | 0 | Other | 7 | <b>Sexuality</b> |  | Bisexual | 0 | Gay | 0 | Hetro | 166 | Lesbian | 0 | No Response | 0 | <b>Result</b> |  | Up to emergency | 0 | Up to extenuating | 36 | No change | 169 | Down>extenuating | 0 | Dn to none | 0 | <table border="1"> <tr><td><b>Sex</b></td><td></td></tr> <tr><td>Male</td><td>119</td></tr> <tr><td>Female</td><td>116</td></tr> <tr><td>Other</td><td>0</td></tr> <tr><td><b>Total</b></td><td><b>235</b></td></tr> </table><br><table border="1"> <tr><td><b>Age Group</b></td><td></td></tr> <tr><td>under 20</td><td>0</td></tr> <tr><td>20 to 25</td><td>5</td></tr> <tr><td>26 to 34</td><td>58</td></tr> <tr><td>35 to 43</td><td>98</td></tr> <tr><td>44 to 52</td><td>24</td></tr> <tr><td>53 to 59</td><td>20</td></tr> <tr><td>60 to 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<tr><td>Male</td><td>39</td></tr> <tr><td>Female</td><td>26</td></tr> <tr><td>Other</td><td>0</td></tr> <tr><td><b>Total</b></td><td><b>65</b></td></tr> </table><br><table border="1"> <tr><td><b>Age Group</b></td><td></td></tr> <tr><td>under 20</td><td>2</td></tr> <tr><td>20 to 25</td><td>1</td></tr> <tr><td>26 to 34</td><td>13</td></tr> <tr><td>35 to 43</td><td>22</td></tr> <tr><td>44 to 52</td><td>19</td></tr> <tr><td>53 to 59</td><td>3</td></tr> <tr><td>60 to 64</td><td>0</td></tr> <tr><td>65 +</td><td>2</td></tr> </table><br><table border="1"> <tr><td><b>Ethnicity</b></td><td></td></tr> <tr><td>Asian</td><td>37</td></tr> <tr><td>Black</td><td>10</td></tr> <tr><td>White</td><td>14</td></tr> <tr><td>Other</td><td>3</td></tr> <tr><td>Not known</td><td>0</td></tr> </table><br><table border="1"> <tr><td><b>Religious Belief</b></td><td></td></tr> <tr><td>Buddist</td><td>0</td></tr> <tr><td>Christian</td><td>11</td></tr> <tr><td>Hindu</td><td>0</td></tr> <tr><td>Jewish</td><td>0</td></tr> <tr><td>Muslim</td><td>33</td></tr> <tr><td>Sikh</td><td>0</td></tr> <tr><td>No Religion</td><td>0</td></tr> <tr><td>Other</td><td>1</td></tr> </table><br><table border="1"> <tr><td><b>Sexuality</b></td><td></td></tr> <tr><td>Bisexual</td><td>0</td></tr> <tr><td>Gay</td><td>0</td></tr> <tr><td>Hetro</td><td>45</td></tr> <tr><td>Lesbian</td><td>0</td></tr> <tr><td>No Response</td><td>0</td></tr> </table><br><table border="1"> <tr><td><b>Result</b></td><td></td></tr> <tr><td>Up to emergency</td><td>0</td></tr> <tr><td>Up to extenuating</td><td>5</td></tr> <tr><td>No change</td><td>51</td></tr> <tr><td>Down&gt;extenuating</td><td>0</td></tr> <tr><td>Dn to none</td><td>0</td></tr> </table> | <b>Sex</b> |  | Male | 39 | Female | 26 | Other | 0 | <b>Total</b> | <b>65</b> | <b>Age Group</b> |  | under 20 | 2 | 20 to 25 | 1 | 26 to 34 | 13 | 35 to 43 | 22 | 44 to 52 | 19 | 53 to 59 | 3 | 60 to 64 | 0 | 65 + | 2 | <b>Ethnicity</b> |  | Asian | 37 | Black | 10 | White | 14 | Other | 3 | Not known | 0 | <b>Religious Belief</b> |  | Buddist | 0 | Christian | 11 | Hindu | 0 | Jewish | 0 | Muslim | 33 | Sikh | 0 | No Religion | 0 | Other | 1 | <b>Sexuality</b> |  | Bisexual | 0 | Gay | 0 | Hetro | 45 | Lesbian | 0 | No Response | 0 | <b>Result</b> |  | Up to emergency | 0 | Up to extenuating | 5 | No change | 51 | Down>extenuating | 0 | Dn to none | 0 |
| <b>Sex</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Male   | 119              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Female   | 116              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Total</b>   | <b>235</b>       |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Age Group</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| under 20   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 20 to 25   | 5                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 26 to 34   | 58               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 35 to 43   | 98               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 44 to 52   | 24               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 53 to 59   | 20               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 60 to 64   | 7                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 65 +   | 14               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Ethnicity</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Asian  | 49               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Black  | 4                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| White  | 10               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 1                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Not known  | 3                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Religious Belief</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Buddist  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Christian  | 44               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hindu  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Jewish   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Muslim   | 115              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Sikh   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Religion  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 7                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Sexuality</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Bisexual   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Gay  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hetro  | 166              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Lesbian  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Response  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Result</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to emergency  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to extenuating  | 36               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No change  | 169              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Down>extenuating   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Dn to none   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Sex</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Male   | 119              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Female   | 116              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Total</b>   | <b>235</b>       |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Age Group</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| under 20   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 20 to 25   | 5                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 26 to 34   | 58               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 35 to 43   | 98               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 44 to 52   | 24               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 53 to 59   | 20               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 60 to 64   | 7                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 65 +   | 14               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Ethnicity</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Asian  | 49               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Black  | 4                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| White  | 10               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 1                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Not known  | 3                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Religious Belief</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Buddist  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Christian  | 44               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hindu  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Jewish   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Muslim   | 115              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Sikh   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Religion  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 7                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Sexuality</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Bisexual   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Gay  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hetro  | 166              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Lesbian  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Response  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Result</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to emergency  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to extenuating  | 36               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No change  | 169              |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Down>extenuating   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Dn to none   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Sex</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Male   | 39               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Female   | 26               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Total</b>   | <b>65</b>        |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Age Group</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| under 20   | 2                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 20 to 25   | 1                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 26 to 34   | 13               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 35 to 43   | 22               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 44 to 52   | 19               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 53 to 59   | 3                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 60 to 64   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| 65 +   | 2                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Ethnicity</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Asian  | 37               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Black  | 10               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| White  | 14               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 3                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Not known  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Religious Belief</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Buddist  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Christian  | 11               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hindu  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Jewish   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Muslim   | 33               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Sikh   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Religion  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Other  | 1                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Sexuality</b>   |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Bisexual   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Gay  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Hetro  | 45               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Lesbian  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No Response  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| <b>Result</b>  |                  |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to emergency  | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Up to extenuating  | 5                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| No change  | 51               |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Down>extenuating   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |
| Dn to none   | 0                |                  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |     |        |     |       |   |              |            |                  |  |          |   |          |   |          |    |          |    |          |    |          |    |          |   |      |    |                  |  |       |    |       |   |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |     |      |   |             |   |       |   |                  |  |          |   |     |   |       |     |         |   |             |   |               |  |                 |   |                   |    |           |     |                  |   |            |   |  |            |  |      |    |        |    |       |   |              |           |                  |  |          |   |          |   |          |    |          |    |          |    |          |   |          |   |      |   |                  |  |       |    |       |    |       |    |       |   |           |   |                         |  |         |   |           |    |       |   |        |   |        |    |      |   |             |   |       |   |                  |  |          |   |     |   |       |    |         |   |             |   |               |  |                 |   |                   |   |           |    |                  |   |            |   |

**ABOLISH THE KEY WORKER SCHEME SO THAT RESOURCES CAN BE USED TO TARGET ANY**

## ONE IN HOUSING NEED

Additional housing priority is awarded to 'selected public sector keyworkers' under the present scheme, where the person does not have a social tenancy and/or does not live within a reasonable distance of their workplace.

Applicants applying under this scheme must be employed full or part time on a permanent contract within the borough as one of the following:

- ambulance staff who is also a paramedic
- a fully qualified nurse working in one of the borough's NHS hospitals
- a fire fighter or police officer stationed in the borough
- a teacher working in one of the borough's Local Education Authority (LEA) maintained schools.

Key workers are placed in the "priority targets group". As of 25th of October 2012, there were 110 applicants in the priority target group, of which 42 are key workers. On average the borough receives upwards of 50 applications for key worker priority per annum.

The scheme will be abolished because there has been significant improvements in transport links; retention of such professionals is no longer a significant issue; and it is considered unfair that only these categories of professionals are given enhanced priority whereas others including community workers who equally provide a valuable contribution to society are not awarded enhanced housing priority because of their employment status.

Abolishing this scheme will mean that the 42 households currently eligible under this scheme will need to be re-reassessed and awarded appropriate priority under the new Allocation Scheme. Approximately half (22) households are currently resident in and the other 20 people live outside of the borough, so will not meet the residency criteria and will be removed from the housing register. The profile and proportion of those affected is reflective of the local community and the housing register and therefore, impact is not considered to be disproportionate.

All applicants who are to be removed from the register will be notified in writing and will be given the opportunity to make representations about any hardship they may suffer. Importantly, such written advice will be around three months ahead of Scheme amendments, this then giving a limited period to continue to allow person to bid for suitable homes before this priority status is removed.

Our aim here is to maximise the housing available to those most in need and we can see no reason why this target group should receive reasonable or additional preference by reason of their status as key workers. In the pursuit of this aim, we think that some level of disappointment on the part of existing key workers on the register is a proportionate means of achieving our stated aim. We will nevertheless consider allowing an applicant to remain on our list if he or she is able to demonstrate some unanticipated, exceptional hardship.

**Table 23 - Key Worker applicants – Current tenure type**

| Tenure type     |           | %            |
|-----------------|-----------|--------------|
| FAMILY          | 19        | 45.2 %       |
| LODGER          | 1         | 2.4 %        |
| OTHER           | 3         | 7.1 %        |
| PRIVATE         | 15        | 35.7 %       |
| RSL             | 1         | 2.4 %        |
| TIED            | 3         | 7.1 %        |
| <b>Sum:</b>     | <b>42</b> |              |
| <b>Percent:</b> |           | <b>100 %</b> |

**Table 24 - Key Worker applicants – Ethnicity analysis**

| Ethnicity of Key Workers |           |
|--------------------------|-----------|
| Key Workers              |           |
| Ethnicity                | Total     |
| Asian                    | 17        |
| Black                    | 8         |
| Dual                     | 1         |
| Other                    | 2         |
| White                    | 13        |
| Not known                | 1         |
| <b>Total</b>             | <b>42</b> |

**Table 25 - Key Worker applicants analysis by age groups and sex**

| Key Workers by Sex and Age Groups |            |          |          |          |       |
|-----------------------------------|------------|----------|----------|----------|-------|
|                                   | Age Groups |          |          |          |       |
| Sex                               | 18 to 25   | 26 to 40 | 41 to 50 | 51 to 60 | Total |
| <b>FEMALE</b>                     | 3          | 20       | 4        | 2        | 29    |
| <b>MALE</b>                       | 1          | 12       |          |          | 13    |
| <b>Total</b>                      | 4          | 32       | 4        | 2        | 42    |

Diversity information as detailed below were also recorded against these 42 keys workers are:-

- 1 applicant indicated that gender had been reassigned
- 2 indicated they were heterosexual
- 2 stated they were Muslim and 1 Christian
- None have indicated any disability with 3 recorded as stating they had no disability.
- 3 indicated they were married.

### Recent consultation exercises carried out?

Extensive consultation was carried out on key proposed changes to the allocations scheme during the months of October and November 2012. It included Common Housing Register partners, Non-partner Registered landlords and staff. Residents were consulted through a survey which was placed on the Homesekers and the Council's website – attracting 2231 respondents. In addition, mailshot was sent to 415 housing applicants who had recently joined or made an application to join the housing register. Surveys were also completed with applicants requiring wheelchair accessible category A and B homes, and two resident open evenings were held to seek feedback from residents on the proposed policy changes.

Profile of residents who participated in the main consultation survey is provided in Table 7 Appendix 1.

#### The Process of Service Delivery

The lettings Access to Services Chart is available as a PDF document on the council's website and accompanies this document as Appendix 2.

The aims of the proposed changes are to ensure greater transparency and effective and efficient lettings of the limited supply of available homes. Thus, ensuring we meet local needs and maximise housing opportunities for those in severe housing need in Tower Hamlets.

The implementation of the revised allocations scheme will enhance the partnership that exist between

the Council and its registered housing providers in delivery the Lettings Service to our residents making sure services are more accessible and applicants are rehoused to homes which are affordable and suitable for their need.

The proposal will contribute to better health and environment and improved educational attainment for borough residents.



| Target Groups | Impact – Positive or Adverse | Reason(s)   |
|---------------|------------------------------|---|
| Race          | Neutral/positive             | <p>People of Asian heritage make up over 50% of those on the CHR at 53.2 %. People classified as “white” make up 24.9% and people categorised as Black are the 3<sup>rd</sup> largest group at 13.1%.</p> <p><b>Residency Criteria</b> – A criteria based on the length of residency has the potential to discriminate where the population is not diverse. The borough has a diverse ethnic population with a large established Bengali community and growing ethnic minority groups such as Somali and Vietnamese.</p> <p>The criteria will affect all housing register applicants, however a greater number of people of Asian descent are likely to be affected (though not disproportionately). Those people currently living “out of the borough” and not meeting the residency criteria will be removed from the Housing Register. Although comparatively greater % of white and black applicants are registered from out of borough, however, impact will not be disproportionate because majority of the applicants are in the lowest priority Bands with no prospect of rehousing for these group of applicants. Therefore, this proposed criterion does not disadvantage applicants on the grounds of race.</p> <p><b>Option to bid on 1 Bedroom Smaller</b> – Statistics show 51% of lettings (in 2011/12) of 3+ bedrooms were let people of Asian ethnicity. This is as a result of people of Asian descent making up a larger percentage of the housing register and more likely to have larger families and/or on lower income than their white counterparts.</p> <p>The primary objective is to ensure applicants are rehoused into accommodation that is suitable and more importantly ‘affordable’ so that they can sustain their tenancy. It is recognised that this change will result in many applicants bidding for smaller homes than their ideal need as assessed under the Allocations Scheme. As the borough operates a choice based lettings scheme, where applicants bid for homes that they consider is suitable and affordable for them, It is difficult to predict how applicants will bid but the demand is likely to be greatest for smaller size accommodation, particularly 2 bedroom homes. However, there is greater supply of this size of accommodation therefore impact will be limited or neutral on applicants not affected by the benefit changes. However, this is outweighed by the significant benefits to those that will be affected by the</p> |

|                     |          |   |
|---------------------|----------|---|
|                     |          | <p>bedroom tax and enabling them to move to homes which are affordable. Otherwise they will incur significant rents arrears and ultimately be evicted and made homeless. Not to adopt this amendment will be considered irrational and potentially unlawful. We consider impact is a proportionate in achieving our stated aim.</p> <p><b>Restricting owner occupiers from joining the Housing Register</b> – Due to the composition of the housing register a greater number of people of Asian ethnicity are likely to be affected, however because this is reflective of the local community the impact is not likely to be disproportionate. Although a small number of owner occupiers will be negatively affected, this will have a positive impact for others on the housing register who, importantly, are in housing need and currently losing out to this category of applicants.</p> |
| Disability          | Positive | <p><b>Assisting Wheelchair Allocations</b> - The proposal to assist with the allocation of wheelchair adapted properties will be directly beneficial to people who have a disability and require Cat A or B homes because LBTH has one of the largest new development programmes in the Country, this proposal to assist these type of lettings will enable, wherever possible for new development to be custom-adapted to the needs of the applicants.</p>   |
| Gender              | Neutral  | <p>Females (as the main applicant) currently make up the larger proportion of applicants on the CHR (53%).</p> <p><b>Income Level threshold:</b> This proposed criterion has the potential to discriminate on the grounds of gender. However, women are considered more likely to be on lower incomes than men.</p> <p>The income threshold at £85,000 is sufficiently high to ensure it does not adversely effect based on gender.</p>   |
| Gender Reassignment | Neutral  | <p>Data not currently available Applications are assessed based on need regardless of gender reassignment. Therefore, no impacts are considered likely.</p>   |
| Sexual Orientation  | Neutral  | <p>Detailed statistical information on the LGBT community within LBTH is very limited. Estimates for the size of the LGB community in London range between 10% to 25% of London's population. (DTI 2004 Final Regulatory Impact Assessment: Civil Partnership).</p> <p>The Tower Hamlets housing criteria assesses the housing needs of individuals and couples regardless of sexual orientation. Therefore, no impacts are considered likely.</p>  |
| Religion or Belief  | Neutral  | <p>Based on the community profile it is estimated that people of Muslim faith make up approx. 36% - 55% of applicants on the CHR.</p> <p>The proposed changes are not deemed to be discriminatory or represent a barrier to any group of people based on their faith or belief.</p>   |
| Age                 | Neutral  | <p>People between the ages of 25 &amp; 40 make up the greatest proportion of those on the CHR.</p> <p>Applications can join the housing register from the age of 18. The changes do not include any proposal that would</p>   |

|                                  |                  |  |
|----------------------------------|------------------|--|
|                                  |                  | disproportionately discriminate based on age. Number of applicants affected due to income and owner occupation status will be very small and will not be disproportionate based on age.  |
| Marriage and Civil Partnerships. | Neutral/Positive | Data not currently available<br><br><b>Option for bidding one bedroom smaller</b> – This will affect families, regardless of the legal basis of the union. Applicants can choose to bid for one bedroom smaller than their ideal assessed need if affected by the Welfare Reform changes because children under 10 years of age will be expected to share. This is positive for those who will otherwise not be able to afford their homes. It will ensure tenancies are sustained and have a positive impact on marriage/civil partnership,<br><b>Lone Parents</b> – The Option to allow bidding on one bedroom ensures that welfare reforms changes does not disadvantage lone parents whose welfare benefit may not cover the rental charge on a property for which they can bid. Again, this is positive for lone parents.   |
| Pregnancy and Maternity          | Positive         | Data not currently available.<br><br><b>Option for bidding one bedroom smaller</b> – The current housing policy assesses person/couple who might have twins, (e.g. one boy/one girl) as requiring 3 bedrooms, with the child of each sex having their own bedroom. Rather than forcing the applicant to bid for a 3 bed, which might not be affordable to them under the welfare reform changes, this proposal provides an option. It will have a positive impact for reasons outlined above on those that are pregnant.   |
| Other Socio-economic Carers      | Positive         | <b>Income Threshold</b> - The income criteria will be applied to new applicants.<br><br>Introducing an income threshold for people joining the housing register, whilst preventing people on higher incomes from the opportunity of obtaining a social tenancy, is consistent with the objective of ensuring that social housing is offered to those most vulnerable and in greatest need. The proposal ensures that resources are not diverted away from vulnerable people to those who are better able to meet their housing need from the private market.<br><br><b>Home ownership restriction</b> – This proposal will positively impact on people of a lower socio-economic status who are not able to meet their own housing need through the private sector. Whilst very few properties are let to owner-occupiers, this proposal may free up approximately 3 properties per year to others applicants on the housing register. |

## Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

Yes?

No?

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added/removed?

*(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. AN EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

*Where you believe the proposal discriminates but not unlawfully, you must set out below your objective justification for continuing with the proposal, without mitigating action.*

The consultation carried out was a key factor in determining which of the proposals to take forward e.g. the residency criteria.

Analysis of the number of people currently on the housing register, who do not reside in the borough, was also a factor in whether to apply the residency criteria to current housing register applicants.

The small number likely to be affected by the reduction in the second-stage medical appeal process also had an effect on considering this proposal.

The Lettings Service will ensure all applicants, including those that will be removed from the housing register because they live outside Tower Hamlets are informed about the changes in writing and receive appropriate advice about their housing options.

Information on the website will be updated to reflect the changes which have been agreed, and all leaflets and letters will be amended accordingly.

The Client Support team will provide appropriate support and assistance to vulnerable applicants to ensure they understand what the changes are and to ensure their applications are not disadvantaged.

We will be making changes to our IT system e.g. provide real time queue positions to applicants at the point of bidding, and offer web based enhanced housing options to ensure service is more accessible and relevant information is available to applicants for them to make an informed choice about their housing.

## Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes?

No?

How will the monitoring systems further assess the impact on the equality target groups?

We will continually monitor trends on housing demand and lets to ensure groups are not disadvantaged.

The application forms will be amended to capture additional data such as income levels and residency in the borough.

Trends relating to bids for 1 bedroom less than need criteria will also be monitored to measure the actual impact.

Regular monitoring information will be provided to the CHR Forum and Lettings Management team to ensure no group is adversely affected by the changes. If appropriate, action will be taken to address any issues identified.

Does the policy/function comply with equalities legislation?  
(Please consider the OTH objectives and Public Sector Equality Duty criteria)

Yes?

No?

If there are gaps in information or areas for further improvement, please list them below:

No.

How will the results of this Equality Analysis feed into the performance planning process?

The proposed initiative relating to communicating the changes in the policy will be monitored alongside other divisional plan activities to ensure the effects are monitored and reviewed regularly.



## Section 6 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

| Recommendation  | Key activity  | Progress milestones including target dates for either completion or progress | Officer responsible | Progress |
|---|---|--|---------------------|----------|
| Write to all current applicants on the housing register informing them of changes. This letter will offer translation services. | Finalise Content  | June 2013  | RH/CC               |          |
| Write to all applicants on the housing register to inform them of the changes to the policy.                                    | Finalise letter   | June 2013 or prior to changes being introduced.                              | RH/CC               |          |
| Publish changes in East End Life.   | Published Edition of East End Life  |  | RH/CC               |          |
| Revise FAQ sheet  | Agree question and responses  | June 2013  | RH/CC               |          |
| Update Lettings policy document.  | Finalise content and pages to be updated.   | June 2013  | RH/CC               |          |
| Review medical appeal process   | Examine why 5 cases successful at second stage appeal and identify any improvements that may be required to medical assessment procedure. | February 2013  | RH/JH               |          |
| Write to all applicants who   | Write to all affected applicants and advise them that they can seek a review if unanticipated hardship will                               |  | RH                  |          |

|  |  |                   |  |  |
|--|--|-------------------|--|--|
| <p>will be removed from the housing register i.e. key workers and applicants living outside of Tower Hamlets</p> | <p>result if they are removed from the housing register.</p> <p>Advising of transitional period for key workers to be rehoused prior to changes coming into effect.</p> <p>Permitting in-borough applicants to provide sufficient proof of residence to establish a local connection so that they can remain on the list before new amendments come into effect.</p> | <p>March 2013</p> |  |  |
|--|--|-------------------|--|--|



## Section 7 – Sign Off and Publication

|                                       |  |
|---------------------------------------|--|
| <b>Name:</b><br>(Signed off by)       |  |
| <b>Position:</b>                      |  |
| <b>Date signed off:</b><br>(Approved) |  |

## Section 8 Appendix – FOR OFFICE USE ONLY

This section to be completed by the One Tower Hamlets team

### Policy Hyperlink :

| Equality Strand                   | Evidence |
|-----------------------------------|----------|
| Race                              |          |
| Disability                        |          |
| Gender                            |          |
| Gender Reassignment               |          |
| Sexual Orientation                |          |
| Religion or Belief                |          |
| Age                               |          |
| Marriage and Civil Partnerships.  |          |
| Pregnancy and Maternity           |          |
| Other<br>Socio-economic<br>Carers |          |

|                                      |                       |
|--------------------------------------|-----------------------|
| <b>Link to original EQIA</b>         | Link to original EQIA |
| <b>EQIAID</b><br>(Team/Service/Year) |                       |



## Appendix 1 – Data Tables List of tables

### Table 1: Housing register

Demand on Tower Hamlets housing register from 2002-2012

|               | 2002  | 2003   | 2004   | 2005   | 2006   | 2007   | 2008   | 2009   | 2010   | 2011   | 2012   |
|---------------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Tower Hamlets | 7,837 | 10,979 | 14,575 | 21,183 | 12,926 | 13,978 | 18,582 | 19,681 | 22,707 | 23,128 | 23,385 |

### Table 2: General Demand – 25<sup>th</sup> October 2012

The table below sets out demand on the housing register

| Banding                                  | Nos.          | %     |
|--|---------------|-------|
| 1A DECANT                                | 160           | 0.7%  |
| 1A EMERGENCY                             | 75            | 0.3%  |
| 1A MEDICAL                               | 280           | 1.2%  |
| 1A UNDEROCCUPIER                         | 1,163         | 4.9%  |
| 1B DECANT                                | 45            | 0.2%  |
| 1B PRIORITY MEDICAL                      | 272           | 1.1%  |
| 1B PRIORITY SINGLE HOMELESS              | 146           | 0.6%  |
| 1B PRIORITY SOCIAL                       | 64            | 0.3%  |
| 1B PRIORITY TARGET GROUP                 | 110           | 0.5%  |
| 2 OVER CROWDING                          | 7,779         | 32.6% |
| 2 PRIORITY HOMELESS                      | 1,384         | 5.8%  |
| 3 ADEQUATELY HOUSE TRANSFER (CHR TENANT) | 3,163         | 13.3% |
| 3 ADEQUATELY HOUSED                      | 5,910         | 24.8% |
| 4 NO LOCAL CONNECTION                    | 2,796         | 11.7% |
| 4 TENANT OF NON-CHR PARTNER              | 366           | 1.5%  |
| 4 OWNER OCCUPIER                         | 135           | 0.6%  |
| <b>Total</b>                             | <b>23,848</b> |       |

### Table 3: Housing register Demand by ethnicity as at 25<sup>th</sup> of October 2012

| Ethnicity             | Nos.          | %     |
|-----------------------|---------------|-------|
| Asian                 | 12,670        | 53.1% |
| Black                 | 3,123         | 13.1% |
| Dual                  | 635           | 2.7%  |
| White                 | 5,951         | 25.0% |
| Other                 | 1,335         | 5.6%  |
| REFUSED TO SAY        | 65            | 0.3%  |
| No ethnicity recorded | 69            | 0.3%  |
| <b>Total</b>          | <b>23,848</b> |       |

**Table 4 – Comparison of Tower Hamlets and London by ethnic group 2011**

| Ethnic groups – GLA categories | Total - Tower Hamlets | Tower Hamlets rate (%) | London rate (%) |
|--------------------------------|-----------------------|------------------------|-----------------|
| <b>All Ethnicities</b>         | <b>245,710</b>        | -                      | -               |
| White                          | 120,014               | 48.8                   | 64.4            |
| Black Caribbean                | 4,644                 | 1.9                    | 4.8             |
| Black African                  | 6,744                 | 2.7                    | 6.6             |
| Black Other                    | 3,782                 | 1.5                    | 2.8             |
| Indian                         | 5,040                 | 2.1                    | 7.0             |
| Pakistani                      | 1,397                 | 0.6                    | 2.6             |
| Bangladeshi                    | 84,328                | 34.3                   | 2.6             |
| Chinese                        | 8,369                 | 3.4                    | 1.5             |
| Other Asian                    | 4,308                 | 1.8                    | 3.4             |
| Other                          | 7,084                 | 2.9                    | 4.2             |

(Source: GLA 2011 Round Ethnic Group Projections - SHLAA Standard Fertility)

**Table 5. Religion / Faith**

The only data available for faith and religion in the borough is the CENSUS 2001. In 2001 around 38.6% of residents were Christian, 36.4% Muslim and 14.2 % did have any religion.

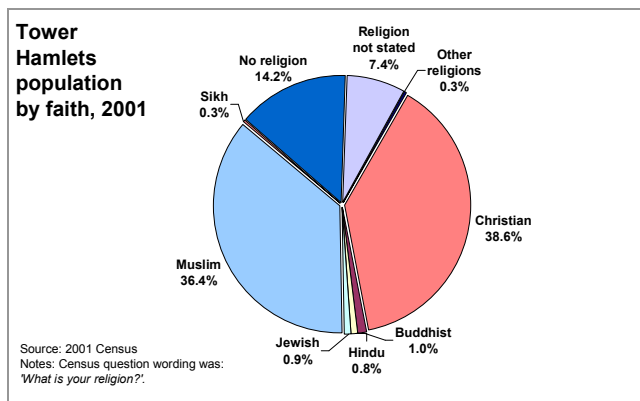


Table 6 – Profile of survey respondents

| Profile of Respondents to the Survey |              |  |              |
|--------------------------------------|--------------|--|--------------|
| <b>Gender</b>                        | <b>Count</b> | <b>Sexual Orientation</b>              | <b>Count</b> |
| Female                               | 1,167        | Bisexual                               | 99           |
| Male                                 | 923          | Gay                                    | 56           |
| Prefer not to say                    | 88           | Heterosexual                           | 1,410        |
| <b>Grand Total</b>                   | <b>2,178</b> | Lesbian                                | 9            |
|                                      |              | Other                                  | 58           |
|                                      |              | Prefer not to say                      | 430          |
|                                      |              | <b>Grand Total</b>                     | <b>2,062</b> |
| <b>Ethnicity - Asian</b>             | <b>Count</b> | <b>Age groups</b>                      | <b>Count</b> |
| Bangladeshi                          | 1056         | 16_or_under                            | 3            |
| Chinese                              | 32           | 19-19                                  | 30           |
| Indian                               | 34           | 20-29                                  | 618          |
| Pakistani                            | 26           | 30-39                                  | 852          |
| Vietnamese                           | 12           | 40-49                                  | 340          |
| Other                                | 100          | 50-59                                  | 173          |
| <b>Grand Total</b>                   | <b>1260</b>  | 60-74                                  | 59           |
|                                      |              | 75_or_over                             | 7            |
|                                      |              | Preferred not to say                   | 90           |
|                                      |              | <b>Grand Total</b>                     | <b>2,172</b> |
| <b>Ethnicity - Black</b>             | <b>Count</b> | <b>Ethnicity - White</b>               | <b>Count</b> |
| Caribbean                            | 82           | English                                | 392          |
| Somali                               | 87           | Irish                                  | 17           |
| Other                                | 123          | Scottish                               | 14           |
| <b>Grand Total</b>                   | <b>292</b>   | Welsh                                  | 4            |
|                                      |              | Other                                  | 172          |
|                                      |              | <b>Grand Total</b>                     | <b>599</b>   |
|                                      |              | <b>Ethnicity - Mixed/dual heritage</b> | <b>Count</b> |
|                                      |              | White _ Asian                          | 44           |
|                                      |              | White _ Black African                  | 37           |
|                                      |              | White _ Black Caribbean                | 26           |
|                                      |              | Other                                  | 55           |
|                                      |              | <b>Grand Total</b>                     | <b>162</b>   |
|                                      |              | <b>Disability</b>                      | <b>Count</b> |
|                                      |              | No                                     | 1,803        |
|                                      |              | Prefer not to say                      | 149          |
|                                      |              | Yes                                    | 198          |
|                                      |              | <b>Grand Total</b>                     | <b>2,150</b> |
|                                      |              | <b>Religion/belief</b>                 | <b>Count</b> |
|                                      |              | Buddhist                               | 19           |
|                                      |              | Christian                              | 481          |
|                                      |              | Hindu                                  | 8            |
|                                      |              | Jewish                                 | 6            |
|                                      |              | Muslim                                 | 1,213        |
|                                      |              | No religion                            | 174          |
|                                      |              | Prefer not to say                      | 211          |
|                                      |              | Sikh                                   | 2            |
|                                      |              | Other                                  | 43           |
|                                      |              | <b>Grand Total</b>                     | <b>2,157</b> |

Table 7 - Priority Bands applicants are placed in under current policy

| <b>Band 1 – High Priority: Group A</b>            |  |
|---|--|
| Emergencies                                       | <ul style="list-style-type: none"> <li>• Urgent housing need combined with serious welfare, medical, safety or emergency factors</li> </ul>  |
| Ground Floor medical                              | <ul style="list-style-type: none"> <li>• Assessed for ground floor property for medical/disability reasons or Cat A/B wheelchair</li> </ul>  |
| Priority Decants                                  | <ul style="list-style-type: none"> <li>• CHR Tenants whose home is due to be demolished in less than one year or tenants who need a 4 bed or a wheelchair accessible property</li> </ul>                       |
| Under Occupiers                                   | <ul style="list-style-type: none"> <li>• Social Housing Tenants who want to move to a smaller property.</li> </ul>   |
| <b>Band 1 – High Priority: Group B</b>            |  |
| Priority Medical                                  | <ul style="list-style-type: none"> <li>• Serious health problem that is severely affected by housing circumstances</li> </ul>  |
| Priority Social                                   | <ul style="list-style-type: none"> <li>• Urgent need to move on social, safety or Welfare grounds</li> </ul>   |
| Decants   | <ul style="list-style-type: none"> <li>• CHR Tenants whose home is to be demolished in more than one year</li> </ul>   |
| Priority Groups                                   | <ul style="list-style-type: none"> <li>• Groups given priority in the community's interest or because of their circumstances</li> </ul>  |
| <b>Band 2 - Priority Band</b>                     |  |
| Overcrowded and Homeless applicants               | <ul style="list-style-type: none"> <li>• Overcrowded tenants of CHR partner landlords</li> <li>• Housing applicants who are overcrowded</li> <li>• Homeless households</li> </ul>                              |
| <b>Band 3 - General Band</b>                      |  |
| Applicants who are not overcrowded                | <ul style="list-style-type: none"> <li>• Tenants of CHR partner landlords who are not overcrowded or other housing need</li> <li>• Housing applicants who are not overcrowded or other housing need</li> </ul> |
| <b>Band 4 - Reserve Band</b>                      |  |
| Applicants who do not qualify of Bands 1, 2, or 3 | <ul style="list-style-type: none"> <li>• Applicants who do not have a local connection</li> <li>• Property Owners &amp; Leaseholders</li> <li>• Tenants of non-CHR partners</li> </ul>                         |

Appendix 2 – Customer Access to Services Chart

| Your Enquiry  | How to Access  | Expected Response Time  |
|---|--|---|
| How to get a housing application form (this includes transfers)                                       | <ul style="list-style-type: none"> <li>Tower Hamlets website <a href="http://www.towerhamlets.gov.uk">www.towerhamlets.gov.uk</a></li> <li>Tower Hamlets Homeseekers website <a href="http://www.thhs.org.uk">www.thhs.org.uk</a></li> <li>Telephone 020 7364 2826</li> <li>One Stop Shops (see addresses &amp; opening times below)</li> <li>By post to Lettings Service, London Borough Tower Hamlets, 62 Roman Road, London E2 0PG</li> <li>By email <a href="mailto:lettings@towerhamlets.gov.uk">lettings@towerhamlets.gov.uk</a></li> </ul>                                | <ul style="list-style-type: none"> <li>Immediate</li> <li>immediate</li> <li>Call answered in 5 rings</li> <li>Letter responded to in 10 working days</li> <li>Email responded to in 10 working days</li> </ul>       |
| Where to return a housing application form  | <ul style="list-style-type: none"> <li>By hand to any One Stop Shop</li> <li>By post to Lettings Service, London Borough Tower Hamlets, 62 Roman Road, London E2 0PG</li> </ul>  | <ul style="list-style-type: none"> <li>Application completed 15 working days after receipt of last piece of evidence</li> </ul>   |
| Where to return an application form for a transfer request  | <ul style="list-style-type: none"> <li>Neighbourhood Housing Office</li> </ul>   |   |
| Request for a medical assessment  | <ul style="list-style-type: none"> <li>Telephone 020 7364 0206 / 0204</li> <li>By letter to Lettings Service, London Borough Tower Hamlets, 62 Roman Road, London E2 0PG</li> <li>By email <a href="mailto:lettings@towerhamlets.gov.uk">lettings@towerhamlets.gov.uk</a></li> </ul>   | <ul style="list-style-type: none"> <li>Call answered in 5 rings</li> <li>Letter responded to in 10 working days</li> <li>Email responded to in 10 working days</li> </ul>   |
| View properties available for bidding   | <ul style="list-style-type: none"> <li>Advertisements in East End Life</li> <li>Brochure online via Homeseekers website <a href="http://www.thhs.org.uk">www.thhs.org.uk</a></li> </ul>  | <ul style="list-style-type: none"> <li>Weekly</li> <li>Immediate</li> </ul>   |
| Register a bid  | <ul style="list-style-type: none"> <li>Online via Homeseekers website <a href="http://www.thhs.org.uk">www.thhs.org.uk</a></li> <li>PC at One Stop Shops &amp; touch screen at 62 Roman Road</li> <li>Submit coupons via One Stop Shops</li> <li>By post coupons to Lettings Service, London Borough Tower Hamlets, 62 Roman Road, London E2 0PG</li> <li>Telephone 0845 270 2400</li> <li>Vulnerable customers – Client Support 020 7364-0204/0206/0209</li> <li>Auto-bidding for vulnerable customers – provide preferences &amp; IT system make bids automatically</li> </ul> | <ul style="list-style-type: none"> <li>Immediate</li> <li>Immediate</li> <li>3 working days</li> <li>3 working days</li> <li>Call answered in 5 rings</li> <li>Call answered in 5 rings</li> <li>immediate</li> </ul> |
| View offer of a property  | <ul style="list-style-type: none"> <li>Arranged by landlord</li> </ul>   | <ul style="list-style-type: none"> <li>By appointment (min 24hrs notice)</li> </ul>   |
| Notifying change of circumstances   | <ul style="list-style-type: none"> <li>By letter to Lettings Service, London Borough Tower Hamlets, 62 Roman Road, London E2 0PG</li> <li>By email <a href="mailto:lettings@towerhamlets.gov.uk">lettings@towerhamlets.gov.uk</a></li> <li>Telephone 020 7364 2826 (for info "how to?")</li> </ul>   | <ul style="list-style-type: none"> <li>Letter responded to in 10 working days</li> <li>Email responded to in 10 working days</li> <li>Call answered in 5 rings</li> </ul>   |
| Request and return a mutual exchange application form   | <ul style="list-style-type: none"> <li>Telephone 020 7364 0255</li> <li>By post to Lettings Service, London Borough of Tower Hamlets, 62 Roman Road, London E2 0PG</li> </ul>  | <ul style="list-style-type: none"> <li>Call answered in 5 rings</li> <li>Application process within 42 working days</li> </ul>  |
| Register on national Mutual Exchange Scheme   | <ul style="list-style-type: none"> <li>Homeswappers website <a href="http://www.homeswapper.co.uk">www.homeswapper.co.uk</a></li> <li>Tower Hamlets Homeseekers website <a href="http://www.thhs.org.uk">www.thhs.org.uk</a></li> </ul>  | <ul style="list-style-type: none"> <li>Immediate</li> <li>immediate</li> </ul>  |
| <b>One Stop Shops</b><br>Mon – Fri 9am – 4.30pm<br>Sat only 9am – 12.30pm<br>Rushmead & Cheviot House | <b>Bethnal Green</b> 1 Rushmead E2 6NE<br><b>Bow/North Poplar</b> 1 Gladstone Place E3 5EQ<br><b>South Poplar</b> 15 Market Square, Chrisp Street E14 6AQ<br><b>Stepney/Wapping</b> Cheviot House, 227-233 Commercial Road, E1 2BU   |   |





### **Appendix 3**

A comprehensive consultative process was employed, as described at Paragraph 7.7 in the body of the report proper. The programme of consultation that was undertaken during October and November 2012 and the engagement included :-

- on-line resident surveys as advertised widely through general and specialist local media, and direct mail shots to a proportion of new applicants
- Direct targeting of all households on the waiting and transfer lists, including non-borough residents, via the Homeseekers Web Page
- resident drop-in sessions
- group and individual engagement with partner landlords
- partners landlords themselves engaging with their own residents
- direct non-partner landlord engagement

The most significant discussions were had with Tower Hamlets Homes and the Registered Social Landlords who make up the Common Housing Register because of the number of borough residents they represent. ALL the partners supported the proposals that are summarised in Paragraphs 9, Sections I to XV.

In addition, a little over 2,000 individual representations were received (less than 10% of those on the Waiting and Transfer lists), thus:-

|  | Week 1 | Week 2 | Week 3 | Week 4 | Week 5 | Week 6 | Week 7 | Week 8 |
|--|--------|--------|--------|--------|--------|--------|--------|--------|
| <b>You and your Local connection</b>     |        |        |        |        |        |        |        |        |
| 3 Year Rule                              | 53     | 80     | 104    | 119    | 238    | 663    | 820    | 1,015  |
| 5 Year Rule                              | 30     | 53     | 67     | 78     | 148    | 330    | 398    | 471    |
| 7 Year Rule                              | 24     | 41     | 49     | 57     | 115    | 257    | 298    | 343    |
| Less than 2 years including 'keep as is' | 18     | 30     | 36     | 45     | 77     | 152    | 240    | 251    |
| <b>Local connection via Relatives</b>    |        |        |        |        |        |        |        |        |

|   |     |     |     |     |     |       |       |       |
|---|-----|-----|-----|-----|-----|-------|-------|-------|
| Change of sorts, thus:-                   | 77  | 131 | 170 | 196 | 374 | 854   | 1022  | 1,215 |
| They need to have lived here for 10 years | 32  | 57  | 79  | 94  | 186 | 429   | 515   | 623   |
| They need to have lived here for 15 years | 8   | 15  | 16  | 17  | 30  | 77    | 88    | 106   |
| They need to have lived here for 20 years | 11  | 14  | 20  | 21  | 39  | 88    | 100   | 120   |
| They can't claim for relatives            | 26  | 45  | 55  | 64  | 119 | 260   | 319   | 366   |
| Keep as is                                | 56  | 82  | 103 | 121 | 226 | 622   | 767   | 926   |
| <b>Local connection via Employment</b>    |     |     |     |     |     |       |       |       |
| Change of sorts, thus:-                   | 90  | 150 | 189 | 216 | 408 | 924   | 1118  | 1,332 |
| 5 Years' working                          | 35  | 57  | 79  | 95  | 180 | 400   | 493   | 588   |
| 10 Years' working                         | 11  | 20  | 24  | 27  | 43  | 104   | 120   | 148   |
| They can't claim for working here         | 44  | 73  | 86  | 94  | 185 | 420   | 505   | 596   |
| Keep as is                                | 42  | 62  | 78  | 95  | 185 | 542   | 661   | 793   |
| <b>Income thresholds</b>                  |     |     |     |     |     |       |       |       |
| No limit of sorts, thus:-                 | 104 | 171 | 217 | 252 | 479 | 1,082 | 1,299 | 1,533 |
| £60k                                      | 65  | 110 | 143 | 163 | 311 | 730   | 892   | 1,038 |
| £80k                                      | 23  | 41  | 47  | 58  | 114 | 236   | 274   | 333   |
| £100k                                     | 16  | 20  | 27  | 31  | 54  | 116   | 133   | 162   |
| Keep as is (no threshold)                 | 29  | 42  | 51  | 60  | 123 | 397   | 497   | 613   |
| <b>ASB</b>                                |     |     |     |     |     |       |       |       |
| A ban of sorts, thus:-                    | 119 | 197 | 247 | 283 | 532 | 1,279 | 1,551 | 1,833 |
| Permanent Ban                             | 42  | 78  | 99  | 116 | 207 | 496   | 595   | 696   |
| 3-year Ban                                | 36  | 51  | 70  | 79  | 159 | 406   | 509   | 603   |
| 5-year Ban                                | 29  | 45  | 52  | 58  | 103 | 231   | 278   | 336   |
| 7-year Ban                                | 12  | 23  | 26  | 30  | 63  | 146   | 169   | 198   |
| No Ban                                    | 12  | 14  | 19  | 26  | 59  | 185   | 222   | 285   |
| <b>Bid Limits</b>                         |     |     |     |     |     |       |       |       |
| A Limit of sorts, thus :-                 | 48  | 80  | 115 | 137 | 264 | 522   | 615   | 720   |

|                                |            |            |            |            |            |              |              |              |
|--------------------------------|------------|------------|------------|------------|------------|--------------|--------------|--------------|
| 1-Bid Limit                    | 7          | 12         | 19         | 21         | 69         | 114          | 127          | 142          |
| 2-Bid Limit                    | 14         | 25         | 33         | 37         | 56         | 118          | 140          | 169          |
| 3-Bid Limit                    | 27         | 43         | 63         | 79         | 139        | 290          | 348          | 409          |
| Keep as is                     | 84         | 131        | 151        | 174        | 335        | 974          | 1,203        | 1,453        |
| <b>Penalties</b>               |            |            |            |            |            |              |              |              |
| A Penalty of sorts, thus:-     | 64         | 137        | 185        | 218        | 414        | 921          | 1,101        | 1,301        |
| 12-month demotion              | 48         | 104        | 137        | 160        | 299        | 684          | 828          | 977          |
| 2-year demotion                | 11         | 22         | 31         | 38         | 75         | 140          | 162          | 189          |
| 5-year demotion                | 5          | 11         | 17         | 20         | 40         | 97           | 111          | 135          |
| Keep as is                     | 47         | 74         | 81         | 91         | 184        | 560          | 703          | 853          |
| <b>When to apply a penalty</b> |            |            |            |            |            |              |              |              |
| After 1 offer                  | 10         | 20         | 29         | 36         | 78         | 145          | 165          | 190          |
| After 2 offers                 | 33         | 51         | 75         | 83         | 144        | 332          | 406          | 484          |
| After 3 offers                 | 65         | 97         | 117        | 142        | 283        | 756          | 928          | 1,101        |
| <b>Key Workers</b>             |            |            |            |            |            |              |              |              |
| Drop                           | 101        | 161        | 202        | 233        | 459        | 1,141        | 1,383        | 1,669        |
| Keep                           | 28         | 48         | 61         | 74         | 135        | 328          | 396          | 464          |
| <b>Total Responses by Week</b> | <b>133</b> | <b>214</b> | <b>269</b> | <b>314</b> | <b>607</b> | <b>1,529</b> | <b>1,863</b> | <b>2,231</b> |

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# Agenda Item 6.2

|  |  |   |                                 |
|--|--|---|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 <sup>th</sup> April<br>2013 | <b>Classification:</b><br>Unrestricted  | <b>Report No:</b><br>CAB 94/123 |
| <b>Report of:</b><br><br>Aman Dalvi, Corporate Director of<br>Development and Renewal<br><br><b>Originating Officer(s)</b> Owen Whalley<br>Service Head (Planning and Building<br>Control) |  | <b>Title:</b><br><br>Community Infrastructure Levy (CIL) Draft<br>Charging Schedule<br><br><b>Wards Affected:</b> All |                                 |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Councillor Rabina Khan                          |
| <b>Community Plan Theme</b> | A Great Place to Live                           |
| <b>Strategic Priority</b>   | Provide effective local services and facilities |

## 1. **SUMMARY**

- 1.1 The Community Infrastructure Levy (CIL) is a new levy that local authorities (known as Charging Authorities in this context) can charge on developments in their area to help fund infrastructure to support development and growth in an authority's area. The Mayor of London has already implemented a CIL to fund strategic transport and this charge will run in conjunction with the charges of all London local authorities.
- 1.2 This report seeks approval for the Draft Charging Schedule attached at Appendix 1, for public consultation, which sets out the proposed charges for the introduction of the Council's own CIL.
- 1.3 This Draft Charging Schedule has been informed by the results of the previous consultation on the Preliminary Draft Charging Schedule which was approved by Cabinet on the 7<sup>th</sup> November 2012. The *Community Infrastructure Levy: Preliminary Draft Charging Schedule - Summary of Consultation Responses* Report attached at Appendix 3 provides information relating to the nature of the representations received in relation to the consultation on the Preliminary Draft Charging Schedule.
- 1.4 This report should be considered in conjunction with the Cabinet report requesting the approval of a Revised Planning Obligations Supplementary Planning Document (SPD) for consultation; which is also an agenda item at this Cabinet meeting. If adopted the Council's CIL will replace requirements for certain planning obligations. The Revised Planning Obligations SPD clarifies the extent to which Section 106 (S106) contributions will be sought for delivering certain infrastructure and services at the site-specific scale.

## 2. **DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Approve the *Tower Hamlets Community Infrastructure Levy (CIL) Draft Charging Schedule* (Appendix 1) for a six week public consultation including the charging zone maps and Regulation 123 List (the list of projects Tower Hamlets intends to be able to spend its CIL receipts on).
- 2.2 Note the *Infrastructure Planning and Funding Gap Report* (Appendix 2) that forms part of the supporting evidence base to the Draft Charging Schedule. This document informs in respect of the infrastructure planning criteria Tower Hamlets must meet in order to implement a CIL Charging Schedule.
- 2.3 Note the *Community Infrastructure Levy: Preliminary Draft Charging Schedule - Summary of Consultation Responses* Report attached at (Appendix 3) that forms part of the supporting evidence base to the Draft Charging Schedule.
- 2.4 Note BNP Paribas Real Estate's *Viability Study* that forms part of the supporting evidence for the Draft Charging Schedule.
- 2.5 Note the Cabinet report regarding the Planning Obligations SPD, running as a consecutive Agenda item, as relating to this report.
- 2.6 Authorise the Corporate Director of Development and Renewal, in consultation with the Lead Members for Housing and Resources, to make any minor modifications to the Draft Charging Schedule and supporting evidence following the public consultation and to submit the Draft Charging Schedule and all supporting evidence, together with any proposed modifications, to the Planning Inspectorate for public examination.

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

- 3.1 The reason for the decision is for Cabinet to agree the publication of rates set at a level that ensures the proper basis for the introduction of the CIL in the borough, which mitigates the impacts of development and leads to the provision of much needed supporting infrastructure.
- 3.2 The Council must set out its proposed rates in a Draft Charging Schedule and invite representations in accordance with Regulation 16 of the CIL Regulations 2010 (as amended).
- 3.3 The Council can choose to set differential rates in the Draft Charging Schedule, and for different areas, but it must aim to strike what appears to it to be an appropriate balance between: -

(a) The desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the

development of its area, taking into account other actual and expected sources of funding; and

(b) The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. In doing so, the Council must also take into account the rates set by the Mayor in his Charging Schedule.

#### **4. ALTERNATIVE OPTION**

- 4.1 To not proceed with a Tower Hamlets Charging Schedule would mean not being able to move forward with the introduction of CIL in the borough. This will severely limit the Council's ability to raise funds, for the identified infrastructure needs of the borough and support the levels of projected growth. It should be noted that the scope for securing infrastructure funding through S106 agreements will be far more constrained from April 2014.
- 4.2 If the Council does not adopt a CIL Charging Schedule, it will be difficult to deliver the required infrastructure to mitigate development impact and support much needed improvements to the borough.

#### **5. BACKGROUND**

- 5.1 The CIL is a new levy that local authorities (known as Charging Authorities in this context) can charge on developments in their area to help fund infrastructure to support development and growth in an authority's area. CIL was provided for in the 2008 Planning Act. The CIL Regulations 2010 (as amended) set out the detailed provisions for its operation. There could be further amendments to the Regulations in 2013.
- 5.2 The Council must also have regard to any guidance issued by the Secretary of State under section 221 of the 2008 Planning Act about any matter connected with CIL. At the time that Cabinet was asked to approve the Preliminary Draft Charging Schedule on 7<sup>th</sup> November 2012 for public consultation, the relevant guidance note was the "Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures" dated March 2010. The Secretary of State has replaced the guidance note with the "Community Infrastructure Levy – Guidance", published in December 2012. The main changes that have been made are noted in the concurrent report from Legal Services below.
- 5.3 As Cabinet will be aware, the Mayor of London introduced his own CIL for funding Crossrail, which has been in operation since 1 April 2012. The Council must take this into account when setting its own CIL rates. The Mayor has also published a SPG on the "use of planning obligations in the funding of Crossrail" (July 2010) and has issued for public consultation a draft supplementary planning guidance on 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy' (Consultation closed on 15 January 2013). It has been assumed that this will come into force by the time the Council introduces its own CIL, and the

effect of this has therefore also been taken into account in choosing the appropriate CIL rates in the Draft Charging Schedule.

## **6. Preliminary Draft Charging Schedule**

6.1 The Preliminary Draft Charging Schedule was consulted on between the 16<sup>th</sup> November 2012 and the 2<sup>nd</sup> January 2013. This followed receiving Cabinet approval to do so on the 7<sup>th</sup> November 2012.

6.2 The overarching aim of the consultation was to provide an opportunity for involvement from a wide range of groups and individuals, to proactively encourage participation. The consultation was undertaken in compliance with Regulation 15 of the CIL Regulations 2010 (as amended) and the Planning Act 2008 which sets out the consultation requirements for the Preliminary Draft Charging Schedule and included:

- Placing an advert in the East End Life newspaper prior to the commencement of the consultation period.
- Making consultation documents available via the Council's website. They were also available in hard copy at the Planning Desk in the Town Hall and the main Idea Stores and Libraries throughout the Borough.
- Holding an event for Councillors regarding CIL and the consultation.
- Holding an event for developers, interested parties and the public regarding CIL.

### ***Representations Received in Relation to the Preliminary Draft Charging Schedule Consultation***

6.3 Thirty consultation responses were received from a range of developers and local stakeholders. These Responses also refer to the Secretary of State's December 2012 Guidance. CIL Knowledge's report *Community Infrastructure Levy: Preliminary Draft Charging Schedule - Summary of Consultation Responses*, attached at Appendix 3, contains a summary and analysis of the main topics of the representations received. The Report also outlines how the Council's responses to these representations.

6.4 In accordance with Regulation 15(7) of the CIL Regulations 2010 (as amended), all representations were taken into account and any changes that were considered to be necessary have been made to the Draft Charging Schedule (as highlighted in section 7.1 below).



## 7. Draft Charging Schedule

### ***Modifications Made to the Draft Charging Schedule to Account for Representations Received in relation to the Preliminary Draft Charging Schedule***

7.1 The CIL rates in the Draft Charging Schedule have been altered to account for the additional viability work undertaken in response to the representations received and to the CIL guidance published by the Secretary of State in December 2012. The Draft Charging Schedule, attached at Appendix 1, details these rate proposals.

7.2 A number of changes have been made to the rates. These are in summary:

a) The office rate in North Docklands has been reduced from £125 to £100.

Rationale: The revised rate takes account of the likely effect of the Mayor of London's Crossrail SPG charge. It has been based on the reasonable assumption that there will be a 70% negotiated reduction in the top-up. Section 4.54 of the Viability Report, which forms a background document to this Cabinet Report, advises that this is reasonable approach to determine the rates proposed. The office rates for North Docklands and the City Fringe have also now been separated, as explained below.

b) The office rate in the City Fringe has been increased from £125 to £215.

Rationale: The rate as stated in the Preliminary Draft Charging Schedule for the City Fringe area was set to a flat rate across the zone, in order to align with the rates established for North Docklands. This was to ensure that the CIL rates were not too complex. The additional viability work has established that it is no longer appropriate to set a flat rate across this zone, and so the rates have been separated. The new rate for the City Fringe has been separately justified.

c) The hotel rate has been reduced from £425 to £210.

Rationale: This is to account for the availability of additional evidence to help inform the viability work. Again, this rate accounts for the likely effect of the London Mayor's Crossrail SPG charge, as defined in section a) above.

d) The small retail rate has been reduced from £100 to £70.

Rationale: This is to account for the availability of additional evidence to help inform the viability work and the likely effect of the London Mayor's Crossrail SPG charge.

e) The large retail rate has decreased from £200 to £195.

Rationale: This as a result of the adoption of new viability methodology that separates large convenience based retail outlets from smaller high street

retail accommodation. The examination in public for Plymouth City Council established that this approach was a reasonable one.

- 7.3 As part of the process for preparing the Draft Charging Schedule all the relevant boundaries were re-examined. This resulted in changes to the boundaries for the residential zones to account for the additional viability work undertaken, following representations received and the CIL Guidance published by the Secretary of State in December 2012. The map in the Draft Charging Schedule, attached at Appendix 1, illustrates the newly established charging zone boundaries.
- 7.4 The rates and zone boundaries as set out in the Draft Charging Schedule (attached at Appendix 1) are subject to the outcomes of the consultation and examination in public process.

#### ***Consultation on Draft Charging Schedule***

- 7.4 This consultation will be undertaken in compliance with Regulation 16 of the CIL Regulations 2010 which sets out the consultation requirements for the Draft Charging Schedule.
- 7.5 It is intended that the consultation will run for just over six weeks to allow for public holidays, from the 22<sup>nd</sup> April 2013 until the 5<sup>th</sup> June 2013.
- 7.6 Hard copies of the Draft Charging Schedule will be available at the Planning Desk and in the main Idea Stores and Libraries throughout the borough and an advert regarding the consultation will be placed in the East End Life.
- 7.7 It is intended that two public events will be held by the Council to provide the opportunity for the public, developers and other interested parties to discuss CIL and the consultation with officers.

#### **8. FUTURE PROCESSES**

- 8.1 Subject to approval at Cabinet and following the consultation period on the Draft Charging Schedule, any required amendments will be made and will be submitted, along with the supporting evidence documents, to the Planning Inspectorate. It is intended that the Draft Charging Schedule will be the subject of an independent CIL examination in autumn 2013 following submission to the Planning Inspectorate in summer 2013.
- 8.2 In accordance with section 213 of the Planning Act 2008, the Council may only adopt a CIL Charging Schedule where the examiner's report does not recommend rejection, and it must pay due regard to any recommendations made by the examiner and remedy any areas where the drafting requirements have not been complied with.
- 8.3 It is anticipated that the Charging Schedule will be submitted to full Council at the end of 2013/early 2014 for approval. If approved, the Charging Schedule will be implemented in early 2014.

8.4 Charging Authorities will be able to amend their Charging Schedules at any point following the adoption of their Charging Schedule, subject to a full consultation process and subsequent examination in public.

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

9.1 In November 2012, the Mayor in Cabinet approved the Tower Hamlets Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule which was then submitted for a 6 week public consultation period. Following the completion of the consultation and consideration of the responses received, this further report seeks Mayoral approval to amend elements of the schedule, as laid out in paragraphs 7.1 and 7.2, and undertake further consultation into the amended Charging Schedule.

9.2 It is intended that the Council's CIL may come into effect by April 2014, although in advance of this, the Borough is currently responsible for the collection of the Mayor of London's CIL which came into operation on 1 April 2012. The Mayoral CIL is independent of the Council's CIL requirement.

9.3 The Community Infrastructure Levy will replace elements of the current Section 106 planning process which will continue in a reduced capacity. The Authority currently generates substantial resources via the Section 106 system, and this will continue under the CIL. It is therefore important that the charges are set at a realistic level that enables the generation of significant community resources in tandem with the delivery of viable developments.

9.4 The Charging Schedule has been developed by officers in conjunction with external advisors, and has been prepared in accordance with the Authority's infrastructure needs and development viability. The Draft Charging Schedule is attached at Appendix 1. It is anticipated that in the period to 2026, CIL will generate resources of approximately £134.4 million. The Charging Schedule will ultimately be subject to an independent examination by the Planning Inspectorate later this year, following which the Charging schedule will be submitted to full Council for implementation in April 2014.

9.5 Paragraph 2.2 of the Draft CIL Infrastructure Planning and Funding Gap Report (attached as Appendix 2) outlines the revised likely infrastructure needs within the borough over the period to 2026. These are valued at approximately £439 million of which indicative funding of £245.6 million has potentially been identified across the various public agencies. This leaves a funding gap of approximately £193.4 million before CIL charges. It should be noted that these are the infrastructure needs of all the major public sector organisations within the borough, and it is not solely the Council which must seek additional resources to meet the assumed infrastructure need.

9.6 The infrastructure needs and the likely resources available must be continually reviewed, but based on the assessments within the CIL Infrastructure Planning and Funding Gap Report, the funding gap of £193.4 million (paragraph 9.5) will be significantly filled through the estimated CIL

income of £134.4 million (paragraph 9.4), leaving an overall indicative funding need of £59 million across the organisations within the Borough.

9.7 The costs of the consultation process are being met from within existing resources.

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

10.1 The statutory framework for CIL is set out in sections 205-225 of the Planning Act 2008 (PA 2008) and further detail is provided principally under the CIL Regulations 2010.

10.2 The legal requirements for the preparation of a CIL Charging Schedule are set out under s211 of the PA 2008. The Schedule must be informed by appropriate available evidence regarding viability. The Council's Draft Charging Schedule is set out at Appendix 1 of this report.

10.3 Charging authorities must consult on their proposed CIL rates before they finalise the Draft Charging Schedule (section 211(7) of the PA 2008 and Regulation 15, CIL Regulations 2010). Following a 6 week statutory consultation, the Draft Charging Schedule is submitted for independent examination. Upon the Examiner's recommendations being issued, final approval will be required from full Council to adopt the Charging Schedule, in accordance with s 213 of the PA 2008.

10.4 This report confirms that the Council has consulted on the Preliminary Draft Charging Schedule in satisfaction of Regulation 15, and seeks members' approval to carry out public consultation on the Council's Draft Charging Schedule in accordance with the PA 2008 and CIL Regulations 2010 (Regulation 16). Following consultation, the Draft Charging Schedule will be submitted to the Planning Inspectorate for public examination.

10.5 The legislation on CIL does not prescribe how decision making within an authority should operate in order to formulate a charging schedule save from requiring that an approved charging schedule should be approved by a resolution of Full Council (PA 2008, s213(2)). The Local Government Function Regulations have not been amended in respect of CIL charging schedules.

10.6 CIL is a planning policy function and forms part of the Council's Local Development Framework (LDF), and to this extent the CIL Charging Schedule can be considered similar to LDF documents such as Local Development Documents. Therefore it is considered appropriate to follow the same decision making process in respect of submission of the Draft Charging Schedule for consultation and for examination, which is to seek approval from Cabinet.

10.7 Accordingly, Cabinet members are authorised to approve the Council's Draft Charging Schedule for public consultation and to authorise the Director of

Development and Renewal to submit the Draft Charging Schedule to the Planning Inspectorate for public examination. The final decision as to adoption of the CIL Charging Schedule will be for Full Council.

- 10.8 Before adopting the Charging Schedule, 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. The report indicates that an equality impact assessment has been carried out to assist the Council to consider these matters (see paragraph 11.2 below). This assessment is to be made available to the public as part of the consultation, which should increase the likelihood of the Council meeting its equality duty.
- 10.9 The Council must also have regard to any guidance issued by the Secretary of State under section 221 of the 2008 Planning Act about any matter connected with CIL. The important point to note here is that this Guidance has changed since the Cabinet was asked to approve the Preliminary Draft Charging Schedule on 7<sup>th</sup> November 2012. Fortunately, the new Guidance was issued during the period allowed for public consultation on the Preliminary Draft Charging Schedule, and the responses that the Council received were able to take it into account. The Council has also on its own account reconsidered the Charging Schedule in the light of the new Guidance, the "Community Infrastructure Levy – Guidance", published in December 2012. The Draft Charging Schedule and its supporting evidence now take account of these new considerations. The principle changes, following the issue of this guidance, are related to:
- (a) The evidence tests at examination, as the Council will now need to 'show and explain' how its CIL rates contribute positively towards, and not threaten delivery of its relevant (development) plan as a whole, now and through the economic cycle;
  - (b) The introduction of a clear thread between:
    - 1. Plan making evidence on Infrastructure need,
    - 2. The evidence on the aggregate infrastructure gap, that proves the need for CIL,
    - 3. The draft regulation 123 list that is now required at examination, that sets out the charging authorities spending plans;
  - (c) Showing that in assessing the impact of the charging rates on the delivery of the plan as a whole, the Council has taken into account:
    - 1. The costs associated with regulatory requirements,
    - 2. Policies on planning obligations, including affordable housing strategic sites;
  - (d) The need to explain, at examination, how CIL and S106 will operate if/when a CIL has been adopted;

(e) Requiring the Council to consult if they change the Regulation 123 CIL spending list, and to review the charging schedule if the change to the list affects viability;

(f) Developers are expected to give the Council support with evidence and the Council is encouraged to engage early with developers and be clear about its infrastructure needs and how they will be paid for.

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

11.1 The proposed CIL could be used to fund appropriate (capital infrastructure) projects may fund projects that will contribute to the One Tower Hamlets objectives of reducing inequalities; ensuring community cohesion; and strengthening community leadership.

11.2 An Equalities Analysis was undertaken as part of the preparation of the CIL Preliminary Draft Charging Schedule. The results of this scoping, which indicated that the impact of CIL is neutral, meant that it was not necessary to repeat this process at the Draft Charging Schedule stage.

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

12.1 A Strategic Environmental Assessment Screening was undertaken at the Preliminary Draft Charging Schedule stage, which concluded that it was not necessary to prepare a Strategic Environmental Assessment. The results of this assessment and the similarity in the consultations mean that it was not necessary to repeat this exercise for the Draft Charging Schedule stage.

12.2 CIL can be used to raise monies from individual development projects towards infrastructure which may include projects, to support a greener environment and aid sustainable development. However the proposed Charging Schedule is not a plan or programme but a financial tool.

## **13. RISK MANAGEMENT IMPLICATIONS**

13.1 The 2008 Planning Act and the CIL Regulations require that the rate the CIL will be levied at in the Borough should be assessed independently. As previously mentioned, the aim is to strike an appropriate balance between the 'desirability of funding infrastructure through CIL and the potential effects of its introduction on the economic viability of development across the Borough.

13.2 If the CIL is set too high, there is a risk that it will be challenged at examination and potentially be found unsound, because of the harm to the economic viability of development across the borough. Further significant work would then be required to reassess the level at which the CIL is set. If the CIL is set too low there is a risk that necessary social, physical and green infrastructure will not be able to be provided; putting at risk the Council's strategic objective of ensuring the borough is a great place to live.

13.3 It is considered that that the rates proposed as set out in the Draft Charging Schedule strike an appropriate balance. The viability assessments have been undertaken by experienced experts involving in-depth research based on the appropriate available evidence gathered including ensuring policy compliant provision of affordable housing (35%) is accounted for. We will be further informed of the appropriateness of the rates by the consultation on the Draft Charging Schedule. Overall it is considered that the risk of the proposed CIL rates being found unsound by an independent inspector is low.

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

14.1 CIL is a new development levy that could raise funds for infrastructure projects. This could include infrastructure that reduces the incidences and fear of crime. The potential use of CIL funds for these purposes will be developed through consultation with the Community Safety manager.

#### **15. EFFICIENCY STATEMENT**

15.1 The operation of both the London Mayor CIL and in future, the Tower Hamlet's CIL may be an administration burden on the Council with additional staff needing to be employed. The CIL Regulations enable the Council to recoup the costs of administrating CIL from the levies collected. The Council are also able to keep up to 4% from the London Mayoral CIL receipts to fund admin costs and up to 5% from LBTH CIL receipts.

#### **16. APPENDICES**

Appendix 1 – LBTH Draft Charging Schedule

Appendix 2 – LBTH Infrastructure Planning and Funding Gap Report.

Appendix 3 – Community Infrastructure Levy: Preliminary Draft Charging Schedule - Summary of Consultation Reponses

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### **Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

#### **List of “Background Papers” used in the preparation of this report**

LBTH CIL Viability Study, BNP Paribas (updated 2013)  
2010 Adopted Core Strategy  
2012 Adopted Fish Island Area Action Plan  
2012 Managing Development – DPD (Post Examination in Public version)  
2012 CIL Preliminary Draft Charging Schedule Equalities Analysis  
DCLG's "Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures" (March 2010)  
DCLG's "Community Infrastructure Levy – Guidance" (December 2012)  
DCLG's "Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy" (2013)  
Mayor of London's SPG on the "use of planning obligations in the funding of Crossrail" (July 2010)

Consultation draft SPG on 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy' (2012).

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

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# **COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE**

**March 2013**

## 1. The Charging Authority

- 1.1 The London Borough of Tower Hamlets is a Charging Authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy (CIL) in respect of development in Tower Hamlets.

## 2. Date of Approval

- 2.1 This Charging Schedule was approved by the Council on (date to be inserted following examination and Council approval).

## 3. Date of Effect

- 3.1 This Charging Schedule will come into effect on (date to be inserted following the examination and Council approval).

## 4. Liability to Pay CIL

- 4.1 A chargeable development is one for which planning permission is granted and or which is liable to pay CIL in accordance with the CIL Regulations as currently drafted.

- 4.2 CIL will be chargeable on most new development, which: -

- Involves a building<sup>1</sup> into which people usually go (but excluding buildings to which people do not usually, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery building(s); and
- Involves floorspace that is not exempted under the Act, the Regulations or for a locally defined reason to be set out in the Appendix 2 of this document; and
- Involves new build<sup>2</sup> of at least 100m<sup>2</sup> gross internal area (GIA) floorspace; or
- Involves new build of less than 100m<sup>2</sup> GIA floorspace but the creation of one or more dwellings; or
- Involves change of use to residential where floorspace has not been in use for 6 months of the previous 12 on the day planning permission first permits the development<sup>3</sup>; or
- Includes development permitted by a 'general consent'<sup>4</sup> (including permitted development) commenced on or after 6<sup>th</sup> April 2013; or

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<sup>1</sup> The definition of a 'building' is given by section 336(1) of TCPA 1990. Building 'includes any structure or erection, and any part of a building, as so defined, but does not include plant or machinery comprised in a building.'

<sup>2</sup> The definition of 'new build' is given by Amended CIL Regulations 2011. "New build' means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings."

<sup>3</sup> "Planning permission first permits development" is defined in regulation 8 of the CIL regulations 2010 (as amended).

<sup>4</sup> "General consent" is defined in the regulation 5 of the CIL regulations 2010 (as amended).

- Includes development that received a planning permission replacing extant and unimplemented permissions granted before 1<sup>st</sup> October 2010.

## 5. Rates of CIL

- 5.1 The Council intends to charge differential rates of CIL, which are to be determined by the land use of a proposed development (expressed as pounds per square metre) and by the area where a proposed development is situated, as set out in the table 1 below.
- 5.2 Please be aware that the rates set out in the table below are exclusive of the London Mayoral CIL applicable to Tower Hamlets, which is currently £35 per sq. m.
- 5.3 In establishing the rates, set out in the table below, a policy compliant affordable housing provision of 35% was assumed.

Table 1: Rates

| Development type   | Proposed CIL rate per sq. m (GIA) of development |                 |                             |
|--|--|-----------------|-----------------------------|
|  | Zone 1   | Zone 2          | Zone 3                      |
| Residential  | £200   | £65             | £35                         |
|  | £425   |                 |                             |
| Student Housing  | £425   |                 |                             |
| Hotel  | £210   |                 |                             |
| Offices  | City Fringe                                      | North Docklands | Rest of Borough             |
|  | £215   | £100            | £0                          |
| Small Retail<br>(280 sq m or less)   | Elsewhere in Borough                             |                 | City Fringe/North Docklands |
|  | Nil  |                 | £70                         |
| Convenience-based supermarkets, superstores and retail warehousing over 280 sq. m* | £195   |                 |                             |
| All other uses   | Nil  |                 |                             |

\* The Wycombe District CIL Examination report explicitly noted that “there is nothing in the CIL regulations to prevent differential rates for retail developments of different sizes, provided they are justified by the viability evidence and differing retail characteristics or zones”. For the purposes of this Draft Charging Schedule, the following definitions are applicable: -

Superstores/supermarkets are defined as shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit

Retail warehousing is defined as shopping destinations specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for a significant proportion of car-borne customers.

## **6. Charging Zones**

- 6.1 The charging zones referred to in the above table are demonstrated in the Charging Zones Maps, attached at Appendix 1 of this document.
- 6.2 The areas hatched and indicated as constituting the London Legacy Development Corporation Area in the attached maps do not form part of Tower Hamlets' Charging Authority. This area will be subject to CIL rates as set out by the London Legacy Development Corporation.

## **7. Calculating the Chargeable Amount**

- 7.1 CIL will be calculated on the basis set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended).

## **8. Inflation and Indexation**

- 8.1 The rates referred to in Table 1 above shall be subject to annual indexation in keeping with the "All-in Tender Price Index" published by the Building Cost Information Service (BCIS). The rates should be increased by an amount equivalent to the increase in the index from the date hereof until the date on which the sums are payable provided that in the event that the "All-in Tender Price Index" shall decrease, the sum not fall below the figures set out.

## **9. Regulation 123 List**

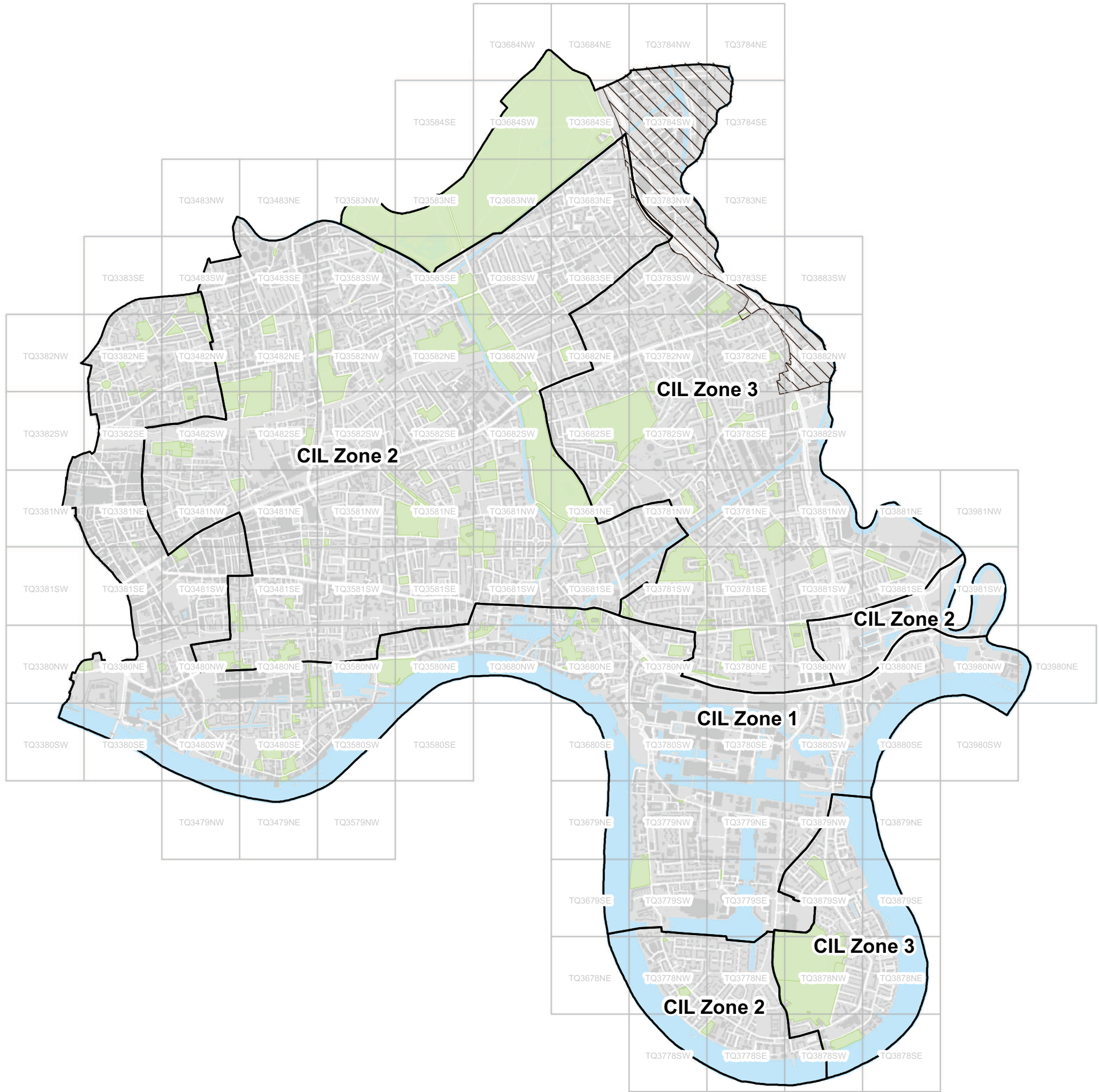
- 9.1 The Regulation 123 List is a list of types of infrastructure a Charging Authority intends to spend it's CIL receipts on.
- 9.2 Please see attached, at Appendix 3, Tower Hamlets' draft Regulation 123 list.




## **10. Further Information**

- 10.1 This Draft Charging Schedule has been published in accordance with the Community Infrastructure Levy Regulations 2010 as amended by subsequent the Community Infrastructure Levy Regulations, and Part 11 of the Planning Act 2008.
- 10.2 Further information on the Community Infrastructure Levy is available on the Council's website [www.towerhamlets.gov.uk/CIL](http://www.towerhamlets.gov.uk/CIL)

## **Appendix 1: Charging Zone Maps**

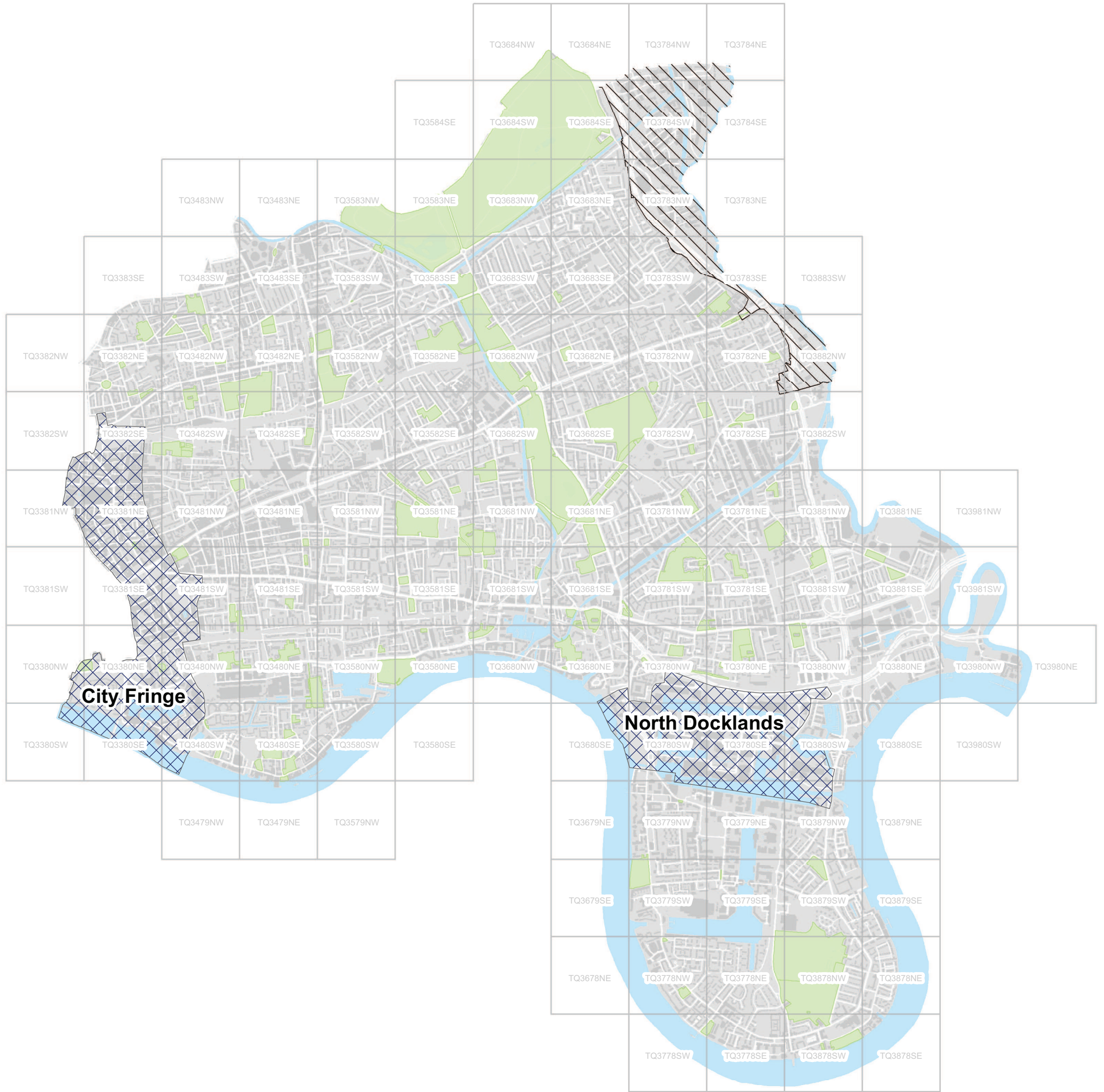







-  Draft Residential Charging Zone Boundaries
-  Ordnance Survey Grid (*Labels represent grid reference*)
-  London Legacy Development Corporation Area







-  Draft Office & Small Retail Charging Zones
-  Ordnance Survey Grid (Labels represent grid reference)
-  London Legacy Development Corporation Area



## Appendix 2: Explanatory Notes to the Draft Charging Schedule

1. Please note that this Appendix 2 does not formally constitute part of the Community Infrastructure Levy Draft Charging Schedule of the London Borough of Tower Hamlets.

### 2. Exemptions and Relief

- 2.1 For the avoidance of doubt, the following types of development will usually be exempt from the payment of the London Borough of Tower Hamlets' CIL:
  - A use which has a zero or nil charge (£0/m<sup>2</sup>) set out in the Tower Hamlets' CIL Charging Schedules.
  - A development, which does not fall within the definition of a "chargeable development" (regulation 9 of the CIL Regulations 2010 (as amended)).
  - Dwellings let by registered providers of social housing for the purpose of being socially rented or occupied in accordance with shared ownership arrangements, subject to the specific provisions of Regulation 49 of the CIL Regulations (2010) (as amended).
  - Charities where the development will be used wholly, or mainly, for charitable purposes (regulation 43 of the CIL Regulations 2010 (as amended)).
- 2.2 Under sections 55 to 58 of the CIL Regulations 2010 (as amended), the Council has the option to provide discretionary relief in 'exceptional circumstances'. The Council intends to consider exceptional relief applications on a case by case basis.

### 3. Instalment Policy

- 3.1 Regulation 70 of the CIL Regulations 2010 (as amended) provides options for a Charging Authority to adopt an instalment policy, which will allow developers/liable parties to pay for the levy by instalments.
- 3.2 At present, the Mayor of London has proposed an instalment policy, which will allow two instalments for developments with a CIL liability equal to or more than £500,000. He plans to adopt this instalment policy and implement it sometime in 2013. Therefore, the Council is proposing not to develop its own instalment policy but to implement the London Mayor's approach.

### 4. The CIL's Relationship with S 106

- 4.1 By 6th April 2014, or the date when Tower Hamlets' Charging Schedule takes effect, the use of Section 106 will be largely scaled back. The Council is developing a new Planning Obligations Supplementary Planning Document which will define where S106 will be sought and where CIL will be sought in relation to the delivery of infrastructure. This is to ensure that a developer is not charged twice for the provision of the same infrastructure.



## **5. Reporting and Review**

- 5.1 Regulation 62 of the CIL Regulations 2010 (as amended) requires the Charging Authority to publish annual reports for each financial year.
- 5.2 The Council will keep the operation of the CIL and the position regarding the funding and economic viability evidence under continual review and, where necessary, will seek to renew the Charging Schedule in accordance with the latest Government guidance and legislation.

## **6. Meaningful Proportion**

- 6.1 A ‘meaningful proportion’ of CIL receipts will be made available to the local community to spend. This “meaning proportion” will amount to between 15% and 25% of total annual CIL receipts.

## **7. Monitoring and Administration**

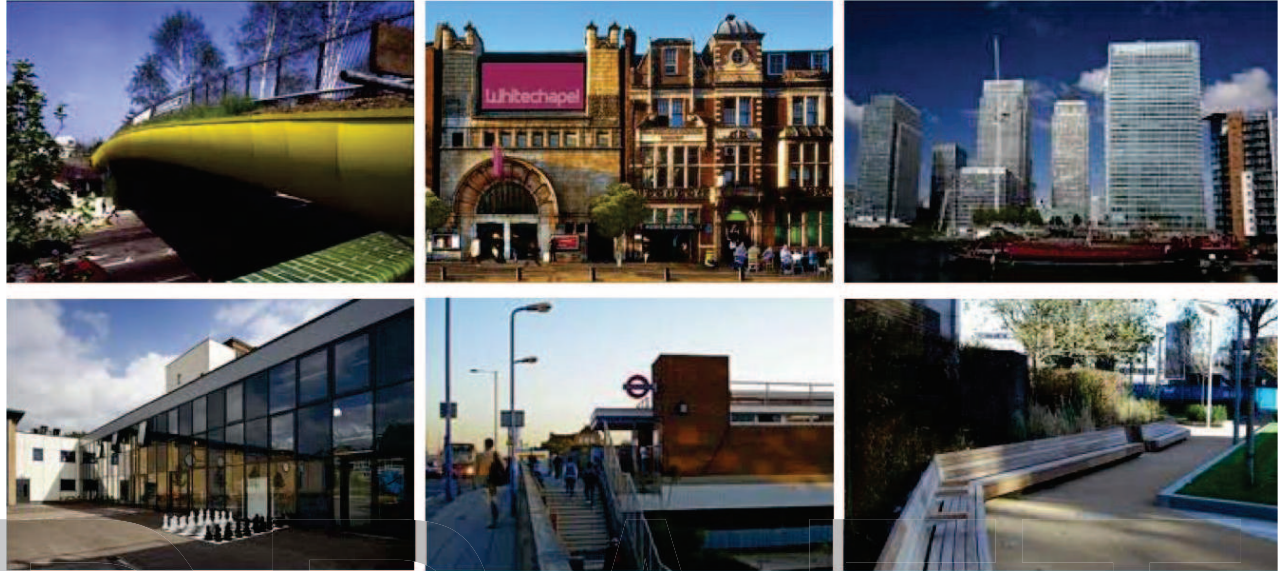
- 7.1 The London Borough of Tower Hamlets will seek to collect between 4% and 5% of CIL charges relating to Mayoral CIL and Tower Hamlets’ own CIL respectively. This will be used for monitoring and administrative purposes in accordance with the CIL Regulations 2010.

## Appendix 3: Draft Regulation 123

Proposed to take effect from 1<sup>st</sup> February 2014.

### **Types of infrastructure to be funded by CIL: -**

- The provision, improvement, replacement, operation or maintenance of new and existing community facilities and faith buildings;
- The provision, improvement, replacement, operation or maintenance of new and existing public education facilities;
- The provision, improvement, replacement, operation or maintenance of new and existing leisure facilities such as sports facilities, libraries and Idea Stores;
- The provision, improvement, replacement, operation or maintenance of new and existing open space;
- The provision, improvement, replacement, operation or maintenance of new and existing roads and other transport facilities;
- The provision, improvement, replacement, operation or maintenance of new and existing health facilities;
- The provision, improvement, replacement, operation or maintenance of new and existing employment and training facilities;
- The provision, improvement, replacement, operation or maintenance of new and existing energy and sustainability infrastructure to help meet sustainability objectives;
- The provision, improvement, replacement, operation or maintenance of new and existing flood defences;
- The provision, improvement, replacement, operation or maintenance of new and existing electricity supplies to all Council managed markets;
- The provision, improvement, replacement, operation or maintenance of new and existing infrastructure dedicated to public safety (e.g. wider CCTV coverage);
- The provision, improvement, replacement, operation or maintenance of new and existing infrastructure dedicated to public art;
- Unless the need for specific infrastructure contributions are identified in the Planning Obligations Supplementary Planning Document or arises directly from five or fewer developments, where section 106 arrangements may continue to apply if the infrastructure is required to make the development acceptable in planning terms.



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CIL Infrastructure Planning  
and Funding Gap Report



## Purpose of the Report

This report has been prepared by the CIL Knowledge Partnership on behalf of London Borough of Tower Hamlets ('The Council') as part of the infrastructure planning evidence base in support of the Community Infrastructure Levy (CIL).

This document constitutes an update of the report prepared for publication alongside the Preliminary Draft Charging Schedule; this report incorporates the requirements imposed by the new DLCCG CIL Guidance published in December 2012 and updates that the Council has made to reflect its latest infrastructure priorities.

## Structure of Document

We have structured this document in the following way:

- Section 1: Our Approach to Testing the Sufficiency of the Infrastructure Evidence Base
- Section 2: Outcomes from Stage 1 Commission and Actions for Stage 2
- Section 3: Our Approach to Completing Stage 2
- Section 4: Our Findings from the Stage 2 Work
- Section 5: Summary of Sufficiency Assessment

### Appendices

- Appendix A: CIL Projects Schedule
- Appendix B: Summary Tables
- Appendix C: Extract of CIL Income Projection Model

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# 1 Our Approach to Testing the Sufficiency of the Infrastructure Evidence Base

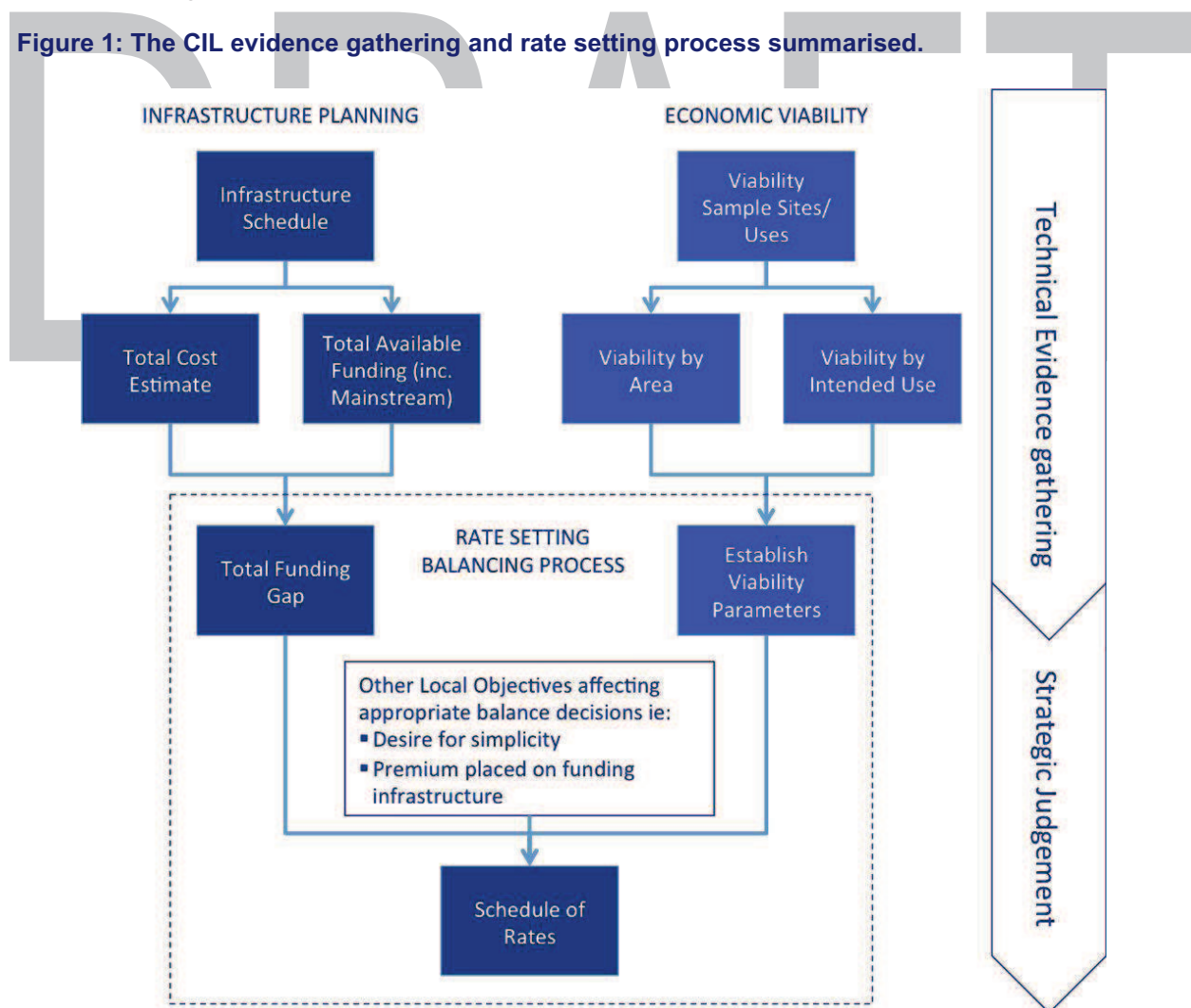
This section explains our approach to demonstrating how the Council's infrastructure evidence base meets CIL Independent Examination standards.

## 1.1 The Regulations

The CIL rate setting process is guided by several different regulations. Following the 2008 Planning Act, CIL came into force with the publication of the Community Infrastructure Levy Regulations 2010. The Community Infrastructure Levy (Amending) Regulations 2011, 2012 and 2013 (draft) further refined the legal framework as did the Localism Act 2011.

As well the Regulations, the Secretary of State's Community Infrastructure Levy Guidance (December 2012) also forms part of the legal framework. The guidance emphasises the importance of striking an appropriate balance when setting rates. The balance needs to specifically weigh up using CIL to fund infrastructure and ensuring that the rates do not threaten delivery of the relevant Plan as a whole. That balance can also take account of other factors as summarised in figure 1 below.

1.1.1 Figure 1: The CIL evidence gathering and rate setting process summarised.





Infrastructure is defined in the Planning Act Item 216 (and refined in the 2010 Regulations) as follows:

- a roads and other transport facilities
- b flood defences
- c schools and other educational facilities
- d medical facilities
- e sporting and recreational facilities
- f open spaces

The majority of the guidance on infrastructure planning evidence base can be found in the CIL Guidance 2012. It requires that each charging authority identifies the total cost of infrastructure informed by a selection of infrastructure projects which are identified as candidates to be funded by the levy.

In practice this means each charging authority needs to consider what infrastructure is needed in its area to support development. This is the same exercise as required to produce an Infrastructure Delivery Plan as evidence for a Core Strategy Development Plan Document or Local Plan. Consequently, there is no need to duplicate this process if an up to date IDP exists. The Charging Authority is also required to assess what other known or expected funding sources are likely to be available to establish whether there is a funding gap. The new CIL Guidance (2012) requires that this evidence is directly related to the Draft Regulation 123 list that the Authority is now required to publish for examination.

In this case the Council's infrastructure evidence base is formed of three progressive layers. Firstly the Infrastructure Delivery Plan (IDP) 2009 adopted as part of the Core Strategy in 2010. Secondly an IDP 2012 (Draft) was tested as part of the Managing Development – Development Plan Document (MD DPD) EiP on September 2012 and found sound. Thirdly the Council has updated, the IDP in 2013 to reflect the latest priorities as catered for within items 16 and 17 of the CIL Guidance published in December 2012, set out below:

*16. If an authority considers that the infrastructure planning underpinning its relevant Plan is weak or does not reflect its latest priorities, it may undertake additional bespoke infrastructure planning to identify its infrastructure funding gap. This work may be limited to those projects requiring funding from the levy, rather than covering all the potential infrastructure projects for the area.*

*17. Where infrastructure planning has been undertaken specifically for CIL and was not tested as part of another examination, the CIL examiner will only need to test that the evidence is **sufficient** in order to confirm the aggregate infrastructure funding gap and total target amount that the authority proposes to raise through CIL.*

The *CIL Projects Schedule*, attached at Appendix A accounts for how the infrastructure evidence has been formed, as listed above.

Our approach to testing sufficiency is set out in **Section 1.3**.

## 1.2 CIL Examinations to Date

To date, there are thirteen published CIL examination reports (Shropshire, Newark and Sherwood, Redbridge, Portsmouth, London Mayor, Huntingdonshire, Croydon, Wandsworth, Wycombe, Poole, East Cambridgeshire, Mid-Devon and Barnet) and infrastructure planning has not featured strongly; generally limited to two to three paragraphs (Poole contains six paragraphs). Each of the Councils had a recently adopted Core Strategy and each of the Councils undertook additional infrastructure planning in support of CIL.



The message from the Examiners appears to be that infrastructure planning should focus on ascertaining the residual funding gap (aggregate gap minus projected CIL income). Where the projected CIL income does not exceed the projected aggregate funding gap the rates are justifiable, subject to tests on the impact of CIL rates on development viability (the matter of viability is the subject of a separate report as previously stated).

### **1.3 Sufficiency of the Infrastructure Evidence**

Our approach to testing the sufficiency of an infrastructure planning evidence base is methodical and robust, and has been used in the PAS Front Runner Programme. It consists of four steps:

- Step 1 – Assessment of the appropriate available evidence
- Step 2 – Data import, cleansing and analysis (into our bespoke infrastructure planning model)
- Step 3 – Targeted interrogation of supporting project information
- Step 4 – Finalising the infrastructure planning evidence base.

An initial assessment using this approach was conducted for the Stage 1 commission. A further assessment was conducted prior to the publication of the Preliminary Draft Charging Schedule (see Infrastructure Planning and Funding Gap report October 2012 that accompanied the PDCS). This updated report contains a further refinement for the purposes of the Draft Charging Schedule and to bring the information up-to-date with the CIL Guidance published in December 2012.

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## 2 Updated CIL Infrastructure Evidence

### 2.1 Background Information

The findings in this section are based upon the following Council background information:

- Core Strategy Adopted Version September 2010
- Infrastructure Delivery Plan 2010 - Core Strategy Evidence Base
- Infrastructure Delivery Plan 2012 (Draft) - tested as part of the Managing Development – Development Plan Document (MD DPD) EiP September 2012
- Infrastructure Delivery Schedule 2013
- Capital Investment Programme 2011-2014
- Tower Hamlets Council's Transport Planning Strategy 2011-2031, August 2011
- Local Implementation Plan 2 – Corridors and Neighbourhoods, May 2011
- Local Investment Plan 2 – Major Schemes 2012
- School Site Allocation Evidence produced for EIP by Tower Hamlets Education Department as approved by Cabinet 5<sup>th</sup> September 2012

### 2.2 Update of CIL Funding Gap

During 2012 the Council updated its Population Growth and Change Model. The new projections have been compared against the projections used at the time of the Core Strategy to determine whether the projects captured within the 2011 Infrastructure Delivery Plan (IDP) update were still relevant. The outcome of that exercise was an updated IDP (Draft) that was tested at EiP on its Managing Development DPD in September 2012 and accompanied the Preliminary Draft Charging Schedule. This report is based upon a schedule of projects that constitutes bespoke infrastructure evidence that has been updated from the tested 2012 version to reflect the latest Council priorities. (A copy of the schedule can be found in [Appendix A](#)).

#### 2.2.1 Total Cost of Infrastructure

We have completed the analysis of the bespoke infrastructure evidence and established:

- There a total of 227 projects from 18 infrastructure categories on the IDP list.
- 203 of the projects are CIL eligible and candidates for CIL funding.
- 114 of the CIL eligible projects are costed.
- The total cost of these 114 costed projects (Total Cost of Infrastructure) is circa **£439m**.
- Over one quarter of the cost (28%, £123m) is attributed to one category – Transport and Connectivity
- The other significant contributors are Education – Primary and Education – Secondary with 21% and 18% respectively.

The 2013 IDP, Summary Tables and CIL projected income estimates are contained in [Appendices A, B and C](#) respectively.

### 2.3 Targeted Interrogation into Projects

We have focused targeted interrogation on the infrastructure categories of transport and education as the most significant contributors, which are supported by detailed project costs and findings.

#### 2.3.1 Transport

The transport projects within the CIL project schedule arise from the following documents:

- Transport Planning Strategy 2011-2031



- Local Implementation Plan 2 – Corridors and Neighbourhoods, Major Schemes
- Bromley-By-Bow Masterplan 2012
- Fish Island AAP 2012
- Millennium Quarter Master plan 2000
- Managing Development – Development Plan Document Post EiP version 2012

These documents are all adopted or in the case of the Transport Planning Strategy based on partnership working with delivery agents Transport for London. We believe an Examiner will be satisfied that this constitutes appropriate available evidence.

### 2.3.2 Education

A report that was approved by Cabinet in September 2012 outlines the projected need for primary school places in the borough and contains projection data provided by the GLA. The indicative costing of these facilities are based on previously completed schemes and advice from the relevant Council departments.

The costs included within the *CIL Projects Schedule* attached at Appendix A are also commensurate with other benchmarks we have observed within London and we believe an Examiner will be satisfied that this constitutes appropriate available evidence.

### 2.4 Funding from Other Sources

In order to establish a funding gap a Charging Authority is required to calculate the funding from other sources. We have extracted information from the Capital Investment Programme (CIP) 2011-2015 and the project specific funding identified within the 2013 IDP. Our findings can be articulated as follows:

- The total available known funding over the period 2012-2026 is **£245.5m**
- The majority of the funding (33%) is associated with specific projects for Building Schools for the Future.
- The remaining contributors to the funding are:
  - DfE – 23%
  - TfL – 6%
  - Supported capital borrowing – 2%
  - Capital receipts – 2%
  - Borrowing – 4%

Figure 3: Summary of funding available from other sources

| Funding                     | Total       | % of total |
|-----------------------------|-------------|------------|
| DfE                         | £57,000,000 | 23%        |
| TfL                         | £15,750,000 | 6%         |
| Supported capital borrowing | £6,000,000  | 2%         |
| Major repairs allowance     | £-          | 0%         |
| Capital receipts            | £4,500,000  | 2%         |
| Borrowing                   | £10,000,000 | 4%         |
| s106                        | £71,270,000 | 29%        |
| BSF                         | £81,000,000 | 33%        |

## 2.5 Aggregate Funding Gap

The aggregate funding gap is the Total Cost of Infrastructure (**Section 2.2.1**) minus funding from other sources (**Section 2.4**)

$$£439 - £245.5 = £193.4m$$

Consequently, the aggregate funding gap is £193.4m

## 2.6 Calculating the Projected CIL Income

### 2.6.1 Development Trajectory

We used the development trajectory contain within the Council’s Planning for Population Change and Growth Model, to build a CIL income projection model. The model applies the proposed CIL rates to the development trajectory and other variables set out below.

### 2.6.2 CIL Charging Rates

The following CIL rates have been used in the CIL income projection model.

| Development type              | Zone 1<br>Docklands | Zone 2<br>City Fringe | Zone 3<br>Rest of Borough |
|-------------------------------|---------------------|-----------------------|---------------------------|
| <b>Residential</b>            | £200                | £65                   | <b>£35</b>                |
| <b>Office</b>                 | £100                | £215                  | <b>Nil</b>                |
| <b>Convenience<br/>Retail</b> |                     | <b>£195</b>           |                           |
| <b>Other Retail</b>           | £70                 |                       | <b>Nil</b>                |
| <b>Hotel</b>                  |                     | <b>£210</b>           |                           |
| <b>Student Housing</b>        |                     | <b>£425</b>           |                           |
| <b>All other uses</b>         |                     | <b>Nil</b>            |                           |

### 2.6.3 Model Variables

The table below sets out the assumed variables that have been applied to the development trajectory figures to generate the projected CIL income figures in **Section 2.6.4** below.

| Variable                          | Value    |
|-----------------------------------|----------|
| <b>% affordable housing</b>       | 35%      |
| <b>Net additional floor space</b> | 70%      |
| <b>Average unit size</b>          | 70 sq. m |

### 2.6.4 Projected CIL Income

The projected CIL income is as follows:

| Period          | Total Income        | Annual Income |
|-----------------|---------------------|---------------|
| 2014/15-2016/17 | £14,879,594         | £4,959,865    |
| 2017/18-2021/22 | £57,658,813         | £14,862,319   |
| 2022/23-2026/27 | £45,230,369         | £9,046,074    |
| <b>Total</b>    | <b>£134,421,556</b> |               |

An extract from the CIL Income Projection Model can be found in **Appendix C**.

### 2.7 Residual Funding Gap

The residual funding gap is calculated by subtracting the projected CIL income from the aggregate funding gap and is required for a charging authority to be able to charge CIL.

Aggregate funding gap – Project CIL income = Residual funding gap

$$£193.4m - £134.4m = c £59m$$

The residual funding gap is **£59m** and therefore Tower Hamlets are able to charge CIL.

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### 3 Summary of the Sufficiency Assessment

Tower Hamlets are able to demonstrate a significant residual funding gap without including those operations or maintenance costs that would be significant. That gap has been estimated based on appropriate available evidence, which complies with the regulations and the CIL Guidance 2012. This makes for a strong infrastructure planning evidence base in accordance with the CIL Regulations and therefore we would expect the CIL Examiner to find the evidence base sufficient.

The Council is advised to proceed with the publication of its Draft Charging Schedule (DCS), within which it should make clear, the estimated aggregate infrastructure funding gap and how much of that gap it expects to fill with CIL. To ensure transparency of process, the DCS should refer to the evidence-based documents upon which it has relied upon to calculate the gap.

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Appendix A – Schedule of Infrastructure Projects

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**INFRASTRUCTURE DELIVERY PLAN 2013**

**PROJECTS ELIGIBLE TO RECEIVE CIL FUNDING**

| <b>Project Reference</b>                                       | <b>Project Description (Theme)</b>  | <b>Source Material - Need</b>   | <b>Estimated Total Cost</b> |
|--|---|---|-----------------------------|
| <b>Education - Primary</b>                                     |   |   |                             |
| New Primary Schools  | Provision of 15 Forms of Entry (FE) by 2021. Includes delivery on 3 <b>Managing Development: Development Plan Document</b> sites      | Managing Development: Development Plan Document 2012; LBTH Cabinet report 5 September 2012 – projection data provided by GLA                    | £90,000,000                 |
| <b>Education - Secondary</b>                                   |   |   |                             |
| Secondary Education Facilities - Borough Wide                  | Provision of 27 FE required by 2021/2022 by 2021. Includes delivery on 3 <b>Managing Development: Development Plan Document</b> sites | Managing Development: Development Plan Document 2012; LBTH Cabinet report 5 September 2012 – projection data provided by GLA                    | £81,000,000                 |
| <b>Youth Facilities</b>  |   |   |                             |
| Delivery of new and refurbishment of existing youth facilities | Provision of additional 17 facilities   | Youth Provision Need Report 2012/13 (working document)  | TBC                         |
| <b>Community and Faith Facilities</b>                          |   |   |                             |
| Delivery of new and refurbishment of community facilities      | Provision of new facilities and refurbishment of existing facilities to provide higher quality community buildings                    | Community Buildings Risk Assessment Condition Survey  | TBC                         |
| <b>Transport and Connectivity</b>                              |   |   |                             |
| Borough wide transport and connectivity works                  | Works to improve existing and deliver new transport and connections schemes/projects.   | Managing Development: Development Plan Document 2012; Millennium Quarter Masterplan 2000; Local Implementation Plan; Asset Management Inventory | £123,228,931                |

| Project Reference   | Project Description (Theme)  | Source Material - Need   | Estimated Total Cost |
|---|--|--|----------------------|
| <b>Leisure and Culture Infrastructure</b>                         |  |  |                      |
| Provision of new and refurbishment of existing leisure facilities | Refurbishment and provision of new: Idea Stores; libraries, swimming pools and sports halls                      | Sporting Places – A Leisure Facilities Strategy for LBTH 2009; Idea Store Strategy 2009  | £25,800,000          |
| <b>Energy and Sustainability</b>                                  |  |  |                      |
| Provision of district heat/energy facilities                      | District heating/energy facilities to 16 sites throughout the borough, to help meet sustainability objectives    | Managing Development: Development Plan Document 2012   | TBC                  |
| <b>Open Space</b>   |  |  |                      |
| Creation of new and improvements to existing open spaces          | Provide new open space and ensure the uplift of existing spaces  | Managing Development: Development Plan Document 2012; Green Grid Strategy 2010; Open Space Strategy 2006; Bromley by Bow Masterplan 2009; Bishopsgate Goodsyrd Masterplan 2010; Wood Wharf Masterplan 2003 | £16,400,000          |
| <b>Health</b>   |  |  |                      |
| Provision of new and improvements to existing facilities          | Borough wide work to infrastructure required by health services  | Managing Development: Development Plan Document 2012; Health and Wellbeing Strategy 2006 (draft 2012); NHS Programme of Estates Development  | £11,200,000          |
| <b>Emergency Services</b>   |  |  |                      |
| Provision of new and refurbishment of existing facilities         | Borough wide refurbishment and renewal to emergency services facilities including fire and police facilities.    | Identified by emergency services   | TBC                  |
| <b>Economic Development</b>                                       |  |  |                      |
| Provision of new and improvements to existing facilities          | Provision of employment and outreach sites across the borough and the delivery of a construction training centre | LBTH Employment Strategy 2011  | £46,000,000          |

| Project Reference                                       | Project Description (Theme)  | Source Material - Need   | Estimated Total Cost |
|---|--|--|----------------------|
| <b>Markets</b>  |  |  |                      |
| Markets - Installation of electricity supplies          | Electricity supplies to all Council managed markets. Funding can be dedicated to individual markets. | Street Market Strategy 2009  | £1,750,000           |
| <b>Air Quality</b>                                      |  |  |                      |
| Greenhouse gas emissions monitoring stations            | Provision of monitoring stations in Mile End and the Isle of Dogs                                    | Air Quality Action Plan 2003   | £100,000             |
| <b>Flooding</b>   |  |  |                      |
| Provision of flood mitigation measures                  | Flood mitigation works and installation of sustainable urban draining systems                        | Surface Water Management Plan 2011   | TBC                  |
| <b>Public Safety</b>                                    |  |  |                      |
| Provision of systems to deliver more CCTV coverage      | Installation of cabling to increase CCTV coverage  | Draft CCTV Strategy 2006   | £1,100,000           |
| <b>Public Realm Works</b>                               |  |  |                      |
| Borough-wide public realm works                         | Improvements to the public realm across the borough  | Green Grid Strategy 2011   | £2,500,000           |
| <b>Area Based Enhancements</b>                          |  |  |                      |
| Improvements and enhancements to areas of specific need | Area based improvements, identified by specific Council documents                                    | Blackwall and Poplar Connections Study 2011, Aldgate Masterplan 2007, Watney Market and Limehouse Renewal Plan Working Document 2013, Managing Development: Development Plan Document 2012 | £39,816,565          |
| <b>Total</b>  |  |  | <b>£438,895,496</b>  |



## Appendix B – Summary Tables

| Infrastructure Category                  | Total no of projects | % of total    | No of eligible projects as a min | No of costed eligible projects | Total Cost of Infrastructure | % of total    |
|--|----------------------|---------------|----------------------------------|--------------------------------|------------------------------|---------------|
| Education - Primary                      | 8                    | 3.52          | 4                                | 4                              | £90,000,000                  | 20.51         |
| Education - Secondary                    | 10                   | 4.41          | 3                                | 3                              | £81,000,000                  | 18.46         |
| Education - Special                      | 1                    | 0.44          | 0                                | 0                              | £-                           |               |
| Youth Facilities                         | 4                    | 1.76          | 2                                | 0                              | £-                           |               |
| Community Facilities and Faith Buildings | 8                    | 3.52          | 6                                | 0                              | £-                           |               |
| Transport and Connectivity               | 16                   | 7.05          | 11                               | 10                             | £123,228,931                 | 28.08         |
| Leisure and Culture Infrastructure       | 6                    | 2.64          | 4                                | 2                              | £25,800,000                  | 5.88          |
| Energy and Sustainability                | 16                   | 7.05          | 16                               | 0                              | £-                           |               |
| Open Space                               | 18                   | 7.93          | 17                               | 6                              | £16,400,000                  | 3.74          |
| Health                                   | 10                   | 4.41          | 10                               | 4                              | £11,200,000                  | 2.55          |
| Emergency Services                       | 1                    | 0.44          | 1                                | 0                              | £-                           |               |
| Economic Development                     | 2                    | 0.88          | 2                                | 1                              | £46,000,000                  | 10.48         |
| Markets                                  | 1                    | 0.44          | 1                                | 1                              | £1,750,000                   | 0.40          |
| Air Quality                              | 1                    | 0.44          | 1                                | 1                              | £100,000                     | 0.02          |
| Flooding                                 | 2                    | 0.88          | 2                                | 0                              | £-                           |               |
| Public Safety                            | 2                    | 0.88          | 2                                | 2                              | £1,100,000                   | 0.25          |
| Other Public Realm                       | 2                    | 0.88          | 2                                | 2                              | £2,500,000                   | 0.57          |
| Area Based Enhancements                  | 119                  | 52.42         | 119                              | 78                             | £39,816,565                  | 9.07          |
| <b>Totals</b>                            | <b>227</b>           | <b>100.00</b> | <b>203</b>                       | <b>114</b>                     | <b>£438,895,496</b>          | <b>100.00</b> |
| <b>Number of categories</b>              | <b>18</b>            |               |                                  |                                |                              |               |

| Funding                     | Total       | % of total | Comments  |
|-----------------------------|-------------|------------|---|
| DfE                         | £57,000,000 | 23%        | Taken from DfE Capital Allocations July 2011                          |
| TfL                         | £15,750,000 | 6%         | Taken from LIPpage 2011-2031 page 67                                  |
| Supported capital borrowing | £6,000,000  | 2%         | Projected figure for the period 2014/2015-2016/2017                   |
| Major repairs allowance     | £-          | 0%         |   |
| Capital receipts            | £4,500,000  | 2%         | Projected figure for the period 2014/2015-2016/2017                   |
| Borrowing                   | £10,000,000 | 4%         | Projected figure for the period 2014/2015-2016/2017                   |
| s106                        | £71,270,000 | 29%        | Calculated from annual average for period 2009/2009-2011/2012         |
| BSF                         | £81,000,000 | 33%        | Remaining allocation of BSF funding for period of 2013/2014-2016/2017 |

|                                     |                     |  |
|-------------------------------------|---------------------|--|
| <b>Total Cost of Infrastructure</b> | <b>£438,895,496</b> |  |
| <b>Total Funding</b>                | <b>£245,520,000</b> |  |
| <b>Aggregate Funding Gap</b>        | <b>£193,375,496</b> |  |
| <b>Projected CIL Income</b>         | <b>£134,421,556</b> | Projected CIL Income for 2013/14 - 2021/22 |
| <b>Residual Funding Gap</b>         | <b>£58,953,940</b>  |  |

# Appendix C – Extract of CIL Income Projection Model

## CIL CHARGING SCHEDULE

|                 |   |
|-----------------|---|
| Docklands       | 1 |
| City Fringe     | 2 |
| Rest of Borough | 3 |

|   |
|---|
| <b>Total CIL income<br/>(2014-2026)</b> |
| £134,421,556                            |

| Development type   | Area |      |      | Total (2014-2021) |
|--------------------|------|------|------|-------------------|
|                    | 1    | 2    | 3    |                   |
| Residential        | £200 | £65  | £35  | £75,276,659       |
| Office             | £100 | £215 |      | £17,459,705       |
| Convenience Retail | £195 | £195 | £195 | £38,885,768       |
| Other Retail       | £70  | £70  |      | £15,400           |
| Hotel              | £210 | £210 | £210 | £2,784,023        |
| Student Housing    | £425 | £425 | £425 | £-                |
| All other uses     | Nil  |      |      | £-                |

| PROJECTED CIL INCOME | 2014-2016          |                   |                   |                    |                   |
|----------------------|--------------------|-------------------|-------------------|--------------------|-------------------|
|                      | Area               |                   |                   | Totals             | Annual Income     |
| Development type     | 1                  | 2                 | 3                 |                    |                   |
| Residential          | £8,400,000         | £494,325          | £1,164,799        | £10,059,124        | £3,353,041        |
| Office               | £1,126,700         | £2,105,710        | £-                | £3,232,410         | £1,077,470        |
| Convenience Retail   | £1,081,665         | £171,405          | £334,990          | £1,588,060         | £529,353          |
| Other Retail         | £-                 | £-                | £-                | £-                 | £-                |
| Hotel                | £-                 | £-                | £-                | £-                 | £-                |
| All other uses       | £-                 | £-                | £-                | £-                 | £-                |
| <b>Totals</b>        | <b>£10,608,365</b> | <b>£2,771,440</b> | <b>£1,499,789</b> | <b>£14,879,594</b> | <b>£4,959,865</b> |

| PROJECTED CIL INCOME | 2017-2021          |                    |            |                    |                    |
|----------------------|--------------------|--------------------|------------|--------------------|--------------------|
|                      | Area               |                    |            | Totals             | Annual Income      |
| Development type     | 1                  | 2                  | 3          |                    |                    |
| Residential          | £27,031,714        | £4,281,364         | £9,548,050 | £40,861,129        | £8,172,226         |
| Office               | £5,145,800         | £8,653,895         | £-         | £13,799,695        | £2,759,939         |
| Convenience Retail   | £4,107,602         | £3,420,623         | £9,572,351 | £17,100,576        | £3,420,115         |
| Other Retail         | £15,400            | £-                 | £-         | £15,400            | £3,080             |
| Hotel                | £1,909,530         | £418,530           | £206,734   | £2,534,794         | £506,959           |
| All other uses       | £-                 | £-                 | £-         | £-                 | £-                 |
| <b>Totals</b>        | <b>£38,210,046</b> | <b>£16,774,412</b> |            | <b>£57,658,813</b> | <b>£14,862,319</b> |

| PROJECTED CIL INCOME | 2022-2026          |                 |                    |                    |                   |
|----------------------|--------------------|-----------------|--------------------|--------------------|-------------------|
|                      | Area               |                 |                    | Totals             | Annual Income     |
| Development type     | 1                  | 2               | 3                  |                    |                   |
| Residential          | £11,629,143        | £157,114        | £12,570,150        | £24,356,407        | £4,871,281        |
| Office               | £427,600           | £-              | £-                 | £427,600           | £85,520           |
| Convenience Retail   | £1,029,313         | £-              | £19,167,819        | £20,197,133        | £4,039,427        |
| Other Retail         | £-                 | £-              | £-                 | £-                 | £-                |
| Hotel                | £249,229           | £-              | £-                 | £249,229           | £49,846           |
| All other uses       | £-                 | £-              | £-                 | £-                 | £-                |
| <b>Totals</b>        | <b>£13,335,285</b> | <b>£157,114</b> | <b>£31,737,969</b> | <b>£45,230,369</b> | <b>£9,046,074</b> |



Community Infrastructure Levy:  
Preliminary Draft Charging Schedule  
Summary of Consultation Responses

London Borough of Tower Hamlets

April 2013

## **1. INTRODUCTION**

- 1.1 On 16<sup>th</sup> November 2012 Tower Hamlets Council published its Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDCS) and supporting evidence base. It invited responses from the public including local landowners and developers, as well as other public authorities. The purpose of the consultation was to invite comments and additional evidence that will help the Council strike an appropriate balance when setting CIL rates.
- 1.2 In accordance with Regulation 15 (7) of the Community Infrastructure Levy Regulations 2010 (as amended) the Council has taken into account these representations before it publishes its Draft Charging Schedule (DCS). This document summarises how the Council has taken the representations into account alongside other appropriate available evidence.
- 1.3 The Council received 30 representations in total. During the consultation period for the PDCS, the Secretary of State issued new national CIL Guidance (December 2012). That guidance reinforced much of the practice used by Charging Authorities to strike an appropriate balance when setting their CIL rates. This 2012 guidance has also imposed additional requirements on Charging Authorities, which the Council has now incorporated into its evidence base and rate setting process.
- 1.4 Please see Appendix 1 for a document which includes the full Representations received and provides the Council's response in relation to each Representation.

## **2. THE MAIN ISSUES**

### ***Nature of Representation(s): Requests for Relief***

- 2.1 Several respondents requested relief for CIL for specific uses, for example Theatres and Police facilities. Several more requested that the Council consider claims for relief under Exceptional Circumstances. Poplar HARCA requested a change in the national guidance used to calculate the Affordable Housing relief. English Heritage has requested discretionary relief for Heritage Buildings.

### ***How Representation(s) has been Accounted for: Requests for Relief***

- 2.2 The Council is limited in what reliefs it can provide and it is unable to change Regulations or national guidance. It can set rates at £0 per square metre where that is supported by viability evidence. This would be the case for items such as Police facilities, which are defined as infrastructure in the Infrastructure Delivery Plan (IDP) requiring public subsidy, and are therefore by definition not able to support a CIL charge. The table in the PDCS that indicated the proposed rates clearly stated that unless a specific levy is proposed for a use all other uses throughout the borough will be charged at £0 per square metre. The Draft Charging Schedule sets out the Council's policy in relation to requests for relief.

### ***Nature of Representation(s): The Viability Assessment***

- 2.3 Several representations suggest that the Council's viability evidence is insufficient in its scope and depth. Several referenced specific sites that will be

unduly affected by the imposition of CIL. The Greater London Authority (GLA) is seeking to ensure that the Council has adequately accounted for all Crossrail related levies that affect the borough. In particular representations queried the location of the residential CIL zones' boundaries in relation to sales values of existing residential developments and the viability and CIL charge applied to hotel uses. An issue was also raised in relation to the approach to the benchmark land value and reference is made to the RICS guidance note on Viability in Planning.

***How Representation(s) has been Accounted for: The Viability Assessment***

- 2.4 The Council had invited discussions from the development industry and statutory bodies during very early evidence gather stages. Whilst nothing was forthcoming during early consultation, the Council has welcomed further feedback on the PDCS from the development industry and updated the viability evidence to take account of the new guidance. This includes reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.
- 2.5 Hotel use appraisals and evidence have been reviewed and as a result the maximum CIL rate has been reduced.
- 2.6 With regard to Representations concerning the benchmark land value (and reference to the RICS approach to benchmark land values), it is noted that the Representations fail to refer to the Local Housing Delivery Group guidance which endorses the approach we have taken. The RICS approach has been considered at the Mayoral CIL examination and found to be an unsound basis for testing the viability of CIL.

***Nature of Representation(s): Differentiating Rates by Area***

- 2.7 Several Representations were received regarding the placement of the charging zones. The London Legacy Development Corporation (LLDC) wrote confirming the boundary of their area for which they are the Planning Authority and requested CIL rates are removed for their area.

***How Representation(s) has been Accounted for: Differentiating rates by area***

- 2.8 Now the LLDC is formally in place the Council has shown the boundary in its CIL zoning map. The LLDC area has been indicated, within the Draft Charging Schedule, as excluded from Tower Hamlets' Charging Authority.
- 2.9 The Council has also reviewed the evidence used and gathered additional viability evidence to inform the zoning process. This has resulted in minor adjustments to the zone boundaries.

***Nature of Representation(s): Differential Rates by Land Use***

- 2.10 Several representations questioned the differential rates for specific land uses, namely retail. Supermarket representatives have queried the proposal for

differential retail rates on the basis of unit size.

***How Representation(s) has been Accounted for: Differential Rates by Land Use***

- 2.11 The Council has reviewed all appropriate available viability evidence including in recent CIL Examination decisions. The Wycombe District CIL Examination report explicitly noted that “there is nothing in the CIL regulations to prevent differential rates for retail developments of different sizes, provided they are justified by the viability evidence and differing retail characteristics or zones”.
- 2.12 For retail land uses, the Council continues to propose two rates: -
1. Convenience-based supermarkets and superstores and retail warehousing over 280 square metres; and
  2. All other retail.
- 2.13 Superstores/supermarkets are defined as shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.
- 2.14 Retail warehouses are defined as large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for a significant proportion of car-borne customers.

***Nature of Representation(s): Infrastructure Evidence***

- 2.15 Several representations indicated that the Council’s CIL spending priorities were not clear and not compliant with the updated CIL Guidance published during the consultation period. Specifically they state that the information on the charging authority area’s infrastructure needs should be “directly related to the infrastructure assessment that underpins their relevant Plan”, as that planning identifies the quantum and type of infrastructure required to realise their local development and growth needs.
- 2.16 The new CIL Guidance (December 2012) also states that “the charging authority should set out at examination a draft list of the projects or types of infrastructure that are to be funded in whole or in part by the levy” and that the charging authorities should also set out those known site-specific matters where S106 contributions may continue to be sought”.

***How Representation(s) has been Accounted for: Infrastructure Evidence***

- 2.17 The Council’s bespoke infrastructure evidence for CIL is consistent with its IDP that underpins the Core Strategy. An additional requirement imposed by the CIL Guidance published in December 2012 is for the Council to publish a draft list of projects that it intends to fund in part or whole by CIL and to specify the site-specific infrastructure that is intended to be funded by S106.
- 2.18 The Council has reviewed the potential S106 requirements and finds it likely that future s106 requirements will be significantly reduced. All large infrastructure projects and programmes such as those identified in the IDP are likely to be funded through CIL and other sources of funding excluding S106.

2.19 The Council will use S106 for affordable housing and site-specific mitigation measures in accordance with the three legal tests. This will be set out in a revised draft Planning Obligations Supplementary Planning Document which is to be the subject of public consultation at the same time as the DCS.

### **3. CONCLUSIONS**

3.1 Further to this round of public consultation, Tower Hamlets' CIL Charging Schedule has been amended to take account of appropriate available evidence and the recent CIL Guidance (December 2012).

3.2 The Council is introducing CIL with the aim of seeking to deliver the local Core Strategy objectives. The Council has sought to strike an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development when taken as a whole across the borough. On that basis it is publishing a Draft Charging Schedule in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008.

**Appendix 1: Detailed Schedule of Representations and the Council's Responses**



| Comment ID | Organisation                          | Commented Section                     | Recommendations by Representations   | Summary of Representation  | Council's Response  |
|------------|---------------------------------------|---------------------------------------|--|--|---|
| Cil_PDCS 1 | East Thames Group                     | 3. Proposed CIL Rates & Charging Area | We recommended the Council to consider the following: 1. Estate regeneration projects to be exempt from CIL or to have a lower rate applied 2. Registered housing providers and charities to receive a discounts on standard CIL rates where it can be demonstrated that they are building private housing for wider social benefit or to cross fund additional social housing provision               | Concern that applying a uniform CIL rate to might make some of the schemes unviable to develop in future.  | The Council has updated its viability evidence to ensure that the level of CIL applied to residential uses in different areas of the borough is viable. In addition, it is also noted that affordable dwellings are not subject to the CIL charge. Registered Providers delivering affordable housing can obtain this discount by applying for social housing relief.<br><br>It is reasonable for private residential units to pay CIL to ensure infrastructure can be provided to support increased demand arising from the development. |
| Cil_PDCS 2 | London Legacy Development Corporation | 1. Introduction; Appendix 1 & 2       | Part of the Borough of Tower Hamlets lies within the LLDC area, and for the document to include the plan at Appendix 1 of the document in this regard, reference to collection of LBTH CIL should be removed. The LLDC area should be omitted from CIL Charging Zone 3 in the plan at Appendix 2, and reference to the areas within the LLDC area should be removed from the CIL viability assessment. | Paragraph 1.4 of the Preliminary Draft Charging Schedule is factually incorrect and rectification is required. The LLDC Planning Functions Order 2012 makes the Legacy Corporation a planning authority for all purposes of Part 2 of the Planning and Compulsory purchase Act 2004 and by effect of this it is the CIL charging authority for its area. For the time being LBTH continues to be the collecting authority for the London Mayoral CIL within LLDC's area. | The Council has amended the map at Appendix 1 to show the London Legacy Development Corporation area which lies within London Borough of Tower Hamlets.   |
| Cil_PDCS 3 | The Theatres Trust                    | Leisure & Community Use               | Include theatre as "sui generis" use in the charging table and applies to nil rate.  | This proposed Charging Schedule should also include sui generis theatres. Theatre uses are generally unable to bear the cost of CIL for viability reasons and we recommend including theatres in the setting of a Nil rate.  | Theatres in sui generis are subject to nil CIL charge (£0 per metre) in line with the representation. The Council does not have powers to control the application of the Mayor of London's charge and its application.  |
| Cil_PDCS 4 | Canal & River Trust (London)          | Infrastructure Delivery Plan          | Request further discussion on provision of open space for waterways through CIL income in the future.  | No specific comments to the Preliminary Draft Charging Schedule. In relation to the IDP, we consider ourselves an important infrastructure provider, with regard to the benefits our waterways offer communities and can address the aims of the Core Strategy. We would therefore welcome further discussion with the Council regarding how we can work together to address CIL contribution to the open space of these waterways.                                      | The Council has prepared an infrastructure delivery plan highlighting infrastructure funding priorities. Further meetings and discussions will with infrastructure providers are anticipated as part of the Council's on going infrastructure planning processes.   |

| Comment ID | Organisation   | Commented Section                     | Recommendations by Representations  | Summary of Representation   | Council's Response  |
|------------|--|---------------------------------------|---|---|---|
| Cil_PDCS 5 | Peacock & Smith on behalf of WM Morrison Supermarkets plc          | 3. Proposed CIL Rates & Charging Area | OBJECT - no recommendations.  | Objection to the proposed CIL rates for retail development in the Borough. We are gravely concerned that the suggested charge will have a significant adverse impact on the overall viability of future retail development in the borough. A balance has not been found between infrastructure funding requirements and viability. New large-scale retail development, such as supermarkets, is being used as a 'scapegoat'. The draft charge will put undue additional risk on the delivery of any such proposals and will be an 'unrealistic' financial burden. This, in turn, poses a significant threat to potential new investment and job creation in the local area at a time of economic recession and low levels of development activity.  | <p>The Council's viability evidence has analysed the impact of CIL on retail development throughout the borough. This analysis has informed the dual retail rate proposed.</p> <p>The Council's viability research has analysed the impact of CIL on retail development throughout the borough. The regulations allow for different charges to be established for different scales of use; it should be noted that differential rates for stores over 280sqm have been justified other CIL examinations (for example, Wycombe).</p> |
| Cil_PDCS 6 | Planning Perspectives On behalf of National Grid Property Holdings | Discretionary Relief                  | In order to ensure that these sites are not over burdened by additional upfront costs we would request that the Council considers including within the charging schedule, discretionary relief for each of the sites given the exceptional circumstances detailed above. Discretionary relief for exceptional circumstances can be considered by the Council in accordance with Regulation 55 of the CIL Regulations 2010 (as amended). | We are making site-specific comments in relation to the land owned by the NGP and they are: Marian Place Gas Works, Bethnal Green; Bow Common Gas Works, Bow Common; and Leven Road Gas Works, Poplar. The sites are former gasworks which, prior to redevelopment commencing will need to be decommissioned, remediated and any remaining operational equipment relocated. There are potentially significant upfront costs associated with these works which threaten to undermine future viability and reduce the likelihood of each of these sites being brought forward for redevelopment. The Tower Hamlets CIL, in addition to the Mayoral CIL, will inevitably add to this cost burden by placing an unavoidable further cost on each of the sites upon commencement of development. | The Council is proposing to allow discretionary exceptional circumstances relief as set out in the Draft Charging Schedule. It should be noted that the circumstances in which exceptional circumstances relief can be applied are very narrow and are limited by state aid issues.   |
| Cil_PDCS 7 | City of London   | N/A                                   | No recommendations  | The City Corporation has no objections to this document or any specific comments.   | NOTED   |

| Comment ID | Organisation  | Commented Section                     | Recommendations by Representations   | Summary of Representation  | Council's Response   |
|------------|---|---------------------------------------|--|--|--|
| Cil_PDCS 8 | GVA Grimley on behalf of Commercial Estates Group(London) | 3. Proposed CIL Rates & Charging Area | No recommendations   | We note that the Preliminary Draft Charging Schedule states that the Borough has attempted to set a buffer , so that the proposed rates are not at margins of viability . However, the majority of developments within the Borough are already at the 'margins of viability', with the level of S106 contributions and other obligations, such as affordable housing, secured. At a time when the Borough is under pressure to deliver its target growth levels, including increased housing supply, it is unreasonable to add an additional financial burden of these levels to developments that are already at their limits. Where a development is subject to a full CIL payment, the other charges applied (S106 and affordable housing requirements) would need to be reduced to ensure viability of and deliverability of development. We support the intention of CIL, however, CIL rates sought for residential in Zone 1 (city fringe and north docklands) and the student housing and hotel development appear high. For example, a number of residential developments across the Isle of Dogs and surrounding areas would pay CIL twice as much as the levels of S106 contributions that are currently being negotiated (excludes affordable housing). This will threaten schemes that contribute towards the overall objective of sustainable development and growth. | The Council has updated its viability evidence and several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. This updated evidence did not suggest a need to amend the residential rate. It is also noted the representation does not provide any evidence to demonstrate that the level of charge for residential uses (or indeed other uses) is unsustainable. |
| Cil_PDCS 9 | CgMs Consulting on behalf of Metropolitan Police Services | 3. Proposed CIL Rates & Charging Area | Exempt policing facilities that fall within the office use within the City Fringe and North Docklands area from CIL payment. Include policing facilities in the Regulation 123 List. Update the policing section in the current Infrastructure Delivery Plan (adopted in 2009) | Policing facilities fall within "All Other Uses" in the Figures 4 of the Preliminary Draft Charging Schedule, which attracts Nil rate. Policies facilities fall within the office use within the City Fringe and North Docklands area would attract £125 per sq.m. This would impact on future operational office space used for policing, which is contrary to the aims of the NPPF, London plan and Core Strategy. It is therefore essential that CIL is not payable for new policing floorspace in the Borough, which would take funding away from frontline policing. In addition, CIL should include the wording "Development by police for operation   | Police stations and operational floor space are within sui generis uses and will be subject to nil CIL charge (£0 per metre) in line with the comments. The Council does not have powers to control the application of the Mayor of London's charge and its application.<br><br>Excluding office space based on the likely or possible intended occupier would be difficult to implement in the current regulatory framework<br><br>The Council has contacted the Metropolitan Police's agent with a view to bring the evidence up to date. Further meetings and discussions will with   |

| Comment ID  | Organisation                        | Commented Section | Recommendations by Representations   | Summary of Representation   | Council's Response   |
|-------------|-------------------------------------|-------------------|--|---|--|
|             |                                     |                   |  | <p>purposes" as attracting a nil rate. Such an approach has been adopted elsewhere, It is recommend that the Regulation 123 list includes policing facilities, includes where development would have a material impact upon policing provision in the Borough. This is to be consistent with the Government Guidance. The policing section in the current IDP is a little out of date. The Service Asset Management Plan (2007) has been replaced by the Estate Strategy 2010-2014, nor does it provide detail on specific requirements and indicative costs. The MOPAC/MPS request to be informed of when the Council are preparing an update.</p>   | <p>infrastructure providers are anticipated as part of the Council's on going infrastructure planning processes.</p>   |
| Cil_PDCS 10 | DP9 on behalf of Express Newspapers | 2. Evidence       | <p>Revisit the viability evidence and republish the Preliminary Draft Charging Schedule for a further round of public consultation to meet the requirements of the new statutory CIL guidance and NPPF; Provide more detailed assessment is required of price variation in the Borough with the identification of more charging zones and a more diverse charging rate, based upon postcodes to include Zone 3 (E14, 8); Review the S106 costs sufficiently to be certain that the S106 levels would not exceed the £1,220 per unit identified; and explain how the assumption of s106 contributions has been calculated or what infrastructure it could cover Publish the Regulation 123 List at this stage, given its importance to understanding the likely level of S106 contributions which would be applied to an application. Outline in more detail that the status of its SPD on planning obligations will be once CIL is in place, and whether the SPD will apply at all to future applications once the CIL comes into force.</p> | <p>This is a site-specific representation regarding the strategic site at, Westferry Printworks, Isle of Dogs. The site is identified for strategic redevelopment for a residential-led mixed use development under the Submission version of the Managing Development DPD. CIL is one of the main financial obligations which could impact on viability, affecting the ability of development to come forward and ultimately the delivery of the Development Plan objectives. Our main concern is that your viability evidence does not meet the requirements of the Statutory Guidance (December 2012) and fails to provide sufficient justification for the Charging Rates set in the consultation document. The comments on the key areas of conflict with the Statutory Guidance are summarised below: Lack of analysis of strategic sites as required by the Statutory Guidance - No reference made within the viability study to the emerging MD DPD, which is surprisingly given that this document has reached</p> | <p>The Council has updated its viability evidence. This included reviewing a number of strategic sites. This assessment has determined that the level of CIL charge can be supported. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. The level of Section 106 contribution will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers.</p> |

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| Cil_PDCS 11 | Bell Cornwell LLP on behalf of TRAD Properties LLP | 3. Proposed CIL Rates & Charging Area | OBJECT - to the proposed levy of £425 per square metre for hotel use. | Proposed charge for residential uses - Support the proposed rate for residential in charging zone 3, which is £35 per sq.m. However, we would emphasise the need for the proposed approach to retain sufficient flexibility to allow some negotiation on the levy where reasonable site specific circumstances dictate the need for this. Proposed charge for hotel uses - Objects to the proposed rate for hotel use. The proposed rate for hotel use is not differentiating between different parts of the Borough. A blanket district-wide approach of this kind could be counter-productive to the attainment of wider regeneration objectives. New hotel development in relatively low value areas in the Borough will be deterred, which will have the effect of undermining the regeneration of those areas where new hotels might be able to form an important part of future development. For example, the proposed charge would render a new hotel development in Bromley-by-Bow unviable and thus undermine the ability to attain comprehensive development of that area. | The Council has updated its viability evidence several of the proposed CIL rates have been adjusted for hotels and other non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. |



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| Cil_PDCS 12 | London Borough of Tower Hamlets                              | 3. Proposed CIL Rates & Charging Area | Zone 1 - should (also) include following the A13 at the Aldgate triangle, incorporating the whole of the Docklands and riverside within the boundary of the zone.   | Representing as Cllr for the Blackwall and Cubitt Town ward and a resident of the Isle of Dogs. Canary Wharf and the Isle of Dogs have been the largest area of redevelopment on London over the past two decades. This has included both residential and commercial development. Currently some 93,000 people work on the Canary Wharf complex and this will rise to 120,000 by the end of this decade. Identified residential development sites indicate a potential residential population rising to 71,000. At the presentation to councillors I was surprised at the proposed charging Zone boundaries, in particular with the south and east of the Isle of Dogs, along with Leamouth being placed in CIL Zone 3. This area is that which is amongst the prime area for development because of its proximity to Canary Wharf. There is regular DLR and bus links to Canary Wharf and even a leisurely walker can reach Canary Wharf from Island Gardens in less than twenty minutes, as I do regularly. Logically Zone 1 should include (as it does) the City Fringe and at the Aldgate triangle follow the A13, with all of Docklands and the riverside included within the boundary of the Zone. | The Council has amended the boundaries affecting the Isle of Dogs based on a review of the residential values (see Appendix 1 of Draft Charging Schedule).   |
| Cil_PDCS 13 | DP9 on behalf of Bishopsgate Goods Yard Regeneration Limited | 2. Evidence                           | Refer to the recommendations made in the separate representations of Hammerson Plc. and Ballymore. Proposing that LBTH withdraw the current Preliminary Draft Charging Schedule and re-run public consultation once the necessary additional evidence has been prepared. This is important since there is limited flexibility in revising a Draft Charging Schedule after it has been published, and changes are discouraged prior to examinations, therefore moving directly to this stage will not have allowed a proper process of consultation. | We concerned that the rates currently proposed in the Preliminary Draft Charging Schedule pose a serious risk to the viability and deliverability of Bishopsgate Goods Yard (BGY). Most importantly, we consider that LBTH does not yet have sufficient appropriate evidence to establish whether proposed Preliminary Draft Charging Schedule CIL rates pose a serious threat to the development, as allocated, of BGY. Because the Council has not undertaken evidence consistent with the requirements set out in CLG's Statutory Guidance (December 2012) with assessing "an appropriate range of types of sites across its area in order to supplement existing data... (Paragraph 27). The typologies tested within the Viability Study bear no resemblance to the strategic sites, such as BGY, which is allocated  | The Council has updated the viability evidence. This included reviewing a number of strategic sites. This assessment has determined that the level of CIL charge can be supported. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. |

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|             |                                |   |   | within the up-to-date Development Plan. We consider that the Development Plan site allocations need to be assessed in order to fill a significant gap in the current evidence base. This needs to be looked at in line with the Paragraph 25 of the new Statutory Guidance.   |   |
| Cil_PDCS 14 | DP9 on behalf of Hammerson Plc | 2. Evidence; Proposed CIL Rates & Charging Area | To prepare substantial additional evidence to demonstrate whether proposed Preliminary Draft Charging Schedule CIL rates pose a serious threat to the development, as allocated and tested alongside the government guidance and the most up-to-date local Development Plan Documents (DPD). This should be undertaken in close collaboration with the development industry to ensure inputs/assumptions are the most appropriate and best available; To refine its infrastructure planning evidence, including the infrastructure items set out for the site allocations in the Managing Development DPD and identify the anticipated delivery mechanism (CIL vs. s106). Proposing that the Council withdraw the current Preliminary Draft Charging Schedule and re-run public consultation once the necessary additional evidence has been prepared (effectively repeat the preliminary stage). | The consultation document and its supporting documents are not in compliance with the NPPF, CIL Statutory Guidance (December 2012) and planning policy and objectives for LBTH Not based on evidence that has defined or considered the allocated sites underpinning the relevant up-to-date Development plan Not been tested alongside the Development Plan (specifically the LBTH Managing Development DPD); and runs the risk of actively discouraging development (See DS2's comprehensive review of the Viability Study) Unclear about how the actual proposed rates and associated geographical charging zones have been derived Lack of evidence of any proper analysis or consideration of residual S106 costs, particularly section 2.1 of the Preliminary Draft Charging Schedule falls short of assessing residual s106 requirements | The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. |

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| Cil_PDCS 15 | DP9 on behalf of Ballymore Group    | 2. Evidence; 3. Proposed CIL Rates & Charging Area | To prepare substantial additional evidence to demonstrate whether proposed PDCS CIL rates pose a serious threat to the development, as allocated and tested alongside the government guidance and the most up-to-date local Development Plan Documents (DPD). This should be undertaken in close collaboration with the development industry to ensure inputs/assumptions are the most appropriate and best available. To refine its infrastructure planning evidence, including the infrastructure items set out for the site allocations in the Managing Development DPD and identify the anticipated delivery mechanism (CIL vs. s106). Consider the PDCS is unsound and is of the strong opinion that the Charging Authority must withdraw the current PDCS and re-run public consultation once the necessary additional evidence has been prepared (effectively repeat the preliminary stage). | Main comments are summarised below: Not in compliance with the NPPF, CIL Statutory Guidance (December 2012) and planning policy and objectives for LBTH. Not based on evidence that has defined or considered the allocated sites underpinning the relevant up-to-date Development Plan. Not been tested alongside the Development Plan (specifically the LBTH Managing Development DPD); and runs the risk of actively discouraging development (See DS2's comprehensive review of the Viability Study) Unclear about how the actual proposed rates and associated geographical charging zones have been derived Lack of evidence of any proper analysis or consideration of residual S106 costs, particularly section 2.1 of the PDCS falls short of assessing residual s106 requirements | <p>The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.</p> <p>The level of Section 106 contribution will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers.</p> |
| Cil_PDCS 16 | DP9 on behalf of Canary Wharf Group | 2. Evidence; 3. Proposed CIL Rates & Charging Area | Same as representations Cil_PDCS 15.  | Same as representations Cil_PDCS15.   | <p>The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.</p> <p>The level of Section 106 contribution will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers.</p> |



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| Cil_PDCS 17 | Signet Planning Ltd on behalf of Galliard Homes | 2.Evidence;3<br>.Proposed CIL Rates & Charging Area | Points to consider: Maintain an updated Infrastructure Delivery Plan and Infrastructure Delivery Schedule Draft the Regulation 123 list, which will identify those items of infrastructure to be paid for through CIL For outstanding items the authority will identify which items are anticipated to be covered by s106 requirements or delivered within schemes - the approach to the delivery of these obligations will include an assessment of the combined impacts of these with CIL on development viability Enter into delivery agreements with developers in cases where the Borough may need to pay back CIL to developers to meet a proportion of the costs, for example, where provision is required within a wider mixed use development In appropriate circumstances, and in line with the regulations, the Borough may accept land as an open " in-kind" contribution towards CIL payment, subject to independent valuation of land Where infrastructure is required through CIL which would be necessary to make development acceptable in planning terms, the Borough will ensure that the use of any planning conditions (Grampian conditions) meets the test of Circular 11/95 and that developers will not be unreasonably reliant on the actions of third parties to deliver items of infrastructure that they have paid for through CIL contributions | Main comments are summarised below: All appropriate available evidence Having regarded the CIL Guidance (2010), it is incumbent on LB Tower Hamlets to consider this information, which comprises appropriate available evidence. E.g. Use the Information and data from the Wapping viability appraisal and viability assessments from other planning schemes. Exemption and relief The CIL regulations allow discretionary relief; however, the consultation document does not advise that the Council has any current plans to adopt any other relief schemes. Clarification on this point is required to re-assure developers that may be required to make substantial in-kind or additional contributions through section 106. Delivery of infrastructure projects The Council should be clear about which elements of infrastructure are intended to be funded from CIL and which from site specific s106 obligations. It should also provide evidence that viability will properly consider the Council's strategic policy objectives and the Mayoral CIL on top of the Borough's CIL with only residual surplus available for the delivery of affordable housing. Charging rates for retail uses Applying differentiate rates to different forms of retail such as convenience and comparison shopping, and/or distinction by size of unit/floorspace, could only be justified by rigorously tested evidence related entirely to viability, it is unclear that any local such evidence exists to justify the position in Tower Hamlets. | <p>The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.</p> <p>The Council is proposing to allow discretionary exceptional circumstances relief as set out in the Draft Charging Schedule. It should be noted that the circumstances in which exceptional circumstances relief can be applied are very narrow and are limited by state aid issues.</p> <p>The level of Section 106 contributions will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers.</p> <p>The Council's viability research has analysed the impact of CIL on retail development throughout the borough. The regulations allow for different charges to be established for different scales of use; it should be noted that differential rates for stores over 280sqm have been justified other CIL examinations (for example, Wycombe).</p> |

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| Cil_PDCS 18 | Leaside Planning Limited on behalf of Poplar Harca | Appendix 2 - Draft Charging Zone Maps | Develop the Regulation 123 List and project selection procedure.   | <p>Main comments are summarised below: CIL payments regarding affordable housing provision I do not believe that CIL payable on 100% affordable homes is the intention of the CIL regulations. I would be grateful if the Council would pursue this anomaly with the backing of this consultation to have affordable housing completely exempt by including its ancillary floorspace. Off-set CIL payments I would urge the Council to adopt a principle of working with applicants of development projects to identify if their scheme is in a position to deliver identified CIL projects and to off-set these against CIL payments if the developer is in a position to deliver them on or off-site. List of CIL projects We welcome the opportunity to remain involved in contributing to the Regulation 123 List. CIL project selection procedure I have not been able to find out how the Council's process for selecting and prioritising CIL projects will operate. Perhaps this is something that can be highlighted in the further round of consultation later this year. Spread of charging rates I agree and support the Council's approach to setting different rates by areas. However, I don't understand, or agree with how the boundaries have been drawn in some cases, in particular the 'notch' into Thomas road as CIL Zone 2 as opposed to a CIL Zone 3. I don't believe that this area will generate greater values and would seek that it is reassessed as lying in Zone 3.</p> | <p>The formula for social housing relief provided in the CIL regulations – as currently drafted - only exempt affordable dwellings. The Council cannot change this through its draft Charging Schedule but its officers have raised the issue with CLG.</p> <p>The Council prepared an infrastructure delivery plan highlighting infrastructure funding priorities. Further meetings and discussions will take place with infrastructure providers and part of the Council's on-going infrastructure planning processes.</p>  |
| Cil_PDCS 19 | Greater London Authority                           | 3. Proposed CIL Rates & Charging Area | The Council should consider: 1) Extent to which Crossrail SPG has been taken into account. 2) The adequacy of the evidence, particularly regarding hotel uses. 3) The extent to which the viability work on the PDCS complies with the new Statutory Guidance. | <p>A number of points raised by the Borough's proposals which we would find it helpful to discuss with you before expressing a view on compliance with regulation 14 (3), in particular:</p> <p>1) The extent to which the mayor's Crossrail planning obligations policy has been taken into account in your proposals 2) The adequacy of parts of the evidence base, particularly as regards hotels (a use which is covered by the mayor's planning obligations policy, of course) 3) The extent to which you consider the viability study published with your preliminary draft schedule meets the requirements of the</p>  | <p>The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for hotels and other non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.</p> |

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|             |   |  |   | new Statutory Guidance published by the Department of Communities and Local Government in December 2012, particularly as regards strategic sites. GLA and TfL would welcome the opportunity to meet with you before you proceed to the draft charging schedule stage.   |  |
| Cil_PDCS 20 | Solicitor Thomas Eggar LLP on behalf of ASDA Stores | 2. Evidence; 3. Proposed CIL Rates & Charging Area | The Council should Consider:1) Exceptional circumstances relief' 2) Instalment policy' 3) A flat rate levy; and 4) Reduction of CIL charge for large retail development | We wish fundamentally to object to the approach, and to the disproportionate loading of CIL upon large retail development, on the following grounds: 1. The impact on policies promoting economic growth and employment opportunities - Tower Hamlets is seeking to install one of the highest levels of CIL for retail in the country so far, which we believe that this will not encourage retail development within the Borough that the Core strategy, its policies and the Retail and Leisure Capacity Study require. 2. The proposal to split small and large retail development - The approach falls outside the scope of the rate differentials permitted in the CIL Regulations. The evidence in the Viability Study does not justify the size thresholds proposed. 3. The financial assumptions and viability assessments contained in the Council's viability Report "The study contains retail development assumptions (Table 4.48.1 and Appendix 4) are inadequate as they do not make sufficient allowance for s106 contributions in addition to the CIL payments and the planning costs involved for a development. 4. Concerns about the Council's approach to setting CIL charges generally "Raise further concerns relating to a) change of use and conversion projects; b) CIL payments and the infrastructure requirements. | <p>The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites and assumptions regarding Crossrail related levies. Several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.</p> <p>The Council is considering operating a discretionary exceptional circumstances relief policy as set out in the Draft Charging Schedule. It should be noted that the circumstances in which exceptional circumstances relief can be applied are very narrow and limited by state aid issues.</p> <p>The Council's viability research has analysed the impact of CIL on retail development throughout the borough. The regulations allow for different charges to be established for different scales of use; it should be noted that differential rates for stores over 280sqm have been justified other CIL examinations (for example, Wycombe).</p> |

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| Cil_PDCS 21 | Turley Associates on behalf of Sainsbury | 2. Evidence;<br>3. Proposed CIL Rates & Charging Area | <b>OBJECT - The Viability Study should consider a range of unit sizes and associated land use values to better reflect the diverse range of local centres within the Borough. Adoption of an instalments policy “ further clarification is required within the Draft Charging Schedule so that the financial consequences can be modelled; Draft of an exceptions policy for the next round of consultation.</b> | <b>We wish to object to the differentiation by size approach upon large retail development, on the following grounds: 1.Regulation 13 of the CIL Regulations 2010 (as amended) does not allow differentiation by size against the same use. Such approach is legitimate when sufficient evidence is provided to demonstrate that there is: i) a different intended use and; ii) different viability either side of the threshold. There is inadequate justification for the 280 sq. m threshold within the Preliminary Draft Charging Schedule. For example, a store of 279 sq. m is the same intended use as one of 281 sq. m. NO genuine, clear, unambiguous difference between the two. 2. The evidence in the Viability Study has not undertaken a sufficiently fine grained approach and does not justify the size thresholds proposed. The Study only refers to one retail scenario being 30,000 sq.ft proposal. Reference is given to both 'small retail' and large retail' uses however no further definition is provided within either the Study or either the Study or Preliminary Draft Charging Schedule. The 280 sq m threshold comes from Sunday trading law which is of little relevance to either use of viability. 3. The approach potentially offers a selective financial advantage, or State Aid, to the smaller stores. Any potential State Aid needs to be objectively justified and there is no adequate evidence supporting the Preliminary Draft Charging Schedule on this point in relation to different sizes of retail development.</b> | <b>The Council's viability research has analysed the impact of CIL on retail development throughout the borough. The regulations allow for different charges to be established for different scales of use; it should be noted that differential rates for stores over 280sqm have been justified other CIL examinations (for example, Wycombe).</b> |

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| Cil_PDCS 22 | Drivers Jonas Deloitte on behalf of Barratt and British Land | 2. Evidence; 3. Proposed CIL Rates & Charging Area | Prior to the publication of the Draft Charging Schedule, the Council should prepare an instalments policy, particularly relevant to the large scale schemes. Make amendments to policies to take account of paragraphs 84 - 89 of the CIL Guidance (December 2012) and provide further clarification within the charging schedule as to the consideration given to s106 contributions. Establish a Steering Group of public and private sector partners with an interest in development in the Borough to ensure a more thorough viability assessment is undertaken. | This is a site specific representation regarding the site bounded by Whitechapel High Street to the north, Commercial road to the east and Leman Street to the west. We are concerned about the level of CIL charging rates proposed and the methodology that has been used for setting the rates, particularly for residential, hotel and office development. Main comments are summarised below: Insufficient assessment of the viability of some development in the Borough, specifically, residential, hotel and office The Preliminary Draft Charging Schedule has not considered the latest CIL Guidance (December 2012) in terms of i) infrastructure planning, particularly for major sites (paragraph 12 to 19); ii) securing delivery of the local plan (paragraph 8, 27 and 28); iii) benchmarking proposed CIL charges against achieved s 106 agreements (paragraph 22) Inadequate consideration given to any abnormal costs for development schemes likely to coming forward, particularly relevant at Aldgate Place. | The Council has updated the viability evidence to take account of the new guidance. This included reviewing a number of strategic sites. This assessment has determined that the level of CIL charge can be supported. The level of Section 106 contributions will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers. |
| Cil_PDCS 23 | John Bell on behalf of Network Wapping                       | Meaningful Proportion                              |  | We believe the approach of the CIL should be specifically recognise the role to be played by neighbourhood groups in implementing CIL, and; the requirement for local planning authorities to make a "meaningful contribution" from CIL available to local communities to address local infrastructure needs should make use of neighbourhood forums where these are established.  | The Government has published draft regulations dealing and further statutory guidance is expected. The Council will consult further with communities on this in line with this further guidance.   |
| Cil_PDCS 24 | Quod on behalf of Berkeley Group                             | 2. Evidence  | Demonstrating that the proposed CIL charges contribute to the implementation of your relevant local plan (Para 8), particularly impacts on strategic sites and affordable housing (Paragraphs 27 and 29) Providing more details on infrastructure planning in terms of identifying more clearly what residual S106 requirements will be (particularly for  | The proposed levels of CIL in Residential Charging Zone 1 and the City Fringe Office and Retail Zone are likely to have demonstrable harm on the delivery of strategic sites in the Borough. For the London Dock site the Council's own evidence presented to the Managing Development DPD examination shows that even without CIL, and with S106 contributions at very low levels, the combined obligations proposed by the Council would   | The Council has updated the viability evidence several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough.   |



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|             |                  |                      | major sites), and what infrastructure will be funded via CIL (Paragraphs 12 to 19) Providing evidence on the levels of S106 contributions and affordable housing previously achieved, how much of this will not continue to be required under the CIL regime and therefore the implications for the overall 'pot' left to fund CIL and its implications on development (Paragraph 22) Improving the current Viability Study in order to respond to these points above and more general points on the methodology set out page 4 of this representation. | render the site unviable. Any CIL charge could only exacerbate this. The Council needs to set a zero rate for this site as the proposed charge is not viable. On the basis of our review of the Council's evidence base and in light of the new guidance and the lack of time to respond to the Preliminary Draft Charging Schedule, that the Council should re-run the preliminary stage of its CIL setting process. We believe that the Council needs to undertake additional work, in consultation with developers and others, to be consistent with the new statutory CIL guidance (December 2012) and therefore for any resulting charging schedule to be legally compliant. As you will be aware there is limited flexibility in revising a Draft Charging Schedule after it has been published, and changes are discouraged prior to examinations therefore moving directly to this stage will not have allowed a proper process of consultation.                  | The level of Section 106 contribution is likely to reduce with the imposition of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the EIP to provide greater certainty for developers.  |
| Cil_PDCS 25 | English Heritage | Discretionary Relief | Consider discretionary relief for heritage at risk assets.  | We recognise the importance of CIL as a source of funding to deliver infrastructure to support growth; however, we are concerned that the application of a local CIL charge on developments could have an impact upon the significance and/or viability of regenerating heritage assets. It is suggested that where sites include Heritage at Risk Assets the charging schedule offers discretionary relief. This approach would reflect CIL Regulations (2010), paragraphs 55-58. By offering this relief the heritage-led regeneration of these valued and in need assets could be brought back into active re-use. In addition it will help deliver the National Planning Policy Framework's requirement for a positive strategy for the conservation and enjoyment of the historic environment (Para 126). We strongly recommend that the local authority's conservation staff involved throughout the preparation and implementation of the Draft Charging Schedule. | The Council is considering operating a discretionary exceptional circumstances relief policy as set out in the Draft Charging Schedule. It should be noted that the circumstances in which exceptional circumstances relief can be applied are very narrow and limited by state aid issues. |

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| Cil_PDCS 26 | Natural England   | Spending on infrastructure projects                   |   | We recognise the importance of CIL as a source of funding to deliver green infrastructure to support growth. As such we advise that the Council give careful consideration to how it intends to meet the needs of green infrastructure and potential infrastructure requirements may include:<br>Access to natural greenspace Allotment provision Infrastructure identified in the local Rights of Way Improvement Plan Infrastructure identified by any Local natural partnerships and or BAP projects Infrastructure identified by any AONB management plans Infrastructure identified by any Green infrastructure strategies Other community aspirations or other green infrastructure projects (e.g. street tree planting). Any infrastructure requirements needed to ensure that the Local Plan is habitats Regulations Assessment compliant. | The Council has prepared an infrastructure delivery plan highlighting infrastructure funding priorities. Further meetings and discussions will take place with infrastructure providers and part of the Council's on-going infrastructure processes.  |
| Cil_PDCS 27 | Christine Trumper on behalf of Community Solutions                  | Meaningful proportion                                 |   | We think that 15% CIL income should be given to community groups that directly benefit the immediate area and population adjacent to the site being developed. We believe the following wording should be added to the relevant sections: The chosen community groups(/s) should be able to show that they already benefit the immediate area and population adjacent to the site and that they will use the CIL monies to benefit the immediate area and population adjacent to the site being developed .  | The Government has published draft regulations dealing with this and further statutory guidance is expected. The Council will consult further with communities on this in line with this further guidance.  |
| Cil_PDCS 28 | Conservative Cllr for Millwall Ward London Borough of Tower Hamlets | 2. Evidence;<br>3. Proposed CIL Rates & Charging Area | I urge the Council to revise the proposed CIL rates for the Isle of Dogs. | I fully support the introduction of CIL in our Borough. The proposed rates are vastly different for development, ranging from £0 per sq. m to £425 per sq. m. However, the evidence base upon which these figures are based, is not provided. As a result, it is simply not possible to gauge whether these charges are reasonable for developers; how it benchmarks against neighbouring boroughs or comparable boroughs in London; or whether the level of contribution raised will be sufficient to cover the infrastructure requirements of new developments in Tower Hamlets. As a Cllr for Millwall, I am particularly concerned at the  | The Council has amended the boundaries affecting the Isle of Dogs based on a review of the residential values. This has led to the creation of a lower charging zone in the north and covering south Isle of Dogs (See Appendix 1 of Draft Charging Schedule). CIL represents a small proportion of overall development costs and the possible 'cliff edge effects' of these boundaries are likely to be mitigated by the actual availability of sites, current land use and critically existing policy designations identified in the Council's Local Development Framework. |

| Comment ID  | Organisation                                  | Commented Section                     | Recommendations by Representations  | Summary of Representation  | Council's Response  |
|-------------|---|---------------------------------------|---|--|---|
|             |   |                                       |   | highly unusual way in which the Isle of Dogs is carved up under the proposed CIL charging rates. The northern half will have a residential levy of £200 per sq. m, whereas the southern part will be of only £35 per sq. m. The document provides no evidence to justify this huge discrepancy. The Preliminary Draft Charging Schedule also fails to explain why the eastern riverside of the Isle of Dogs will have a £200 per sqm. I am highly concerned that the proposed rates will create 'cliff edge' of development of the island, leading to a distorted pattern of development. Considering that the whole of the Isle of Dogs and the Leamouth area have similar infrastructure requirements and have good transport links, the current proposals for the island are not appropriate. |   |
| Cil_PDCS 29 | Savills on behalf of Housebuilders Consortium | 3. Proposed CIL Rates & Charging Area | We urge the Council to make clear at an early stage the supporting documentation needed to operate CIL and to make it available for input/comment. The documentation should include: Guidance on how to calculate the relevant chargeable development (refer to the CLG Guidance, forms); Guidance on liability to pay CIL/ Appeal process; Instalments policy (based on a consideration for build out rates); Payments in-kind " notably valuation process for ascertaining land value and the potential to accept land for infrastructure as a payment in-kind; Guidance on relief from CIL and prepare exceptional circumstances for relief policy; Draft Regulation 123 list "set out the exact infrastructure projects that CIL will be collected for to avoid any double charging. Details on what will be charged by s106. | We are concerned with the approach proposed by LBTH, notably with regard to the levy proposed for residential use between £35 and £200 per sq.m, and the boundaries of each zone. The comments are summarised below: 1.The Preliminary Draft Charging Schedule fails to provide up to date, consistent and well informed evidence base of economic viability in order to test realistic scenarios against CIL rates (see section 5 of the representations for details). 2. The Preliminary Draft Charging Schedule and IDP are not fully complied with the current legislation and government policies.  | <p>The Council has updated its viability evidence and several of the proposed CIL rates have been adjusted for non-residential uses to ensure the introduction of CIL positively enables the local Core Strategy objectives to be delivered, by striking an appropriate balance between the need to fund infrastructure and the impact of CIL on economic viability of development, when taken as a whole across the borough. This updated evidence did not suggest a need to amend the residential rate.</p> <p>The level of Section 106 contributions will reduce with the implementation of CIL. The Council is reviewing its SPD and preparing a draft Regulation 123 list ahead of the Examination in Public to provide greater certainty for developers.</p> <p>Guidance is available on reliefs and CIL calculations which are determined at the national rather than local level. Further guidance on the implementation mechanisms will be developed to support the implementation of the CIL charging Schedule.</p> |



| Comment ID  | Organisation       | Commented Section    | Recommendations by Representations                 | Summary of Representation  | Council's Response   |
|-------------|--------------------|----------------------|--|--|--|
| Cil_PDCS 30 | Environment Agency | Non (Infrastructure) | Use CIL income to fund various flood defence works | The representation does not object to the charging schedule but rather recommends that the Council uses CIL income to fund various flood defence works | The Council has prepared an infrastructure delivery plan highlighting infrastructure funding priorities. Further meetings and discussions will take place with infrastructure providers and part of the Council's on-going infrastructure processes. |



# Agenda Item 6.3

|  |                               |  |                                 |
|--|-------------------------------|--|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 95/123 |
| <b>Report of:</b><br><br>Aman Dalvi, Corporate Director of Development and Renewal<br><br><b>Originating officer(s)</b> Owen Whalley<br>Service Head (Planning and Building Control) |                               | <b>Title:</b><br><br>Revised Planning Obligations<br>Supplementary Planning Document<br><br><b>Wards Affected:</b> All |                                 |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Councillor Rabina Khan                          |
| <b>Community Plan Theme</b> | A Great Place to Live                           |
| <b>Strategic Priority</b>   | Provide effective local services and facilities |

## 1. **SUMMARY**

- 1.1 On 11 January 2012 the Council formally adopted the Planning Obligations Supplementary Planning Document (SPD). It outlines the Council's approach to securing planning contributions through Section 106 (S106) Agreements. S106 Agreements are currently used to mitigate any negative impacts of development on the borough's infrastructure and any adverse impacts of development at the site-specific level.
- 1.2 From April 2014, or sooner, the Council can implement a local Community Infrastructure Levy (CIL), a per square metre levy on most forms of new development. Proceeds from the levy will be used to deliver infrastructure improvements in Tower Hamlets.
- 1.3 Whether or not the Council implements a CIL, the Council will be unable to continue to apply the Planning Obligations SPD in its current form due to restrictions in how S106 can be used from April 2014. The Council may continue to negotiate S106 Agreements. However, the scope for such agreements will be restricted to addressing any site specific impacts of development and to avoid charging developers for the same items through both CIL and S106. It is recommended the Council adopts a Revised Planning Obligations SPD to set out the circumstances under which S106 will continue to be used following the introduction of CIL.
- 1.4 The Revised Planning Obligations SPD, which is proposed for public consultation alongside the proposed Draft Charging Schedule, is appended to this report (Appendix 1).

- 1.5 This Cabinet Report should be read directly in conjunction with the Cabinet Report for the CIL Draft Charging Schedule, also an item for this Cabinet meeting.

## **2. DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Approve the Revised Planning Obligations Supplementary Planning Document, as set out in Appendix 1, for a six week consultation period to align with the consultation period of the CIL Draft Charging Schedule as per a separate Cabinet report on the agenda.
- 2.2 Delegate authority to the Corporate Director of Development and Renewal, in consultation with the Lead Members for Housing and Resources, to make editorial changes to the Revised Planning Obligations Supplementary Planning Document where necessary, prior to the beginning of the consultation period.

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

- 3.1 Cabinet is asked to agree the publication of the Revised Planning Obligations SPD for consultation. The SPD sets out the Council's approach to the future use of S106 and its relationship with CIL. It explains the Council's approach to infrastructure provision in general and explains which mechanisms will be used to mitigate the impacts of development and to secure specific types of infrastructure.
- 3.2 It is important for the Council to set out its intended approach to S106 prior to the public examination of the CIL Charging Schedule. This will ensure transparency and will support the Council's case at the examination. It will also help demonstrate that there will be no adverse impacts on development viability in Tower Hamlets.

## **4. ALTERNATIVE OPTIONS**

- 4.1 Failure to proceed with a revised Planning Obligations SPD would mean that (at the point when the Council adopts its CIL) the Council may not have a sufficiently robust foundation upon which to continue to apply S106 within the limitations set out in the CIL regulations. Without a revised SPD the Council would also be more vulnerable to challenge over compliance with CIL Regulations and potentially the combined impact on scheme viability where both CIL and S106 are applied.
- 4.2 If the Council does not adopt a Revised Planning Obligations SPD, following a mandatory period of consultation, the Council's capacity to secure site specific mitigation measures and other S106 contributions will be more difficult to achieve.

## **5. BACKGROUND**

- 5.1 The Cabinet Report of the 7<sup>th</sup> November 2012 relating to the PDCS provides extensive background information relating to CIL. The Council is unable to fund any single infrastructure item through a combination of S106 and CIL, except where historic S106 contributions remain. The Council must therefore identify which infrastructure will be funded through CIL and which infrastructure or site-specific development mitigation measures will be secured through S106.
- 5.2 The Council adopted the Planning Obligations SPD on 11<sup>th</sup> January 2012; it sets out the Council's current approach to mitigating the impacts of development through S106 agreements. The SPD will become obsolete following the introduction of CIL in Tower Hamlets because Regulations prohibit the Council from charging CIL and securing a S106 contribution to deliver the same infrastructure items. However, S106 will continue to provide a mechanism through which to secure site mitigation measures and some infrastructure provision, albeit under a more limited scope, from April 2014.

## **6. PROPOSED USE OF S106 PLANNING OBLIGATIONS AND CIL**

- 6.1 The Council will likely use CIL as the primary mechanism through which the impact of new development on the borough's infrastructure is mitigated. CIL will be chargeable on most forms of development and the proceeds will be used to fund infrastructure. The Council will continue to secure S106 planning contributions where site-specific infrastructure is required to make a development acceptable. This will be appropriate because site-specific infrastructure requirements are difficult to define in advance of an appraisal of a planning application or because of the impracticability of delivering certain infrastructure effectively through CIL.
- 6.2 In accordance with Regulation 122 of the CIL Regulations (2010), a planning obligation may only be entered into where the obligation is: -
- (a) Necessary to make the development acceptable in planning terms;
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development.

### CIL

- 6.3 At the borough level, CIL, and where appropriate, capital funding, will be used to fund infrastructure which include:

#### Employment, Training, Skills and Enterprise

- Employment and training facilities

#### Community Facilities

- Multi-use community facilities
- Youth centres

- Idea Stores, libraries and archives
- Leisure centres

#### Education

- Primary schools
- Secondary schools

#### Health

- Primary care facilities

#### Public Realm

- Public open space
- Borough wide improvements to the street scene and built environment
- Public art

#### Environmental Sustainability

- De-centralised energy facilities

#### Transport and Highways

- Strategic borough wide transport improvements

- 6.4 On strategic sites identified in the Tower Hamlets Managing Development Plan Document (submission version May 2012), where there is a requirement to provide one or more specific pieces of infrastructure the Council may accept CIL payment 'in-kind', such as the provision of land.

#### S106

- 6.5 The Council will continue to use S106 to ensure the delivery of:

- Affordable Housing

#### Employment, Skills Training and Enterprise

- Job brokerage
- Construction phase skills training
- End user skills training
- Apprenticeships and work placements
- Local enterprise – supply chain
- Training – commuted sum

#### Transport and Highways

- Site-specific highway works such as localised safety improvements and re-instatement of highways
- Site specific works to amenity land, access roads etc.
- Crossrail
- Car Clubs
- Electric vehicle charging
- Travel plans
- Car and permit free agreements

### Environmental Sustainability

- Carbon reduction projects
- Biodiversity

6.6 The Revised Planning Obligations SPD (Appendix 1) details the circumstances under which a S106 Agreement may be appropriate to mitigate the impacts of development. The Revised S106 SPD does not alter the policy on Affordable Housing, currently set out in the previous version of the SPD. It is intended that a separate Affordable Housing SPD will be produced, and that the Revised S106 SPD will be read in tandem with it.

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

7.1 This report seeks approval of the Revised Planning Obligations Supplementary Planning Document which is needed to support the proposed introduction of the Council's Community Infrastructure Levy by April 2014.

7.2 As detailed in the 'Community Infrastructure Levy (CIL) Draft Charging Schedule' report elsewhere on this agenda, CIL will replace elements of the current Section 106 planning process although the Council will continue to negotiate site specific Section 106 agreements where the impact is not covered through the CIL process.

7.3 In order for the Council to adopt its CIL Charging Schedule, the existing Planning Obligations Supplementary Planning Document must be revised, to ensure that the two documents complement each other and that potential duplication of charges is avoided.

7.4 The Authority currently generates substantial resources via the Section 106 system. It is therefore important that both the CIL charges and Section 106 obligations are set at a realistic level that enable the generation of significant community resources in tandem with the delivery of viable developments.

7.5 CIL and Section 106 resources must be used to finance specific separate infrastructure needs. The proposed different funding uses are shown in paragraph 6. It is essential that processes are put in place to ensure that detailed records are maintained to closely monitor the use of these resources.

7.6 The costs of the statutory consultation process will be met from within existing budgets.

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

8.1. Supplementary Planning Documents (SPDs) provide detail to support policy in higher level Development Plan Documents (DPDs) or saved unitary development plan policies. They undergo a simpler preparation process

than DPDs and in particular they are not subject to independent scrutiny by a planning inspector.

- 8.2. SPDs are subject to statutory preparation procedures under Regulations 12 to 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regs”), with the requirement to undergo a process of public consultation and engagement with relevant parties.
- 8.3. This report seeks to revise the current adopted Planning Obligations SPD to take into account the introduction of the Council’s CIL. The Revised Planning Obligations SPD will replace the existing SPD and ultimately be adopted as a Supplementary Planning Document in accordance with Regulation 14 of the 2012 Regs. Before the draft Planning Obligations SPD is formally adopted, the Council is required to carry out public consultation for a period of not less than 4 weeks in accordance with Regulations 12 & 13 of the 2012 Regs. Supplementary planning documents provide greater detail on the policies contained in the Council’s development plan documents.
- 8.4. Following the formal public consultation the Council will need to consider any representations made during the consultation period. The Council are then required to prepare a statement setting out a summary of the main issues raised in the representations and how these main issues have been addressed in the SPD that the Council intends to adopt. Following consultation and once any necessary amendments have been made the SPD can be adopted by resolution. Once the SPD is adopted it can be considered to be a material consideration to be taken into account in the development control process.
- 8.5. Before adopting the SPD, 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. The report identifies that an equality impact assessment has been carried out to assist the Council to consider these matters. This assessment is to be made available to the public as part of the consultation, which should increase the likelihood of the Council meeting its equality duty.

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

- 9.1 The Revised Planning Obligations SPD will allow the Council to ensure that any negative impacts of development which cannot be avoided or mitigated through planning conditions will be mitigated to the fullest extent allowable through S106 Planning Obligations. Site mitigation secured through S106 agreements may include works that will contribute to the One Tower Hamlets objectives of reducing inequalities; ensuring community cohesion; and strengthening community leadership.
- 9.2 The Revised Planning Obligations SPD will set out how the Council will secure a local employment and enterprise benefit for local residents and businesses. Training initiatives provide local residents with valuable skills



which enhance opportunities to enter the workforce. The SPD policy on Affordable Housing will continue to apply, and the Revised SPD will be read in tandem with an Affordable Housing SPD which will set out the detail of the Council's approach to the delivery of affordable homes through S106 agreements. These elements of Planning Obligations support the objectives of One Tower Hamlets.

- 9.3 The Council has undertaken an Equalities Analysis Screening to identify any impacts resultant from the proposed changes to the operation of S106 which is appended to this report (Appendix 2). The Revised Planning Obligations SPD is considered to have a neutral impact on equalities strands however, as the SPD is designed to mitigate negative impacts of development at the site-specific level, the SPD has a positive impact upon all residents who may, in the absence of the SPD, experience negative impacts from development.

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

- 10.1 Planning Obligations can be used to support a greener environment and aid sustainable development. However the Planning Obligations SPD is not a plan or programme but an approach to ensuring site-specific negative impacts caused by development are mitigated.
- 10.2 A Strategic Environmental Assessment Screening (SEA) outlining environmental impacts is appended to this report (Appendix 3).

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 The proposed Revised Planning Obligations SPD clearly communicates the Council's approach to the funding and delivery of infrastructure. Developers will be able to consult the SPD to identify any financial considerations arising from their scheme and address these prior to the application stage. There is therefore a benefit of certainty and transparency by having an adopted SPD as this reduces scope for developers failing to meet the expectations of the borough.
- 11.2 Unlike CIL, S106 is negotiable. The risk associated with this is that in circumstances where an individual scheme cannot meet both the full CIL requirement and requirements of planning obligations, for reasons of viability, the negotiable element of S106 could be reduced. However should market factors dictate that schemes are able to accommodate higher level of S106 then the S106 offer could be increased.
- 11.3 Viability has been a key factor in determining the CIL charging rates. A policy compliant affordable housing policy assuming 35% provision has been factored into determining the Council's CIL charge.
- 11.4 Both the CIL Charging schedule and the revised Planning Obligations SPD are mutually dependent. There is a risk that should the Revised Planning Obligations SPD and CIL Charging Schedule not be adopted simultaneously

the Council will be unable to fully mitigate impacts of development after April 2014.

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

- 12.1 The Revised Planning Obligations SPD seeks to ensure that any site-specific impacts of development are mitigated. Whilst not specifically intended to reduce crime and disorder, the SPD sets out the Council's approach to mitigating site-specific impacts of development. This may include works which are complementary to the reduction of crime and disorder.

## **13. EFFICIENCY STATEMENT**

- 13.1 The operation of the Revised Planning Obligations SPD will place an administrative burden on the Council. The Council intends to charge developers a monitoring fee, proposed at £500 per agreement signed.

## **14. APPENDICES**

Appendix 1 – Revised Planning Obligations SPD (2013)  
Appendix 2 – Revised Planning Obligations SPD Equalities Analysis (2013)  
Appendix 3 – Revised Planning Obligations SPD Strategic Environmental Assessment Screening (2013)

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### **Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

#### **Brief description of “background papers”**

2010 Adopted Core Strategy  
2012 Managing Development – DPD (Post Examination in Public version) 2012  
Planning Obligations SPD

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

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**REVISED PLANNING OBLIGATIONS  
SUPPLEMENTARY PLANNING  
DOCUMENT**

**TOWER HAMLETS LOCAL DEVELOPMENT FRAMEWORK**

**LONDON BOROUGH OF TOWER HAMLETS**

**CABINET DRAFT**

**March 2013**

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# Overview

## Introduction

Tower Hamlets Council will be introducing its own Community Infrastructure Levy (CIL) by April 2014. This has significant implications for how the Council plans for the delivery of infrastructure and secures Planning Obligations from development. This [Draft] Supplementary Planning Document (SPD) sets out Tower Hamlets Council's proposed policy for securing developer contributions from new developments that require planning permission.

This Revised SPD provides additional guidance on matters covered by Development Plan Documents (DPDs) including the adopted Tower Hamlets Core Strategy. It is not part of the statutory Development Plan, however it does form part of the Local Plan (Previously the Local Development Framework) and is an important consideration in determining planning applications.

## Relationship with other Planning Documents

The Planning Obligations SPD operates on a borough-wide scale where the Council acts as Local Planning Authority (LPA). It sits within the portfolio of Local Plan documents to support and add detail to the relevant Development Plan Documents (DPDs) and the Core Strategy, particularly Spatial Policy 13. It replaces the Planning Obligations Supplementary Planning Document adopted in January 2012.

As the leading Local Plan document, the Core Strategy (adopted 2010) sets out the spatial strategy for the borough until 2025.

The relevant policies of the London Plan and the Mayor's planning guidance will continue to apply to development in the borough.

## Purpose of the Planning Obligations SPD

The purpose of this SPD is to;

- Explain the Council's approach to using planning obligations to local residents, developers and the wider community;
- Explain the relationship between Community Infrastructure Levy (CIL) and s106 Planning Obligations
- Explain the circumstances under which the Council will collect S106 to mitigate the impacts of a development on the borough's infrastructure;
- Improve transparency in the priority and calculation of planning obligations;
- Provide applicants with greater certainty on when planning obligations will be sought;
- Provide a consistent methodology for calculating obligations required to mitigate the impact of major development proposals across the borough; and
- Take into account the cumulative impact of development in the borough and explain how this will be dealt with through the use of planning obligations.

## **Who is it for?**

This SPD has been prepared for use by the Council, developers, the general public and other stakeholders as a guide to the Borough's position on s106 planning obligations.

## **How should it be used?**

This SPD should be used as a base framework for calculating s106 planning obligations associated with developments in the London borough of Tower Hamlets (LBTH), where the Council is the LPA. In areas where the Council does not act as LPA the relevant authority's guidance should be followed. As a whole, the document should provide more certainty to all parties involved in the development process.

It will be utilised by the Council as a material consideration when assessing planning applications and will be reviewed and updated as and when necessary. Developers should draw on the document to assist in their costing and inclusion of s106 planning obligations in their financial planning and to help reduce time required negotiating and agreeing obligations with the Council.

In some instances, for example in areas of intense redevelopment and regeneration, additional mitigation measures outside the scope of this SPD may be sought.

This SPD should be read in tandem with the CIL Draft Charging Schedule, or subsequent publications.

## **Structure of the Supplementary Planning Document**

This document considers the role s106 planning obligations have in Tower Hamlets by setting out the national, regional and local policy context, including emerging government guidance on the Community Infrastructure Levy. The negotiating process for planning obligations is then outlined and those planning obligations to be sought by the Council are detailed. Finally, the procedure and management processes for planning obligations are explained.

# 1. Introduction

1.1 This section sets out how Section 106 planning obligations, CIL, planning conditions and Highways Section 278 (S278) agreements work together as a set of tools to help achieve sustainable development. The Council will consider the combined impact of all these tools on development when considering any planning decision.

## Planning Conditions

1.2 Planning conditions are requirements made by the Local Planning Authority for actions that are needed in order to make a development acceptable in planning terms. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. In Tower Hamlets such conditions are likely to cover, amongst other things, the requirement to:

- undertake archaeological investigations
- implement necessary local site-related transport improvement
- undertake appropriate flood risk solutions
- submit details of materials to be used in the development
- control the opening hours of environmentally unfriendly but necessary uses

## Highway Improvements – Section 278 Agreements

1.3 A Section 278 Agreement (of the Highways Act 1980) is an agreement between the highway authority and a third party for the costs of modifications to the existing public highway network to facilitate or service a proposed development to be met by said third party. Examples of works covered by this type of agreement could include road safety improvements -such as traffic calming, street lighting, improved facilities for pedestrians and cyclists - roundabouts, signalised junctions, priority junctions, new accesses to development sites and footway and carriageway resurfacing.

## Planning Obligations (S106)

1.4 Planning obligations secured pursuant to Section 106 of the Town and Country Planning Act 1990 are entered into as legal agreements between local planning authorities, landowners, developers and potentially other affected third parties. They can impose financial and non-financial obligations on a person or persons with an interest in the land and become binding on that parcel of land.

1.5 In Tower Hamlets planning obligations will be used to compensate and/or mitigate the impact of a development, which without that mitigation, would render the development unacceptable in planning terms.

## Community Infrastructure Levy (CIL)

1.6 The planning authority is entitled to charge a levy, CIL, on new developments. The CIL applies to most new developments and charges are based on the size and type of the new development. The basis for the CIL charge for each development type is detailed in the Council's Community Infrastructure Levy Draft Charging Schedule or successor documents.

1.7 The CIL will generate funding to deliver a range of borough-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development, and benefit local communities.

1.8 It allows the Council to work with infrastructure providers and communities to set priorities for what the funds collected under the levy should be spent on, and provides a funding stream so that the delivery of infrastructure projects can be planned more effectively.

1.9 The CIL is designed to give developers and investors greater confidence to invest because there will be more certainty 'up front' about how much money they will be expected to contribute towards community infrastructure. Equally, the wider community and developers alike will be better able to understand how new development is contributing towards infrastructure provision across the borough.

DRAFT



## **2. LBTH Approach to Planning Obligations and CIL**

### **The Interaction between Planning Obligations & CIL**

2.1 Following the adoption of a Charging Schedule, CIL will replace s106 as the primary tariff-based system to secure some or all of the funds necessary to provide infrastructure to support the sustainable development of the borough.

2.2 The provision of affordable housing lies outside of the remit of CIL and will continue to be secured through Section 106 Agreements. Section 106 Agreements and planning conditions will also continue to be used for local infrastructure requirements on development sites, such as site specific provision of amenity / open space and connection to utility services (as required by legislation) and other site specific requirements.

2.3 The principle is that all eligible developments must pay CIL, as well as contribute to any site specific requirements to be secured through Section 106 Agreements. Further details on the levy charge can be found in the Community Infrastructure Levy Charging Schedule and should be read in conjunction with this document. CIL will only be used to fund infrastructure identified on the Council's Regulation 123 List. This means CIL is an appropriate delivery mechanism for infrastructure which can be anticipated based on a general trend of population growth resulting from development, rather than infrastructure necessitated by a specific scheme which could not have been foreseen.

2.4 The Council will publish on its website a Regulation 123 List, as required by the Community Infrastructure Levy Regulations 2010 (as amended), of those projects or types of infrastructure that it intends to fund through the levy.

2.5 This List applies unless the need for specific infrastructure contributions are identified in the Planning Obligations SPD or arises directly from five or fewer developments, where section 106 arrangements may continue to apply if the infrastructure is required to make the development acceptable in planning terms.

2.6 A number of the strategic sites identified in the Tower Hamlets Managing Development Plan Document (submission version May 2012) also have a requirement to provide one or more specific pieces of infrastructure. The Council may accept CIL payment 'in-kind' for these, such as the provision of land.

### **Approach to Development Mitigation and Infrastructure Delivery**

2.7 The sections below summarise the approach that the Council intends to take to the relationship between S106 Planning Obligations and CIL, once the Community Infrastructure Levy is introduced. They also address the intended approach to be taken to the strategic sites identified in the Tower Hamlets Managing Development Plan Document (submission version May 2012), where there is a requirement to provide one or more specific pieces of infrastructure.

2.8 The policy approach to the particular types of obligations and charges that will be required in connection with any development are discussed further in chapter 6.

2.9 The tick box tables below are intended as an indicative reference guide.

**Affordable Housing:**

2.10 The Council will continue to secure affordable housing through Section 106 Agreements. For full details of the Council’s approach to affordable housing provision this SPD should be read in tandem with the [Draft] Affordable Housing SPD.

| Infrastructure       |  | Delivery Mechanism  |     |
|----------------------|--|---------------------|-----|
| Infrastructure Theme | Specific Requirement   | Planning Obligation | CIL |
| Affordable Housing   | See [Draft] Affordable Housing SPD, Core Strategy and Managing Development DPD | ✓                   | X   |

**Employment, Skills Training and Enterprise:**

2.11 The Council will continue to secure local employment, skills training and enterprise benefits commensurate with the scale of all new major developments through S106 Agreements. The Council may use CIL receipts to fund facilities for the strategic delivery of benefits relating to employment, skills training and enterprise.

| Infrastructure            |                                     | Delivery Mechanism  |     |
|---------------------------|-------------------------------------|---------------------|-----|
| Infrastructure Theme      | Specific Requirement                | Planning Obligation | CIL |
| Employment and Enterprise | Job Brokerage                       | ✓                   | X   |
|                           | Construction phase skills training  | ✓                   | X   |
|                           | End user skills training            | ✓                   | X   |
|                           | Apprenticeships and work placements | ✓                   | X   |
|                           | Local Enterprise - Supply-Chain     | ✓                   | X   |
|                           | Training commuted sum               | ✓                   | X   |
|                           | Employment and Training Facilities  | X                   | ✓   |

**Community Facilities:**

2.12 Following the introduction of CIL, the intention is that the Council will cease to mitigate the impact of development on the borough’s community facilities through S106 Agreements. The following types of community facilities will instead be delivered through CIL receipts;

- Multi-use community facilities;
- Youth facilities;
- Leisure centres
- Idea Stores, libraries and archives

2.13 On sites allocated to deliver community facilities the Council may accept payments in-kind, in the form of land, in lieu of a CIL payment to deliver identified community facilities.

| Infrastructure       |                                      | Delivery Mechanism  |     |
|----------------------|--------------------------------------|---------------------|-----|
| Infrastructure Theme | Specific Requirement                 | Planning Obligation | CIL |
| Community Facilities | Multi-Use Community Facilities       | X                   | ✓   |
|                      | Youth Centres                        | X                   | ✓   |
|                      | Idea Stores, Libraries, and Archives | X                   | ✓   |
|                      | Leisure Centres                      | X                   | ✓   |

**Education:**

2.14 Following the introduction of CIL, the intention is that the Council will cease to mitigate the impact of development on the borough's education facilities through S106 Agreements. Education facilities will instead be delivered through CIL receipts;

2.15 On sites allocated to deliver education facilities the Council may accept payments in-kind, in the form of land, in lieu of a CIL payment to deliver identified education facilities.

| Infrastructure       |                      | Delivery Mechanism  |     |
|----------------------|----------------------|---------------------|-----|
| Infrastructure Theme | Specific Requirement | Planning Obligation | CIL |
| Education            | Primary School       | X                   | ✓   |
|                      | Secondary School     | X                   | ✓   |

**Health:**

2.16 Following the introduction of CIL, the intention is that the Council will cease to mitigate the impact of development on the borough’s health facilities through S106 Agreements. Health facilities will instead be delivered through CIL receipts;

2.17 On sites allocated to deliver health facilities the Council may accept payments in-kind, in the form of land, in lieu of a CIL payment, to deliver identified health facilities.

| Infrastructure       |                         | Delivery Mechanism  |     |
|----------------------|-------------------------|---------------------|-----|
| Infrastructure Theme | Specific Requirement    | Planning Obligation | CIL |
| Health               | Primary Care Facilities | X                   | ✓   |

**Transport and Highways:**

2.18 Following the introduction of CIL the Council will mitigate the cumulative impacts of development of the borough’s transport and highways network using CIL receipts to fund projects identified in the borough’s Regulation 123 List. However, all site-specific impacts of development on transport and highways will be mitigated using S278 Agreements, and where these are insufficient, S106 Agreements.

| Infrastructure         |  | Delivery Mechanism  |     |
|------------------------|--|---------------------|-----|
| Infrastructure Theme   | Specific Requirement   | Planning Obligation | CIL |
| Transport and Highways | Strategic borough-wide transport improvements  | X                   | ✓   |
|                        | Site-specific highway works such as localised safety improvements and reinstatement of highways                            | S278 and S106       | X   |
|                        | Site-specific works to amenity land, access roads etc.   | S278 and S106       | X   |
|                        | Crossrail  | ✓                   | ✓   |
|                        | Transportation measures, including:<br>Car Clubs, Electric Vehicle Charging, Travel Plans, Car and Permit Free Agreements. | ✓                   | X   |

### **Public Realm:**

2.19 Following the introduction of CIL, the intention is that the Council will mitigate the impacts of development on the borough's public realm using a combination of CIL and S106 Agreements.

2.20 New public open space will be funded through CIL receipts, and land for new open space may be accepted as an in-kind CIL payment on sites allocated to provide new Local Parks. Strategic projects to improve the streetscene and built environment will also be funded through CIL.

| <b>Infrastructure</b>       |  | <b>Delivery Mechanism</b>  |            |
|-----------------------------|--|----------------------------|------------|
| <b>Infrastructure Theme</b> | <b>Specific Requirement</b>  | <b>Planning Obligation</b> | <b>CIL</b> |
| <b>Public Realm</b>         | Public Open Space/public parks as identified in the Managing Development DPD | <b>X</b>                   | ✓          |
|                             | Borough-wide improvements to streetscene and built environment               | <b>X</b>                   | ✓          |
|                             | Infrastructure dedicated to public safety (e.g. wider CCTV coverage)         | <b>X</b>                   | ✓          |

### **Public Art:**

2.21 Following the introduction of CIL the Council will cease to secure provision of public art through Section 106 Agreements. Borough-wide strategic public art will be funded through CIL receipts.

| <b>Infrastructure</b>       |                             | <b>Delivery Mechanism</b>  |            |
|-----------------------------|-----------------------------|----------------------------|------------|
| <b>Infrastructure Theme</b> | <b>Specific Requirement</b> | <b>Planning Obligation</b> | <b>CIL</b> |
| <b>Public Art</b>           | Public Art                  | <b>X</b>                   | ✓          |

**Environmental Sustainability:**

2.22 Following the introduction of CIL the Council will still seek to secure environmental sustainability, in terms of carbon reduction and biodiversity, through S106 agreements where mitigation measures cannot be provided as part of a development. Borough-wide strategic environmental sustainability projects, such as decentralised energy facilities and flood defences and will be delivered using CIL receipts.

2.23 Where a site has been identified to accommodate a decentralised energy facility the Council may accept an in-kind payment, in the form of land, in lieu of a CIL payment, to deliver decentralised energy facilities.

| Infrastructure               |  | Delivery Mechanism  |     |
|------------------------------|--|---------------------|-----|
| Infrastructure Theme         | Specific Requirement                     | Planning Obligation | CIL |
| Environmental Sustainability | Carbon Reduction Measures/Initiatives    | ✓                   | X   |
|                              | Decentralised Energy Facilities          | X                   | ✓   |
|                              | Biodiversity Measures/Initiatives        | ✓                   | X   |
|                              | Flood defences                           | X                   | ✓   |
|                              | Energy and sustainability infrastructure | X                   | ✓   |

## 3. Legislative Context

### The Town and Country Planning Act 1990

3.1 The Town and Country Planning Act 1990, amended by the Planning and Compensation Act 1991, set out measures under section 106 that allow developers to enter into a planning obligation to provide services and facilities connected with the proposed development. The 2004 Planning and Compulsory Purchase Act included replacement clauses for section 106, 106A and 106B, providing a statutory basis for the inclusion of new mechanisms for contributions to be sought through negotiation alongside the standard charges set out by the Local Planning Authority (LPA).

### Community Infrastructure Levy Regulations

3.2 The Community Infrastructure Levy (CIL) Regulations came into force on 6<sup>th</sup> April 2010. Regulation 122 limits the use of planning obligations to cases where three tests can be successfully applied:

“A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.”

3.3 These three requirements for planning obligations now form part of the legislation, where previously there was only policy guidance under Circular 05/2005 to determine how planning obligations should be used. The statutory tests are intended to clarify the purpose of planning obligations in light of CIL and provide a stronger basis to ensure that planning obligations meet these criteria. In accordance with the CIL Regulations (2010), no planning contributions may be pooled from more than five sites.



## 4. Policy & Guidance Context

4.1 This SPD provides guidance on the use of planning obligations in Tower Hamlets. It is based on the principles established across a range of planning policies included in legislation as well as national, regional and local planning guidance. The SPD reflects the Mayor of Tower Hamlets' Priorities for the borough. The strategic basis for this SPD is the Core Strategy document of the Local Plan. The Core Strategy builds on the themes of the Community Plan, particularly the physical delivery of the vision of 'One Tower Hamlets'. Other documents relevant to the policy background and evidence base in support of this SPD are addressed here and referenced in the document where relevant.

### National Level

#### **National Planning Policy Framework (2011)**

4.2 The National Planning Policy Framework sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

#### **Circular 05/2005**

4.3 Prior to the CIL Regulations coming into effect the primary policy guidance for planning obligations was Circular 05/2005, published July 2005. This guidance still holds the same weight as previously, however three of the five tests outlined have now been enshrined in legislation through the CIL Regulations. Accordingly those tests not included in the CIL Regulations do not have a statutory basis; however the Circular remains relevant to negotiating and administering planning obligations.

4.4 Circular 05/2005 Planning Obligations details the government's policy for the use of planning obligations, setting out that "*the principal objective of the planning system is to deliver sustainable development, through which key Government social, environmental and economic objectives are achieved.*" Where it is necessary on planning grounds, a planning obligation should be secured to enable a development in line with sustainable development as set out in national, regional and local policy documents.

### Regional Level

#### **London Plan (2011)**

4.5 The Mayor's London Plan July 2011 outlines the Mayor's approach to dealing with issues of strategic importance across London. There are three policies of the plan specifically addressing planning contributions: 8.1, 8.2 and 8.3.

4.6 Policy 8.1 - 'Implementation' states that, with regard to enabling development, the Mayor of London will work with boroughs and other key stakeholders to ensure the effective development and implementation of the proposed Community Infrastructure Levy.



4.7 Policy 8.2 - 'Planning Obligations' sets out that the Mayor of London will provide guidance on the preparation of frameworks for negotiating obligations in DPD's and the wish that there is a voluntary system of pooling contributions for the provision of facilities related to proposed developments. The policy also sets out that development proposals should address strategic as well as local priorities in planning obligations and that the areas of highest importance are Affordable Housing, funding of Crossrail and other public transport improvements. Climate change, learning and skills, health facilities, childcare provisions and the provision of small shops are also raised as high-importance areas to be addressed in planning obligations.

The Mayor has adopted specific Supplementary Planning Guidance on 'Use of Planning Obligations in the funding of Crossrail' (2010)

4.8 Policy 8.3 - 'Community Infrastructure Levy' sets out that the Mayor of London will work with Government and other stakeholders to ensure effective development and implementation of CIL and will prepare guidance for boroughs setting out a clear framework for its application. The focus of this is to ensure that the necessary infrastructure to deliver the policies of the plan – in particular Crossrail and public transport initiatives – can be delivered.

## **Local Level**

### **Community Plan 2008/2009**

4.9 The Community Plan provides the long-term vision for Tower Hamlets. The plan was informed by a number of key plans and strategies, such as the '*Health and Wellbeing Strategy*' and '*Children and Young People's Plan*', and was developed alongside the Local Plan, the vehicle for the physical delivery of the plan's vision. This document is currently being reviewed and is under consultation.

4.10 The main themes of the Community Plan are:

- A great place to live;
- A prosperous community;
- A safe and supportive community; and
- A healthy community.

4.11 These are the themes that contribute to 'One Tower Hamlets', the goals being to reduce inequality and poverty, to strengthen social cohesion and to make sure communities continue to live well together. This SPD recognises the role planning obligations have in facilitating 'One Tower Hamlets'.

### **Core Strategy (2010)**

4.12 The Core Strategy 'Delivery and Monitoring' section sets out the Councils strategic objective to secure planning obligations between the LPA and developers to mitigate, compensate and prescribe matters relating to development in order to facilitate the granting of planning permission. The strategy also states that the Council may pool contributions relating to significant infrastructure, including transport, education and health, reflecting the regional policy direction.

4.13 Policy SP13 of the Core Strategy further sets out the Council's priorities for planning

obligations. These are: Affordable Housing; sustainable transport; open space; education; health; training employment and enterprise; biodiversity; community facilities; highway works and public realm.

### **Emerging Development Plan Documents (2013)**

4.14 In order to ensure the Core Strategy vision is delivered the Council is preparing a further Development Plan Document (DPD). This will sit under the Core Strategy as part of the borough's Local Plan and have the same status in terms of the determination of planning applications.

4.15 The documents have been subject to public consultation with adoption anticipated early 2013.

4.16 A summary of the key aims and objectives of the two DPDs is provided below.

(i) Managing Development (DPD);

This will;

- Identify sites for important services – primary and secondary schools, IDEA Stores, Leisure Centres, waste management facilities and open space – and sites capable of accommodating 500+ homes;
- Define boundaries for planning policy areas including town centres and employment areas; and
- Include detailed development management policies against which planning applications will be assessed.

## 5. Negotiating Planning Obligations

5.1 The process for negotiating and securing planning obligations is set within the framework of national legislation and guidance, regional and local policy and guidance, and other material considerations relevant in each particular case. When carrying out these negotiations for planning obligations, the Council must meet the statutory tests set out in the 2010 CIL Regulations and consider the policy guidance set out in Circular 05/2005.

### Pre-application Stage

5.2 Applicants, agents and developers are encouraged to seek pre-application advice prior to the formal submission of major development proposals within the borough. The pre-application process offers a valuable service for proposed schemes and allows dialogue to resolve any initial concerns which officers envisage may arise during the formal application stage. Pre-application meetings can deter applications with little or no prospect of success. The pre-application stage also offers an opportunity for officers to discuss the financial contributions expected on any given development site.

5.3 Applicants should use this SPD alongside an analysis of their proposed works to consider the impacts of the proposed scheme and any planning obligations likely to be required to mitigate the impacts of development. These details should be submitted as a draft 'Heads of Terms' document alongside the pre-application submission documentation, to allow officers sufficient time to consider the details contained within the draft 'Heads of Terms'.

5.4 During the course of pre-application discussions, where negotiations fail to result in agreement on the draft 'Heads of Terms', the applicant is invited to provide alternative proposals and related justification which will be taken into consideration during the assessment of any future application.

### Application Stage

5.5 Applicants are advised in the Council's Development Control Advice Note 2009 (required to validate a planning application) to submit details of planning obligations within their Impact Statement.

5.6 In some cases, such as for strategic applications, it may be more appropriate that this information is submitted as a separate Planning Obligations Statement alongside a draft 'Heads of Terms' document. The Planning Obligations Statement should evaluate how the impacts of the development are to be addressed within the context of this SPD as well as other local, regional and national guidance.

5.7 Applications which are submitted without a Planning Obligations Statement/Draft Heads of Terms will not be validated until this information is provided.

5.8 Details of the applicant's solicitor must be submitted at the time an application is made. The following solicitor details should be provided;

- Name of company

- Postal address
- Contact name
- Telephone number (preferably direct dial)
- Email address
- Website

5.9 Details of the land title should also be provided alongside details of all parties (including chargees) with an interest in the land as they will also be required to enter into the agreement. Should details of other parties not be available before an application is submitted, it should be identified early on in the process to avoid a delay in completion of the agreement. Any charges on the property should also be identified.

5.10 During the planning application process, initial advice provided with regard to contribution requirements may be subject to alterations. This is often due to changes following formal consultation and any issues which may arise during the course of an application. 'Heads of Terms' must be agreed prior to planning committee meetings and within an appropriate timescale of delegated applications to allow them to be determined and decisions issued by officers within the statutory target periods.

5.11 If the obligations required by the Council are not agreed to, officers will prepare a recommendation for refusal of the planning application.

5.12 In the case of delegated applications, if the 'Heads of Terms' are agreed between the LPA and the applicant/agent where the application is considered acceptable on all other grounds, a draft decision notice will be prepared by officers. The applicant/ landowner must enter into and complete the s106 agreement prior to the LPA issuing the decision notice for any delegated application.

5.13 In the case of an application referred to a Tower Hamlets planning committee, the 'Heads of Terms', which have been agreed, will be included within the committee report for information. Should members recommend approval of the planning application with planning obligations, this approval will be subject to the completion of the s106 agreement. Following the planning committee, the applicant/agent must complete the s106 agreement in order for the decision notice to be issued.

## **Viability**

5.14 In certain circumstances, it may be considered that the viability of a scheme is jeopardised due to site constraints or other factors. It is recommended in such cases that applicants seek pre-application advice from the LPA prior to the formal submission of a planning application.

5.15 It is essential that all proposals where viability is considered to be a concern are submitted with a full Viability Assessment which contains sufficient evidence to enable officers to properly assess a scheme.

5.16 A Viability Assessment must be completed in accordance with the guidelines set out in the GLA 'Affordable Housing Development Control Toolkit' 2010 or an alternative Toolkit as approved by the Council.

5.17 The applicant will be required to meet the Council's cost of evaluating any appraisals which

will include the appointment of qualified independent assessors.

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## **6. Standard Obligations and Charges**

6.1 This section sets out how the Council will use S106 planning obligations necessary to make development acceptable. A variety of planning obligations may be necessary, therefore the topics covered below are not exhaustive and each development will be considered on a case by case basis and in line with relevant, available evidence, guidance, or policies.

6.2 For each obligation the threshold and contribution requirements are provided, in line with circular 05/2005 and the CIL regulations 2010. These are taken into consideration when determining where a proposed development should be subject to planning obligations and to estimate those obligations likely to be required by the Council.

### **Affordable Housing**

6.3 The Council will secure affordable housing through planning obligations, in accordance with the approach outlined in the Core Strategy. The Revised Planning Obligations SPD should be read in tandem with the emerging Affordable Housing SPD which provides detailed guidance on the Council's proposed approach to securing affordable housing on major residential developments.

6.4 In line with Core Strategy requirements, 10% of all new housing must be wheelchair accessible, or easily adaptable, as defined in the Managing Development DPD. In exceptional circumstances, and where it can be demonstrated that this is not achievable, the Council will require a financial contribution from the developer to adapt appropriately located homes elsewhere in the borough to wheelchair accessible standard. The level of any such contribution will be determined on a case by case basis.

### **Employment, Skills, Training and Enterprise**

6.5 Tower Hamlets is in a unique position with regards to its economy. The borough hosts a significant financial services sector and also a large number of small and medium enterprises (SME). The arising employment opportunities should be accessible to local residents to combat issues of social exclusion and skills mismatch. To ensure a healthy economy for Tower Hamlets, a wide mix of enterprise and commercial spaces must be supported and retained.

#### **Employment and Skills Training**

6.6 Tower Hamlets has an above average unemployment level within Greater London, with a very low proportion of Tower Hamlets' residents actually finding employment within the borough. Currently only 15% of jobs within Tower Hamlets are taken up by local people. There is also a skills mismatch, with new employment opportunities requiring skills which are not widely available within the borough's current residential population. Employment opportunities should be provided through new development to local residents, with training made available to up-skill residents to compete for jobs within the borough.

6.7 For all new development in the borough the construction phase provides opportunities for local employment, apprenticeships and work experience placements. Commercial developments within the borough bring new employment, apprenticeship and work-experience opportunities for

residents during the end-user phase. This adds increased pressure on the Council to provide access for residents to appropriate employment and skills training. Apprenticeships and work experience placements will enable residents to develop an appropriate skill-set for existing and future employment opportunities within the borough, from an early age.

6.8 The Council will seek to ensure that jobs are provided for local people, both in the construction phase of development and by the end-users, where appropriate. To enable local people to benefit from development growth the Council, with partners, has introduced a number of programmes to support job brokerage, employer-led training, construction skill training and apprenticeships and work experience placements.



**Threshold and Contribution Requirements**

Planning obligations relating to Employment and Skills Training will be sought for:

- All major residential developments
- All major commercial development

**Job-brokerage**

The Council will seek to secure a minimum of 20% of jobs (to be defined as non-technical placements), created by the construction and end-user phases of new development above the set threshold, to be advertised exclusively to local residents through the Council’s job-brokerage service for a minimum period. It is expected that reasonable endeavours be used to ensure that a target of 20% employment of local residents is achieved in both the construction and end-user phases.





### **Construction Phase Skills and Training**

For all major developments the Council will also seek to secure a financial contribution to support and provide the training and skills needs of local residents in accessing the new job opportunities in the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created. Contributions will not be pooled from more than five Section 106 agreements.

Cost of Construction Training Placement (£2,605)(1)

X

(Gross Internal Area of Development/ 1000sqm)

---

= Required Financial Contribution

Where appropriate the Council may consider whether a developer's in-house training programme can be utilised in lieu of the construction phase skills and training contribution, on the basis that the local residents achieve a minimum requirement as secured through an in-kind obligation. The appropriateness of the in-house training will be assessed by the Council on a case by case basis.

### **End-user Phase Skills and Training**

For the end-user phase of commercial developments the Council will also seek to secure a financial contribution to support and provide the training and skills needs of local residents in accessing the new job opportunities created by the development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.

Employee yield of the development(2)

X

Employees resident in Tower Hamlets (14%)(3)

X

Employees in Tower Hamlets requiring training & support (38%)(4)

X

Cost of training and support per person (£2,700)(5)

---

= Required Financial Contribution

### **Apprenticeships and Work Placements**

For the construction phase of all new development and the end-user phase of commercial development, the Council will seek to ensure a proportion of the jobs secured for local residents provide apprenticeships where appropriate. Work experience placements for local residents, for a minimum of two weeks per placement, will also be secured from these developments where appropriate.



| <b>Specific Policy Framework</b>                     |  |   |
|--|--|---|
| <b>National</b>                                      | <b>Regional</b>  | <b>Local</b>  |
| NPPF 2011  | The London Plan 2011 - 4.12<br>Improving Opportunities for All | LBTH Core Strategy 2010 – Policies SO15, SO16, SP06, S017 and SP07    |
| PPS1 – Delivering Sustainable Development 2005       |  | LBTH Unitary Development Plan 1998- Saved policies ST1, EMP1 and EMP8 |
| PPS4 – Planning for Sustainable Economic Growth 2009 |  | LBTH Managing Development DPD 2012 - Policy DM 15                     |
|  |  | LBTH Employment Strategy 2011   |

**Footnotes:**

1. Cost of a construction placement based on Skillsmatch Construction Service per unit training cost: includes CSCS card, as standard, and programmes that include: Abrasive Wheels, First Aid, and Working at Heights to more skilled plant training such as Forward Tipping Dumper and 360 excavator.
2. Calculated using the HCA Employment Densities Guide. 2nd Edition 2010.
3. The percentage of working age residents in Tower Hamlets employed within the borough according to the 2001 Census.
4. The percentage of residents in Tower Hamlets not currently in employment. Office for National Statistics, 2010.
5. Cost per unit of Skillsmatch training into employment.

## Local Enterprise

6.9 In order to support local businesses in benefitting from new development within the borough, the Council will require a commitment from developments to engage local businesses through the supply chain. This will allow local businesses to compete in the local market and also encourage sustainable supply systems.

### Threshold and Contribution Requirements

Planning obligations relating to Local Enterprise will be sought for:

- All major residential developments
- All major commercial development

The Council will seek to secure 20% of the total value of contracts, which procure goods and services during the construction phase of the development, to be achieved using firms located within the borough. This will be subject to competition rules. The developer will be expected to work with Council nominated organisations, such as Construction Line and East London Business Place (ELBP), in order to maximise the opportunities for local firms to win contracts through established procurement procedures.

The Council will seek to secure the provision of flexible workspace within commercial developments, to mitigate the loss of such space through the development process and to support new and existing SMEs within the borough.

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## **Transport and Highways**

6.10 The provision of a safe, accessible, efficient, sustainable and integrated transport network is important to ensuring everyone has access to services within and outside the borough. The Council is committed to promoting high quality public transport services and delivering an attractive, well-designed street network that reduces the need for travel by private modes of transport.

6.11 New development in the borough will place additional stress on the borough's transport and highway networks including public transport infrastructure, bus services, local cycle routes, pedestrian and cycle safety education and training, travel awareness publicity, sustainable freight activities and interchange accessibility improvements.

6.12 CIL funds will be used to address the cumulative impacts of development on the sustainable transport network. However, individual developments may cause a site-specific impact which should be directly addressed through the development itself, or where that cannot be achieved the Council will use S278 agreements or S106 Planning Obligations.

6.13 Developments in the borough should provide the necessary additional transport/highway improvements to mitigate the impact of the travel demand they generate. Any necessary alterations to the transport/highway network within or in the vicinity of new development will be expected to be incorporated within proposals, and permission will be refused if the developer is unwilling or unable to provide the necessary solutions. The scope of any off site works required to mitigate the impact of the a development within the vicinity will be secured under a S278 agreement will be carried out by the Council with the developer responsible for meeting all costs associated with the design and implementation of schemes

6.14 Specific transport/highway related infrastructure may be required where a S278 agreement is insufficient, in such instances mitigation will be secured through a S106 agreement. This will be particularly relevant to developments that are larger in scale or are associated with intensive or increased travel demand.

6.15 The Council will also seek to secure non-financial obligations to mitigate the impact of a development proposal. Non-financial obligations will include;

- Car and Permit Free Agreements - which restrict residents from applying for on-street car parking permits.
- Car Clubs - provide on-site parking for car club use, providing marketing about the availability of the car club and free membership for a period of years for residents of the development.
- Electric Vehicle Charging – provision of electric charging points.
- Travel Plan - preparation, submission and subsequent monitoring to ensure compliance

6.16 In addition planning contributions to fund Crossrail will be negotiated in line with the Mayor of London's requirements as set out in the Crossrail Supplementary Planning Guidance (SPG) 2010 and policy 6.5 of the London Plan 2011

## Threshold and Contribution Requirements

In instances where a Transport Assessment is required for the development in accordance with Managing Development DPD policy, the site-specific highway and transport works required will be informed by that assessment.

The Council will seek to secure non-financial obligations to mitigate the impact of a development proposal. Non-financial obligations will include:

- Car and Permit Free Agreements - which restrict residents from applying for on-street car parking permits. Car and Permit Free Agreements will be sought for all residential development, creating one or more units.
- Car Clubs - provide on-site car parks for car club use, providing marketing about the availability of the car club and free membership for a period of years for residents of the development.
- Electric Vehicle Charging – provision of electric charging points.
- Travel Plan - preparation, submission and subsequent monitoring to ensure compliance

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## **Public Realm**

6.17 The quality of the Public Realm has an impact upon the way in which an area is perceived and experienced. High quality Public Realm offers many benefits to people, communities, the environment and local economy and functions as an important place for community cohesion and leisure activities. It also has direct benefits for local people by improving safety, wellbeing, legibility of the built environment, and links between key services such as schools, health services, town centres and places of employment.

### **Public Open Space and Publicly Accessible Open Space**

6.18 The borough as a whole is deficient in open space and publically accessible open space. New and improved space is required to continue serve the growing population in Tower Hamlets. In accordance with the Core Strategy, the Council will seek to deliver a network of open space through maximising opportunities for new publically accessible open space and connection to the Green Grid.

6.19 The Tower Hamlets Open Space Strategy 2006 established a local minimum standard for open space provision of 1.2 hectares per 1,000 population (developed from National Playing Fields Association (NPFA) benchmark standards) and resists any net loss of open space. An increase in population caused by new development, will result in additional pressure being placed upon the existing areas of public open space, and publically accessible open space, and new development will be required to ensure the impact of population increase on the existing areas space is minimised.

#### **Threshold and Contribution Requirements**

On all sites not allocated to provide new Local Parks, the Council will look to maximise the provision of open space as part of a development proposal in accordance with Core Strategy and Managing Development DPD policy.

Where open space suitable for public access has been identified and can be provided within a proposed development, an agreement to safeguard the area's on-going use as publically accessible open space and future maintenance to an appropriate standard will be required. In some instances, if the Council agrees to manage the space, the ownership of the land should be transferred to the Council at no cost. A land transfer arrangement will normally only be considered, however, for areas of open space larger than one hectare.

## **Environmental Sustainability**

6.20 The promotion of renewable, sustainable forms of energy and enhancements to wildlife biodiversity within Tower Hamlets is important to ensuring the borough is environmentally sustainable.

## Energy

6.21 To ensure that the ability of future generations to enjoy the borough is not compromised by the energy requirements of today, it is essential to ensure that new developments are as energy efficient as they can be and contribute to reducing energy demands and pollution.

6.22 New development increases the demand for energy supply and requires solutions and innovation to reduce consumption and thereby promote and provide new renewable energy sources and sustainable development.

6.23 The Council strongly supports the development of energy efficient buildings and ensuring all new homes are built to zero carbon standards (as defined by CLG) by 2016 and all new non-domestic developments are built to zero carbon standards by 2019.

### Threshold and Contribution Requirements

Planning obligations relating to Energy will be sought for:

All major residential developments  
All major commercial development

The Council will seek contributions towards Energy initiatives for all new development, above the set threshold.

### CO2 Reduction

Where officers consider all opportunities to meet the relevant Managing Development DPD carbon dioxide reduction targets on-site have been exhausted, contributions to delivering carbon reduction projects will be sought to meet the shortfall.

Reflecting relevant Government and London Plan policies and guidance as appropriate, (including any further relevant guidance produced by the LBTH), the remaining carbon emissions will be offset through providing new and additional opportunities to reduce carbon emissions from existing housing in the Borough or community energy saving programmes or other initiatives.

## Biodiversity

6.24 The quality of the physical environment is under increasing pressure in Tower Hamlets with a growing population and significant development demands. The Council recognises the importance of responding to the impacts of climate change and an increasingly dense cityscape by maintaining and encouraging biodiversity within the Borough.

6.25 Tower Hamlets has a number of strategies and studies in place that present clear options to help mitigate the impacts of development on biodiversity.

### **Threshold and Contribution Requirements**

Planning Obligations relating to Biodiversity will be sought for;

All major residential development  
All major commercial development

The Council will seek contributions towards Biodiversity for all new development, above the set threshold.

Where it is considered unfeasible for a development to provide adequate on-site biodiversity enhancements, or where projects in nearby open spaces, or enhancements to nearby rivers or water bodies, offer better opportunities to enhance biodiversity and/or access to nature, the Council will seek an equivalent financial contribution to off-site projects which will be secured for enhancements which help to deliver the Tower Hamlets Biodiversity Action Plan.

## **Monitoring and Implementation**

6.26 The requirement on the Council to monitor all aspects of S106 agreements carries a financial cost that constitutes an impact from new development. Accordingly, the Council will include a monitoring fee as a financial contribution for each S106 agreement. All planning obligations, whether financial or in-kind, require monitoring to ensure the obligation is fully complied with and in line with the trigger date as well as the relevant legal requirements.

6.27 This monitoring fee excludes all legal costs associated with the preparation of s106 agreements.

### **Threshold and Contribution Requirements**

Planning Obligations relating to Monitoring and Implementation will be sought for:

- All developments requiring a s106 agreement.

The Council will require a contribution of £500 per principal clause within a S106 Agreement.

For exceptionally detailed agreements, (for example, variations to existing agreements or those that are complex to monitor and implement) the Council may request a contribution above the standard charge.

## 7. Procedure & Management

7.1 The Council starts managing and monitoring each s106 agreement from the moment it is signed. This is a complex process which covers over a thousand legal documents, all with multiple trigger points and obligations. Tower Hamlets Council employs s106 officers dedicated to overseeing this complex programme and ensuring the successful delivery of the obligations secured through s106 agreements.

7.2 An internal, cross-directorate panel, chaired by the Corporate Director of Development and Renewal, oversees the process of determining and approving s106 funding. This panel was established by the LBTH Cabinet in 2004 and granted delegated authority to undertake this role.

### Trigger Points

7.3 During the negotiation process, trigger points for each obligation will be agreed upon between the developer and the Council. There are established trigger points which are suitable for s106 agreements and triggers selected in each case will be based on the nature of the obligation and the stage at which the mitigation is required. The established trigger points are:

- Upon the date that the agreement is signed;
- Upon or prior to commencement of the development;
- Upon or prior to practical completion of the development; and,
- Upon or prior to occupation of the development

7.4 The Council will encourage the use of these four identified triggers in negotiations, with the commencement of the development being the preferred point for an obligation to be delivered upon.

### Interest Bearing Accounts

7.5 When a financial contribution is received it will be placed within an interest bearing account from the date of its receipt. The interest accrued will be applied by the Council to s106 related projects.

### Penalty Clause and Enforcement of Obligations

7.6 Trigger points will vary for each individual obligation within the s106 agreement. The developer is bound within each s106 agreement to notify the Council upon commencement of the development. Where the Council is not notified and obligations become overdue the Council will seek to enforce the obligation and will activate the penalty clause.

7.7 A clause included in the s106 agreement will ensure prompt payment by inserting a financial penalty where payments are overdue. As a final recourse, where obligations are not subsequently enforced, the Council will take legal action against those in breach of a s106 agreement. Non-financial obligations are also legally binding and where not provided according to the terms of the s106 agreement may be legally enforced by the Council.



## **Complying with Planning Obligations – the Developer’s Role**

### **Complying with Financial Obligations**

7.8 Where a s106 agreement contains a financial obligation, details of how to make the payment to the Council are provided. A payment form as standard will be appended to the agreement and any payments should be made using this form, following the instructions provided. The payment can be made through BACS/CHAPS, cheque or postal order. Once received, the payment will be logged onto the Council’s systems. A breakdown of received financial contributions is published on the Planning Obligations Webpage (found at [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)) on a quarterly basis.

### **Index-Linking Payments**

7.9 Financial contributions will be index-linked in order to allow for the fluctuation of prices between the date the agreement is signed and the date the payment is made. This is calculated based on the indexation adjustment of the relevant index, from the date the s106 agreement is signed to the expected date of payment. The additional amount paid on top of the financial contribution adjusts the contribution in accordance with inflation.

7.10 The method of indexation should be specified within the legal agreement and will usually either be the Retail Price Index (RPI) published by the Department of Trade and Industry (DTI) or the Building Cost Information Service Index (BCIS) published by the Royal Institution of Chartered Surveyors (RICS), depending on the nature of the contribution. In the event that the index shall decrease, the contribution shall not fall below the figure set out in the s106 agreement.

7.11 The Council will endeavour to provide updated costs for the standard charges provided throughout the Document as and when necessary.

### **Complying with In-kind Contributions**

7.12 Where an in-kind obligation is required through a s106 agreement the developer should provide evidence of compliance with the obligation to the Council, as outlined in the terms of the specific clauses. This evidence should be provided to the Council’s Planning Obligations Officer. If approval is required from the Council on an element of the in-kind obligation, the Planning Obligations Officer should be the first point of contact.

## **Monitoring and Delivery of Planning Obligations – the Council’s Role**

### **Non-Financial Obligations**

7.13 The delivery of non-financial contributions, or in-kind obligations, will be monitored by the appropriate service areas responsible for project delivery. For example, where there is an Affordable Housing element to a legal agreement, the Affordable Housing Team will monitor this section of the agreement to ensure that it is complied with.

### **Financial Contributions**

7.14 Once a financial contribution is received by the Council the service area or organisation with the responsibility for delivery of the s106 project will be informed. Projects funded through planning contributions will be selected through strategic objectives, which identify the infrastructure needed within the borough through public consultation and work undertaken by the individual service areas in the Council.

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# Glossary of Terms

## **Affordable Housing**

As defined in Planning Policy Statement 3 - Housing (adopted 2011).

## **Child Yield**

The impact of a new dwelling on the number of children who will live in the borough and will therefore require additional school places.

## **Community Infrastructure Levy (CIL) – Tower Hamlets**

A Levy charged on new development in the Borough, by the London Borough Of Tower Hamlets, in order to fund infrastructure that is needed to support growth in the area.

## **Community Infrastructure Levy (CIL) – London**

A Levy charged on new development in London by the Mayor of London since the 1<sup>st</sup> April 2012, in order to raise £300 million towards the delivery of Crossrail, which is essential to the capital's growing economy. This Levy is in addition to the LBTH Borough's CIL.

## **Community Infrastructure Levy Regulations**

Regulations approved by the House of Commons in accordance with section 222(2)(b) of the Planning Act 2008.

## **Community Plan**

A document prepared by the Tower Hamlets Partnership setting out how the quality of life in the borough will be improved in the period to 2020 and in accordance with four overarching themes.

## **Core Strategy**

The primary document of the LDF, the Core Strategy sets out the long-term spatial strategy to deliver the aspirations set out in the Community Plan 2020 through broad areas and principles of where, how and when development should be delivered across the borough to 2025.

## **Development Plan Document (DPD)**

A document which sits within the LDF and sets planning policy in local authority areas.

## **Equality Impact Assessment (EqIA)**

A tool used to assess the impact of a policy, service or function on a community. They are required as part of the SPD process.

## **Green Grid**

A network of interlinked, high-quality and multi-functional open spaces, waterways and other corridors (see Tower Hamlets Green Grid Strategy).

## **Habitable Room**

A room within a dwelling, the main purpose of which is for sleeping, living or dining. It is any room with a window that could be used to sleep in, regardless of how it is used. It excludes toilets, landings, halls, lobby areas and kitchens with an overall floor area of less than 11m<sup>2</sup>.

## **Heads of Term**

The different topic areas under which planning obligations can be sought, for example Affordable Housing or Employment and Enterprise.

## **Idea Store**

A strategic facility in Tower Hamlets which provides library facilities, a wide range of adult learning courses, computer access and activities and events.

**Infrastructure Delivery Plan (IDP)**

A schedule listing the key pieces of infrastructure required by the Core Strategy over the lifetime of the plan.

**Local Implementation Plan (LIP)**

Statutory transport plans produced by London Boroughs bringing together transport proposals to implement the Mayor of London's Transport Strategy at the local level.

**Local Plan**

Is the term for the Council's Local Development Framework comprising the adopted Core Strategy and the emerging Managing Development Document, scheduled for adoption in April 2013

**Major Commercial Development**

Any commercial development, including hotels, creating 1,000sqm or more of commercial floorspace.

**Major Residential Development**

Any residential development, including student housing, creating 10 or more units.

**Material Consideration**

A legal term describing a matter or subject which is relevant (i.e. material) for a local authority to consider in assessing development proposals and when using its powers under planning law.

**Public Open Space**

As defined in Planning Policy Guidance17 - Planning for Open Space, Sport and Recreation (adopted 2002). To include child play space.

**Public Realm**

Any publicly owned streets, pathways, right of ways, parks, publicly accessible open spaces and any public facilities.

**Registered Providers (RP)**

Registered Providers (previously Registered Social Landlords) are government-funded not-for-profit organisations that provide Affordable Housing. They include housing associations, trusts and cooperatives. They work with local authorities to provide homes for people meeting the affordable homes criteria. As well as developing land and building homes, RPs undertake a landlord function by maintaining properties and collecting rent.

**Regulation 123 List**

Under Regulation 123 of the CIL Regulations 2010 (as amended), a Charging Authority is required to provide a Regulation 123 list, which sets out the Charging Authority's spending plans including those projects or types of infrastructure that it intends to fund through the Levy. The regulation 123 list will limit the use of planning obligations where there have been five or more obligations in respect of a specific infrastructure or a type of infrastructure entered into on or after 6<sup>th</sup> April 2010.

**Section 278 Agreement**

A legal agreement completed between the developer and the Local Planning Authority, under section 278 of the Highways Act 1980, where a development requires works to be carried out on the existing adopted highway. These agreements provide a financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted.

**Strategic Development**

Applications referable to the Mayor of London under the 2008 Town and Country Planning Order. This includes large-scale development, major infrastructure and development which may affect strategic policies.

**Transport Assessment (TA)**

A statutory document which accompanies a planning application, and is used by planning authorities and highways authorities to determine whether the impact of a new development on the transport network is acceptable. It should identify what measures may be required to deal with the predicted transport impacts and to improve accessibility and safety, especially for pedestrians, cyclists and public transport users.

**Transport Interchange Areas (TIA)**

Those areas centred around transport interchanges which require improvements to local public realm, connections and way-finding. The locations of TIA in Tower Hamlets are defined within the Site and Place-making DPD.

**Unitary Development Plan (UDP)**

Statutory plan prepared by each Borough prior to PPS12 and the new LDF suite of documents. Saved policies may remain from these documents, which integrated strategic and local planning responsibilities through policies and proposals for the development and use of land in their area.

**Viability Assessment**

An assessment of the financial viability of a development, taking into account a range of different factors such as location, type of site, size of scheme and scale of contributions to infrastructure and facilities.

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## **Revised Planning Obligations Supplementary Planning Document**

# **EQUALITIES ANALYSIS SCOPING REPORT**

**February 2013**



# Equality Analysis (EA) Scoping Report

## Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose:

*(Please note – for the purpose of this doc, ‘proposal’ refers to a policy, function, strategy or project)*

London Borough of Tower Hamlets Revised Planning Obligations Supplementary Planning document

Who is expected to benefit from the proposal?

The local community, which includes local residents, businesses and organisations within Tower Hamlets, through the mitigation of site-specific and negative impacts of development and provision of affordable housing and opportunities to the local workforce and local business.

Service area:

Planning and Building Control

Team name:

Infrastructure Planning

Service manager:

Owen Whalley (Planning & Building Control Service Head)

Name and role of the officer completing the EA Scoping Report:

Philip Waters, Planning Obligations Officer

## Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

The Revised Planning Obligations SPD is a tool for negotiating contributions to mitigate any negative site-specific impacts of development. The Revision is required because the impacts of development on the borough’s infrastructure will be mitigated through a locally set Community Infrastructure Levy. CIL regulations do not allow the Council to collect both CIL and S106 for expenditure on the same infrastructure items. Following the adoption of CIL it will no longer be possible to negotiate S106 Planning Obligations using the adopted Planning Obligations SPD and therefore a revised SPD, with a narrower focus, is required. The adopted Planning Obligations SPD passed through a period of consultation and Cabinet approvals prior to adoption and included an Equalities Analysis. The adopted SPD was not considered to have any negative impacts on any particular equalities groups.

## Section 3 – Assessing the Impacts on the 9 Groups

**How will what you’re proposal impact upon the nine Protected Characteristics?**

For the nine protected characteristics detailed in the table below please consider:-

- **What is the equality profile of service users or beneficiaries that will or are likely to be affected?**

The resident population of London Borough of Tower Hamlets is estimated to be approximately



254,000 in 2011 according to the census. In respect of the protected characteristics detailed in the Equalities Act 2012, the information below, sourced from 2011 census and GLA's population projections data, provide general information of equality profiles for various groups that will or likely to be affected by the LBTH CIL.

#### Age

The Tower Hamlets' population is expected to grow across all age groups; however, the growth is strongest in the older age groups, especially among those aged 50-64. The 35-49 age group and the over 65s group are also expected to show strong growth.

The young population (aged 20-34) comprises approximately 37 per cent of the Borough's population. One fifth of the Borough's population are aged under 16, with significant differences by ethnicity. The Black, Minority and Ethnic (BME) population is far younger than the White population.

#### Race

GLA estimates for 2011 show that 47 per cent of the Tower Hamlets' population are from BME groups. Forty one per cent of the Borough's residents were born outside the UK.

The proportion of residents identified as BME is anticipated to continue to rise over the next 15 years in the Borough. Within the group, there is a substantial variation in the rate of population growth across ethnic groups. The Chinese population has the fastest growth rate; and the Black Caribbean population an older age profile and the lowest growth rate.

#### Religion or Belief

The Borough's largest faith groups are Muslim and Christian. The 2001 census shows that 39 per cent of residents identified themselves as Christian. In Tower Hamlets, there is a close relationship between faith and ethnicity. Over one third of residents said they were Muslim, the majority of who were Bangladeshi. Other faith groups represented in the Borough include: Buddhists, Jews, Hindus and Sikhs and people who practice no faith.

#### Disability

By August 2010, there were more than 10,000 claimants of disability living allowance in Tower Hamlets. 52 per cent were male and 48 per cent were female. Among them, over 7,000 people had claimed disability living allowance for 5 years and over. People between the ages of 25-49 accounted for the highest number of claimants of disability living allowance.

Disabled people often face significant employment barriers; only one third population of this group are in employment, this compares against almost two thirds of non-disabled people of the same age profile.

#### Gender Reassignment

The Council does not have demographic information on gender reassignment. However, this group of people are taken to be represented in Tower Hamlets population.

#### Gender

The ONS mid-year estimates for 2010 show that the gender ratio is 105 males for every 100 females. The table below illustrates the estimated number of females and males in the Borough in 2011. The 2011 census figures show that men outnumber females significantly within the 35-54 age group in the Borough. Women outnumber men among the 20-24 age group, and again in the 65 – 69 age group.

| Total number of males | Total number of females |
|-----------------------|-------------------------|
| 131,000               | 123,000                 |

Source: NOS, 2011

### Sexual Orientation

The Council does not have demographic information on sexual orientation. However, this group of people are taken to be represented in Tower Hamlets population.

### Marriage and Civil Partnerships

At the time of the 2001 Census, there were more single persons (aged 16 and over) than married/re-married persons living in the Tower Hamlets, which was about 39 per cent against 32 per cent. There were slightly over 1,000 same-sex households living in the borough.

### Pregnancy and Maternity

From January to December 2010, the total birth in Tower Hamlets was about 4,600. Over 50 per cent were males and about 48 per cent were females.

### Socio Economic

There has been a rapid population growth in Tower Hamlets in recent years. This trend is expected to continue over the next 15 years. As a result of this growth, there is a pressing need to improve the provision of local infrastructure, which can help enhance people's quality of life in the Borough. Accessing affordable housing and the job market are the two main issues in Tower Hamlets.

#### • **What qualitative or quantitative data do we have?**

1. A profile of the Tower Hamlets Population (2010)
2. Population – key facts research briefing (2011)
3. Infrastructure Delivery Plan (2009) and updated report (2011)
4. Tower Hamlets Planning for population change and growth: capacity assessment baseline report (2009)
5. Equalities Analysis for London Borough of Tower Hamlet's Development Plan Documents (2011)
6. Sustainability Appraisal for London Borough of Tower Hamlet's Development Plan Documents (2011)
7. Planning Obligations Supplementary Planning Document (2012)
8. Consultation and engagement reports for London Borough of Tower Hamlets' Development Plan Documents, Local Development Framework (2011)
9. Tower Hamlets Local Development Framework Annual Monitoring Report (2011)
10. Strategic Housing Market and Needs Assessment (2009)
11. Planning for a healthier urban environment in Tower Hamlets (2011)
12. Tower Hamlet's Parking stress study (2011)
13. Managing Travellers' Accommodation (2011)
14. London Borough of Tower Hamlets - London Heat Map Study (2011)
15. Tower Hamlets Green Grid Strategy (2010)
16. The Cycling Plan for Tower Hamlets (2009)
17. Tower Hamlets Strategic flood risk assessment (2012)

18. Tower Hamlets Primary school site selection and summary table (2012)
19. Tower Hamlet's Transport Planning Strategy 2011 – 2031 (2011)
20. Tower Hamlets Public transport capacity assessment (2006)
21. The walking plan for Tower Hamlets 2011-2021 (2011)
22. London Borough of Tower Hamlets Waste evidence base report update (2011)
23. Multi-faith burial site for Tower Hamlets – Criteria for site identification (2009)
24. Character area assessments (2006)

- **Equalities impact on staff?**

The development of the Revised Planning Obligations SPD is a process which involves other teams across directorates. The SPD itself does not have a direct impact on staff but improved infrastructure as a result of Planning Obligations will affect staff in the same way as other residents and employees in the borough.

- **Barriers?**

Communication – Many local residents in the Tower Hamlets are from BME groups. English may not be their first languages. This may cause difficulty to understand the Revised Planning Obligations SPD and how it may impact their lives. Any consultation will be compliant with the Council's Statement of Community Involvement approved in 2009. If requests are received the consultation material can be translated.

- **Recent consultation exercises carried out?**

The Revised Planning Obligations SPD has been developed in consultation with key internal stakeholders to ensure any impacts resulting from the revision of the SPD are addressed and, where deleterious, avoided. Within the Council, an Infrastructure Planning Steering Group has been set up to discuss infrastructure requirements, costs and funding sources for the Borough on a quarterly basis. Discussions have also been held with the Mayor of Tower Hamlets and the Lead Members for Housing and Resources on the proposed approach to the continued use of S106 and CIL.

Following approval by Cabinet, the Council will submit the Revised Planning Obligations SPD to a six week period of consultation, in accordance with the approach outlined in the Statement of Community Involvement.

- **Additional factors which may influence disproportionate or adverse impact?**

The Planning Obligations SPD provides guidance on when the Council is likely to secure site mitigation measures through a S106 agreement to make a development acceptable. The Council's proposed use of S106 agreements is in line with national, regional, and local planning policy. In all instances where a S106 agreement is sought the objective is to mitigate site-specific negative impacts of development. The Revised Planning Obligations SPD will therefore not have any disproportionate impacts upon any group as all measures are universally positive. Failure to adopt a Revised Planning Obligations SPD may, however, have disproportionate and adverse impacts on some of the borough's residents because some adverse impacts of development may not be appropriately mitigated.

- **The Process of Service Delivery?**

Securing site-specific development mitigation through S106 will assist service delivery in helping

the Council achieve its major objectives including ensuring Tower Hamlets is a Great Place to Live.

**Summary and next steps:**

This EA Scoping Report will be updated, when appropriate, an overarching analysis of LBTH's Planning Obligations SPD in terms of equalities. The results of the various consultation exercises will be fed back into the EA Scoping Report as evidence to inform future decision making, particularly for groups where the Council does not have sufficient information at this stage.

| Target Groups | Impact – Positive or Adverse<br><br>What impact will the proposal have on specific groups of service users or staff? | Reason(s) <ul style="list-style-type: none"> <li>• Please add a narrative to justify your claims around impacts and,</li> <li>• Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making</li> </ul> <p>Please also how the proposal will promote the three One Tower Hamlets objectives?</p> <ul style="list-style-type: none"> <li>-Reducing inequalities</li> <li>-Ensuring strong community cohesion</li> <li>-Strengthening community leadership</li> </ul>  |
|---------------|--|--|
| Race          | Neutral  | <p>The BME groups are expected to continue to rise over the next 15 years in the Borough. Within this group, unemployment levels are generally higher than the national average.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards local employment and enterprise, which will benefit residents of all ethnicities. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p> <p>Evidence from the 2001 Census showed that BME residents were more likely to be in need of social housing and living in overcrowded households. S106 agreements will continue to be used to secure affordable housing which will have a positive outcome to residents in need of social housing, regardless of need.</p> |
| Disability    | Neutral  | <p>People with disabilities face significant employment barriers, as disabled people are three times more likely to be unemployed than people with no disabilities.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. However, some developments will be expected to make a contribution towards local employment and enterprise, which will benefit all residents which is particularly important for groups of people less likely to be in employment. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>   |
| Gender        | Neutral  | <p>The 2011 census figures show that the number of men outnumbers females significantly within the 35-54 age groups in the Borough. Women outnumber men among the 20-24 age group, and again in the 65 – 69 age group.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs</p>   |

|                                  |         |  |
|----------------------------------|---------|--|
|                                  |         | are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.  |
| Gender Reassignment              | Neutral | <p>The targeted group is taken into consideration as part of the profile of the Tower Hamlets population, although the data is unavailable at this stage.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>  |
| Sexual Orientation               | Neutral | <p>The targeted group is taken into consideration as part of the profile of the Tower Hamlets population, although the data is unavailable at this stage.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>  |
| Religion or Belief               | Neutral | <p>Residents in Tower Hamlets profess a wide range of faiths. Significantly represented faiths include Islam and Christianity, however many other religious, and non-religious, belief systems are represented across the borough.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p>   |
| Age                              | Neutral | <p>The older age group is expected to increase the most over the next fifteen years in the Tower Hamlets as is the peak of residents currently in their late twenties and early thirties. Tower Hamlets is a relatively young Borough which comprises 37 per cent young population aged 20 -34. Under 16 years old, the BME population is far younger than the White population.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development.</p> |
| Marriage and Civil Partnerships. | Neutral | <p>At the time of the 2001 Census, there were more single persons (aged 16 and over) than married/re-married persons living in the Tower Hamlets, which was about 39 per cent against 32 per cent.</p> <p>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would</p>  |

|                             |         |  |
|-----------------------------|---------|--|
|                             |         | be appropriate for a specific development.   |
| Pregnancy and Maternity     | Neutral | The targeted group is taken into consideration as part of the profile of the Tower Hamlets population.<br><br>S106 Planning Obligations will not have direct equality impacts on this target group as it is a financial document and therefore it is not considered it will have a disproportionate effect on the targeted group. Equalities needs are assessed by relevant service areas and planning officers when assessing whether a S106 Agreement would be appropriate for a specific development. |
| Other Socio-economic Carers | N/A     | N/A  |

## Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence of or view that suggests that different equality or other protected groups (inc' staff) could have a disproportionately high/low take up of the new proposal?

No

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added/removed?

*(Please note – a key part of the EA Scoping Report process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. An EA Scoping Report is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

## Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes

How will the monitoring systems further assess the impact on the equality target groups?

The EqIA will be reviewed annually to assess impact of equality target groups of the Revised Planning Obligations SPD

Does the policy/function comply with equalities legislation?  
(Please consider the OTH objectives and Public Sector Equality Duty criteria)

Yes

If there are gaps in information or areas for further improvement, please list them below:

How will the results of this Equality Analysis feed into the performance planning process?

The results of this EA Scoping Report will be used to ensure that:  
  

1. The Council is clear on any future use of S106 Planning Obligations
2. The Revised Planning Obligations SPD is consulted on for a period of six weeks prior to adoption.



## Section 6 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

| Recommendation   | Key activity                   | Progress milestones including target dates for either completion or progress | Officer responsible          | Progress   |
|--|--------------------------------|--|------------------------------|--|
| <ul style="list-style-type: none"> <li>The local community, key stakeholders are consulted appropriately as required by the Statement of Community Involvement and Government legislation</li> </ul> | Undertake 6 weeks consultation | Spring – Summer 2013   | Planning Obligations Officer | Consultation to begin following approval from the Mayor in Cabinet |

**Section 7 – Sign Off and Publication**

|                                       |                                 |
|---------------------------------------|---------------------------------|
| <b>Name:</b><br>(signed off)          | Anne-Marie Berni                |
| <b>Position:</b>                      | Infrastructure Planning Manager |
| <b>Date signed off:</b><br>(approved) | 25/02/2013                      |



## **SEA Screening Determination and Sustainability Appraisal Review**

### **Revised Planning Obligations Supplementary Planning Document**

**February 2013**



## 1. **Background and Context**

- 1.1 Following the adoption of the Core Strategy in September 2010, the Council adopted a Planning Obligations Supplementary Planning Document (SPD) in January 2012. The SPD includes guidance and transparency on the S106 planning contributions the Council will seek to mitigate negative impacts of development on the borough's infrastructure and any adverse impacts of development at the site-specific level.
- 1.2 From April 1st 2014, or sooner, the Council will charge a Community Infrastructure Levy (CIL) to mitigate any borough-wide impacts of development and the scope for negotiating S106 Agreements will become more limited.
- 1.3 The Revised Planning Obligations SPD will set out guidance on how the Council will continue to apply S106 following the introduction of CIL. Future use will be in accordance with regulation 122 of the CIL Regulations (2010), a planning obligation may only be entered into where the obligation is:
  - (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.The Council will mitigate cumulative impacts of development on the borough's infrastructure by using CIL receipts to fund a wide range of local and strategic infrastructure that is required as a result of new development such as transport schemes, open spaces, schools and community facilities.
- 1.4 This document outlines the Council's consideration of whether the proposed Revised Planning Obligations SPD should be subject to a Strategic Environmental Assessment (SEA) and provides a Sustainability Review

## 2. **Purpose of this SA Review**

- 2.1 A Sustainability Appraisal (SA) considers the potential impacts of a planning policy document on the environment, the economy, and society. It does this by assessing the extent to which the planning document will help achieve a set of objectives that cover a range of issues, including air quality, landscape, water, health and the population. The SA also has to satisfy the requirements of the EC Directive 2001/42/EC on the assessment of the effects of certain planning documents and programmes on the environment (known as the Strategic Environmental Assessment [SEA] Directive).
- 2.2 There is no longer a statutory requirement for the Council to produce an SA for Supplementary Planning Documents (SPD), however, the requirement remains for Development Plan Documents (DPD). An SA was undertaken for the Council's Core Strategy 2025, and the emerging Managing Development DPD.

- 2.3 Although it is not a statutory requirement to prepare an SA for SPDs, in pursuing best practice the Council has undertaken an SA Review for the Planning Obligations SPD. This SA review does not constitute an SA satisfying the EC Directive 2001/42/EC (or accompanying regulations), however, it will enable the Council to ensure that the social, economic and environmental impacts of the draft Planning Obligations SPD have been considered and that the SPD is a robust and coherent document that considers all aspects of sustainability. This document will also provide an efficient method of determining if the SPD is compatible with the sustainability objectives established in the SA for the Core Strategy.
- 2.4 This SA Review draws heavily on the SA review undertaken as a part of the evidence base for the adopted Planning Obligations SPD. The Revised Planning Obligations SPD is also supported by an Equalities Analysis (EA) Scoping Report. Following an external consultation on the SPD, between 17th April and 31st May 2013, any required changes which impact the Sustainability Appraisal will be reassessed.

### **3. SEA Screening Determination**

- 3.1 In accordance with the requirements of regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has determined that this SPD should not be subject to a Strategic Environmental Assessment (SEA) as the document provides an elaboration of an existing plan, and is therefore a minor modification of that plan.
- 3.2 This approach is consistent with the determination made for the adopted Planning Obligations SPD which, following consultation on the determination with the statutory environmental bodies, responses were received from the Environment Agency and Natural England, both of whom confirmed that the Planning Obligations SPD does not require an SEA to be undertaken as the SPD is an elaboration of an existing plan and is therefore a minor modification of that plan, and is unlikely to have significant effects.
- 3.3 The Revised Planning Obligations SPD does not introduce new mechanisms under which a S106 contribution shall be required, rather it refines the Council's approach by removing the requirement to mitigate some forms of development impacts through S106 in favour of CIL. The determination therefore is entirely appropriate.
- 3.4 This SA Review document also fulfils the function of a statement of the Council's reasons for its determination that SEA is not required.

#### 4. Revised Planning Obligations SPD Context

4.1 Table 1 below provides an overview of the Revised Planning Obligations SPD. For further details, please refer to the Planning Obligations SPD.

|  |  |
|--|--|
| <b>Legislative Context</b>                 | <ul style="list-style-type: none"> <li>• Review the Town &amp; Country Planning Act 1990.</li> <li>• Review of Community Infrastructure Levy Regulations 2010 (Regulation 122 and Regulation 123).</li> </ul>  |
| <b>Policy and Guidance Context</b>         | <ul style="list-style-type: none"> <li>• Review of national guidance contained within Planning Policy Statement 1 and Planning Policy Statement 12.</li> <li>• Focus on guidance contained within Circular 05/2005 which details the use of Planning Obligations.</li> <li>• Review of Regional Policy, the Draft Replacement London Plan 2010.</li> <li>• Review of Local Policy and Guidance including the Council's Community Plan 2008/2009, emerging Development Plan Documents and Area Actions Plans and the Unitary Development Plan saved policies 1998.</li> </ul> |
| <b>Approach to Infrastructure Delivery</b> | <ul style="list-style-type: none"> <li>• Summary of the Infrastructure Delivery Plan</li> <li>• Summary of the Council's proposed use of CIL</li> <li>• Summary of the Council's proposed use of S106</li> </ul>   |
| <b>Negotiating Planning Obligations</b>    | <ul style="list-style-type: none"> <li>• Liaising with the Council at the pre-application stage.</li> <li>• Submission of Planning Obligation details at application stage.</li> <li>• Where application area unable to provide the contributions, a Viability Assessment is required to be submitted alongside a planning application.</li> </ul>   |
| <b>Standard Obligations and Charges</b>    | <ul style="list-style-type: none"> <li>• This section sets out the standard Planning Obligations that the Council will seek.</li> <li>• Each Planning Obligation has been set out individually with 'justification', 'threshold' and 'approach'.</li> </ul>  |
| <b>Procedure and Management</b>            | <ul style="list-style-type: none"> <li>• Information relating to monitoring and managing planning agreements including details of;             <ul style="list-style-type: none"> <li>▪ monitoring fees</li> <li>▪ trigger points</li> <li>▪ pooling of contributions</li> <li>▪ interest bearing accounts</li> <li>▪ penalty clause and enforcement of obligations</li> <li>▪ complying with planning obligations</li> <li>▪ monitoring and delivering planning obligations</li> </ul> </li> </ul>  |

## 5. Sustainability Appraisal Review

- 5.1 The objectives from the Core Strategy's SA have been used to assess the Planning Obligations SPD and the Revised Planning Obligations SPD. The purpose of this exercise is to identify any potential incompatibilities or gaps in the Revised Planning Obligations SPD, and where appropriate identify mitigation measures. The mitigation measures mainly relate to future applications and detailed development considerations. The challenge will be to ensure that such measures are picked up as specific development proposals are progressed and development proposals are implemented. The results of this assessment are set out in Table 3 below.
- 5.2 In general, it is considered that the Revised SPD will contribute to achieving the principles of sustainable development and is aligned with the SA objectives established in the Core Strategy. It performs well against the SA objectives and no instances were identified where the Revised Planning Obligations SPD would conflict with the SA objectives.
- 5.3 Table 2 presents the results of the assessment against each SA objective using the key below. The matrix also indicates whether the effects are temporary or permanent in nature.

**Table 2**

| Objective Met?  |    |
|---|----|
| Objective met to large extent                           | ++ |
| Objective met slight extent                             | +  |
| Objective met, neutral impact                           | 0  |
| Objective not met, slight adverse impact on objective   | -  |
| Objective not met, moderate adverse impact on objective | -- |
| Timeframe   |    |
| Objective met or impacted temporarily                   | T  |

|                                       |   |
|---------------------------------------|---|
| Objective met or impacted permanently | P |
|---------------------------------------|---|

**Table 3.**

| Sustainability Objective and Questions to Consider  | Timeframe | Objective Met? | Comments   | Recommendations / Mitigation  |
|---|-----------|----------------|--|---|
| <i>As set out by the Sustainability Appraisal of the Core Strategy (2009)</i>   |           |                |  |   |
| <b>Environmental</b>  |           |                |  |   |
| <p><b>Biodiversity:</b> To conserve and enhance natural habitats and wildlife and bring nature closer to people.</p> <ul style="list-style-type: none"> <li>• Will it conserve and enhance habitats and species in accordance with the Local Biodiversity Action Plan. In particular, will it avoid harm to national or London priority species and designated sites and habitats and species identified in the Local Biodiversity Action Plan?</li> <li>• Will it provide for the long-term management of natural habitats and wildlife?</li> <li>• Will it improve the quality and extent of designated and non-designated sites with the intention of achieving a net gain in biodiversity?</li> <li>• Will it provide opportunities to enhance the environment and create new conservation assets (or restore existing wildlife habitats) for example by integrating the creation of new habitats into the design of new buildings and areas?</li> <li>• Will it protect and enhance the borough's water</li> </ul> | P         | ++             | This lies outside the remit of the Revised SPD however the Council will seek contributions towards enhancements to Biodiversity from all major residential and commercial developments. Where it is considered unfeasible to provide adequate on-site enhancements the Council will seek an equivalent financial contribution for off-site projects. | The Biodiversity measures respond to the impacts of climate change and an increasingly dense cityscape by maintaining areas of biodiversity value and encouraging appropriate biodiversity enhancements within the borough. |



|   |     |     |   |  |
|---|-----|-----|---|--|
| <p>bodies to achieve a good ecological status?</p> <ul style="list-style-type: none"> <li>• Will it promote, educate and raise awareness of the enjoyment and benefits of the natural environment?</li> <li>• Will it bring nature closer to people, especially in the most urbanised parts of the borough, for example through the use of green and brown roofs?</li> <li>• Will it improve access to areas of biodiversity interest?</li> <li>• Will it enhance the ecological function and carrying capacity of the green space network?</li> </ul>  |     |     |   |  |
| <p><b>Water Quality &amp; Water Resources:</b> To improve the quality of surface waters and groundwater and to achieve the wise management and sustainable use of water resources.</p> <ul style="list-style-type: none"> <li>• Will it reduce discharges to surface and groundwater?</li> <li>• Will it support sustainable urban drainage?</li> <li>• Will it improve the water systems infrastructure (e.g. water supply/sewerage)?</li> <li>• Will it reduce abstraction from surface and groundwater sources?</li> <li>• Will it reduce water consumption?</li> <li>• Will it encourage the consideration of the water cycle?</li> </ul> | n/a | n/a | The principle of the objectives fall outside of the Revised SPD although contributions will be sought and used to increase and enhance brown and green roofs etc. | <p>Further assessment to be provided at the detailed planning application stage, to mitigate any adverse impacts on water quality and resources.</p> <p>Flood Risk Assessments will be undertaken for any development which exceeds the thresholds as laid out in PPS25.</p> |
| <p><b>Natural Resources:</b> To minimise the global, social and environmental impact of consumption of resources by using sustainably produced, harvested and manufactured local products.</p>  | n/a | n/a | Through the Environmental Sustainability section of the SPD, both financial   | Further assessment to be provided at the detailed planning application stage and   |

|  |          |           |   |  |
|--|----------|-----------|---|--|
| <ul style="list-style-type: none"> <li>• Will it reduce the demand for natural resources and raw materials from unsustainable sources?</li> <li>• Will it encourage the prudent and efficient use of natural resources?</li> <li>• Will it encourage the use of local sustainable products?</li> <li>• Will it reduce the extraction of minerals?</li> <li>• Will it reduce the borough's ecological footprint per capita?</li> </ul>  |          |           | <p>and non-financial obligations are secured to mitigate the impacts of climate change.</p>   | <p>through the negotiation of planning obligations, to minimise impact of development upon natural resources.</p>  |
| <p><b>Climate Change:</b> To address the causes of climate change through minimising the emissions of greenhouse gases and ensuring that London is prepared for its impacts.</p> <ul style="list-style-type: none"> <li>• Will it minimise emissions of greenhouse gases?</li> <li>• Will it help London meet its emissions targets?</li> <li>• Will it reduce the numbers of cars entering London's congestion charge zone?</li> <li>• Will it protect the borough from climate change impacts?</li> <li>• Will it avoid exacerbating the impacts of climate change?</li> <li>• Will it help the borough adapt to the impacts of climate change?</li> <li>• Will it minimise the risk of flooding from rivers and watercourses to people and property?</li> <li>• Will it manage existing flood risks appropriately and avoid new flood risks?</li> </ul> | <p>P</p> | <p>++</p> | <p>Through the Environmental Sustainability section of the SPD, both financial and non-financial obligations are secured to mitigate the impacts of climate change.</p> | <p>Further assessment to be provided at the detailed planning application stage and through the negotiating of planning obligations, to minimise impacts of development on climate change.</p> |

|  |     |     |  |  |
|--|-----|-----|--|--|
| <p><b>Air Quality:</b> To improve air quality</p> <ul style="list-style-type: none"> <li>• Will it improve air quality?</li> <li>• Will it help to reduce emissions of PM10, NO<sub>2</sub>?</li> <li>• Will it reduce emissions of ozone depleting substances?</li> <li>• Will it help to achieve national and international standards for air quality (for example, those set out in the Air Quality Regulations 2000 and (Amendment) Regulations 2002? (See objective 10 for further details on transport criteria including the provision of infrastructure to achieve a modal shift)</li> </ul> | P   | +   | Through the Sustainable Transport section of the SPD, non-financial obligations are secured to mitigate the impacts of air quality through Car Free Agreements and promoting sustainable forms of transport. | Further assessment to be provided at the detailed planning application stage and through the negotiating of planning obligations, to minimise impacts of development on air quality.       |
| <p><b>Energy:</b> To achieve greater energy efficiency and to reduce reliance on fossil fuels for transport, heating, energy and electricity.</p> <ul style="list-style-type: none"> <li>• Will it reduce the demand and need for energy?</li> <li>• Will it promote and improve energy efficiency (e.g. buildings)?</li> <li>• Will it increase the proportion of energy both purchased and generated from renewable and sustainable resources?</li> </ul>  | P   | ++  | Through the Environmental Sustainability and Sustainable Transport sections of the SPD, obligations are secured to mitigate the impacts of energy inefficiency.  | Further assessment to be provided at the detailed planning application stage and through the negotiating of planning obligations, to minimise impacts of development on energy efficiency. |
| <p><b>Waste:</b> To minimise the production of waste across all sectors and increase reuse, recycling, remanufacturing and recovery rates.</p> <ul style="list-style-type: none"> <li>• Will it minimise the production of household and commercial waste?</li> <li>• Will it promote reuse and recycling (e.g. in the design of housing or promoting recycling schemes in existing building stock etc) particularly in high density developments?</li> <li>• Will it help the borough achieve its statutory waste recycling targets?</li> </ul>   | n/a | n/a | Objective falls outside the SPD remit.   | Planning applications to provide details of waste and waste management.  |

|   |     |     |   |  |
|---|-----|-----|---|--|
| <ul style="list-style-type: none"> <li>• Will it help to promote a market for recycled products?</li> </ul>   |     |     |   |  |
| <p><b>Built and Historic Environment:</b> To enhance and protect the existing built environment (including the architectural distinctiveness, townscape/landscape and archaeological heritage), and ensure new buildings are appropriately designed and constructed in a sustainable way.</p> <ul style="list-style-type: none"> <li>• Will it protect and enhance sites, features and areas of historical, archaeological and cultural value/potential and their settings?</li> <li>• Will it conserve and enhance the townscape/cityscape character including the protection of views and landmark buildings?</li> <li>• Will it promote access to the historic environment and also contribute to better understanding of the historic environment?</li> <li>• Will it promote high quality design and sustainable construction methods?</li> <li>• Will it respect visual amenity and the spatial diversity of communities?</li> <li>• Will it enhance the quality of the public realm?</li> <li>• Will it protect and enhance areas of open space?</li> <li>• Will it promote the creation of new accessible local parks and facilities on the City Fringe?</li> <li>• Will it improve access to open space and improve the quality and quantity of publicly accessible greenspace?</li> </ul> | n/a | n/a | These objective falls outside the SPD remit and impacts of development will be mitigated through planning conditions and CIL. | Planning applications will be required to submit a Design Statement to ensure development does not have a significant adverse impact on the built environment, but enhance and protect it. |

| <i>Social Objectives</i>  |     |     |  |  |
|---|-----|-----|--|--|
| <p><b>Housing:</b> To ensure that all Londoners have access to good quality, well-located, affordable housing that promotes liveability.</p> <ul style="list-style-type: none"> <li>• Will it reduce homelessness?</li> <li>• Will it reduce the number of unfit homes, including those owned by Registered Social Landlords?</li> <li>• Will it reduce overcrowding?</li> <li>• Will it increase the range and affordability (both upfront and over its lifetime) of housing (taking into account different requirements and preferences of size, location, type and tenure)?</li> <li>• Will it ensure that appropriate services and facilities are in place for the new population?</li> <li>• Will it provide housing that ensures a good standard of living and promotes a healthy lifestyle?</li> <li>• Will it increase the number of Local Authority dwellings that meet the 'decent homes' standard?</li> <li>• Will it increase use of sustainable design and sustainable building materials in construction?</li> <li>• Will it improve energy efficiency and insulation in housing to reduce fuel poverty and ill health?</li> <li>• Will it provide housing that encourages a sense of community and enhances the amenity value of the community?</li> </ul> | P   | ++  | The SPD refers to SP02 of the Core Strategy 2025 which requires all major residential developments to provide 35% - 50% affordable homes on-site (subject to viability). | Planning applications will also need to have regard to National, Regional guidance and housing policies in the emerging DPD and requirements. The Council's approach to delivery of affordable housing will be delineated in a separate SPD. |
| <p><b>Liveability and Place:</b> To create and sustain liveable, mixed use physical and social environments that promote long- term social cohesion, sustainable lifestyles and a sense of place.</p> <ul style="list-style-type: none"> <li>• Will it create and sustain vibrant and diverse communities and encourage increased</li> </ul>  | n/a | n/a | These objective falls outside the SPD remit and impacts of development will be mitigated through planning conditions and CIL.  | The Council will use CIL receipts to fund improvements to Liveability and Place  |

|  |   |    |  |   |
|--|---|----|--|---|
| <p>engagement in recreational, leisure and cultural activities?</p> <ul style="list-style-type: none"> <li>• Will it increase the provision of culture, leisure and recreational activities for all: this could include quality, affordable and healthy food, as well as cultural, sporting, or leisure opportunities including those associated with the Olympic legacy?</li> <li>• Will it provide opportunities for people to choose an active, fulfilling life?</li> <li>• Will it increase the provision of key services, facilities and employment opportunities?</li> <li>• Will it positively enhance and promote the perceived sense of place held by the community?</li> <li>• Will it protect and enhance the provision of open space?</li> <li>• Will it encourage a mix of land uses?</li> <li>• Will it reduce the urban heat island effect associated with increasingly dense development?</li> </ul> |   |    |  |   |
| <p><b>Education and Skills:</b> To maximise the education and skills levels of the population.</p> <ul style="list-style-type: none"> <li>• Will it increase the opportunities for educational and vocational goals to be achieved through employment and entrepreneurial opportunities?</li> <li>• Will it provide the infrastructure to help increase the levels of participation and attainment in education?</li> <li>• Will it improve overall achievement of the borough's primary and secondary school children?</li> <li>• Will it help improve employee education/training programmes?</li> <li>• Will it help improve the qualifications and skills of young people?</li> </ul>  | P | ++ | <p>The SPD requires applicants to make a contribution towards local employment opportunities and skills acquisition commensurate with the proposed scheme. Obligations include commitments to engage local labour and provide training associated with the construction and end user stage of the development.</p> | <p>The Council will use CIL receipts to deliver infrastructure which enhances local education and skill acquisition</p> |

|  |     |     |  |  |
|--|-----|-----|--|--|
| <ul style="list-style-type: none"> <li>• Will it help promote lifelong learning activities?</li> <li>• Will it help support the voluntary sector and promote volunteering?</li> <li>• Will it help promote sustainable development education?</li> <li>• Will it help reduce skills shortages?</li> <li>• Will it help to reduce the disparity in educational achievement between different ethnic groups?</li> <li>• Will it promote multiple uses of schools?</li> </ul>   |     |     | Education falls outside the SPD remit and impacts of development will be mitigated through planning conditions and CIL.                          |  |
| <p><b>Ownership and Participation:</b> To promote civic participation, ownership and responsibility and enable individuals, groups and communities to contribute to decision-making at neighbourhood, borough and regional levels in London.</p> <ul style="list-style-type: none"> <li>• Will it promote social cohesion and encourage engagement in community activities?</li> <li>• Will it increase the ability of people to influence decisions?</li> <li>• Will it support civic engagement and encourage the involvement and participation of a diverse range of stakeholders?</li> <li>• Will it promote community spirit and encourage community networks?</li> <li>• Has consideration been given to cross boundary issues and the potential for working in conjunction with other authorities?</li> </ul> | n/a | n/a | These objective falls outside the SPD remit.   | <p>Developers are encouraged to undertake community engagement with local residents and stakeholders.</p> <p>The Council also undertakes consultation with local residents and stakeholders during the Planning Application stage.</p> |
| <p><b>Health and Well-being:</b> To maximise the health and well-being of the population and reduce inequalities in health.</p> <ul style="list-style-type: none"> <li>• Will it reduce poverty and health inequalities?</li> <li>• Will it improve mental wellbeing?</li> </ul>   | P   | ++  | These objective falls outside the SPD remit and impacts of development on health and wellbeing will be mitigated through planning conditions and | The Council will mitigate the impacts of new developments on the borough's health facilities using CIL receipts following  |

|   |     |       |   |  |
|---|-----|-------|---|--|
| <ul style="list-style-type: none"> <li>• Will it improve access to high quality public services (including health facilities)?</li> <li>• Will it address the causes of key health issues including high rates of cardio-vascular disease and lung cancer?</li> <li>• Will it create an environment that will promote and support physical activity and other healthy behaviours??</li> <li>• Will it improve access by active travel means such as walking, cycling and public transport?</li> </ul>   |     |       | CIL.  | an assessment of local needs.  |
| <p><b>Safety and Security:</b> To enhance community safety by reducing crime, antisocial behaviour and the fear of crime.</p> <ul style="list-style-type: none"> <li>• Will it help reduce the number of vehicle crimes?</li> <li>• Will it help reduce the number of burglaries?</li> <li>• Will it help reduce the number of racial incidents?</li> <li>• Will it reduce the fear of crime?</li> <li>• Will it reduce antisocial behaviour?</li> <li>• Will it reduce actual noise levels and disturbances from noise?</li> <li>• Will it reduce the risk of terrorist attack?</li> </ul> | n/a | n/a   | These objective falls outside the SPD remit.  | Planning applications will be required to submit a statement to ensure development does not have a significant adverse impact on the safety and security of the existing and proposed built environment.     |
| <p><b>Equality and diversity:</b> To ensure equitable outcomes for all communities, particularly those most liable to experience discrimination, poverty and social exclusion.</p> <ul style="list-style-type: none"> <li>• Will it reduce poverty and social exclusion in those areas and communities most affected?</li> <li>• Will it promote a culture of equality, fairness and respect for people and the environment?</li> <li>• Will it promote equality for black and minority ethnic communities, women, disabled people,</li> </ul>  | P   | + / 0 | Securing contributions towards affordable would assist in improving social cohesion and help towards achieving positive equality outcomes throughout the borough. | <p>It has been identified that the SPD cannot directly achieve Equality and Diversity as contributions seek to mitigate the impacts of development.</p> <p>The thrust of Equality and Diversity policies</p> |



|   |          |           |   |  |
|---|----------|-----------|---|--|
| <p>lesbians, gay men, bisexual and transgender people, older people, young people, children and faith groups?</p> <ul style="list-style-type: none"> <li>• Will it benefit the equality target groups listed above?</li> </ul>  |          |           |   | <p>are held within the adopted Core Strategy and emerging Managing Development DPD.</p>  |
| <p><i>Economic Objectives</i></p>   |          |           |   |  |
| <p><b>Accessibility / Availability (Transport):</b> To maximise the accessibility to key services and amenities and increase the proportion of journeys made by public transport, by bicycle and by foot (relative to those taken by car).</p> <ul style="list-style-type: none"> <li>• Will it encourage a modal shift to more sustainable forms of travel as well as encourage greater efficiency (e.g. through car-sharing and use of waterways)?</li> <li>• Will it provide the infrastructure required to achieve a modal shift to more sustainable forms of transport?</li> <li>• Will it reduce the overall need for people to travel by improving their access to the services, jobs, leisure and amenities in the place in which they live?</li> <li>• Will it reduce traffic volumes and traffic congestion?</li> <li>• Will it reduce the length of commuting journeys?</li> <li>• Will it help to provide a more integrated transport service from start to finish i.e. place of residence to point of service use or place of employment?</li> <li>• Will it increase the capacity of public transport?</li> <li>• Will it increase the number of sub-regional and orbital public transport routes that reduce reliance</li> </ul> | <p>P</p> | <p>++</p> | <p>The Sustainable Transport and Highways section of the SPD requires all major residential and commercial developments to contribute towards reducing the need to travel by private modes of transport</p> | <p>Strategic transport requests will be submitted during the Planning Application stage by Transport for London. These include contributions towards provision of an improved public transport system.</p> |

|  |     |     |  |   |
|--|-----|-----|--|---|
| <p>on the car?</p> <ul style="list-style-type: none"> <li>• Will it promote locally-based employment?</li> <li>• Will it improve accessibility to work by public transport, walking and cycling?</li> <li>• Will it reduce road traffic accidents?</li> <li>• Will it promote inter-borough connectivity?</li> </ul>   |     |     |  |   |
| <p><b>Regeneration &amp; Land Use:</b> To stimulate regeneration and urban renaissance that maximises benefits for the most deprived areas and communities and to improve efficiency in land use through the sustainable reuse of previously developed land and existing buildings.</p> <ul style="list-style-type: none"> <li>• Will it provide a viable network of complementary centres?</li> <li>• Will the regeneration have immediate and long-term benefits for deprived areas?</li> <li>• Will it help to make people feel positive about the area they live in?</li> <li>• Will it help to create a sense of place and 'vibrancy'?</li> <li>• Will it help reduce the number of vacant and derelict buildings?</li> <li>• Will it minimise the loss of soils to development?</li> <li>• Will it improve soil quality and tackle contamination?</li> </ul> | n/a | n/a | These objective falls outside the SPD remit and impacts of development on regeneration and land use will be mitigated through planning conditions and CIL. | <p>On balance, the 'Regeneration and Land Use' objectives fall outside the SPD.</p> <p>A full assessment will be considered during the detailed Planning Application stage.</p> |
| <p><b>Employment:</b> To offer everyone the opportunity for rewarding, well-located and satisfying employment.</p> <ul style="list-style-type: none"> <li>• Will it generate satisfying and rewarding new jobs?</li> <li>• Will it help to provide employment in the most deprived areas and stimulate regeneration?</li> </ul>  | P   | ++  | The Employment, Skills Training and Enterprise section of the SPD seeks to provide new employment opportunities and training.                              | Further assessment of Employment options are to be considered during the Planning Application stage.  |

|  |   |      |   |  |
|--|---|------|---|--|
| <ul style="list-style-type: none"> <li>• Will it reduce overall unemployment, particularly long-term unemployment?</li> <li>• Will it help to improve levels of income and help to deliver a living wage to all?</li> <li>• Will it encourage flexibility of work, including voluntary and part-time work?</li> <li>• Will it encourage volunteering and promote the value of unpaid work?</li> <li>• Will it encourage the development of healthy workplaces?</li> <li>• Will new employment opportunities be well served by public transport?</li> </ul>   |   |      |   |  |
| <p><b>Stable Economy:</b> To encourage a strong, diverse and stable economy and to improve the resilience of businesses and their environmental, social and economic performance.</p> <ul style="list-style-type: none"> <li>• Will it improve sustainable business development?</li> <li>• Will it improve the resilience of business and the economy?</li> <li>• Will it help to diversify the economy?</li> <li>• Will it prevent the loss of indigenous businesses?</li> <li>• Will it encourage business start-ups and support the growth of businesses?</li> <li>• Will it encourage ethical and responsible investment?</li> <li>• Will it reduce levels of deprivation?</li> <li>• Will it safeguard the best of the employment land portfolio?</li> </ul> | P | +/-0 | The Employment, Skills Training and Enterprise, section of the SPD seeks to provide new employment opportunities and to protect existing and provide for new facilities for small and medium enterprises. | Whist major residential and commercial developments will be required to provide employment opportunities and provision of Small and Medium Enterprise (SME) units for start up businesses where appropriate, the SPD does not in itself facilitate a 'sustainable economy'. Applications are able to submit viability assessments should |

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|---|---|-----|--|---|
|   |   |     |  | they consider that a scheme cannot be delivered with the provision of all Planning Obligations.   |
| <p><b>Creativity and Innovation:</b> To promote creativity and innovation in the environmental and social economy (including new clean technologies, renewable energy, pollution control and the skills sector).</p> <ul style="list-style-type: none"> <li>• Will it help to diversify the economy?</li> <li>• Will it encourage investment in new technologies, new solutions, new plans and new ideas that contribute to achieving progress towards sustainability?</li> <li>• Will it boost the green technology sector?</li> </ul> | P | +/0 | The Environmental Sustainability section of the SPD encourages the use of new technologies that contribution towards achieving sustainable environments. | Further assessment to be provided at the detailed planning application stage and through the negotiating of planning obligations, to promote sustainable creativity and innovation. |

# Agenda Item 6.4

|   |                               |  |                                 |
|---|-------------------------------|--|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet  | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 96/123 |
| <b>Report of:</b><br>Corporate Director Development & Renewal<br><br><b>Originating officer(s)</b> Owen Whalley – Head of Planning & Building Control<br>Michael Bell – Strategic Planning Manger |                               | <b>Title:</b><br>Affordable Housing Supplementary Planning Document (draft for consultation)<br><br><b>Wards Affected:</b> ALL |                                 |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Cllr Rabina Khan (Cabinet Member for Housing) |
| <b>Community Plan Theme</b> | A Great Place to Live, A Prosperous Community |
| <b>Strategic Priority</b>   | Providing quality affordable housing          |

## 1. SUMMARY

- 1.1 Tower Hamlets consistently produces more affordable housing than any other London Borough. Our adopted Core Strategy sets an overall target for 50% of new homes to be affordable with a minimum requirement of 35% on individual development sites, subject to viability.
- 1.2 Due to changes in Government policy and a challenging economic climate, the Council has prepared a draft Affordable Housing Supplementary Planning Document (AHSPD) to ensure that the Council can continue to maximise affordable housing delivery and that the new homes built are genuinely affordable for those in housing need.
- 1.3 The draft AHSPD sets out the Council's approach to manage the new Affordable Rent product, confirms the Council's expectations around provision of new Social Rented homes and clarifies how long term affordability will be secured through S106 agreements. It will be a material consideration in the determination of planning applications and will provide greater certainty for developers, Registered Providers, our local community and other key stakeholders.
- 1.4 This report sets out the rationale for preparing the AHSPD, provides a summary of the draft document and seeks Cabinet approval to proceed to statutory consultation.

## **2. DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Approve the draft Affordable Housing Supplementary Planning Document (AHSPD) for statutory public consultation.
- 2.2 Authorise the Corporate Director of Development and Renewal to make any necessary factual or minor editing changes to the draft AHSPD prior to the start of statutory public consultation.

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

- 3.1 The Council's adopted Core Strategy provides an overall vision for the development of Tower Hamlets over the next 15 years and sets strategic borough wide planning policies, while the 'Managing Development' Development Plan Document (DPD) provides further detail to deliver the vision to ensure new development meets the needs of the borough.
- 3.2 The AHSPD will provide further guidance on the implementation of policy, specifically policy DM3 – Delivering Homes, and negotiation of the provision of affordable housing. It will be a material consideration in the determination of planning applications and will provide certainty and guidance to investors, developers and the community.
- 3.3 In this current economic climate, the situation of development viability suggests developers are likely to challenge Council requirements for affordable housing. In the absence of a formally adopted and detailed AHSPD, the Council would be in a weakened position to negotiate on the provision of affordable housing which meets identified housing needs.

## **4. ALTERNATIVE OPTIONS**

- 4.1 An alternative option would be to rely on the 2011 London Plan, the 2010 adopted Core Strategy and the emerging Managing Development DPD. The London Plan provides strategic guidance for London, while the borough's Local Plan provides a vision and strategic development principles for the borough as a whole.
- 4.2 This option is considered inadequate as it would not provide sufficient detail to support meaningful negotiations on the provision of affordable housing. Without the additional guidance provided by the AHSPD, the DPDs do not in themselves provide the necessary level of detail to ensure a robust negotiating position for the Council.
- 4.3 The borough would not be able to respond to the challenges of recent changes in national and London planning policy, as well as emerging development pressures, to address specific issues affecting Tower Hamlets. Without a more detailed policy on affordable housing, there is a risk that the

new 'affordable rent' product will result in new homes that are not affordable for the Borough's residents.

## **5. BACKGROUND**

5.1 Following the Examination in Public in September 2012 for the Managing Development DPD, the independent Inspector required a number of recommendations to Policy 'DM3 – Delivering Homes'. Most significantly, the Inspector supported the Mayor of London's objection to Policy DM3 and recommended that two parts of the policy be removed to ensure it is in conformity with the London Plan:

1. Prioritising Social Rent housing ahead of Affordable Rent housing; and
2. Using local evidence base to define the Tower Hamlets 'adjusted rents' to be used as a basis for negotiation in the development management process.

5.2 The Inspector concluded that prioritising social rented housing would reduce the overall number of affordable homes produced. Similarly the Inspector interpreted the Tower Hamlets 'adjusted rents' to imply that maximum rents (or rent caps) were being set which would restrict the delivery of affordable housing.

5.3 The Council must accept the recommendations of the Inspector but is concerned that the final policy will create uncertainty for developers and Registered Providers and that the Council has no control on rents which can be 'up to 80% of market rent' and therefore beyond the reach of residents in housing need.

5.4 Having considered the Inspector's Report and the Mayor of London's objection, the Council has decided to prepare the AHSPD to provide the level of detail considered necessary to ensure the Council's affordable housing objectives can be met. The SPD must also be in general conformity with the London Plan, but the Council is confident its approach is sufficiently flexible to ensure an appropriate balance between maximising affordable housing numbers and ensuring the full range of housing needs are met, in particular those in need of affordable family homes.

## **6. BODY OF REPORT**

### **Establishing the role of the SPD**

6.1 Supplementary Planning Documents are used as a material consideration in determining planning applications. They are not part of the 'Local Plan' (as shown in figure 1 below), which is the new term for our Local Development Framework. The Local Plan is comprised of the Core Strategy and Managing Development DPD. However, the SPD will carry greater weight in the determination of planning applications than using the Council's Tenancy Strategy or other housing policy documents that fall outside of the planning policy framework.

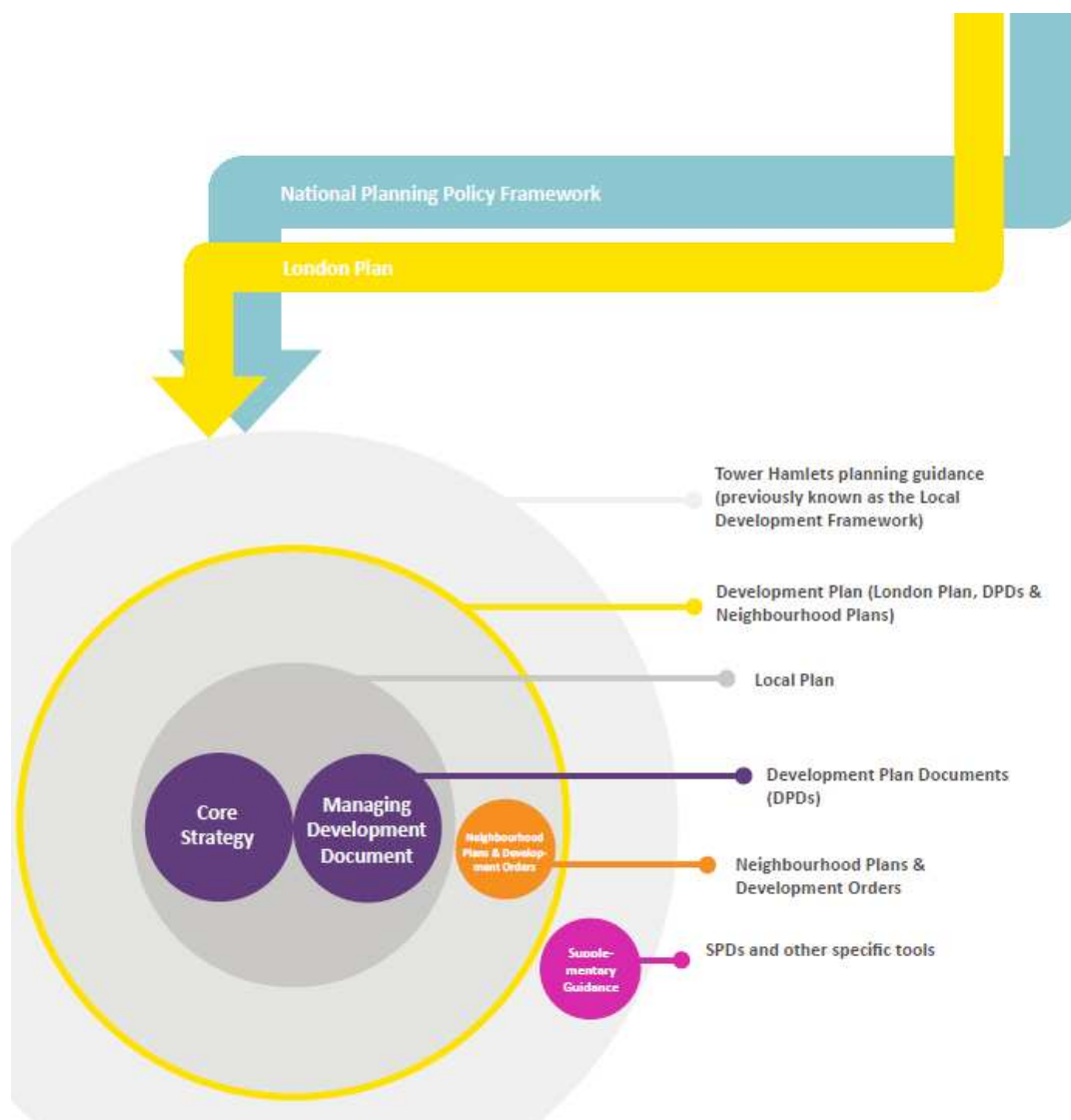


Figure 1 – new local planning policy structure

## Content of the draft AHSPD

6.2 The draft SPD includes the following key areas of content:

- Summarises the relevant planning policy context, including elements of the Mayor of London’s Housing SPG, including confirmation of the London wide average investment target of rents for the affordable rent product being at 60% of market levels, with rents for family housing below this;
- Sets out the Tower Hamlets ‘adjusted rents’ for the Affordable Rent product based on the evidence undertaken for the Council by the POD Partnership;
- Confirms the Council’s expectations for the delivery of Social Rented homes; and



- Clarifies how long term affordability will be secured through S106 agreements.
- 6.3 These elements will help to enable the Council to deliver affordable housing and meet the aspirations set out within the Mayor's Priorities (Housing), the Community Plan theme 'A great place to live', One Tower Hamlets and the Core Strategy's 'Big Spatial Vision' of Reinventing the Hamlets.
- 6.4 The draft SPD is subject to an:
- Equalities Analysis scoping procedure; and
  - Strategic Environmental Assessment screening and Sustainability Appraisal Review.
- 6.5 Both these assessments are appended to this report.

### **Proposed consultation process for the SPD**

- 6.6 SPDs undergo a simpler preparation process than DPDs and are not subject to scrutiny by an independent Inspector. However, they are subject to statutory preparation procedures under Regulations 11-14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 6.7 Subject to Cabinet approval of the draft consultation SPD, it is proposed public consultation will be carried out for a minimum of 6 weeks concluding in June 2013. The consultation will be in accordance with the requirements of the Council's Statement of Community Involvement and Regulation 13 of the above legislation.
- 6.8 The Council will ensure that the local community, developers, Registered Providers, statutory consultees and other key stakeholders are fully engaged during the consultation period.
- 6.9 In preparing the draft SPD the Council has used the extensive consultation already undertaken in preparation of the Managing Development DPD together with the technical evidence base prepared for that document.

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

- 7.1 Following the Examination in Public of the Managing Development DPD in 2012 this report seeks approval of the Affordable Housing Supplementary Planning Document to ensure that the Council can continue to maximise affordable housing delivery and that the new homes built are affordable for those in housing need. This will support the delivery of the affordable homes targets within the Council's adopted Core Strategy.
- 7.2 As detailed in the 'Community Infrastructure Levy (CIL) Draft Charging Schedule' report elsewhere on this agenda, CIL will replace elements of the current Section 106 planning process although the Council will continue to negotiate site specific Section 106 agreements where the impact is not

covered through the CIL process. Affordable Housing provision is outside of the CIL process and so will remain within Section 106 arrangements.

- 7.3 The Authority currently generates substantial resources via the Section 106 system. It is therefore important that both the CIL charges and Section 106 obligations are set at a realistic level that enable the generation of significant community resources in tandem with the delivery of viable developments.
- 7.4 The costs of the statutory consultation process will be met from within existing budgets.

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

- 8.1 The AHSPD will ultimately be adopted as a Supplementary Planning Document in accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regs”). Before the draft AHSPD is formally adopted, the Council is required to carry out public consultation for a period of not less than 4 weeks in accordance with Regulations 12 & 13 of the 2012 Regs. Supplementary planning documents provide greater detail on the policies contained in the Council’s development plan documents.
- 8.2 Following the formal public consultation the Council will need to consider any representations made during the consultation period. The Council are then required to prepare a statement setting out a summary of the main issues raised in the representations and how these main issues have been addressed in the SPD that the Council intends to adopt. Following consultation and once any necessary amendments have been made the SPD can be adopted by resolution. Once the SPD is adopted it can be considered to be a material consideration to be taken into account in the development control process.

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

- 9.1 An Equalities Analysis Scoping has been undertaken in support of the draft AHSPD. The EqA Scoping process reviews and assesses issues relating to the diversity of the borough and the 9 Equalities Groups. The EqA Scoping Report is attached as an appendix to the Cabinet Report and identifies that the SPD will positively benefit all 9 Equalities Groups.
- 9.2 It should also be noted that the SPD supports the delivery of the Council’s LDF Core Strategy, which was itself subject to an Equalities Impact Assessment (EqIA).

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

- 10.1 A detailed Sustainability Appraisal was completed for the Core Strategy. There is no longer a statutory requirement for the Council to produce an SA for Supplementary Planning Documents (SPD).
- 10.2 Although it is not a statutory requirement to prepare an SA for SPDs, in pursuing best practice the Council has undertaken an SA Review for the Affordable Housing SPD (shown in section 6). This SA review does not constitute an SA satisfying the EC Directive 2001/42/EC (or accompanying regulations). It enables the Council to ensure that the social, economic and environmental impacts of the Affordable Housing SPD have been considered. As such the SPD is considered to be a robust and coherent document that considers all aspects of sustainability. This document also provides an efficient method of determining if the SPD is compatible with the sustainability objectives established in the SA for the Core Strategy.
- 10.3 In accordance with the requirements of regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has determined that this SPD should not be subject to a Strategic Environmental Assessment (SEA) as the document provides information to supplement existing DPDs (Core Strategy and the Management Development DPD), and is therefore a minor modification of these documents.
- 10.4 The SA Review also fulfils the function of a statement of the Council's reasons for its determination that SEA is not required.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 An LDF Board was established in May 2010, chaired by the Corporate Director of Development & Renewal, to lead on the preparation of future planning documents. Risk Management and mitigation is a standard item at LDF Board meetings. As such, the AH SPD has been subject to this risk management process.

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

- 12.1 The AH SPD does not directly impact on crime and disorder reduction. However, the delivery of affordable housing will contribute to the wider aspiration of sustainable communities thereby supporting community cohesion and engagement.

## **13. EFFICIENCY STATEMENT**

- 13.1 The AHSPD has been prepared in the context of the Core Strategy, Managing Development Document and other relevant Council Strategies, such as the Housing Strategy and Tenancy Strategy. As such, the SPD closely reflects Council priorities and the Council's capital planning process and fully compliments the Core Strategy vision of ensuring the timely provision of necessary affordable housing to meet existing and future need of local people over the next 15 years.

13.2 The AH SPD will also ensure the Council has the appropriate guidance in place to deliver affordable housing and provide a more efficient basis for the determination of planning applications.

**14. APPENDICES**

Appendix 1 – draft Affordable Housing SPD

Appendix 2 – Equalities Assessment Scoping Report

Appendix 3 – Sustainability Appraisal Review (incorporating statement of the Council’s reasons for its determination that SEA is not required)

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**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

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

**None**

**N/A**



TOWER HAMLETS

PLANNING  
GUIDANCE

# AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

Engagement Version May 2013





Content, design and graphics by:  
Plan Making and Housing Teams  
Planning and Building Control Service  
Development & Renewal Directorate  
London Borough of Tower Hamlets

# Foreword

*To be finalised prior to publication*

# Consultation & engagement information

This document is the engagement version of the Affordable Housing SPD.

It has been prepared in accordance with the Planning and Compulsory Purchase Act 2004, Planning Act 2008, Localism Act 2011, Local Planning Regulations 2012 and the National Planning Policy Framework (2012).

The role of this engagement version is to provide the opportunity for comments to be made and information provided to help inform the development of the SPD.

The engagement period runs for 6-weeks from:

*To be confirmed following Cabinet.*

All representations should be provided to the Council by midnight on *(to be confirmed following Cabinet)*

In the first instance, comments should be made using the online consultation system. If you are not able to provide comments in this manner, you can provide them in hardcopy and/or electronically by email.

Electronic copies of the engagement version of the Affordable Housing SPD along with the supporting evidence base are available to view and download from the Council's website:

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Hardcopies of the engagement version of the Affordable Housing SPD and evidence base are also available to view at the borough's Idea Stores and public libraries (see Council website for address and opening hours) and at the Council's Planning Reception at the Town Hall between the hours of 9am and 5pm. Comments can be submitted by email to:

[ldf@towerhamlets.gov.uk](mailto:ldf@towerhamlets.gov.uk)

or by post to:

**FREEPOST RRBK-TZER-UTAU,  
Affordable Housing SPD consultation  
Strategic Planning - Plan Making Team  
London Borough of Tower Hamlets,  
PO Box 55739,  
LONDON E14 1BY.**

For further information relating to the consultation process please contact the customer service team on:

**020 7364 5009**

**If you need a version in large print, Braille or other languages please refer to the translation services information on the inside cover of this document.**



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# How to use this document

The Affordable Housing Supplementary Planning Document (AH SPD) should be used alongside the National Planning Policy Framework, the London Plan, the borough's Local Plan and other supplementary guidance.

It provides supplementary guidance for affordable housing to help maximise its delivery, while ensuring the full range of housing needs

are met.

The document continues to follow the Core Strategy structure and falls within the 'Strengthening neighbourhood well-being' spatial theme. The supplementary guidance chapter consists of policies and information for the implementation, justification and definition of the guidance.

## Setting the scene

This chapter defines affordable housing, describes the document's development process and sets out its role.

## Supplementary guidance

This chapter sets out the guidance to help manage the delivery of affordable housing.

Guidance name  
Reference number

### Maximising Affordable Housing

1. Environment should demonstrate further affordable first and second hand housing to meet the full range of housing needs.

2. Affordable first and second hand housing should be supported where:

1. It enables the provision of a 'social tenancy' (as defined in the National Planning Policy Framework) and is supported as part of the viability assessment of each planning application and is supported in order to maximise the delivery of affordable housing to meet the full range of housing needs.
2. It is supported in order to maximise the delivery of affordable housing to meet the full range of housing needs.

3. All first and second hand housing should be supported in order to maximise the delivery of affordable housing to meet the full range of housing needs.

Guidance text

The screenshot shows a page from the document with several callout boxes pointing to specific text:

- Key planning policy links:** Points to a table listing various policies:
 

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| 1.1.1   | Core Strategy (2016) |
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- Text providing additional information for the guidance regarding definition, implementation and justification:** Points to a paragraph discussing the need for affordable housing and the role of the SPD.
- Key evidence base supporting the guidance:** Points to a table listing various evidence sources:
 

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| 1.1.95  | Local Plan (2016)    |
| 1.1.96  | Local Plan (2016)    |
| 1.1.97  | Local Plan (2016)    |
| 1.1.98  | Local Plan (2016)    |
| 1.1.99  | Local Plan (2016)    |
| 1.1.100 | Local Plan (2016)    |

## Delivery and Monitoring

This chapter sets out how the Affordable Housing SPD will be delivered and monitored.

## Appendices

Provides additional and background information to the guidance.





# Setting the scene

1

# What forms Tower Hamlets' planning guidance?

**S.1** Development within Tower Hamlets is managed by the following guidance.

## National Planning Policy Framework

**S.2** The National Planning Policy Framework (NPPF) sets out the nationwide strategic policies for development and growth within England.

## London Plan

**S.3** The London Plan is the strategic spatial plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. It is produced by the Mayor of London.

## Local Plan

**S.4** The Local Plan is comprised of the adopted Core Strategy and Managing Development DPD. These two documents contain the borough's 'Strategic Policies' in the form of Spatial Policies, Development Management Policies and site allocations.

## Neighbourhood Plans

**S.5** A Neighbourhood Plan is a planning policy document developed by a Neighbourhood Planning Forum and forms part of the borough's Development Plan. Its content needs to be in general conformity with the Local Plan, London Plan and National Planning Policy Framework.

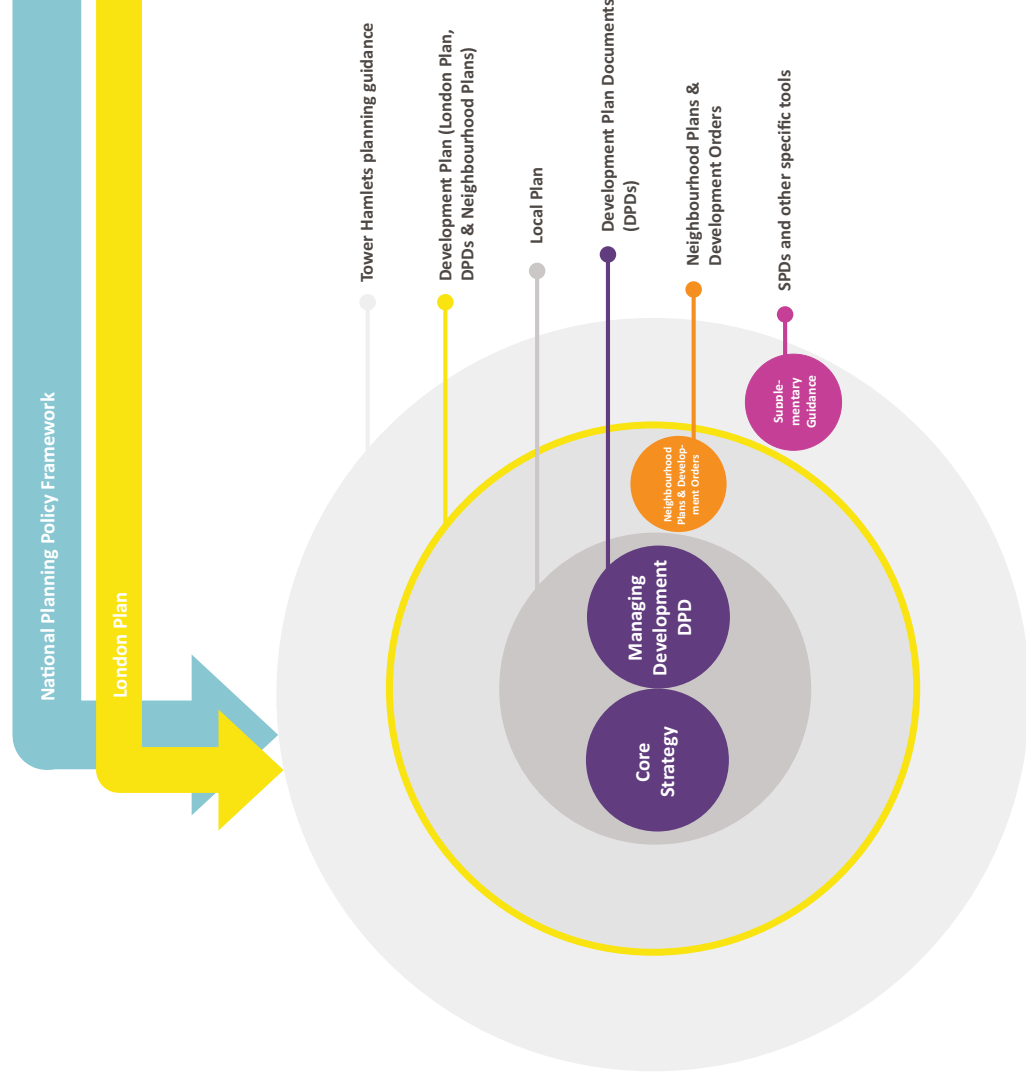
## Supplementary guidance

**S.6** Supplementary guidance provides further thematic or location specific guidance to supplement the Strategic Policies in the Local Plan. This may take the form of Supplementary Planning Documents (SPDs) or any other relevant form of documentation.

## What is the Development Plan?

**S.7** The borough's Development Plan is the formal set of documents used to determine planning applications. It is comprised

of the London Plan, the Local Plan (Core Strategy and Managing Development Document) and Neighbourhood Plans. It is guided by national guidance and supported by supplementary guidance, including this Supplementary Planning Document.



# What is the affordable housing policy context?

## National and regional context

**S.8** The NPPF provides the national definition of affordable housing for Social Rent, Affordable Rent and Intermediate Housing. Within London, this is supplemented by London Plan policy 3.10 which provides a London-wide context for defining Intermediate Housing.

**S.9** Both these strategic documents emphasise the need to maximise the delivery of affordable housing to meet the full range of housing needs. The London Plan identifies the housing delivery targets for each borough, including affordable housing, to meet these needs.

## Local context

**S.10** Tower Hamlets consistently delivers more affordable housing than any other London borough. Our Core Strategy sets an ambitious target for new homes and affordable homes over the period to 2025. As a Council we are committed to working with the development industry and our partner agencies to ensure we meet the targets. The Council aims to achieve this through the implementation of the Core Strategy and specifically SP02. This seeks a strategic target of 50% of new homes across the borough to be affordable housing and a minimum of 35% of new homes on a single site to be affordable housing (subject to viability). The policy also requires that 30% of new affordable housing is Intermediate Housing and 70% for Social Rent.

**S.11** The Managing Development DPD policy DM3 provides further detailed guidance and sets SP02 in the context of Affordable Rent and the wider NPPF. Policy DM3 requires Affordable Rent to be delivered alongside Social Rent housing.

## Evolving context

**S.12** As affordable housing delivery is becoming more complex given the current economic conditions and with the introduction of the new Affordable Rent product, this Supplementary Planning Docu-

ment (SPD) aims to provide guidance to developers, Registered Providers and other key stakeholders to ensure that Tower Hamlets continues to maximise the delivery of affordable housing in a way that meets the full range of housing needs.

**S.13** This means ensuring that Tower Hamlets contributes to the overall London Plan affordable housing targets, but in doing so, it responds to the high level of housing need in the borough and in particular the pressing need for affordable family homes.

# The role of the SPD

## The Objective

**S.14** To ensure the effective implementation of the SPD, its guidance aims to deliver the following objective:

**Tower Hamlets will continue to maximise the delivery of affordable housing to meet the full range of housing needs, with a key priority of providing new affordable homes for families.**

- **AH2** confirms how the Council assesses the eligibility of those in housing need for the three affordable housing tenures. This clarifies the established mechanisms in place for Social Rented homes and Intermediate homes and sets out eligibility for the Affordable Rent product, consistent with national and London Plan policy. Understanding the eligibility criteria for the different tenures of affordable housing, together with an understanding of how this relates to rental levels, is vital for developers and Registered Providers when preparing their development proposals. It is also important in assessing and resolving development viability.

**S.15** For individual development proposals to contribute to the overall objective there is the need to provide the right balance between:

- maximising affordable housing numbers;
- providing affordable homes that meet the full range of housing needs; and
- ensuring that developments are viable and deliverable.

## Guidance overview

**S.16** The SPD provides additional guidance on how to achieve this balance by setting out the Council's expectations for each of the three affordable housing tenures. Guidance is provided in three inter-related policy areas covering the overall development process:

- **AH1** provides additional guidance on the role of Affordable Rent and Social Rent homes. The new Affordable Rent product is intended to address the same housing needs as those for Social Rent. The Affordable Rent product is the key component of the Mayor of London's Affordable Housing Programme and therefore a focus for Registered Providers, but Social Rent still has an important role to play in the Borough in meeting local housing need, particularly for families.

- **AH3** provides guidance on the rental levels for each of the three affordable housing tenures to ensure consistency with eligibility requirements whilst taking into account development viability. Consideration of rental levels is increasingly important in the planning process and the higher rental potential of the Affordable Rent product is intended by Government to assist Registered Providers in increasing delivery of new affordable homes. Additional guidance on Affordable Rents in Tower Hamlets is required as rents of "up to 80% of local market rent" could overlap with needs which are better met by intermediate provision and not meet the needs of those eligible for Social Rented homes in the borough as required by national and London policy.



# Producing the Affordable Housing SPD

## Document stages

**S.17** The SPD is being informed by:

- Engaging with local people and stakeholders
- Strategic Environmental Assessment Screening & Sustainability Appraisal Review
- Equalities Analysis
- National and regional legislation and guidance
- Using appropriate and proportionate evidence base

## Engaging with local people and stakeholders

**S.18** Information received during the development of the DPD is being used to inform the development of the draft SPD has been used to inform the development of the draft SPD, together with more detailed discussions with key stakeholders.

**S.19** This engagement period provides the opportunity for stakeholders to submit information to help guide the content of the draft SPD.

## Strategic Environmental Assessment Screening & Sustainability Appraisal Review

**S.20** These assessments have informed the draft SPD and have identified that the SPD will not have a negative impact on environmental and equalities elements. The SEA Screening exercise has specifically identified that an SEA is not required. The Council will now be consulting with statutory consultees on this determination. In accordance with best practice a Sustainability Appraisal Review has also been carried out to ensure the content of the Core Strategy and Managing Development DPD Sustainability Appraisals are recognised.

## National legislation and regional guidance

**S.21** The draft Affordable Housing SPD has been prepared in accordance with:

- National Planning Policy Framework (2012);

|   |   |
|---|---|
| MD DPD Inspector's Report published (Dec 2012)                | Required the Council to amend policy DM3 in accordance with the emerging London Plan and National Planning Policy Framework |
| Draft SPD developed (January to March 2013)                   | Development of the SPD to help maximise the delivery of affordable housing.   |
| SEA Screening and Equalities Analysis undertaken (March 2013) | Assessment of SPD content to identify any negative impacts.   |
| Consideration at Cabinet for public consultation (April 2013) | Provision of the draft SPD to Cabinet to enable public consultation and engagement.   |
| Public engagement period (May 2013)                           | Formal consultation and engagement period to help inform the final version of the SPD.                                      |

Overview of stages to date

- Local Planning Regulations (2012);
- Localism Act (2011);
- London Plan (2011) and Revised Early Minor Alterations (2012);
- Planning Act (2008); and
- Planning and Compulsory Purchase Act (2004).

### Using appropriate and proportionate evidence base

**S.22** The draft Housing SPD has been informed by a number of specific evidence base documents produced by and for the Council. For a full list, please see appendix 2.

### S.23 Current stage

|          |                             |
|----------|-----------------------------|
| May 2013 | Consultation and engagement |
|----------|-----------------------------|

### S.24 Next stage

|             |                                       |
|-------------|---------------------------------------|
| Autumn 2013 | Consideration at Cabinet for approval |
|-------------|---------------------------------------|





# Supplementary Guidance

2

## How this will be managed

### AH1

1. Development should demonstrate how the Affordable Rent and Social Rent tenures will contribute to the overall policy objective of maximising affordable housing to meet the full range of housing needs.
  - a. Affordable Rent will be supported where:
    - i. it ensures the provision of a Tower Hamlets policy compliant amount of affordable housing;
    - ii. rent levels are determined as part of the viability assessment of each planning application and undertakings are made to retain similar rent levels at the point of completion; and
    - iii. the ownership of Affordable Rent homes is transferred, on completion, to one of the Council's Preferred Development Partners or other approved local Registered Providers.
  - b. Social Rent will be considered appropriate where:
    - i. the Council is delivering housing using its own resources (including land and/or funds);
    - ii. it contributes to the delivery of the maximum reasonable affordable housing potential of a site;
    - iii. estate regeneration schemes are required to replace existing Social Rent units; or
    - iv. the delivery of larger family homes is prioritised for Social Rent.
2. All 2-bed Affordable Rent and Social Rent homes should ensure both bedrooms are double size.
3. All family sized Affordable Rent and Social Rent homes should provide a separate kitchen and living area.

**1.1** Core Strategy Spatial Policy 02 (1), (3) and (5) sets out the borough's overall target for new homes, including affordable housing, and provides guidance for where and how this new housing should be provided. Policy DM3 (1) goes further to provide guidance for how development can help to deliver new homes to meet the full range of needs of existing and future residents of the borough, including through the provision of affordable homes. The definition of affordable homes has been amended following alterations to national planning policy guidance to include the new Affordable Rent product.

**1.2** The guidance provided in this policy supplements these Core Strategy and Development Management policies.

**1.3** AH1 provides supplementary guidance which sets out those circumstances under which the Council will support the provision of Affordable Rent and Social Rent tenures.

**1.4** Depending on the site and development context, individual development proposals may come forward with exclusively affordable rent, exclusively social rent or a blend of the two products.

**1.5** In the context of the Council's objective to maximise the delivery of affordable housing, part (1.a.ii.) of the guidance is needed to support the Council's priority of delivering a minimum amount of 35% of affordable homes as set out in the Core Strategy. With the Affordable Rent product better enabling the viability of schemes, the borough can expect to achieve its affordable housing targets.

**1.6** Part (1.a.ii.) of the guidance provides an opportunity to take account of any changes in the market with regard to rental levels between the time of submission of the planning application through to the agreed rent at occupation. Viability assessments will be carried out in support of a planning application to determine the ability of a scheme to provide a certain amount of affordable housing together with other necessary planning obligations / Community Infrastructure Levy (CIL) payments.

The receipt for the sale of the affordable housing depends directly on the rental income from those units and therefore rents cannot be changed during the delivery of the scheme without impacting on the viability. Where there is significant variation from the viability-stage rent at the time of the determination of the planning application to the proposed rental level on occupation, the Council reserves the right to review the overall planning obligations secured through the development.

**1.7** Rent levels and the long term affordability of affordable housing will be secured in the legal agreements signed as part of the planning permission.

**1.8** Finally, with regard to Affordable Rent, part (1.a.iii.) sets out the Council's requirement, that the homes provided within this tenure continue to serve and address the needs of those first intended through ensuring they are managed by a Registered Provider. This is in order to ensure affordable housing provision and management are of the highest standards to best meet local needs.

**1.9** The provision of Social Rent homes remains a high priority for the Council and part (1.b.) of the guidance sets out how and when its delivery can still be achievable. Parts (i), (ii), (iii), and (iv) set out the criteria in relation to utilising Council resources, viability, replacing existing Social Rented units and managing the mix of certain unit sizes.

**1.10** This policy approach is supported by the GLA's Housing SPG (2012) which states at paragraph 4.2.6 that "A more flexible approach, combining affordable and, where appropriate and viable, social rent, will in almost all cases better realise development potential for affordable housing; support a broader social mix; and also generally address the need for affordable family housing at or around guideline target rents determined through the national rent regime i.e. those associated with social rented housing."

**1.11** The first sentence of paragraph 4.2.17 goes on to state that "For

planning purposes, site by site flexibility and scope to address a wide range of needs, including those of families who require homes at around target rents (the priority group), are essential if the Affordable Rent product is to function effectively as intended."

**1.12** Finally, part (2) and part (3) of the guidance reflects the local needs and demographic profile of the borough. It is important that new affordable homes make the most efficient contribution to providing a high quality residential environment, especially for families.

Key planning policy links

|  |   |
|--|---|
| <b>LBTH Core Strategy (2010)</b>                     | SP02 Urban living for everyone  |
| <b>LBTH Managing Development DPD (2013)</b>          | DM3 Delivering homes  |
| <b>GLA London Plan (2011)</b>                        | 3.8 Housing choice  |
|  | 3.9 Mixed and balanced communities  |
|  | 3.10 Definition of affordable housing   |
|  | 3.11 Affordable housing targets   |
|  | 3.12 Negotiating affordable housing on individual private residential and mixed use schemes |
| <b>GLA Housing SPG (2012)</b>                        |   |
| <b>CLG National Planning Policy Framework (2012)</b> |   |

Key evidence base

|   |  |
|---|--|
| <b>LBTH Affordable Rent Programme 2011-15. Tower Hamlets Affordable Case Studies and Mapping (POD Partnership) (2011)</b> |  |
| <b>LBTH Affordable Housing Viability Assessment (2011)</b>  |  |
| <b>LBTH Strategic Housing Market Assessment (2009)</b>  |  |

## How this will be managed

### AH2

1. Defining how eligibility for affordable housing provision is determined enables the Council to address affordable housing need for a variety of target groups.
  - a. Eligibility for Affordable Housing will be determined for:
    - i. Affordable Rent and Social Rent Housing using the Council's Common Housing Register, through the East London Sub-Regional Nominations Protocol and the Council's Lettings Policy.
    - ii. Intermediate Housing using the criteria stated in the London Plan and to meet the needs of the Council's priority groups, as set out in the supplementary text below.

**2.1** AH2 provides supplementary guidance which sets out how eligibility for affordable housing is determined which will subsequently assist the Council in better addressing the needs of its residents.

**2.2** The NPPF (2012) Glossary defines Affordable Housing as "Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market." According to this definition, Social Rent and Affordable Rent housing are intended to meet the same need.

**2.3** This definition states that "Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision".

**2.4** Part (1.a.i.) of the guidance sets out how households eligible for nomination to affordable rented housing are those on the Common Housing Register apart from a proportion of nominations which are made available to sub-regional and pan-London partner boroughs where units have been funded by grant from the Homes and Communities Agency. The Council expects that Affordable Housing Providers acquiring affordable housing units in the borough will grant nominations to 100% of the units to the Council.

**2.5** With regard to the Council's emerging Lettings policy, which is due to be adopted in 2013, an upper income limit will be implemented for applicants to the Common Housing Register. The Council is aware that the majority of Common Housing Register applicants are on average or lower than average incomes. Due to the high levels of demand which currently far exceed levels of supply of new or vacated housing units the allocations policy gives priority to those in the top bands who are experiencing some form of housing need, such as medical need for more suitable property or overcrowding. Due to the inability of some priority groups to afford the higher levels of Affordable Rent, the Affordable Rent product will provide an opportunity for a wider variety of target



groups on the Common Housing Register to access affordable rented housing.

**2.6** Part (1.a.ii.) of the guidance is informed by the criteria set in Policy 3.10 of the London Plan (2011), which states the maximum income levels for eligibility for Intermediate Housing. This currently stands at £64,300 for smaller property purchasers or £77,200 for purchasers of three bed and larger properties. Updated income levels will be published on a regular basis by the Greater London Authority.

**2.7** For the allocation of Intermediate Housing, part (1.a.ii.) of the policy is further informed by the Council's priority groups. These are:

- a)** Public Sector Tenants being those tenants living in accommodation owned by the Council or a Registered Social Landlord as registered pursuant to Sections 1-3 Housing Act 1996 in Tower Hamlets and wholly releasing accommodation to which the Council has nomination rights.
- b)** Leaseholders in blocks being decanted in anticipation of demolition who have a right to be re-housed by the Council.
- c)** People registered on the Council's Common Housing Register or waiting list.
- d)** Other Council residents who may not release Council accommodation when they move.
- e)** Others living in Tower Hamlets in rented accommodation or living with family or friends who do not appear on the Council's Common Housing Register.
- f)** People with strong connections by family ties within the borough.
- g)** People with full time employment within the borough.

#### Key planning policy links

**LBTH Core Strategy (2010)**  
SP02 Urban living for everyone

**LBTH Managing Development DPD (2013)**  
DM3 Delivering homes

**LBTH London Plan (2011)**  
3.10 Definition of affordable housing

**CLG National Planning Policy Framework (2012)**

#### Key evidence base

**LBTH Lettings Policy (2010)**  
**LBTH Common Housing Register**  
**ELHP East London Sub-Regional Nominations Protocol (2010)**

## How this will be managed

### AH3

1. Establishing appropriate rental levels for Social Rent and Affordable Rent homes is necessary to ensure the balance between maximising affordable housing delivery and meeting the full range of housing needs. In doing so:

- a. Affordable housing rental levels will be supported where:
- i. Social Rents are in accordance with the National Rent Regime; and
- ii. Affordable Rents are meeting the needs of those on the Common Housing Register and not those whose needs are better met by intermediate housing. To achieve this, Affordable Rent levels should reflect those rents set in the table below.

| Size  | % Market rent |
|-------|---------------|
| 1-bed | 65%           |
| 2-bed | 55%           |
| 3-bed | 50%           |
| 4-bed | 50%           |

Table 1 LBTH local market rent levels

**3.1** Policy AH3 provides supplementary guidance which sets out appropriate rental levels for affordable housing.

**3.2** Part (1.a.i.) of the guidance clarifies that Social Rent housing rent levels are set by the Homes and Communities Agency which issues annual guidance on maximum rent caps (these rents are exclusive of service charges).

**3.3** Part (1.a.ii.) of the guidance provides supplementary guidance to the strategic policies regarding rental levels for Affordable Rent housing. This will help ensure that schemes can deliver the maximum amount of affordable housing while taking into account the needs of the borough’s residents in the context of what they can afford.

**3.4** While, the NPPF (2012) definition states that Affordable Rent levels can be up to 80% of the local market rent (inclusive of service charges), the high values of market rents in many parts of Tower Hamlets mean that 80% levels are not affordable to those who are eligible for Affordable Rent housing. This is a particular issue for families in housing need.

**3.5** The Council, while not wishing to constrain the ability of schemes to produce a policy compliant amount of affordable housing, requires that development maintains Affordable Rents at levels which can be afforded by those on-average or below-average local incomes.

**3.6** This position is supported by guidance within the GLA’s Housing SPG (2012) which states in paragraph 4.2.16 “For investment purposes, the Mayor has agreed a strategic, London-wide average rent at 65% of market rent across the 2011-15 affordable housing investment programme, taking into account the need to provide family-sized housing at a lower proportion of market rents”.

**3.7** In order to provide information for developers and Registered Providers on appropriate levels of Affordable Rent in Tower Hamlets, the Council commissioned the POD Partnership to produce the LBTH Affordable Rents Programme 2011-2015 (2011) evidence base. This

provided guidance on levels of Affordable Rent and looked at local market rents in different areas of the borough, average incomes of different sized families and benefit levels in order to produce a range of rents which can be considered as affordable to local eligible people.

**3.8** The results of this research have led to the information in Table 1 which provides guidance on the levels of Affordable Rent that are likely to be affordable to residents on average local incomes. The Council also provides annual figures giving guidance on local market rents and Affordable Rent levels in each postcode area of the borough. These “pod level” rent tables will be updated annually and are available from the Council’s Affordable Housing Team.

**3.9** While national policy bodies have not defined affordability in terms of the level of housing costs as a proportion of income, many bodies accept the analysis quoted by Shelter that no more than 33% of net household income should be spent on housing costs. This provides some context in understanding local affordability.

**3.10** Changes to benefit regulations implemented in 2013 mean that only those in employment are able to claim Housing Benefit to support higher Affordable Rent levels. To be eligible for this Housing Benefit, they must maintain employment of at least 30 hours per week for a single person or 16-24 hours for people with dependent children.

**3.11** Residents whose income is entirely from benefits (or who work less than the required minimum number of hours) are, from April 2013, subject to a cap on the total amount of benefit that can be paid. This cap is currently set at £26,000 per annum or £500 per week regardless of family size. This means that larger unwaged families, in order to maintain an adequate level of residual income after paying housing costs, are ineligible for properties with Affordable Rent rents of more than £165 per week, if the affordability criteria of 33% of income is to be maintained. This fact means that the Council will use all possible means to ensure that a supply of Social Rent housing, together with

Affordable Rent housing at target rent levels, is encouraged where possible, so that unwaged families are not excluded from eligibility for new housing.

**3.12** This problem of rent affordability for unwaged families is reflected in the GLA’s Housing Strategy at point 2.1.B, which states with regard to the 2011-15 investment programme “The Affordable Rent product will include homes at a range of rents, with a programme average of 65 per cent of median market rent, and rents charged within the welfare caps on both new and converted homes”.

#### Key planning policy links

##### LBTH Core Strategy (2010)

SP02 Urban living for everyone

##### LBTH Managing Development DPD (2013)

DM3 Delivering homes

##### GLA London Plan (2011)

3.8 Housing choice

3.9 Mixed and balanced communities

3.10 Definition of affordable housing

3.11 Affordable housing targets

3.12 Negotiating affordable housing on individual private residential and mixed use schemes

##### CLG National Planning Policy Framework (2012)

#### Key evidence base

LBTH Affordable Rent Programme 2011-15. Tower Hamlets Affordable Case Studies and Mapping (POD Partnership) (2011)

LBTH Affordable Housing Viability Assessment (2011)  
GLA London Housing Strategy (2010)



# Delivery & Monitoring

3

**M.1** In order to ensure that the guidance of this document can be effectively delivered according to the Council's Local Plan strategic policies, the Council will continue to undertake regular monitoring and adopt the following implementation approaches.

**M.2** A commitment to review this SPD will be through:

- the Council's annual Monitoring Report;
- Liaison with Registered Providers through the Tower Hamlets Housing Forum;
- Annual review of Rents and Affordability evidenced in the POD Partnership Report; and
- the Council's Affordable Housing Development Database.







# Appendices

4

# Appendix 1 Glossary of key terms and acronyms

The glossary of key terms should be read alongside associated glossaries in the Local Plan, London Plan, National Planning Policy Framework and other national guidance. It does not seek to repeat terms, however to ensure local circumstances are acknowledged, local definitions have been suggested. Some definitions have also been provided within the supplementary text to the development management policies

|                            |  |
|----------------------------|--|
| Affordable Housing         | <p>Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.</p> <p>Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.</p> <p>Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).</p> <p>Intermediate housing should meet the criteria outlined in London Plan Policy 3.10 and be available at prices and rents above those of social rent, but below local market prices or rents. New intermediate homes should be affordable to households whose annual income is in the range stated in London Plan Annual Monitoring Reports.</p> <p>Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.</p> <p>See the definition for affordable housing.</p> <p>The Core Strategy forms half of the Local Plan and sets out Spatial Policies to guide development and wider aspirations. It provides borough wide guidance and place-specific guidance for each of the 24 places.</p> <p>The borough’s Development Plan is the formal set of documents used to determine planning applications. It is comprised of the London Plan, the Local Plan (Core Strategy and Managing Development Document) and Neighbourhood Plans. It is guided by national guidance and supported by supplementary guidance, including this Supplementary Planning Document.</p> <p>See the definition for affordable housing.</p> |
| Affordable Rent product    |  |
| Core Strategy (Local Plan) |  |
| Development Plan           |  |
| Intermediate Housing       |  |

|                                       |   |
|---------------------------------------|---|
| Local Plan                            | The Local Plan is comprised of the adopted Core Strategy and Managing Development DPD. These two documents contain the borough's 'Strategic Policies' in the form of Spatial Policies, Development Management Policies and site allocations.                            |
| London Plan                           | The London Plan is the strategic spatial plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. It is produced by the Mayor of London                              |
| Managing Development DPD (Local Plan) | The Managing Development DPD forms half of the Local Plan and helps to manage development across the borough through development management policies and provides strategic guidance for key development sites within site allocations.                                 |
| National Planning Policy Framework    | The National Planning Policy Framework sets out the national Government's economic, environmental and social planning policies for England.   |
| Neighbourhood Plan                    | A Neighbourhood Plan is a planning policy document developed by a Neighbourhood Planning Forum and forms part of the borough's Development Plan. Its content needs to be in general conformity with the Local Plan, London Plan and National Planning Policy Framework. |
| Registered Provider                   | Formally known as 'housing associations' these organisations are private, non-profit organisations that work with the Council to help to deliver affordable housing.  |
| Social Rent product                   | See the definition for affordable housing.  |
| Spatial Policy                        | Spatial Policies are high-level, strategic policies stated within the Core Strategy to help guide development throughout the borough.   |
| Strategic policies                    | These are considered to be the Spatial Policies, development management policies and site allocations.  |
| Supplementary text                    | Text providing additional information for the supplementary policies regarding definition, implementation and justification.  |

## Acronyms

|        |  |
|--------|--|
| ELHP   | East London Housing Partnership                  |
| GLA    | Greater London Authority                         |
| LBTH   | London Borough of Tower Hamlets                  |
| LDF    | Local Development Framework                      |
| MD DPD | Managing Development – Development Plan Document |
| NPPF   | National Planning Policy Framework               |
| SEA    | Strategic Environmental Assessment               |
| SP     | Spatial Policy                                   |
| SPD    | Supplementary Planning Document                  |
| SPG    | Supplementary Planning Guidance                  |



## Appendix 2 Evidence base

The following is a list of evidence base documents used to inform the content of the draft Affordable Housing SPD.

|    |      |   |
|----|------|---|
| 1. | LBTH | Affordable Rent Programme 2011-15. Tower Hamlets Affordable Case Studies and Mapping (2011) |
| 2. | LBTH | Affordable Housing Viability Assessment (2011)  |
| 3. | LBTH | Lettings Policy (2010)  |
| 4. | GLA  | London Housing Strategy (2010)  |
| 5. | ELHP | East London Sub-Regional Nominations Protocol (2010)  |
| 6. | LBTH | Strategic Housing Market Assessment (2009)  |
| 7. | LBTH | Common Housing Register   |

Monday - Friday 9.00am - 5.00pm

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**Affordable Housing  
Supplementary Planning Document**

**Equalities Analysis Scoping Report**

**April 2013**

## Section 1 – General Information (Aims and Objectives)

|   |   |
|---|---|
| Name:   | Affordable Housing Supplementary Planning Document (SPD)  |
| Purpose:                                      | To provide supplementary guidance to Local Plan Spatial Policy 02 and development management policy DM3.  |
| Aim / Objective:                              | Establish a framework for implementing Affordable Rent, Social Rent and intermediate housing products to maximise the delivery of affordable housing to meet the full range of housing needs, with a key priority of providing new affordable homes for families.   |
| Who is expected to benefit from the proposal? | Key stakeholders that seek to facilitate the delivery of affordable housing. These include the local community, people in housing need, businesses, developers, landowners, Registered Providers, service providers and statutory consultees such as the GLA. The Council has a statutory obligation to consult the public and key stakeholders as part of the preparation of this supplementary planning document. |

|   |  |
|---|--|
| Service area:                                   | Planning and Building Control, Strategic Planning  |
| Team name:                                      | Plan Making  |
| Service manager:                                | Owen Whalley (Planning & Building Control Service Head); Michael Bell (Strategic Planning Manager) |
| Name and role of the officer completing the EA: | Peter Farnham, Senior Planner  |

## Section 2– Evidence (Consideration of Data and Information)

|   |   |
|---|---|
| What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff? | <p>The <b>National Planning Policy Framework (2012)</b> and <b>GLA Housing SPG (2013)</b> provide guidance on the use of the Affordable Rent product which can be up to 80% of the local market rent. Affordable Rent is envisaged to be used alongside Social Rent to deliver affordable housing. If Affordable Rent is not managed carefully there may be a risk that affordable housing will not meet the needs of local people.</p> <p>The Affordable Housing SPD provides a management tool for Officers to help ensure that affordable housing which is being proposed as part of a development scheme continues to be delivered for those people in need.</p> <p>The SPD is informed by the <b>LBTH Affordable Rent Programme 2011-15. Tower Hamlets Affordable Case Studies and Mapping (2011)</b> which provides technical information to inform the use of the Affordable Rent product.</p> |
|---|---|

**Section 3 – Assessing the Impacts on the 9 Equalities Groups**

**How will what you’re proposing impact upon the nine Protected Characteristics?**

| Target Groups                   | Impact – Positive or Adverse | Reason(s)   |
|---------------------------------|------------------------------|---|
| Race                            | Positive                     | <p>The Affordable Housing SPD will contribute positively towards delivering affordable housing for existing and future residents of the borough who are in need of affordable housing. In this manner, all target groups will benefit given the need for housing is common across all socio-economic and minority groups. Specifically the SPD will support the priority to deliver Social Rent and Affordable Rent housing (that is set at an appropriate level of local market rent) and addresses housing related deprivation shown in the Indices of Deprivation (2010) and the 2011 Census. Also, given local needs and demographic profile, it is important that new affordable homes make an effective contribution to meeting the range of identified needs, especially for families, and that they provide a high quality residential environment.</p>   |
| Disability                      | Positive                     |   |
| Gender                          | Positive                     |   |
| Gender Reassignment             | Positive                     |   |
| Sexual Orientation              | Positive                     |   |
| Religion or Belief              | Positive                     |   |
| Age                             | Positive                     |   |
| Marriage and Civil Partnerships | Positive                     |   |
| Pregnancy and Maternity         | Positive                     |   |
| Other Socio-economic Carers     | Positive                     | <p>The Indices of Deprivation (2010) show that 78% of the borough’s ‘Lower Super Output Areas’ (i.e. small areas used to measure population data) fall into the most deprived 10% of areas nationally. This reflects the high levels of housing deprivation faced by residents which is measured by indicators relating to overcrowding, homelessness and affordability. The 2011 census also supports this by showing that Tower Hamlets is ranked 2nd nationally for the proportion of households which suffer overcrowding.</p> <p>This is compounded by the 2011 census showing that Social Rented households, as a proportion of total households in the borough, fell from 52.5% in 2001 to 39.6% in 2011. The low level of supply of new affordable housing and the high cost of housing available in the private market sector is likely to have impacted strongly on those groups whose incomes are average or below average.</p> <p>The SPD will also help to address the need for affordable housing demonstrated in the Strategic Housing Market and Needs Assessment (2009).</p> |

#### Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence of or view that suggests that different equality or other protected groups (inc' staff) could have a disproportionately high/low take up of the new proposal?

**No**

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added/removed?

*(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. AN EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

n/a

#### Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

**Yes**

How will the monitoring systems further assess the impact on the equality target groups?

The Monitoring Report has the potential to review the SPD and this EqA scoping report on an annual basis. This will be considered as part of the action plan stated in section 6.

Does the policy/function comply with equalities legislation?  
(Please consider the OTH objectives and Public Sector Equality Duty criteria)

**Yes**

If there are gaps in information or areas for further improvement, please list them below:

None

How will the results of this Equality Analysis feed into the performance planning process?

- The outputs of this scoping exercise will be reviewed and acknowledged within the Plan Making section of the Planning and Building Control Service Plan (updated annually).
- The SPD and this scoping report will be subject to a 6-week consultation period in accordance with the Council's 'Statement of Community Involvement'.

## Section 6 - Action Plan

As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.

| Recommendation   | Key activity  | Progress milestones including target dates for either completion or progress  | Officer responsible                                 | Progress  |
|--|---|---|---|---|
| <p>Ensure that the local community, key stakeholders and developers are consulted on the draft Affordable Housing SPD, as required by the Statement of Community Involvement, and that the SPD is adopted within the shortest possible timeframes by the Council to ensure appropriate levels of affordable housing are secured from developments in the context of national and regional government policy.</p> | <p>Undertake consultation with the local community, key stakeholders and developers during May 2013 to ensure that comments on the policies are taken into account in the finalisation of the SPD.</p> <p>Ensure appropriate forms of consultation to reflect the diversity of the borough and in the 10 target equalities groups identified in the Screening Report.</p> <p>Take into account relevant comments and issues raised during other current previous consultation particularly around the s106 SPD, Core Strategy and Managing Development DPD.</p> | <ul style="list-style-type: none"> <li>• Confirm May 2013 consultation period following Cabinet approval of the content of the draft document;</li> <li>• Update draft SPD to reflect representations received during consultation during August and September 2013</li> <li>• Cabinet approval of final SPD in October 2013</li> </ul> | <p>Michael Bell,<br/>Strategic Planning Manager</p> | <p>Draft Affordable Housing SPD prepared for Cabinet and preparations for May consultation under way.</p> |
| <p>Ensure any changes made to the SPD following consultation are assessed for potential equality impacts.</p>  | <p>Update the EqIA Screening Report to reflect any key changes made to the SPD following consultation.</p>  | <ul style="list-style-type: none"> <li>• Updated EqIA to be prepared ahead of final SPD progressing to Cabinet in October 2013</li> </ul>   | <p>Michael Bell,<br/>Strategic Planning Manager</p> | <p>Current EqIA Screening provides a baseline position.</p>   |

**Section 7 – Sign Off and Publication**

|                         |                            |
|-------------------------|----------------------------|
| <b>Name:</b>            | Michael Bell               |
| <b>Position:</b>        | Strategic Planning Manager |
| <b>Date signed off:</b> |                            |

**Section 8 Appendix – FOR OFFICE USE ONLY**

This section to be completed by the One Tower Hamlets team

**Policy Hyperlink :**

| <b>Equality Strand</b>                      | <b>Evidence</b>              |
|---|------------------------------|
| Race  |                              |
| Disability                                  |                              |
| Gender                                      |                              |
| Gender Reassignment                         |                              |
| Sexual Orientation                          |                              |
| Religion or Belief                          |                              |
| Age   |                              |
| Marriage and Civil Partnerships.            |                              |
| Pregnancy and Maternity                     |                              |
| Other<br>Socio-economic<br>Carers           |                              |
| <b>Link to original EQIA</b>                | <b>Link to original EQIA</b> |
| <b>EQIAID</b><br><b>(Team/Service/Year)</b> |                              |

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# **Affordable Housing Supplementary Planning Document**

## **Strategic Environmental Assessment Screening and Sustainability Appraisal Review Report**

**April 2013**



# Contents

- 1. Background and context**
- 2. Purpose of this document**
- 3. Overview of the Sustainability Appraisal Review**
- 4. SEA Screening Determination**
- 5. Sustainability Appraisal review**

## **1. Background and context**

- 1.1 The development of the Council's Local Plan is being finalised following the adoption of the Core Strategy in September 2010 and the adoption of the Managing Development – Development Plan Document (MDDPD) scheduled for April 2013. The proposed Affordable Housing Supplementary Planning Document (AH SPD) provides supplementary guidance to Core Strategy Spatial Policy 02 and MDD Policy DM3, as well as the London Plan policy 3.3, to help manage and maximise the delivery of affordable housing in the borough. The SPD will be a material consideration in determining planning applications.

## **2. Purpose of this document**

- 2.1 This document outlines the Council's consideration of whether the proposed Affordable Housing SPD should be subject to a Strategic Environmental Assessment (SEA) and provides a Sustainability Appraisal Review in accordance with the Core Strategy and MDDPD Sustainability Appraisals.

## **3. Overview of the Sustainability Appraisal Review**

- 3.1 A Sustainability Appraisal (SA) considers the potential impacts of a planning policy document on the environment, the economy, and society. It does this by assessing the extent to which the planning document will help achieve a set of objectives that cover a range of issues, including air quality, landscape, water, health and the population. The SA also has to satisfy the requirements of the EC Directive 2001/42/EC on the assessment of the effects of certain planning documents and programmes on the environment (known as the Strategic Environmental Assessment [SEA] Directive).
- 3.2 There is no longer a statutory requirement for the Council to produce an SA for Supplementary Planning Documents (SPD); however SAs are still required for Development Plan Documents and as such they were undertaken for the Council's Core Strategy and the emerging Managing Development Document.
- 3.3 Although it is not a statutory requirement to prepare an SA for SPDs, in pursuing best practice the Council has undertaken an SA Review for the Affordable Housing SPD (shown in section 6). This SA review does not constitute an SA satisfying the EC Directive 2001/42/EC (or accompanying regulations). It will enable the Council to ensure that the social, economic and environmental impacts of the Affordable Housing SPD have been considered and that the SPD is a robust and coherent document that considers all aspects of sustainability. This document will also provide an efficient method of determining if the SPD is compatible with the sustainability objectives established in the SA for the Core Strategy.
- 3.4 The Affordable Housing SPD is also supported by an Equalities Analysis (EA) Scoping Report.
- 3.5 Following an external consultation on the SPD, envisaged for May 2013, any required changes which impact the Sustainability Appraisal will be reassessed.

## **4. SEA Screening determination**

- 4.1 In accordance with the requirements of regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council has determined that this SPD should not be subject to a Strategic Environmental Assessment (SEA) as the document provides information to supplement existing DPDs (Core Strategy and the Management Development DPD), and is therefore a minor modification of these documents.
- 4.2 The SA Review also fulfils the function of a statement of the Council's reasons for its determination that SEA is not required.
- 4.3 Comments are able to be made on the content of this document during the consultation and engagement period. The Council will be consulting with the relevant statutory consultees alongside other interested individuals, groups and organisations. For further information please see p. 4 of the Affordable Housing SPD (engagement version).



## 5. Sustainability Appraisal Review

- 5.1 The objectives from the Core Strategy's Sustainability Appraisal have been used to assess the draft Affordable Housing SPD. The purpose of this exercise is to identify any potential incompatibilities or gaps in the draft Affordable Housing SPD, and where appropriate identify mitigation measures. The mitigation measures mainly relate to future applications and detailed development considerations. The challenge will be to ensure that such measures are picked up as specific development proposals are progressed and development proposals are implemented. The results of this assessment are set out in Table 3 below.
- 5.2 In general, it is considered that the Affordable Housing SPD will contribute to achieving the principles of sustainable development and is aligned with the SA objectives established in the Core Strategy. It performs well against the SA objectives and no instances were identified where the draft Affordable Housing SPD would conflict with the SA objectives.
- 5.3 Table 2 presents the results of the assessment against each SA objective using the key in table 1 below. The matrix also indicates whether the effects are temporary or permanent in nature.

**Table 1**

| Objective Met?  |    |
|---|----|
| Objective met to large extent                           | ++ |
| Objective met slight extent                             | +  |
| Objective met, neutral impact                           | 0  |
| Objective not met, slight adverse impact on objective   | -  |
| Objective not met, moderate adverse impact on objective | -- |
| Timeframe   |    |
| Objective met or impacted temporarily                   | T  |
| Objective met or impacted permanently                   | P  |

**Table 2**

| <p><b>Sustainability Objective and Questions to Consider</b></p> <p><i>As set out by the Sustainability Appraisal of the Core Strategy (2009)</i></p>   | <p><b>Timeframe</b></p> | <p><b>Objective Met?</b></p> | <p><b>Comments</b></p>                               | <p><b>Recommendations / Mitigation</b></p>                            |
|---|-------------------------|------------------------------|--|---|
| <p><i>Environmental</i></p>   |                         |                              |  |   |
| <p><b>Biodiversity:</b> To conserve and enhance natural habitats and wildlife and bring nature closer to people.</p> <ul style="list-style-type: none"> <li>• Will it conserve and enhance habitats and species in accordance with the Local Biodiversity Action Plan. In particular, will it avoid harm to national or London priority species and designated sites and habitats and species identified in the Local Biodiversity Action Plan?</li> <li>• Will it provide for the long-term management of natural habitats and wildlife?</li> <li>• Will it improve the quality and extent of designated and non-designated sites with the intention of achieving a net gain in biodiversity?</li> <li>• Will it provide opportunities to enhance the environment and create new conservation assets (or restore existing wildlife habitats) for example by integrating the creation of new habitats into the design of new buildings and areas?</li> <li>• Will it protect and enhance the Borough’s waterbodies to achieve a good ecological status?</li> <li>• Will it promote, educate and raise awareness of the enjoyment and benefits of the natural environment?</li> <li>• Will it bring nature closer to people, especially in the most urbanised parts of the Borough, for example through the use of green and brown roofs?</li> </ul> | <p>P</p>                | <p>0</p>                     | <p>Objective falls outside the remit of the SPD.</p> | <p>Objective addressed through Core Strategy and MD DPD policies.</p> |

|   |   |   |   |  |
|---|---|---|---|--|
| <ul style="list-style-type: none"> <li>• Will it improve access to areas of biodiversity interest?</li> <li>• Will it enhance the ecological function and carrying capacity of the greenspace network?</li> </ul>   |   |   |   |  |
| <p><b>Water Quality &amp; Water Resources:</b> To improve the quality of surface waters and groundwater and to achieve the wise management and sustainable use of water resources.</p> <ul style="list-style-type: none"> <li>• Will it reduce discharges to surface and groundwater?</li> <li>• Will it support sustainable urban drainage?</li> <li>• Will it improve the water systems infrastructure (e.g. water supply/sewerage)?</li> <li>• Will it reduce abstraction from surface and groundwater sources?</li> <li>• Will it reduce water consumption?</li> <li>• Will it encourage the consideration of the water cycle?</li> </ul> | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Natural Resources:</b> To minimise the global, social and environmental impact of consumption of resources by using sustainably produced, harvested and manufactured local products.</p> <ul style="list-style-type: none"> <li>• Will it reduce the demand for natural resources and raw materials from unsustainable sources?</li> <li>• Will it encourage the prudent and efficient use of natural resources?</li> <li>• Will it encourage the use of local sustainable products?</li> <li>• Will it reduce the extraction of minerals?</li> <li>• Will it reduce the Borough's ecological footprint per capita?</li> </ul>          | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Climate Change:</b> To address the causes of climate change through minimising the emissions of greenhouse gases and ensuring that London is prepared for its impacts.</p> <ul style="list-style-type: none"> <li>• Will it minimise emissions of greenhouse gases?</li> <li>• Will it help London meet its emissions targets?</li> <li>• Will it reduce the numbers of cars entering London's congestion charge zone?</li> <li>• Will it protect the Borough from climate change</li> </ul>  | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |

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|  |   |   |   |  |
|--|---|---|---|--|
| <p>impacts?</p> <ul style="list-style-type: none"> <li>• Will it avoid exacerbating the impacts of climate change?</li> <li>• Will it help the Borough adapt to the impacts of climate change?</li> <li>• Will it minimise the risk of flooding from rivers and watercourses to people and property?</li> <li>• Will it manage existing flood risks appropriately and avoid new flood risks?</li> </ul>  |   |   |   |  |
| <p><b>Air Quality:</b> To improve air quality</p> <ul style="list-style-type: none"> <li>• Will it improve air quality?</li> <li>• Will it help to reduce emissions of PM10, NO<sub>2</sub>?</li> <li>• Will it reduce emissions of ozone depleting substances?</li> <li>• Will it help to achieve national and international standards for air quality (for example, those set out in the Air Quality Regulations 2000 and (Amendment) Regulations 2002? (See objective 10 for further details on transport criteria including the provision of infrastructure to achieve a modal shift)</li> </ul> | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Energy:</b> To achieve greater energy efficiency and to reduce reliance on fossil fuels for transport, heating, energy and electricity.</p> <ul style="list-style-type: none"> <li>• Will it reduce the demand and need for energy?</li> <li>• Will it promote and improve energy efficiency (e.g. buildings)?</li> <li>• Will it increase the proportion of energy both purchased and generated from renewable and sustainable resources?</li> </ul>  | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Waste:</b> To minimise the production of waste across all sectors and increase reuse, recycling, remanufacturing and recovery rates.</p> <ul style="list-style-type: none"> <li>• Will it minimise the production of household and commercial waste?</li> <li>• Will it promote reuse and recycling (e.g. in the design of</li> </ul>  | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |

|  |   |    |   |  |
|--|---|----|---|--|
| <p>housing or promoting recycling schemes in existing building stock etc) particularly in high density developments?</p> <ul style="list-style-type: none"> <li>• Will it help the Borough achieve its statutory waste recycling targets?</li> <li>• Will it help to promote a market for recycled products?</li> </ul>  |   |    |   |  |
| <p><b>Built and Historic Environment:</b> To enhance and protect the existing built environment (including the architectural distinctiveness, townscape/landscape and archaeological heritage), and ensure new buildings are appropriately designed and constructed in a sustainable way.</p> <ul style="list-style-type: none"> <li>• Will it protect and enhance sites, features and areas of historical, archaeological and cultural value/potential and their settings?</li> </ul> <p>Will it conserve and enhance the townscape/cityscape character including the protection of views and landmark buildings?</p> <p>Will it promote access to the historic environment and also contribute to better understanding of the historic environment?</p> <ul style="list-style-type: none"> <li>• Will it promote high quality design and sustainable construction methods?</li> <li>• Will it respect visual amenity and the spatial diversity of communities?</li> <li>• Will it enhance the quality of the public realm?</li> <li>• Will it protect and enhance areas of open space?</li> <li>• Will it promote the creation of new accessible local parks and facilities on the City Fringe?</li> <li>• Will it improve access to open space and improve the quality and quantity of publicly accessible greenspace?</li> </ul> | P | 0  | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <i>Social Objectives</i>   |   |    |   |  |
| <b>Housing:</b> To ensure that all Londoners have access to good   | P | ++ | The SPD will contribute                       | Planning applications  |

|  |          |           |   |   |
|--|----------|-----------|---|---|
| <p>quality, well-located, affordable housing that promotes liveability.</p> <ul style="list-style-type: none"> <li>• Will it reduce homelessness?</li> <li>• Will it reduce the number of unfit homes, including those owned by Registered Social Landlords?</li> <li>• Will it reduce overcrowding?</li> <li>• Will it increase the range and affordability (both upfront and over its lifetime) of housing (taking into account different requirements and preferences of size, location, type and tenure)?</li> <li>• Will it ensure that appropriate services and facilities are in place for the new population?</li> <li>• Will it provide housing that ensures a good standard of living and promotes a healthy lifestyle?</li> <li>• Will it increase the number of Local Authority dwellings that meet the ‘decent homes’ standard?</li> <li>• Will it increase use of sustainable design and sustainable building materials in construction?</li> <li>• Will it improve energy efficiency and insulation in housing to reduce fuel poverty and ill health?</li> <li>• Will it provide housing that encourages a sense of community and enhances the amenity value of the community?</li> </ul> |          |           | <p>positively to the delivery of affordable housing for existing and future residents of the borough that are in need of affordable housing.</p> <p>This will contribute to a reduction in homelessness, a reduction in the number of unfit homes being potentially occupied due to residents being unable to afford a new home, a reduction in overcrowding and an increase in the range and affordability of housing.</p> | <p>will also need to have regard to housing policies in the Core Strategy and Managing Development Document with regard to design, amenity, sustainability, accessibility, energy efficiency and place-making.</p>                |
| <p><b>Liveability and Place:</b> To create and sustain liveable, mixed use physical and social environments that promote long-term social cohesion, sustainable lifestyles and a sense of place.</p> <ul style="list-style-type: none"> <li>• Will it create and sustain vibrant and diverse communities and encourage increased engagement in recreational, leisure and cultural activities?</li> <li>• Will it increase the provision of culture, leisure and recreational activities for all: this could include quality, affordable and healthy food, as well as cultural, sporting, or leisure opportunities including those</li> </ul>   | <p>P</p> | <p>++</p> | <p>The SPD will ensure that the borough’s objectives for the delivery and design of affordable housing are taken into account in new developments which provide a mix of tenures, to meet the needs of all residents.</p>   | <p>Planning applications will also need to have regard to housing policies in the Core Strategy and Managing Development Document with regard to design, amenity, sustainability, accessibility, energy efficiency and place-</p> |

|   |   |   |   |  |
|---|---|---|---|--|
| <p>associated with the Olympic legacy?</p> <ul style="list-style-type: none"> <li>• Will it provide opportunities for people to choose an active, fulfilling life?</li> <li>• Will it increase the provision of key services, facilities and employment opportunities?</li> <li>• Will it positively enhance and promote the perceived sense of place held by the community?</li> <li>• Will it protect and enhance the provision of open space?</li> <li>• Will it encourage a mix of land uses?</li> <li>• Will it reduce the urban heat island effect associated with increasingly dense development?</li> </ul>   |   |   |   | making.  |
| <p><b>Education and Skills:</b> To maximise the education and skills levels of the population.</p> <ul style="list-style-type: none"> <li>• Will it increase the opportunities for educational and vocational goals to be achieved through employment and entrepreneurial opportunities?</li> <li>• Will it provide the infrastructure to help increase the levels of participation and attainment in education?</li> <li>• Will it improve overall achievement of the Borough's primary and secondary school children?</li> <li>• Will it help improve employee education/training programmes?</li> <li>• Will it help improve the qualifications and skills of young people?</li> <li>• Will it help promote lifelong learning activities?</li> <li>• Will it help support the voluntary sector and promote volunteering?</li> <li>• Will it help promote sustainable development education?</li> <li>• Will it help reduce skills shortages?</li> <li>• Will it help to reduce the disparity in educational achievement between different ethnic groups?</li> <li>• Will it promote multiple uses of schools?</li> </ul> | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |

|  |   |   |  |  |
|--|---|---|--|--|
| <p><b>Ownership and Participation:</b> To promote civic participation, ownership and responsibility and enable individuals, groups and communities to contribute to decision-making at neighbourhood, borough and regional levels in London.</p> <ul style="list-style-type: none"> <li>• Will it promote social cohesion and encourage engagement in community activities?</li> <li>• Will it increase the ability of people to influence decisions?</li> <li>• Will it support civic engagement and encourage the involvement and participation of a diverse range of stakeholders?</li> <li>• Will it promote community spirit and encourage community networks?</li> <li>• Has consideration been given to cross boundary issues and the potential for working in conjunction with other authorities?</li> </ul> | P | + | The objective of the SPD to widen access to affordable housing to residents, would promote civic participation, ownership, responsibility and contribute to the delivery of balanced and sustainable communities, as it would help remove barriers to home renting or ownership. | <p>Developers are encouraged to undertake community engagement with local residents and stakeholders.</p> <p>The Council also undertakes consultation with local residents and stakeholders during the Planning Application stage.</p> |
| <p><b>Health and Well-being:</b> To maximise the health and well-being of the population and reduce inequalities in health.</p> <ul style="list-style-type: none"> <li>• Will it reduce poverty and health inequalities?</li> <li>• Will it improve mental wellbeing?</li> <li>• Will it improve access to high quality public services (including health facilities)?</li> <li>• Will it address the causes of key health issues including high rates of cardio-vascular disease and lung cancer?</li> <li>• Will it create an environment that will promote and support physical activity and other healthy behaviours??</li> <li>• Will it improve access by active travel means such as walking, cycling and public transport?</li> </ul>  | P | + | The objective of the SPD to deliver affordable housing will help to contribute to physical and mental well-being associated with the provision of appropriate housing which is of high quality and meets specific needs such as bedrooms sizes and accessibility.                | Further assessment to be undertaken at the planning application stage and through the negotiation of the planning obligation, to ensure the health and well-being of the boroughs residents is maximised.                              |
| <p><b>Safety and Security:</b> To enhance community safety by reducing crime, antisocial behaviour and the fear of crime.</p> <ul style="list-style-type: none"> <li>• Will it help reduce the number of vehicle crimes?</li> <li>• Will it help reduce the number of burglaries?</li> </ul>   | P | 0 | Objective falls outside the remit of the SPD.  | Objective addressed through Core Strategy and MD DPD policies.   |

|   |   |   |  |  |
|---|---|---|--|--|
| <ul style="list-style-type: none"> <li>• Will it help reduce the number of racial incidents?</li> <li>• Will it reduce the fear of crime?</li> <li>• Will it reduce antisocial behaviour?</li> <li>• Will it reduce actual noise levels and disturbances from noise?</li> <li>• Will it reduce the risk of terrorist attack?</li> </ul>   |   |   |  |  |
| <p><b>Equality and diversity:</b> To ensure equitable outcomes for all communities, particularly those most liable to experience discrimination, poverty and social exclusion.</p> <ul style="list-style-type: none"> <li>• Will it reduce poverty and social exclusion in those areas and communities most affected?</li> <li>• Will it promote a culture of equality, fairness and respect for people and the environment?</li> </ul> <p>Will it promote equality for black and minority ethnic communities, women, disabled people, lesbians, gay men, bisexual and transgender people, older people, young people, children and faith groups?</p> <p>Will it benefit the equality target groups listed above?</p>   | P | + | The objectives in the SPD will help ensure that there is a continuing supply of new affordable housing in the borough for those in housing need. | The SPD is also subject to an Equalities Analysis.             |
| <b>Economic Objectives</b>  |   |   |  |  |
| <p><b>Accessibility / Availability (Transport):</b> To maximise the accessibility to key services and amenities and increase the proportion of journeys made by public transport, by bicycle and by foot (relative to those taken by car).</p> <ul style="list-style-type: none"> <li>• Will it encourage a modal shift to more sustainable forms of travel as well as encourage greater efficiency (e.g. through car-sharing and use of waterways)?</li> <li>• Will it provide the infrastructure required to achieve a modal shift to more sustainable forms of transport?</li> <li>• Will it reduce the overall need for people to travel by improving their access to the services, jobs, leisure and amenities in the place in which they live?</li> <li>• Will it reduce traffic volumes and traffic congestion?</li> <li>• Will it reduce the length of commuting journeys?</li> </ul> | P | 0 | Objective falls outside the remit of the SPD.  | Objective addressed through Core Strategy and MD DPD policies. |

|  |   |   |   |  |
|--|---|---|---|--|
| <ul style="list-style-type: none"> <li>• Will it help to provide a more integrated transport service from start to finish i.e. place of residence to point of service use or place of employment?</li> <li>• Will it increase the capacity of public transport?</li> <li>• Will it increase the number of sub-regional and orbital public transport routes that reduce reliance on the car?</li> <li>• Will it promote locally-based employment?</li> <li>• Will it improve accessibility to work by public transport, walking and cycling?</li> <li>• Will it reduce road traffic accidents?</li> <li>• Will it promote inter-borough connectivity?</li> </ul>  |   |   |   |  |
| <p><b>Regeneration &amp; Land Use:</b> To stimulate regeneration and urban renaissance that maximises benefits for the most deprived areas and communities and to improve efficiency in land use through the sustainable reuse of previously developed land and existing buildings.</p> <ul style="list-style-type: none"> <li>• Will it provide a viable network of complementary centres?</li> <li>• Will the regeneration have immediate and long-term benefits for deprived areas?</li> <li>• Will it help to make people feel positive about the area they live in?</li> <li>• Will it help to create a sense of place and ‘vibrancy’?</li> <li>• Will it help reduce the number of vacant and derelict buildings?</li> <li>• Will it minimise the loss of soils to development?</li> <li>• Will it improve soil quality and tackle contamination?</li> </ul> | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Employment:</b> To offer everyone the opportunity for rewarding, well-located and satisfying employment.</p> <ul style="list-style-type: none"> <li>• Will it generate satisfying and rewarding new jobs?</li> <li>• Will it help to provide employment in the most deprived areas and stimulate regeneration?</li> </ul>  | P | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |

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|--|--|---|---|--|
| <ul style="list-style-type: none"> <li>• Will it reduce overall unemployment, particularly long-term unemployment?</li> <li>• Will it help to improve levels of income and help to deliver a living wage to all?</li> <li>• Will it encourage flexibility of work, including voluntary and part-time work?</li> <li>• Will it encourage volunteering and promote the value of unpaid work?</li> <li>• Will it encourage the development of healthy workplaces?</li> <li>• Will new employment opportunities be well served by public transport?</li> </ul>   |  |   |   |  |
| <p><b>Stable Economy:</b> To encourage a strong, diverse and stable economy and to improve the resilience of businesses and their environmental, social and economic performance.</p> <ul style="list-style-type: none"> <li>• Will it improve sustainable business development?</li> <li>• Will it improve the resilience of business and the economy?</li> <li>• Will it help to diversify the economy?</li> <li>• Will it prevent the loss of indigenous businesses?</li> <li>• Will it encourage business start-ups and support the growth of businesses?</li> <li>• Will it encourage ethical and responsible investment?</li> <li>• Will it reduce levels of deprivation?</li> <li>• Will it safeguard the best of the employment land portfolio?</li> </ul> |  | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |
| <p><b>Creativity and Innovation:</b> To promote creativity and innovation in the environmental and social economy (including new clean technologies, renewable energy, pollution control and the skills sector).</p> <ul style="list-style-type: none"> <li>• Will it help to diversify the economy?</li> <li>• Will it encourage investment in new technologies, new solutions, new plans and new ideas that contribute to achieving progress towards sustainability?</li> </ul>  |  | 0 | Objective falls outside the remit of the SPD. | Objective addressed through Core Strategy and MD DPD policies. |



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| • Will it boost the green technology sector? |  |  |  |  |
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# Agenda Item 6.5

|  |   |   |                                 |
|--|---|---|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet                                   | <b>Date:</b><br>10 <sup>th</sup> April 2013 | <b>Classification:</b><br>Unrestricted  | <b>Report No:</b><br>CAB 97/123 |
| <b>Report of:</b><br><br>Corporate Director of Development and Renewal |   | <b>Title:</b><br><br>Bow Bridge Estate (Poplar HARCA): updated CPO Resolution |                                 |
| <b>Originating officer(s)</b><br>John Coker / Niall McGowan            |   | <b>Wards Affected:</b> Bromley By Bow   |                                 |

|                             |  |
|-----------------------------|--|
| <b>Lead Member</b>          | Cllr Rabina Khan   |
| <b>Community Plan Theme</b> | A Great Place To Live  |
| <b>Strategic Priority</b>   | Providing quality affordable housing<br>A safe and cohesive community - reducing fear of crime |

## **1. SUMMARY**

- 1.1 This report seeks approval for delegated authority to make a Resolution for a Compulsory Purchase Order (CPO), which would address specific land interests on Bow Bridge Estate to facilitate the regeneration of the estate. This Resolution will assist the Council's registered provider partner, Poplar HARCA, to fulfill the joint regeneration commitment between the Council and Poplar HARCA on the estate.
- 1.2 Cabinet previously authorised a CPO on 7<sup>th</sup> November 2007. However due to the length of time that has elapsed and amendments to the regeneration proposals, a new resolution is required to reflect the current land interests to be acquired and to enable the regeneration programme to be delivered effectively.

## **2. DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Note that it is necessary to update the previous Cabinet Resolution (7<sup>th</sup> November 2007) which authorised a series of precautionary CPOs including specific land interests on Poplar HARCA's Bow Bridge Estate, to reflect variations in the land interests to be acquired since the previous approval, as explained in the report.
- 2.2 Delegate to the Corporate Director of Development and Renewal, together with the Assistant Chief Executive, after consultation with the Mayor and Cabinet Member for Housingpower to take all necessary steps including the making of a Compulsory Purchase Order (CPO), General Vesting Declaration or Notice to Treat in respect of the land shown edged red on the plan at Appendix 2 with regard to those interests set out in Appendix 1 including existing interests and new rights pursuant to Section 13 of the Local Government (Miscellaneous Provisions) Act 1976,

- 2.3 Delegate to the Corporate Director of Development and Renewal in consultation with the Assistant Chief Executive (Legal Services) the power to take all necessary procedural steps in making the compulsory purchase order including:-
- 2.3.1 Making of the compulsory purchase order as described in Recommendation 2.2, including the publication and service of notices and thereafter seeking confirmation of it by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act), including the preparation and presentation of the Council's case at any Public Inquiry which may be necessary.
  - 2.3.2. Acquiring all interests in land and new interests identified through the referencing process within the CPO boundary shown at Appendix 2 either by private agreement or compulsorily
  - 2.3.3 Determination as to whether an individual Order shall be made under the provisions of Section 17 Housing Act 1985, or Section 226 Town and Country Planning Act 1990, as detailed in paragraphs 4.24 to 4.27 of the report (CAB 068/078), should the Assistant Chief Executive (Legal Services) consider this appropriate;
  - 2.3.4. Monitoring of negotiated agreements by Poplar HARCA with land owners or others as applicable, setting out the terms for withdrawal of objections to the compulsory purchase order, including where appropriate seeking exclusion of land or new rights from the compulsory purchase order.
  - 2.3.5. Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations or notices to treat, and notices of entry, and to acquire those interests to secure the development proposals.
  - 2.3.6. Referral and conduct of disputes relating to compulsory purchase compensation at the Upper Tribunal (Lands Chamber)
  - 2.3.7 Transfer of any land interests compulsorily acquired by the Council under the terms described in Recommendations 2.2 and 2.3 above to Poplar HARCA, once vacant possession is achieved.
- 2.4 Determine that the use of CPO powers is exercised where this is recommended in the report after balancing the rights of individual property owners with the requirement to obtain vacant possession of the site.
- 2.5 Determine that the interference with the human rights of the property owners affected by these proposals, and in particular their rights to a home and to the ownership of property, is proportionate, given the adequacy of their rights to object and to compensation, and the benefit to the economic, social and environmental well-being of the areas of Tower Hamlets affected by these proposals.
- 2.6 Note that all costs incurred by the council, to manage and deliver CPO processes will be reimbursed by Poplar HARCA.

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

- 3.1 The decision requested is necessary to enable the making of a CPO, to support the delivery of a major regeneration scheme by Poplar HARCA on the Bow Bridge Estate.

This estate was transferred under the Stock Transfer Scheme by the Council to Poplar HARCA for redevelopment. Poplar HARCA has developed plans for its renewal for existing and future residents. Poplar HARCA has confirmed that these plans cannot be implemented without the use of CPO powers

- 3.2 Negotiations by Poplar HARCA to acquire the affected land interests on a voluntary basis are on-going and many properties have been successfully acquired since the initial CPO Resolution in 2007. Council officers are monitoring HARCA's negotiations, but this approach now needs to be supported by the formal process of Compulsory Purchase. The CPO would run in tandem with HARCA's efforts to secure vacant possession voluntarily, helping to ensure that land interests can ultimately be acquired, thus enabling the proposed redevelopment scheme to progress without indeterminate delays.

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

- 4.1 The alternative option is to NOT make the recommended Resolution for the proposed CPO. In this instance negotiations by Poplar HARCA with individual land interests would continue, but the absence of a back-up CPO process could potentially have negative impacts, including:

- risks of significant delays in achieving acquisitions if owners refuse to negotiate voluntary settlements, which in turn would delay or jeopardise key redevelopment proposals;
- potentially higher costs for Poplar HARCA, i.e. to complete voluntary acquisitions and/or through resultant contract penalties for delay, either of which could reduce scheme funding or overall financial viability;
- non-delivery on joint commitments by the council and Poplar HARCA to provide comprehensive regeneration, including new affordable homes for local residents;
- risk of investment in public realm and general neighbourhood regeneration being lost;
- risk of cross subsidy funding from the homes for sale to provide the affordable homes being lost

#### **5. BACKGROUND**

- 5.1 This report updates Members on regeneration work currently underway by Poplar HARCA on Bow Bridge Estate, which was transferred through the housing choice process to deliver major regeneration schemes and Decent Homes. The report seeks approval for measures required to assist Poplar HARCA to carry out its committed redevelopment work and achieve the regeneration aims which were integral to the transfer of the estate.

#### **5.2 Previous Approval for CPO.**

Cabinet (7<sup>th</sup> November 2007) previously authorised the Corporate Director of Development and Renewal to make a CPO to support Poplar HARCA's Bow Bridge regeneration project. The table in paragraph 6.5 below sets out the land interests included in the initial CPO Resolution and highlights that some of these can now be excluded from the updated CPO Resolution, i.e. where they have been acquired through voluntary negotiation by Poplar HARCA in the intervening period. Conversely a number of non-property land interests – such as electricity sub-stations and rights of way - are now included in the proposed updated CPO Resolution on legal advice, to ensure that any CPO taken forward is comprehensive.

**5.3 Meeting the Council's requirements for CPO.**

It has been the Council's approach to make CPOs to support its own or RSL partners' major regeneration projects. The need for this provision arises where acquisition of land interests (dwellings, shops, rights of way etc) is necessary to fulfil commitments to deliver new affordable homes, or to generate cross-subsidy from homes for sale to part-fund a wider regeneration programme.

5.4 Following the Cabinet Resolution of November 2007 the Bow Bridge CPO was not required immediately, pending further scheme design work by Poplar HARCA to achieve outline planning approval, secure financial arrangements for the project and confirm to the council that voluntary negotiations with all land interests were underway. The Strategic Development Committee of 16th August 2012 granted both outline planning permission for the whole Bow Bridge scheme and detailed planning permission for Phase 1 of the scheme.

5.5 The council also requires, when making a CPO that its RSL partner continues to vigorously seek voluntary negotiated settlements with all the home owners or others whose interests will be acquired, offering the full market value applicable and statutory compensation, plus relocation where this is appropriate. For example, resident (i.e. not absentee) dwelling owners will have access to independent valuation and legal support and will receive reimbursement to market value for their property interest.

5.6 It is emphasized that the CPO is the solution of last resort and council officers will regularly meet Poplar HARCA's representatives to monitor the RSL's progress in securing vacant possession through voluntary negotiation. For the reasons set out in Sections 3 and 4 above it is important to commence the CPO process for the land interests included in the Appendices to this report on Bow Bridge Estate. All land interests are set out in the Appendices to this report.

5.7 Poplar HARCA's approach to voluntary negotiations with land interests is outlined in paras 7.1 – 7.9 below.

**6. BOWBRIDGE ESTATE REGENERATION SCHEME**

6.1 Bow Bridge Estate is located in Bromley by Bow Ward – see Appendix 3, location map. It was transferred to Poplar HARCA on 27th November 2006 with the specific intention of securing significant improvement to the quality of the homes and environment. At transfer, the estate comprised 297 homes of which 245 were tenanted and 52 were leasehold

6.2 Poplar HARCA is comprehensively regenerating the estate. A scheme has been developed which is a combination of internal Decent Homes and external refurbishment of 169 properties, plus scaled back redevelopment of 130 homes. This involves limited demolition and making better use of existing space to provide the new homes, a renewed retail area and the addressing of anti-social behaviour. Improvements to the environment will enhance safety, security and better access issues, including provision of a Homezone. Overall, the redevelopment will supply in excess of 35% of the homes as affordable housing. The value of the refurbishment work exceeds £7 million; to date some £5.7 million has been expended.

6.3 Changes to the scheme Poplar HARCA envisaged in 2007, when the first CPO Resolution was agreed, reduced the scale of redevelopment, moving more tenanted homes into the Decent Homes programme and reducing the number of residential leasehold properties to be acquired.

- 6.4 In the past four years, Poplar HARCA has embarked upon an extensive programme of placemaking called Reshaping Poplar. In addition to providing new homes, this programme seeks to transform the quality of the environment and the quality of life in Poplar, with new and improved health facilities, schools, leisure facilities, retail and commercial workspace, green spaces and physical infrastructure. On BowBridge this will involve improvements to the quality of the environment, new and improved health facilities, an enhanced retail area, improved and more useable public spaces and redevelopment of the physical infrastructure to enhance the quality of life.
- 6.5 However, to deliver these significant improvements to the local area requires the acquisition of all land interests within the CPO area to ensure that the title to the land is clear which enables the scheme to progress without hindrance. Poplar HARCA will continue to seek to acquire all interests through voluntary negotiations, but the CPO process is an important element in ensure that clean title to all of the land can be secured.
- 6.6 Purpose of the decant and acquisition of land interests on BowBridge.**  
HARCA's programme entails the demolition and redevelopment of 52 properties at Warren House (Nos 1 – 42) and Stroudley Walk (Nos 40 – 49), to be replaced with a mixture of new homes for rent and shared ownership and for sale.
- 6.6 The following table in paragraph 6.8 outlines Poplar HARCA's redevelopment proposals for Bow Bridge Estate including:
- 6.6.1 Comparison of the redevelopment outputs projected by Poplar HARCA in 2012 with those envisaged in 2007 when the first CPO Resolution was agreed;
- 6.6.2 Variations between the CPO Resolution of 2007 and the CPO Resolution proposed in this report, in terms of the land interests to be included; the number of residential and retail land interests to be acquired has decreased due to voluntarily negotiated settlements in the intervening period. The retail land interests to include in the CPO has decreased due partly to the scaling back of demolitions and also to a number of voluntarily negotiated settlements in the intervening period.
- 6.7 Under the current regeneration proposal Fairlie Court will not now be demolished but will be refurbished. Rainhill Way which was included in the 2007 resolution is no longer included in HARCA's redevelopment proposals.

6.8 **BowBridge Regeneration Scheme (Poplar HARCA) and the updated CPO required.**

| <b>2007</b>   | <b>2012</b>  |
|---|--|
| <p><b><u>Proposed Redevelopment Scheme:</u></b><br/>demolition of 93 homes and 20 shops. New-build of 438 dwellings.</p> <p><b><u>Land interests included in original CPO Resolution:</u></b><br/>25 residential dwellings and 20 shops comprising:</p> <p><b>Residential:</b><br/>Stroudley Walk, E3 3EW. Nos. 42, 46.</p> <p>Warren Court, Bromley High Street, E3 3HB. Nos. 1, 4, 15, 22, 42.</p> <p>Fairlie Court, E3 3HG. Nos. 2, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 20.<br/>Rainhill Way, E3 3JD. Nos. 8, 14, 32, 42</p> <p><b>Shops:</b><br/>Bromley High Street E3 3HB: Nos. 22, 24, 26, 28, 28A</p> <p>Stroudley Walk, E3 3EW: Nos. 30, 32/38 (1 property), 31, 33, 35, 37, 39</p> | <p><b><u>Proposed Redevelopment Scheme:</u></b><br/>demolition of 67 properties (including 15 shop units). New build of 130 new homes (including 38 for social rent a high proportion of which are large homes and intermediate tenures), revitalised retail area and new community space.</p> <p><b><u>Land interests to be retained in an updated CPO Resolution: (see Appendix 1):</u></b> only 2 residential dwellings and 9 retail shops remain to be acquired, as follows:</p> <p><b>Residential:</b><br/>Stroudley Walk, E3 3EW. No 46 (1 dwelling – non-resident leaseholder).</p> <p>Warren Court, Bromley High Street, E3 3HB. No. 22 (1 dwelling – non - resident leaseholder)</p> <p><b>Shops</b><br/>Bromley High Street E3 3HB. Nos. 22, 24, 28, 28A</p> <p>Stroudley Walk, E3 3EW. Nos. 30, 32/38 (1 property), 33, 37, 39.</p> <p><b><u>Land interests to be added to updated CPO Resolution:</u></b><br/>Electricity Sub Station adjacent to Warren Court<br/>Rights of Way<br/>Wayleaves</p> |

6.69 Planning approval was granted by the Strategic Development Committee on 16th August 2013 for redevelopment including: demolition of existing housing blocks and shop units in Warren House, Bromley High Street and Stroudley Walk and the new-build of 130 residential units, 380 sq m of retail space (flexible between use classes A1, A2 and A3) and up to 154 sq m community space.



- 6.10 Public paths and Right to Buy leaseholder entitlement to access to communal greens will not be restored as the new scheme will be built over these areas. However, public access will be available for relevant pathways in the new scheme.
- 6.11 The redevelopment will now be carried out in two phases, combining phases 1 and 2 from the original proposed three phase scheme. This provides 24 new homes for social rent, 10 new homes at affordable rent, 3 intermediate tenure and 93 homes for private sale. The latter element provides essential cross subsidy to fund the development of the affordable homes. The scheme is also in receipt of grant funding from the Homes and Communities Agency.
- 6.12 Outline and phase 1 detailed planning approval was granted on the 16th August 2012.

A detailed planning application for a revised Phases 1 and 2 of the scheme will be submitted by Poplar HARCA later in 2013. First demolitions and start on site are due autumn 2013. The scheme will benefit from HCA funding for the affordable rented homes to be built on the site. Phase 1 has received an allocation of grant funding in the recent bid round. Completion of this phase is required before March 2015, to take up the allocated grant funding. This is to ensure that sufficient sales can be generated to cover the cost of development and to ensure a funding stream for Phase 2.

- 6.13 As shown in the Table in 6.8 above the overall scheme housing outputs are similar to those envisaged in 2007, and these are already partially delivered, including a number of acquisitions and the delivery of refurbishment works to the estate. To complete the redevelopment element of the regeneration Poplar HARCA states it will deliver a further 37 homes for rent and shared ownership and 93 homes for private sale. The final figures are subject to the detailed planning application.
- 6.14 Property owners have been consulted by Poplar HARCA about the regeneration scheme. The support of the council in progressing a precautionary CPO on Bow Bridge Estate will help deliver a successful conclusion to the decant and leasehold acquisitions programme. The Bow Bridge CPO would run in tandem with Poplar HARCA's ongoing negotiations with the remaining 2 dwelling owners (both non-resident) and 9 retail leaseholders, to seek voluntary settlements if possible. Other land interests to be acquired / extinguished, which were not included in the 2007 CPO Resolution, are an Electricity Sub Station, Rights of Way and Way leaves. To date some 5 residential properties and 1 commercial property have been successfully purchased through negotiation, with a number of settlements currently being negotiated.

## **7. NEGOTIATING SETTLEMENTS**

- 7.1 The proposal for a CPO, to include property interests at the addresses listed in Appendix 1, is a precautionary measure to help ensure overall delivery of the scheme. Poplar HARCA will be required to continue negotiations with the remaining non-resident dwelling owners and with shop leaseholders to seek to achieve a complete decant without recourse to the full execution of the proposed CPO. Updating the CPO Resolution will not result in any reduction in efforts to continue negotiations to achieve vacant possession by voluntary sale. The CPO is however an important step to confirm the council's support for these schemes which the council jointly committed with Poplar HARCA to deliver through the housing choice/ stock transfer route.
- 7.2 There have been robust attempts to acquire all premises through negotiation. 5 residential property interests and 3 commercial premises have been acquired or vacated through negotiation. Only 2 residential properties (both non-resident) and 8 Commercial premises plus the GP surgery remain to be acquired/relocated.

- 7.3 Poplar HARCA is continuing to liaise closely and negotiate with all the remaining owners and occupiers. The Housing Regeneration Team monitors the financial and relocation offers made by HARCA to ensure compliance with the council's requirements as set out in paras. 5.3 - 5.6, to support the CPO route and with the stock transfer Housing Offer Document.
- 7.4 **Residential acquisitions**  
Poplar HARCA has so far been successful in acquiring the majority of residential properties via negotiated settlements. It has adopted the good practice approach used by the council and some of its other RSL partners where land interests have been acquired to facilitate regeneration.
- 7.5 When a property is to be purchased the owner is encouraged to seek independent valuation advice to assist in negotiations with Poplar HARCA's Valuer, and reasonable costs for this are reimbursed. Owners are offered the full current market value of their property. Owners who occupy their properties as their 'principal' home receive an additional 10% of the final market value as a statutory Home Loss payment. Property. Owners who do not occupy their homes may be eligible for an additional 7.5% of the acquisition price as a Basic Loss payment if the property has been well maintained.
- 7.6 To help displaced property owners move to their new homes, their reasonable moving costs are paid, including legal and valuation professional fees, the hire of removal companies, disconnection and reconnection of cookers, washing machines and all associated domestic costs of moving from one property to another, including an allowance for carpets and curtains etc. Where a property owner makes their own arrangements to acquire alternative premises, the Registered Provider meets the reasonable cost of stamp duty.
- 7.7 In addition to the standard options set out above, which reflect the Council's approach to resident property owner buybacks, Poplar HARCA is offering further options such as lease swaps, conversion to shared equity and reversions back to tenancies where there is insufficient capital in the existing property to enable the displaced leaseholder to purchase a new replacement home at current market values.
- 7.8 **Commercial leases (BowBridge Estate)**
- Commercial premises remaining to be acquired are as follows:
- 7.8.1 4 retail units at the base of Warren House (Bromley High Street), part of the Phase 2 redevelopment;
- 7.8.2 5 retail/commercial premises in Stroudley Walk, one of which is occupied as a health centre. These units fall within Phase 3 of the development, which allows time for further negotiations to be undertaken.
- 7.9 Poplar HARCA confirms negotiations have been taking place with leaseholders of retail premises to establish their aspirations for maintaining their business, relocation and the

potential to return to the new retail units to be developed within the new scheme. These negotiations will be taken further in order to secure formal agreements following planning approval.

### **7.10 Poplar HARCA's approach to acquiring commercial premises**

Poplar HARCA advises it has recently introduced a draft policy that covers issues relating to the acquisition of commercial premises. The guiding principles of this draft policy are:

- Occupiers of Poplar HARCA commercial premises will be valued and treated with respect.
- Poplar HARCA services are available and accessible to all who are eligible to receive them.
- Poplar HARCA policies and procedures are applied consistently, impartially and equitably.
- Negotiations with occupiers of commercial properties will be fair and reasonable and based on prevailing market conditions and current legislation and associated guidance.

7.11 Poplar HARCA states it has no desire to force businesses to close and that it will enter into negotiation with all leaseholders and businesses to establish their requirements and to seek to negotiate a voluntary agreement on the acquisition of the lease and any business relocation that may result from this.

7.12 Leases for the occupation of retail premises on the Bow Bridge Estate fall into a number of categories. In all instances, Poplar HARCA aims to negotiate a voluntary agreement to secure vacant possession, but the approach to this will vary according to the category that each of the occupant's falls into.

7.13 HARCA's default offer to owners / occupiers of business premises is based on statutory provisions. Should it be required to rely on the council's CPO, business occupiers (with a compensatable interest) will be entitled to full compensation under the Compensation Code including:

- full market value (FMV) – based on agreement or determination by a third party in the absence of agreement;
- their reasonable relocation costs in moving to new premises;
- a basic loss payment equivalent to 7.5% of the FMV capped at £75,000, and an Occupiers Loss payment equivalent to 2.5% of the FMV or £2.50 sqm GIA, whichever is the highest, subject to a cap of £25,000;
- reimbursement for reasonable professional fees

### **7.13 Other Land Interests**

On Bow Bridge Estate there is an electricity substation where land has been leased to the provider. Whilst it is likely that agreement will be made with the suppliers for the relocation and/or enhancement of this service, a CPO resolution will support the necessity to reach such an agreement.

7.14 There are likely to be other minor land interests and rights which will need to be extinguished by CPO. These will include such matters as:

- Way leaves
- Rights of Way
- Third Party rights
- Rights to Light
- Oversailing rights

All land interests will be established via a referencing process and where appropriate, negotiated settlements will be reached to allow the redevelopment to proceed unhindered.

## **8. COMPULSORY PURCHASE**

8.1 Section 17 Housing Act 1985 (the 1985 Act) provides a power for a local housing authority to acquire land for housing purposes. The types of situations envisaged by the legislation when such powers can be exercised include:

- acquisition of land for the erection of houses
- acquisition of houses or buildings which may be made suitable as houses, together with any land occupied
- acquisition of land to provide facilities in connection with housing accommodation, and
- acquisition of land to carry out works in connection with providing housing

8.2 Land can be acquired under section 17 of the 1985 Act either by agreement or compulsorily. In summary the provisions of the legislation governing compulsory purchase contained in the Acquisition of Land Act 1981, the Compulsory Purchase Act 1965 and the Land Compensation Act 1961 apply in such cases.

8.3 Using compulsory purchase powers will facilitate the delivery of this regeneration project. The interests in the land currently are as listed in the body of the report.

8.4 Circular 06/2004 Paragraph 1 (Compulsory Purchase and the Crichel Down Rules) (“the Circular”) sets out guidance to acquiring authorities in England making compulsory purchase orders.

8.5 The Circular states that “Ministers believe that compulsory purchase powers are an important tool for local authorities and other public bodies to use as a means of assembling the land needed to help deliver social and economic change. Used properly, they can contribute toward effective and efficient urban and rural regeneration, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. Bodies possessing compulsory purchase powers – whether at local, regional or national level – are therefore encouraged to consider using them pro-actively wherever appropriate to ensure real gains are brought to residents and the business community without delay.”

The Circular, para 24 sets out that “acquiring authorities should seek to acquire land by negotiation wherever practicable. The compulsory purchase of land is intended as a last resort in the event that attempts to acquire by agreement fail.”

The Circular also sets out (para 24) that acquiring authorities “should plan a compulsory purchase timetable at the same time as conducting negotiations.” This is to reflect the amount of time which needs to be allowed to complete the compulsory purchase process. The guidance goes on to state “it may often be sensible for the acquiring authority to initiate the formal procedures in parallel with such negotiations. This will help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”

- 8.6 Paragraph 17 of The Circular refers to the balance that has to be struck between ensuring a compelling case in the public interest and that the regeneration project sufficiently justifies interfering with the human rights of those with an interest in the land affected. It reads as follows:

*“A compulsory purchase order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected.”*

- 8.7 Paragraph 19 of the Circular goes on to state:

*“If an acquiring authority does not have a clear idea of how it intends to use the land which it is proposing to acquire, and cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest... Parliament has always taken the view that land should only be taken compulsorily where there is clear evidence that the public benefit will outweigh the private loss.”*

- 8.8 Appendix E of the Circular provides guidance to local authorities considering using compulsory purchase powers under the Housing Acts. Paragraph 2 of Appendix E states that orders should not be made unless there is a compelling case in the public interest for making them.

- 8.9 Consideration is given to the human rights implications of the decision to make a compulsory purchase order in section 14 below.

## **9. WHEN COMPULSORY PURCHASE IS TO BE USED**

- 9.1 An example of the circumstances in which CPO may be used by relevant authorities is summarised as follows:

- To unlock situations where a scheme is being blocked by an owner (or owners) unwilling to dispose of property either at all or only at a price considerably in excess of market value a ransom situation.
- To ensure effective negotiations for land assembly where there is a multiplicity of ownerships and absent landlords
- Where there are unknown owners

9.2 The use of CPO in the case of the Bow Bridge Estate accords with the first two of these circumstances.

## **10. ESSENTIAL REQUIREMENTS FOR USE OF COMPULSORY PURCHASE**

10.1 The essential requirement for use of compulsory purchase powers under section 17 of the 1985 Act may be summarised as follows:

- That the Council is satisfied that acquisition will achieve a quantitative or qualitative housing gain.

10.2 Officers consider that this requirement is met in the case of Bow Bridge Estate. Poplar HARCA will be required to indemnify the Council in respect of all costs associated with the use of compulsory purchase powers, including compulsory purchase compensation and the costs of all specialist advice and officer time.

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

11.1 This report updates Members on Poplar HARCA's progress on the acquisition of land and properties on the Bow Bridge Estate following Cabinet approval to initiate a Compulsory Purchase Order process in November 2007. Approval is sought to reaffirm the mechanism for CPO proceedings to be implemented should the residential leasehold interest buyback programme not succeed in acquiring all of the appropriate property interests, and also requests the inclusion of an electricity substation within the process. Arranging for these back-up procedures to be put in place now will reduce any subsequent delays in the regeneration programme that will arise if agreements cannot be reached with individual owners.

11.2 There are no direct financial implications for the Authority of this process. The costs of the purchases and associated compensation packages are borne by Poplar HARCA. In addition, the cost of all officer time involved in the CPO process will also be recharged to Poplar HARCA.

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

12.1 The Council has the power to make a Compulsory Purchase Order (CPO) under Section 17 Housing Act 1985 (as amended). This may be used to assemble land for housing and ancillary development, including the provision of access roads; to bring empty properties into housing use; and to improve sub-standard or defective properties or to facilitate the carrying out of development, redevelopment or improvement on or in relation to the land involved. Section 8 of the report sets out the background requirements of the Circular 06/04.

12.2 A CPO can be used to acquire housing land where the housing is to be provided by others and the procurement process has been completed to select a developer to regenerate the land. Since this deprives people of their property, compulsory acquisition is always the last resort and will be preceded by continued efforts to buy the land by

private agreement. Confirmation of a CPO will only be made if there is a compelling case in the public interest.

- 12.3 Paragraph 22 of the memorandum to Circular 06/04 states that there must be a reasonable prospect of the scheme going ahead. Section 6 of the report sets out progress that Poplar HARCA has made in delivering refurbishment works on the estate and delivering Phase 1 of the redevelopment proposals.
- 12.4 In this case the formal making of the Order is proposed to be delegated to the Corporate Director of Development and Renewal in consultation with the Assistant Chief Executive (Legal Services). The properties and other interests to be acquired will include those set out in Appendix 1.
- 12.5 Whenever a Compulsory Purchase Order is made it is necessary to carry out a “balancing exercise” to judge whether it is in the public interest to make a CPO in view of the harm done to the property interests of the individual. Against this should be placed the benefit of improved housing and amenities for all occupants on the estate and the benefit to the well-being of the community gained by the scheme. The impact of this harm is lessened by the existence of rights of objection and a statutory compensation regime, which makes provision for loss payments to reflect the compulsory nature of the acquisition.
- 12.6 The acquisition of land for housing development is an acceptable use of compulsory purchase powers, including where it will make land available for private development or development by a Housing Association. Section 17(4) of the 1985 Act provides that the Secretary of State may not confirm a CPO unless he is satisfied that the land is likely to be required within 10 years. Once confirmed, compulsory purchase powers have a 3 year life. Given the proposed development timetable that Poplar HARCA are working to, the Council can be confident that the acquisition of all interests will be within the life of the CPO and will be reasonable in the context of the scheme.
- 12.7 When applying for confirmation of a compulsory purchase order made under these provisions the authority will include in its statement of reasons for making the order information regarding needs for the provision of further housing accommodation in its area. This information should normally include total number of dwellings in the district, unfit dwellings, other dwellings in need of renovation and vacant dwellings; total number of households and the number for which, in the authorities view, provision needs to be made. Details of the authority’s housing stock, by type may also be helpful.
- 12.8 As Poplar HARCA has largely been successful in acquiring properties and decanting its own tenants, there is not a need for a site specific rehousing strategy. Poplar HARCA will rehouse the remaining tenants via the Comprehensive Housing Register and will continue to endeavor to secure voluntary agreement to acquire the remaining two privately owned properties.
- 12.9 An alternative power the Council could use is Section 226(1) of the Town and Country Planning Act 1990 (as amended) (the 1990 Act (as amended)) was amended by the Planning and Compulsory Purchase Act 2004 (the 2004 Act) to provide wider powers for local planning authorities to acquire land by compulsory purchase when the authority thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land.

12.10 Section 226(1A) of the 1990 Act (as amended) provides that an authority must not exercise the power under section 226(1) (a) "unless it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well being of their area" and be in the public interest. Land may also be acquired by agreement for the same purposes.

12.11 The essential requirement for use of compulsory purchase powers under section 226 of the 1990 Act (as amended) may be summarised as follows: That the Council is satisfied that the development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well being of their area

12.12 In summary, the making of the CPO satisfies the tests to which it will be subject on confirmation:

- Making the CPO for the scheme is within the Council's powers;
- The Council assesses the scheme as viable;
- The Council's Housing Association partner (Poplar HARCA) has clear proposals for the use of the acquired land;
- There is no impediment to the grant of planning permission;
- The promotion of the CPO is reasonable (i.e. not premature) in the context of the programme for the scheme both in terms of the exercise of compulsory powers and the completion of the scheme itself;
- Finally, there is a compelling case in the public interests for compulsory purchase powers and the human rights of those affected have been carefully considered and any interference is deemed to be justified (see section 13 below).

### 13. **HUMAN RIGHTS IMPLICATIONS**

13.1. Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights. Various convention rights are likely to be relevant to the Order, including:

- Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process.
- Peaceful enjoyment of possessions (First Protocol Article 1). This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.
- Right to life, in respect of which the likely health impacts of the proposals will need to be taken into account in evaluating the scheme (Conversion Article 2).



- 13.2 The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate.
- 13.3 The Council is therefore required to consider whether its actions would infringe the human rights of anyone affected by the making of the CPO. The Council must carefully consider the balance to be struck between individual rights and the wider public interest. It is considered that any interference with the Convention rights caused by the CPO will be justified in order to secure the social, physical and environmental regeneration that the project will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the national Compensation Code.

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

- 14.1 The housing stock formerly owned by the council has suffered from a backlog of investment due to lack of resources. As a consequence, these properties suffer from poor thermal efficiency and inefficient heating systems resulting in higher than necessary fuel usage and the creation of fuel poverty. As Poplar HARCA have secured the resources to improve and regenerate these areas, the schemes will improve the living circumstances of residents as well as improving the environmental performance of new and existing property in the area.

**15. RISK MANAGEMENT IMPLICATIONS**

- 15.1 The key risks arising from this report are: -

| Risk  | Mitigating Actions   |
|---|--|
| <ul style="list-style-type: none"> <li>• Failure by RSL to secure vacant possession of the leasehold interests listed in Appendix 1</li> <li>• Lengthy and costly delays to works programmes, which could also jeopardise the cross-subsidy to deliver the affordable homes.</li> <li>• Failure to deliver the promises made to residents.</li> </ul> | <ul style="list-style-type: none"> <li>• Delegated authority sought to make CPO where required, to operate in tandem with negotiated procedures.</li> <li>• Regular liaison with Poplar HARCA to anticipate difficulties within their buy-back programmes and address these through the measures proposed in this report.</li> <li>• Covenants put in place at transfer.               <ul style="list-style-type: none"> <li>• Partnership agreement in place.</li> <li>• Monitoring and reporting arrangements put in place.</li> </ul> </li> <li>• Council support to RPpartner to deliver the scheme, i.e. use of CPO powers.</li> </ul> |

**16. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 16.1 Bow Bridge Estate has experienced issues of serious anti-social behaviour. The proposed redevelopments are applying the following principles to address the ASB issues:

- 16.1.1 The new shared surface street encourages people to use the shops which is in line with the desires of residents
- 16.1.2 Green tree lined route breathes life into the rundown area

- 16.1.3 The new road enables improved surveillance by the police to help discourage anti social behaviour
- 16.1.4 Stroudley Walk will be designed to create a low speed road environment, which is pedestrian priority, encouraging walking and cycling
- 16.1.5 New Civic Square which creates a retail focus allowing residents to have a central gathering area

**17. EFFICIENCY STATEMENT**

- 17.1 All expenditure to be incurred in managing and delivering the proposed CPO processes, including costs arising from work by the council’s Legal and Housing Regeneration Teams, will be reimbursed by Poplar HARCA.

**18. APPENDICES**

- 18.1 The report has the following appendices.

Appendix 1: Schedule of leasehold interests to be purchased  
 Appendix 2: BowBridgeEstate – map of land area proposed for a CPO  
 Appendix 3: Bow Bridge Estate – Location Plan

**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

None

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

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 Housing Regeneration Team  
 Directorate of Development & Renewal  
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 5 Clove Crescent  
 London  
 E14 1BY  
 0207 364 7799

## **Appendix 1**

### **Land Interests to be purchased: listed for inclusion in the proposed Compulsory Purchase Order**

#### **Leopold Estate: Poplar HARCA**

##### Residential Properties

Stroudley Walk, E3 3EW. No 46

Warren Court, Bromley High Street, E3 3HB. No. 22

##### Shops

Bromley High Street E3 3HB. Nos. 22, 24, 28, 28A

Stroudley Walk, E3 3EW. Nos. 30, 32/38 (1 property), 33, 37, 39.

##### Other Land Interests

Electricity Sub Station adjacent to Warren Court

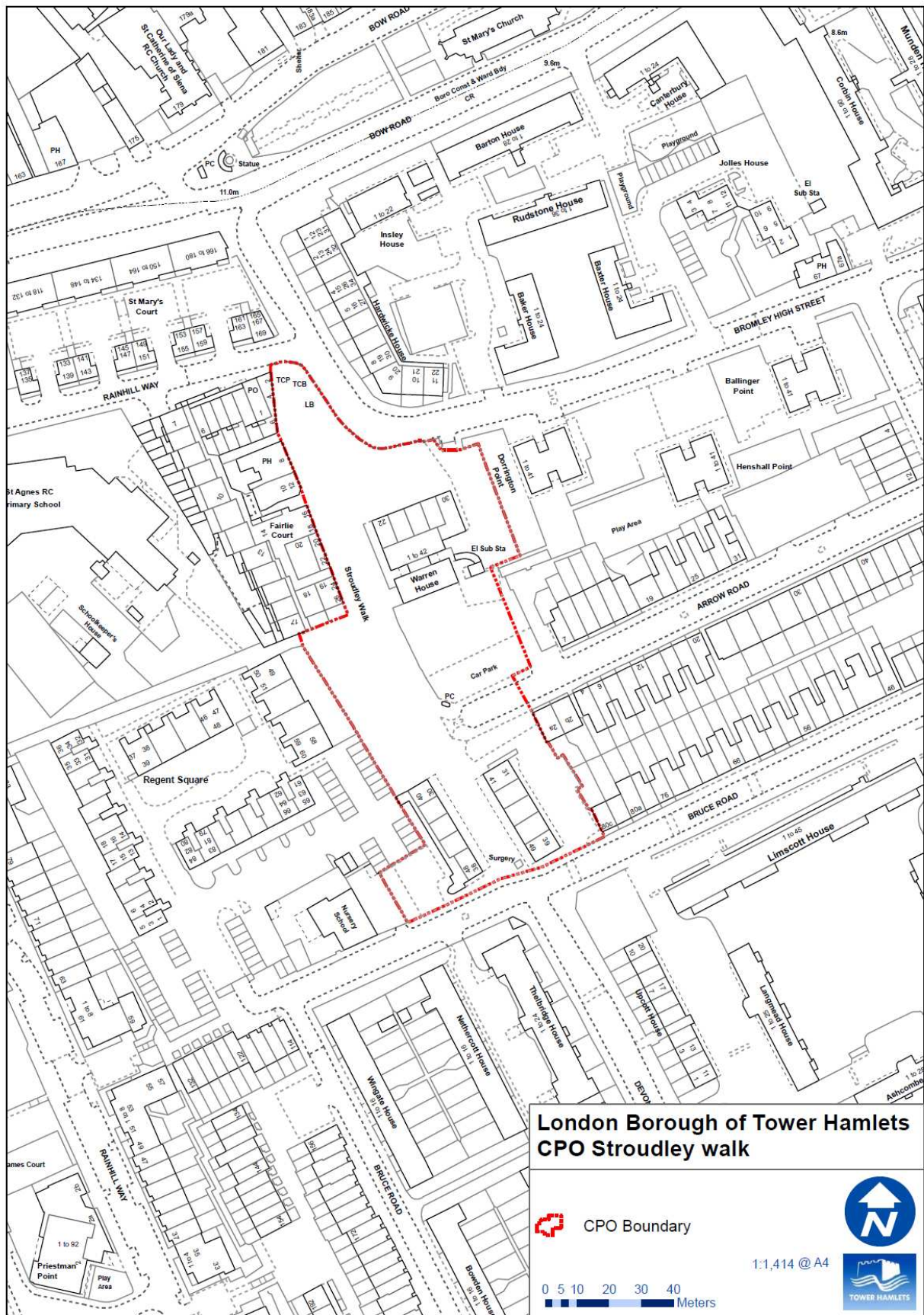
Rights of way

Way-leaves

Other non residential interests as identified during the land referencing within the red line boundary shown on the plan in Appendix 2

## Appendix 2

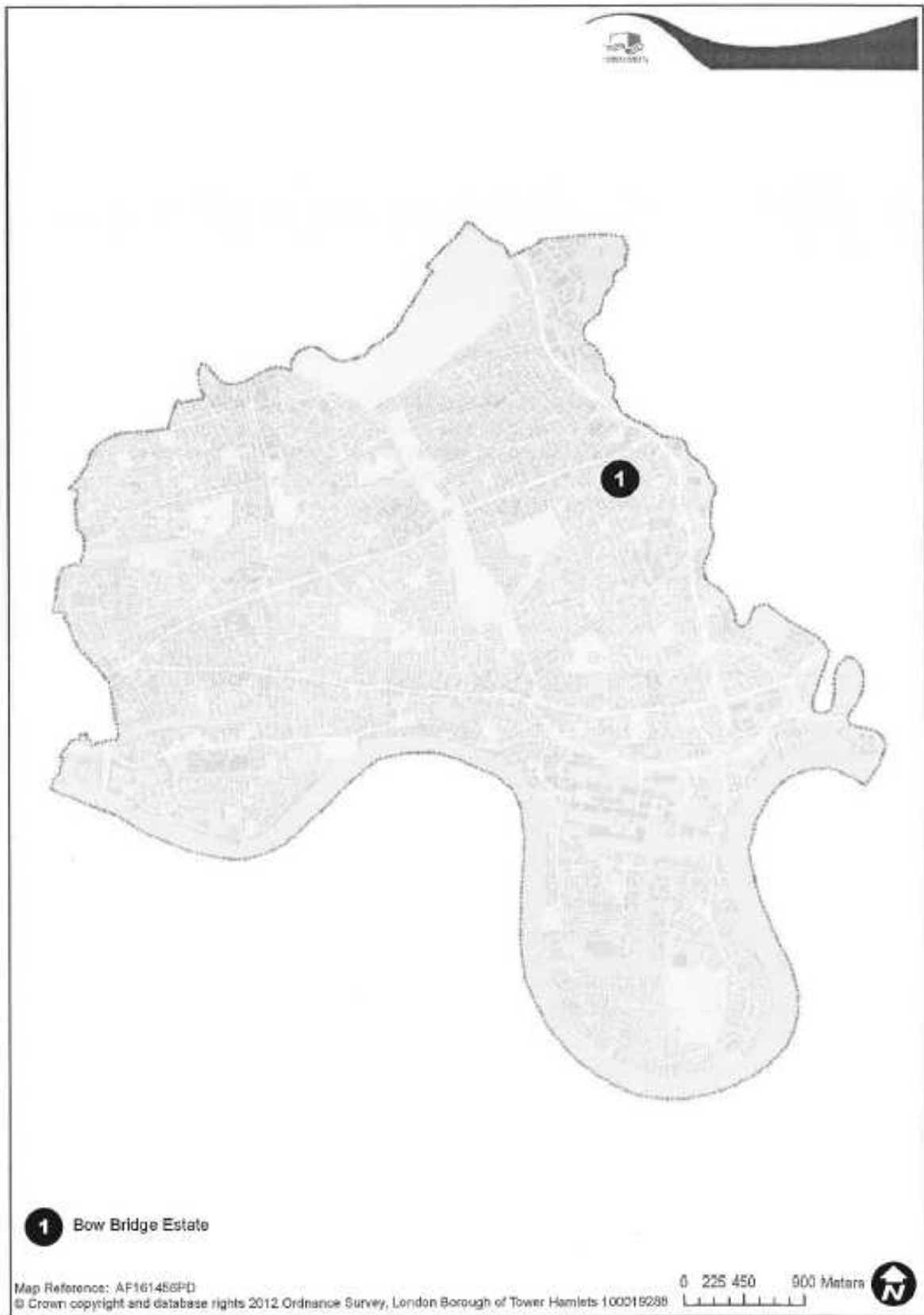
### Bow Bridge Estate – map of land area proposed for a CPO



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# Appendix 3

## Bow Bridge Estate - Location map



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# Agenda Item 6.6

|  |                          |  |                                 |
|--|--------------------------|--|---------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10/04/13 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 99/123 |
| <b>Report of:</b><br>Development and Renewal<br><br><b>Originating officer</b> Martin Ling |                          | <b>Title:</b><br>Older Persons Housing Statement<br><br><b>Wards Affected:</b> All |                                 |

|                             |  |
|-----------------------------|--|
| <b>Lead Member</b>          | Cllr Rabina Khan – Cabinet Member for Housing                                |
| <b>Community Plan Theme</b> | A Great Place to Live  |
| <b>Strategic Priority</b>   | Improving and maintaining the quality of housing and the local neighbourhood |

## 1.0 SUMMARY

1.1 Tower Hamlets is committed to improving the quality of life for all older people living in the borough. Central to this commitment is the development of an Older Persons Housing Statement. The statement will aim to strengthen the role of Tower Hamlets Council by working with its partners to promote choice, independence and offer affordable services to older people living in the borough. The statement is strongly linked to the Supporting People Statement (2011-16 and the Council's Community Plan (2011-20) and is based on two aims which are to:

- Provide a range of good quality accommodation and access to home adaptations and improvements that offers older people housing that meets their needs – **Property** based actions.
- Help older people to continue to remain active, independent and healthy in their homes supported by flexible inclusive and affordable services – **People** based actions.

## DECISIONS REQUIRED

The Mayor in Cabinet is recommended to:-

- I. Approve the Older Persons Housing Statement attached at Appendix 1
- II. Approve Older Persons Housing Statement Action Plan attached at Appendix 2

## **2.0 REASONS FOR THE DECISIONS**

- 2.1 The changing demographics of older people across the borough requires a more focused response to the needs of this part of the community. The Older Person Housing Statement will provide an action plan that will enable all partners to work together to meet the increasingly diverse needs of this group.

## **3.0 ALTERNATIVE OPTIONS**

- 3.1 The Council could choose to not have an Older Persons Housing Statement and set out its responses to the needs of this group through other associated plans and strategies.

## **4.0 BACKGROUND**

- 4.1 A host of government reports, initiatives and directives over the past few years have highlighted the need for services that promote independence, choice and enable older people to remain healthy and active in their own homes. Most recently the two Government led Housing our Ageing Population reports (2009 and 2012) have focused on improving the quality of life of the ageing population by aiming to influence the availability and choice of high quality and challenge the perceptions of mainstream and specialised housing for older people, for existing and future generations.
- 4.2 Further to this, a 'Best Value Review (BVR) of Older People Services' was carried out by the council in May 2006. The BVR report highlighted that disabled facility grants and housing allocations grants enabled older people to remain independent. Consequently, Tower Hamlets was recognised for good practice in a number of areas, including by the Social Exclusion Unit, for working with older people, and was chosen as a pilot by the department for Communities and Local Government to further build on this work with older people through LinkAge Plus.
- 4.3 A 'Best Value Review of Sheltered Housing' was carried out in June 2006 by the council. The report found most older people were satisfied with sheltered accommodation; the main issues raised were distance from amenities and personal security. There were also issues raised about the lack of social and leisure activities for older people in the borough.
- 4.4 An 'Older Persons Housing Needs Assessment' was carried out looking at housing need, supply and demand for older people in Tower Hamlets. The report provided valuable information which in turn is used as the supporting evidence base that informs the Older Persons Housing Statement.
- 4.5 In 2012, Gateway Housing Association led an Older Persons Commission into the future housing needs of older persons in the borough and Tower Hamlets Homes has carried out an Inquiry in order to produce a revised management offer for its older tenants. Reports and actions on both of these pieces of work have been finalised in early 2013 and the findings will be incorporated into the Statement.



4.6 All of these pieces of work have included consultation with both partners and service users.

## **5.0 Older People and Housing in Tower Hamlets**

5.1 Set out below is key information on older people living in the borough.

- 15,500 people are aged 65+ (around 6% of the population).
- The largest numbers of older people live in St Dunstons' & Stepney Green and Bow East wards.
- 5,500 (37%) of older people are aged 65 and over live alone.
- Population projections suggest a small decrease in the 65-84 population over the next couple of years, followed by a very gradual increase and then steady growth from around 2017. The over 85 population shows a different trend, with steady growth in the early years which slows from around 2016, but with much higher percentage overall growth to 2031.
- 56% of older people are tenants in the social sector in LBTH, with a further 6.4% renting privately.
- 83.9% of older people live in flats/maisonettes or bedsits and only 16.1% live in a house or bungalow.

## **6.0 Supply, Demand and Gap Analysis**

6.1 **Tenure:** There is a higher percentage of older people renting from social landlords and much lower percentage owning their own home.

6.2 **Supply:** There are some 744 units of sheltered housing with support (26 schemes) and a further 260 units of housing designated for older people without support.

6.3 There are also 214 units of extra care housing in six schemes including 2 newer schemes which opened in 2012.

6.4 **Gap Analysis:** The Older Persons Housing Needs Assessment suggests that there is considerable scope to increase the provision of extra care housing.

6.5 Private leasehold retirement housing is notable by its absence in Tower Hamlets and therefore there is also likely to be some (limited) scope for re-balancing the stock in relation to tenure. This situation is being addressed by Gateway Housing Association who is aiming to progress two schemes during 2013.

6.6 Below is a table setting out the existing provision and the future requirement of housing for older people based on population growth predicted in the borough.

|   | Existing Provision | Provision for 2009 population of LBTH based on model (adjusted) | Provision for 2018 population of LBTH based on model (adjusted) | Provision for 2031 population of LBTH based on model (adjusted) |
|---|--------------------|---|---|---|
| Sheltered housing (rent)                  | 895                | 858   | 943   | 1295  |
| L'hold retirement housing                 | 0                  | 210   | 231   | 318   |
| Extra care / very sheltered (all tenures) | 161                | 470   | 517   | 710   |
| TOTAL                                     | 1056               | 1538  | 1691  | 2323  |

## 7.0 AN OLDER PERSONS HOUSING STATEMENT FOR TOWER HAMLETS

7.1 The Older Persons Housing Statement aims to ensure choice; quality and independence remain at the forefront of housing provision for older people in the borough. This is enshrined in the vision for older persons housing in Tower Hamlets which is:

**“Tower Hamlets will be a place where older people will have access to a range of flexible, good quality, well designed housing.**

**Tower Hamlets will help Older People to remain active, healthy and independent by adapting services to meet the changing needs of its ageing population.”**

7.2 The Older Persons Housing Statement will have a SMART action plan based on initiatives listed in Appendix 2 of this report.

7.3 Two overarching aims will be set out in the Older Persons Housing Statement:

7.4 The first aim is to ‘Provide a range of good quality accommodation and access to home adaptations and improvements that offers older people housing that meets their needs. The actions that have been identified in order to achieve this aim are based on the provision and up keep of the **property** that older persons live in.

7.5 The second aim is to help older people to continue to remain active, independent and healthy in their homes supported by flexible inclusive and affordable services. The actions that have been identified in order to achieve this aim are based on the provision of service to **people**.

## 8.0 COMMENTS OF THE CHIEF FINANCIAL OFFICER

8.1 This paper seeks approval to implement the Older Persons Housing Statement for Tower Hamlets.

- 8.2 The objectives contained within the Statement set out a range of activities and priorities for the Council and key partners which will provide a clear focus for ensuring that available resources are targeted to and in line with these priorities.
- 8.3 Whilst there are no specific financial consequences arising directly from the recommendations in the report, delivery of the statement will be extremely challenging in the current economic climate, and will require a co-ordinated approach and aligning of funding from all major partners. It will also require that best value for money is obtained from limited sources of external funding, given that the Council's mainstream resources to support the statement are extremely limited.
- 8.4 Members are asked to note that implementation of the Action Plan will be subject to the availability of funding and further reports will be submitted to Members in due course. (These reports will each assess the financial impact of the individual proposals, and identify any necessary sources of funding available.
- 8.5 The costs of preparation and subsequent consultation on the Older Persons Housing Statement have been met from within existing revenue resources.

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

- 9.1 The Council has an existing framework of housing-related strategies. These include –
- The Tower Hamlets Community Plan, which contains objectives in relation to housing and the Council's sustainable community statement for the purposes of section 4 of the Local Government Act 2000.
  - The housing statement. The Council is not obliged to have a housing statement in place, as the Secretary of State has not chosen to impose such an obligation under section 87 of the Local Government Act 2003. Nevertheless, the Council has chosen to adopt one.
  - The homelessness statement, which the Council is required to have pursuant to section 1 of the Homelessness Act 2002.
  - The supporting people statement 2011 – 2016, which sets out how the Council will discharge its community care functions, particularly under section 47(1) of the NHS & Community Care Act 1990 (the duty to carry out an assessment of needs) and section 29 of the National Assistance Act 1948 and section 2 of the Chronically Sick and Disabled Persons Act 1970 (provision of non-residential welfare services).
- 9.2 Before adopting an Older Persons Housing Statement, the Council should have regard to the existing framework of strategies and the new statement should, preferably, be consistent with them. It is understood that the proposed Older Persons Housing Statement is strongly aligned with at least two of the existing strategies.

- 9.3 The statement indicates that it is intended to look at how to meet the needs of older persons in a way that delivers best value. To this extent the statement is consistent with the Council's obligation as a best value authority under section 3 of the Local Government Act 1999 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".
- 9.4 The proposed actions appear capable of being carried out within the Council's statutory functions. It will be for officers to ensure this is the case. In particular, any procurement must comply with the Council's procurement procedures and the requirements of the Public Contracts Regulations 2006.
- 9.5 Before adopting the statement, the 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. An equality impact analysis will therefore be required

## **10.0 ONE TOWER HAMLETS CONSIDERATIONS**

- 10.1 A full Equality Assessment has been carried out on the Older Persons Housing Statement and is attached at Appendix 5. The different needs of older persons compared to the generally younger profile of residents in the borough has been recognised and the statement provides an opportunity to take forward a number of initiatives to meet this need and assist in community cohesion between different age groups across the Council.

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

- 11.1 There are no specific sustainable action for a greener environment implications but all new build and refurbishment of properties will take into account sustainability issues in line with current planning and building policies.

## **12.0 RISK MANAGEMENT IMPLICATIONS**

- 12.1 There are no specific risk management implications in the final version of the Older Persons Housing Statement. Implementation of the Action Plan will be subject to the availability of funding and further reports will be submitted to Members in due course where appropriate. These reports will each assess the financial impact of the individual proposals, and identify any necessary sources of funding available and relevant risks..

## **13.0 CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 13.1 There are no specific crime and disorder reduction implications. However the proposals in the Older Persons Housing Statement could add to the sense of security and safety amongst older persons in the borough.

## **14.0 EFFICIENCY STATEMENT**

- 14.1 There are no efficiency implications in the Older Persons Housing Statement.

## **15.0 APPENDICES**

- 15.1 Appendix 1 – Older Person Housing Statement  
Appendix 2 - Older Person Housing Statement Action Plan  
Appendix 3 - Report on Consultation  
Appendix 4 - Central Government Policy and Local Strategies and Research  
Appendix 5 - Equality Impact Assessment
- 

### **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 List of “Background Papers” used in the preparation of this report**

Older Person Housing Needs  
Assessment

Martin Ling  
Development and Renewal  
London Borough of Tower Hamlets  
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5 Clove Crescent  
London, E14 2BG  
Tel: 020 7364 0469

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# **Older Persons Housing Statement**

**London Borough of Tower  
Hamlets**

**2013-2015**

## Accessibility

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This document sets out the council's plans for housing and housing services for older people in Tower Hamlets over the next three years. A summary of the main points is available. If you need a translation of the summary in your language please contact Newham Language Shop by telephoning 0800 952 0119 quoting reference number 59380. If you need the summary in a large print, tape or Braille version, please contact us by telephoning 020 7364 6250 or email us at [strategic.housing@towerhamlets.gov.uk](mailto:strategic.housing@towerhamlets.gov.uk).

### Bengali

এই ডকুমেন্টে আগামী তিন বছরে বৃদ্ধদের হাউজিং ও হাউজিং সেবার ব্যাপারে টাওয়ার হ্যামলেটস কাউন্সিল যে পরিকল্পনা করেছে সেগুলি তুলে ধরা হয়েছে। সংক্ষিপ্ত আকারে মূল অংশগুলি পাওয়া যাচ্ছে। যদি এই সার সংক্ষেপ আপনার নিজের ভাষাতে দরকার হয় তাহলে দয়া করে নিউহ্যাম ল্যাঙ্গুয়েজ শপকে 0800 952 0119 নাম্বারে ফোন করে 59380 রেফারেন্স নাম্বার উল্লেখ করুন। যদি বড় অক্ষর, টেপ অথবা ব্রেইলে এই সার সংক্ষেপ দরকার হয় তাহলে দয়া করে 020 7364 6250 নাম্বারে আমাদের ফোন অথবা [strategic.housing@towerhamlets.gov.uk](mailto:strategic.housing@towerhamlets.gov.uk) ঠিকানায় ইমেইল করুন।

### Somali

Dokumintigan wuxuu sharaxyaa qorshayaasha dowladda hoose ee loogu talagalay adeegga gurigyeynta dadka waaweyn ee Tower Hamlets. saddaxda sanno ee soo socota. Warbixin kooban oo ah qodobada ugu muhiimsan ayaa la heli karaa. Haddaad u baahan tahay warbxinta kooban oo turjuman kuna qoran luqaddaada fadlan kula soo xiriir Dukaanka Luqadaha ee Newham telefoonka 0800 952 0119 adigoo tixraacaya lambarka ah 59380. Haddaad u baahan tahay warbxinta kooban oo ku qoraan qoraal waaweyn, hab cajalad ah ama qoraalka Indhoolahayaasha (Braille), fadlan nagula soo xiriir telefoon lambarku waa 020 7364 6250 ama email noogu soo dir barta ah: [strategic.housing@towerhamlets.gov.uk](mailto:strategic.housing@towerhamlets.gov.uk)

### Equality Impact Assessment

An equality impact assessment has been carried out on this statement.



## Foreword

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Increases in life expectancy combined with improvements in healthcare and support ensure that reaching an 'old' age is no longer a barrier. Being old should not be seen as a burden, but an opportunity that can be a springboard to new learning, new experiences and a healthy and active way of life.

The majority of older people live in good quality housing, have full and active lives and are engaged in wider social or family circles. However, not all older people are so fortunate. The level of vulnerable older people increases with age through health complications, financial difficulties or the contraction of social networks, with the most elderly being most at risk of poor quality housing, isolation, and reducing independence.

We aim to make sure that all new homes in Tower Hamlets are built to a high standard that makes them suitable to adapt as the needs of residents change. We are also helping to improve the quality of older people's existing homes, whether they own their home or rent, with a range of measures designed to help with maintenance, energy efficiency and accessibility.

To help older people maintain independence, we are improving the support available to them. When a person's existing home is no longer manageable - it may be too large or unable to be adapted - we are helping them move to more suitable housing of their choosing. Also changes to the way we deliver services will look at ways of helping older people maintain and develop social networks to help them improve their independence, reduce isolation and encourage more active and healthier lifestyles.



Councillor Rabina Khan  
**Lead Member for Housing**



Councillor Abdul Asad  
**Lead Member for Health & Wellbeing**

## Older Persons Housing Statement

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## 1. Vision and Aims

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**1.1:** Tower Hamlets Council is committed to improving the quality of life for all older people living in the borough. The development of this statement is central to this commitment. The statement aims to strengthen the role of Tower Hamlets Council by working with partners to promote choice, independence and offer affordable services to older people living in the borough.

### **1.2: Vision:**

**Tower Hamlets will be a place where older people will have access to a range of flexible, good quality and well designed housing.**

**Tower Hamlets will help Older People to remain active, healthy and independent by adapting services to meet the changing needs of its ageing population**

**1.3:** Tower Hamlets aims to be a place where older people will have access to a range of flexible, good quality, well designed housing. Tower Hamlets will help older people to remain active, healthy and independent by adapting services to meet the changing needs of its ageing population.

**1.4:** The statement is strongly linked with the Supporting People Strategy (2011-16), Housing Strategy (2009-12) and the Council's Community Plan (2011) and is based on two aims which are to:

**Aim 1: Provide a range of good quality accommodation and access to home adaptations and improvements that offers older people housing that meets their needs.**

**Aim 2: Help older people to continue to remain active, independent and healthy in their homes supported by flexible inclusive and affordable services.**

**1.4:** The statement has been informed by thorough consultation, with stakeholder organisations, and individual older people who attended groups and activities across the borough. Its objective is not simply to provide new housing for older people, but to work towards a range of options which recognise the wider needs of this group.

**1.5:** Decent, good quality, well managed housing, appropriate to their needs, is important for older people. For many older people this is an aspiration rather than something they enjoy. The statement plans to re-balance their needs and change these aspirations into realities.

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## 2. Objectives and Principles

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*This statement will be underpinned by the following six objectives and four driving principles:*

### Objectives

#### 2.1 Objective 1: 'CHOICE'

Provide a range and choice of housing across all tenures for older people in Tower Hamlets.

#### 2.2 Objective 2: 'QUALITY'

Ensure older people are able to access a mix of high quality, well designed housing suitable for their changing needs and aspirations.

#### 2.3 Objective 3: 'INDEPENDENT'

Make sure older people are supported to remain independent, healthy and safe in their home.

#### 2.4 Objective 4: 'ACCESSIBLE'

Increase access to information and advocacy services required by older people.

#### 2.5 Objective 5: 'INCLUSIVE'

Promote equality, participation and engagement between older people.

#### 2.6 Objective 6: 'VALUE'

Continue to provide flexible, well procured, affordable services for residents.

### Principles

**2.7:** The Council has developed this strategy based on the principles and recommendations of the Better Government for Older People steering committee, "All Our Futures" report. The three principles that underpin this strategy are:

#### Partnership

**2.8:** Developed in partnership with all stakeholders including older people themselves and their carers.

#### Integration

**2.9:** An overarching strategy taking a holistic approach to addressing issues raised by older people.

#### Older People Led

**2.10:** Based on views expressed by older people and their carers in the Older Peoples Housing Needs Assessment report which is the empirical evidence base that underpins this strategy.

## 3. Introduction

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**3.1:** Tower Hamlets is committed to improving the quality of life for all older people living in the borough. Central to this commitment is the development of this statement that strengthens the roles of Tower Hamlets Council working with its partners as key agents for change.

**3.2:** Tower Hamlets can proudly boast the active support and involvement of older people in many areas of service development. The council have older people involved in a wide variety of areas such as community safety, social care, recreation, housing and the environment. This was recognised in 2009 when Tower Hamlets was awarded Beacon Status for its 'Positive Engagement with Older People'.

**3.3:** Many older people live healthy and active lives and it is usually only in later life that some will need more direct care and support to live meaningful lives in the community. It is essential that the borough recognise the diversity of these needs in delivering flexible and affordable services to meet them.

### How does Tower Hamlets define 'older people'?

**3.4:** The commonly held definition for 'older people' includes anyone over the age of 50. Whilst the council has adopted this as its starting point, generally, age tends to be the only shared characteristic of the group as a whole. Their needs and expectations are as

diverse as the thousands of individuals who make up the over 50 population.

### Old age can broadly be divided into three stages:

#### Entering old age:

**3.5:** This group is reaching the end of or has completed a career in paid employment and/or parenting. They may have also experienced unemployment. They can be as young as 50, or the traditional retirement ages of 60 and 65. There is recognition that this age no longer reflects frailty or need.

**3.6:** There are many who continue to work full, or more commonly, part time until much older than the current retirement age. It is predicted that this group will increase in size with the impact of changing demographics, more flexible retirement ages and changes in pension rules.

#### Transitional phase:

**3.7:** This group is in transition between leading a healthy, active life and frailty. This often occurs in the seventh and eighth decades but can happen at any stage of older age.

#### Frail older people:

**3.8:** People enter this phase as a result of health problems such as stroke or dementia, social care needs, immobility or a combination of these. Frailty is usually experienced in late old age.

## 4. Background and Demography

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### Government Policy

**4.1:** A host of government reports, initiatives and directives over the past few years have highlighted the need for services that promote independence and choice for older people.

The key documents are as follows:

- Quality and Choice in Older People's Housing, DETR (2001)
- National Service Framework for Older People, DH (2001)
- Our health, Our Care, Our Say; A new direction for community services -White Paper, DH (2006)
- Commissioning Framework for Health and Well Being, DH (2007)
- Putting People First, DH (2007)
- Lifetime Homes Lifetime Neighbourhoods – A National Strategy for Housing in an Ageing Society, CLG/DH/DWP (2008)
- DCLG/DH/HCA :Housing our Ageing Population: Panel for Innovation: panel for Innovation (HAPPA1) 2009.
- Health and Social Care Bill, DH (2011).
- Localism Act, CLG (Dec. 2011)
- Welfare Reform Act 2012
- Housing Our Ageing Population: Plan for Implementation: All Party Parliamentary Group on Housing

and Care for Older people:  
November 2012

**Further detail on all these policy documents is set out in Appendix 3.**

### Local Strategies and Research

**4.2:** The needs and provision of services for older people are covered through a range of local strategies and research:

Tower Hamlets [2020 Community Plan](#) is to 'improve the lives of all those living and working in the Borough' by 2020

The Council [Local Development Framework](#) (2010-2025)

The [Housing Strategy](#) (2009-12)

[Supporting People Commissioning Strategy](#) (2011 – 2016)

The [Homelessness Strategy](#) (2008-13)

A [Best Value Review of Sheltered Housing](#) June 2006

In 2008, the London Borough of Tower Hamlets (LBTH) commissioned Tribal to produce a [Needs Assessment for Extra Care Sheltered Housing](#) for older people over the next five to ten years

The [Ridgeway Report](#) (Ridgeway Associates 2010)

During 2009, the council carried out a **Strategic Housing Market Assessment (SHMA)** for Tower Hamlets

The council commissioned Trimmers Associates to carry out a detailed **Older People's Housing Needs Assessment** looking at housing need, supply and demand for older people's housing in Tower Hamlets

Gateway Housing Commission led an **Older Persons Housing Commission** in 2012

Tower Hamlets Homes carried out an **Inquiry into Ageing** in 2012.

**Further details in all these areas are set out in Appendix 3.**

### Tower Hamlets

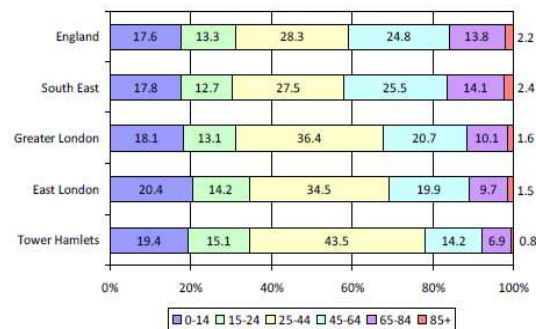
**4.3:** Tower Hamlets is a geographically small but densely populated urban borough in East London. The borough is made up of a number of long established communities, as well as more recent neighbourhoods created by the regeneration of the old docks. Immense wealth sits alongside some of the most deprived areas in the country. Health inequalities are particularly marked.

**4.4:** LBTH is one of the most diverse boroughs in the country with around half of the population coming from a minority ethnic group. Nearly one in three people come from a Bangladeshi background, and there are also significant numbers of Somalis, Lithuanians and Romanians in the borough. It is a very young borough, with more than a third of the population aged between 20 and 34.

### Demography

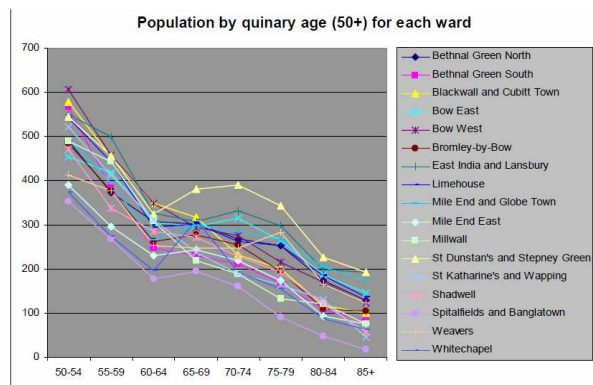
**4.5:** Tower Hamlets has a population of around 254,000 (Census 2011). The population has increased by 29% since 2001. Of these around 15,500 people are aged 65+.

**4.6:** Tower Hamlets has a high proportion of people in the 25-44 age group accounting for 56% of the total population. Conversely, Tower Hamlets has a much lower level of the population in the older age groups (65+) at 6% compared to East London (11%), and nationally (16%).



Source: ONS 2007 Mid Year Population Estimate

**4.7:** The largest numbers of older people live in Bethnal Green and Bow compared to Millwall and Spitalfields & Banglatown.



**4.8:** The GLA 2009 round population projections suggest a small decrease in the 65-84



population over the next couple of years, followed by a very gradual increase and then steady growth from around 2017. The over-85 population shows a different trend, with steady growth in the early years which slows from around 2016, but with much higher percentage growth overall over the period to 2031.

### Tower Hamlets

**4.3:** Tower Hamlets is a geographically small but densely populated urban borough in East London. The borough is made up of a number of long established communities, as well as more recent neighbourhoods created by the regeneration of the old docks. Immense wealth sits alongside some of the most deprived areas in the country. Health inequalities are particularly marked.

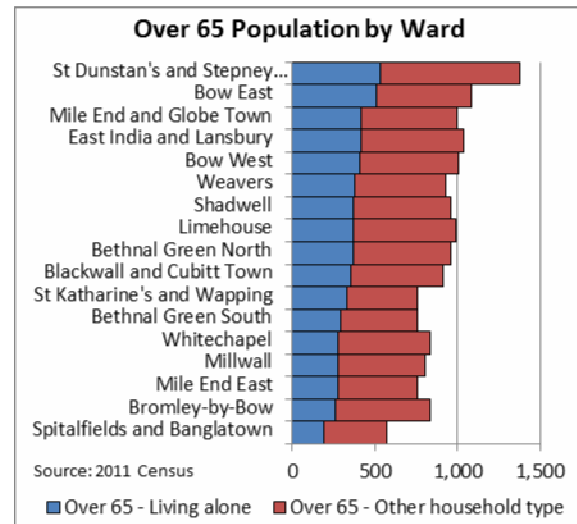
**4.4:** LBTH is one of the most diverse boroughs in the country with more than two thirds of the population coming from a minority ethnic group (69%). Nearly one in three people come from a Bangladeshi background. It is a very young borough, with over 40% of residents aged between 20 and 34, and the lowest median age nationally at 29.

### Demography

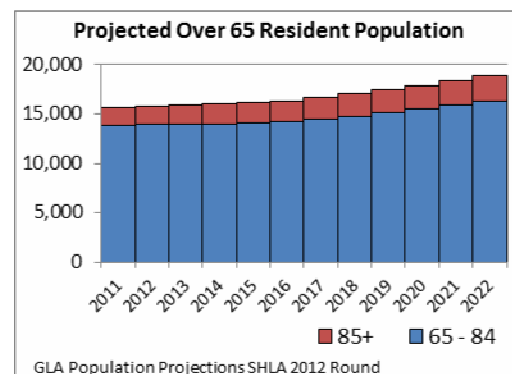
**4.5:** Tower Hamlets has a population of around 254,000 (Census 2011). The population has increased by 29% since 2001. Of these around 15,500 people are aged 65+.

**4.6:** People over 65 make up much lower proportion of the population in Tower Hamlets at 6% of residents, than in London (11.1 %) or England (16.4 %).

**4.7:** The largest number and proportion of older people is in St Dunstan's & Stepney Green where 1,379 older people account for 8.6% of residents in the ward. The lowest proportion is in Millwall where over 65's account for 3.5% of residents (around 800 people).



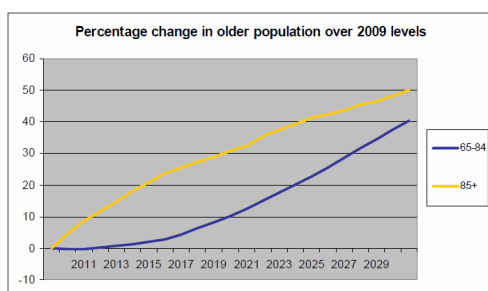
**4.8:** The GLA 2012 round of population projections indicate that the over 65 population will steadily increase over the next 10 years to reach almost 19,000 by 2020. This is over 3,000 additional older residents more than the 2011 Census figure (a 21% increase).



**4.9:** Those aged 85 and over are also expected to increase as a proportion of the over 65 population, from 11.6% in 2011 to 13.7% by 2022. The number is



projected to grow from 1,800 (2011) to 2,800 in 2022.



Source: GLA 2009 Round population projections

years old by 4,914 people between 2006 and 2026, an increase of 27.1% over the forecast period. In the 85+ age group there is a rise of 1,553 people (81.0%).

#### 4.10: Consultation

The Council consulted extensively through a variety of methods with a range of stakeholders in order to inform this statement. Details of the consultation are set out in

#### Appendix 2.

**4.9:** There is an overall predicted increase in the population of 65+

#### 4.11: Set out below is a summary of main support and provision of housing and housing related support for older people in Tower Hamlets

| Type of Housing or Support      | Where                            | Provider                                  | Recipients                          |
|---------------------------------|----------------------------------|---|-------------------------------------|
| Advice on housing options       | Albert Jacob House               | Tower Hamlets Council                     | Older residents from all sectors    |
| Tenancy advice and support      | Tenants Homes /Landlord offices  | Landlords                                 | All tenants over 50                 |
| Health and wellbeing support    | Network centres                  | Linkage                                   | All tenants over 50                 |
| Assistive technology services   | Residents Homes                  | Procurement in 2013                       | Older residents from all sectors    |
| Home Improvement Agency         | Residents Homes                  | HIA                                       | Older residents from private sector |
| Home Care                       | Residents Homes                  | Tower Hamlets Council First Response team | Adults over 18                      |
| Floating Support                | Residents Homes                  | Look Ahead                                | Adults over 18                      |
| Older person designated housing | Across Borough                   | Tower Hamlets Homes and RPs               | Adults over 50                      |
| Sheltered Housing               | Housing schemes for older people | Gateway Housing Association and RPs       | Adults over 50                      |
| Extra care Housing              | Housing                          | Sanctuary                                 | Residents with                      |

|  |  |      |                                       |
|--|--|------|---------------------------------------|
|  | schemes for older people requiring additional help | Care | additional care needs and/or dementia |
|--|--|------|---------------------------------------|

## Health and Housing

**4.10** Housing has a role to play in reducing the inequalities in health outcomes faced by the poorest in society. Social housing accounts for just over forty per cent of the homes in Tower Hamlets housing a large proportion of older people in the borough. Social housing not only provides decent housing, but investment in a range of community services, including health provision.

**4.11:** The council produced the annual **Joint Strategic Housing Needs Assessment (JSNA)** in 2011. The JSNA is a process that identifies the current and projected health and wellbeing needs of the local population, informing the priorities and targets set by Local Area Agreements and leading to agreed commissioning priorities that will improve outcomes and reduce health inequalities.

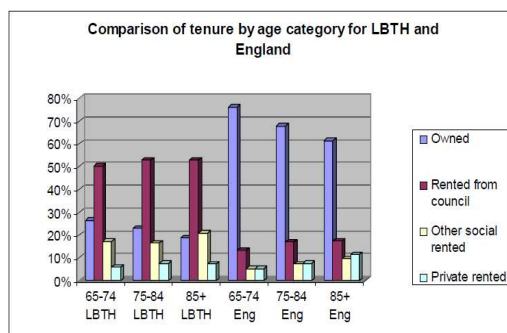
**4.12:** The JSNA found significant health inequalities for residents of Tower Hamlets including the following specific findings relating to older people:

- **A:** There are over 2,000 people aged 65 and over on GP registers with depression in Tower Hamlets; around 415 are diagnosed with dementia and around 215 with Severe Mental Illness and over 2000 have depression
- **B:** Older people account for 9% of suicides in Tower Hamlets.
- **C:** 33% of older people who use Adult Social Care services have suspected or diagnosed mental health conditions.
- **D:** There is a lack of awareness about depression and dementia in older people amongst the general public and within health and social care services.
- **E:** There is evidence of harmful drinking in those over the age of 65 in Tower Hamlets, including an over-representation of older people attending A&E due to alcohol.
- **F:** Around 9,500 people aged 65 and over are thought to have a limiting long term illness in Tower Hamlets.
- **G:** 1,500 older people are thought to have moderate or severe visual impairment;
- **H:** 7,600 older people have a moderate or severe hearing impairment;
- **I:** 190 a profound hearing impairment;
- **J:** 50 people are thought to have a moderate or severe learning disability;
- **K:** According to national estimates around 4,800 people aged 65 and over are expected to have a fall in Tower Hamlets (1,900 men and 2,900 women).
- **L:** Over 400 people aged 65 and over were admitted to hospital in Tower Hamlets in 2009 as a result of a fall.
- **M:** A larger than average proportion of the older population are assessed as eligible (i.e. as having critical or substantial needs) for Adult Social Care services in Tower Hamlets, including homecare, residential care, day care and nursing services.
- **N:** The population aged 85 and over will steadily increase. This is likely to contribute to an increase in the number of people using services for physical disability, sensory impairment, dementia and frailty (therefore potential increased demand for services, particularly home care).
- **O:** 58% of over 65s living here account for 92% of the secondary care expenditure.

## 5. Tenure, Demand, Supply, Support & Gap Analysis

### Tenure and Household and Profiles

**5.1:** Around 56% of older people are tenants in the social sector (housing associations and the Council) in LBTH, with a further 6.4% renting privately. The tenure balance amongst older people in Tower Hamlets is quite different from the pattern in England as a whole, with a significantly higher percentage of older people renting from social landlords and much lower percentage owning their own home (See graph below).



Source: POPPI

**5.2:** In terms of property type, 83.9% of older people live in flats/maisonettes or bedsits and only 16.1% live in a house or bungalow. This is in line with the rest of the population in Tower Hamlets and represents a much higher percentage of flat dwellings than in the country as a whole or in other parts of London.

**5.3:** The largest proportions of the properties occupied by older people have two bedrooms (41%); the next most common is bedsit and 1 bed flats (28.8%). It is notable that over a quarter (27%) live in three or four bedroom properties. Even if they can be persuaded to downsize to more accessible accommodation (or housing which offers care and support options) it is likely that most will want two or more bedrooms. This is supported by the data in the Housing Survey on size of supported housing required: 83.4% of respondents wanted accommodation with two or more bedrooms.

**5.4:** This is also supported in the findings in the Housing Needs Survey that found that 53% of under-occupiers are aged over 60 years. The focus groups held as part of the 2012 Gateway Housing Commission also found that older persons would prefer to live in accommodation with an extra bedroom.

**5.5:** The Council has reviewed its approach to reducing under occupation with its main Registered Providers and will increase publicity, introduce new incentives and actively manage cases where tenants have indicated that they are willing to consider moving to a small suitable property. The government's welfare reforms will reduce housing benefit for tenants

of working age who are under occupying by at least £14 per week and it is anticipated that this could stimulate demand for downsizing in the over 50 age group.

## Demand

**5.5:** Tower Hamlets runs a Common Housing Register for housing applicants which includes Tower Hamlets Homes (the council's ALMO) and key housing association landlords in the borough. All of those over 50 who apply for housing are offered an assessment to see if they are suitable for sheltered housing.

**5.6:** The Older People's Housing Needs Assessment found that it was generally quicker for someone to be re-housed into sheltered accommodation than into general needs accommodation. As applicants are aware of this, it increases demand for sheltered housing even where this may not be the most appropriate solution for the individual concerned. For this reason, overall demand for sheltered housing is likely to remain high in the short-term. Some individual schemes are less popular; consultation carried out showed that this often relates more to location than to the quality of accommodation on offer.

**5.7:** Demand for older people's housing is influenced by aspirations, and there is qualitative evidence that many older people in the borough are not looking to the traditional sheltered housing model as a priority choice

## Demand from B & ME Communities

**5.8:** Specific demand from black and minority ethnic elders was not covered in the needs assessment. However, the consultation did identify that Bangladeshi elders often face overcrowding and many feel that their problems are not heard. As the Bangladeshi population ages, there may be a demand for culturally specific care and support services through either separate or integrated provision. The gap analysis conducted within the needs assessment factored in increased demand to allow for phased adjustments in cultural expectations within the Bangladeshi community.

In addition, the 2012 Older Person's Commission found that there remains a strong cultural drive to care for people within the extended family as far as possible.

**5.9:** Of 949 sheltered housing users surveyed in 2010/11, 31% were from black or ethnic minority backgrounds. Of these 12% were from Asian communities and 13% from the Afro- Caribbean communities. Gateway Housing Association owns and manages 2 specific schemes for Asian and Somali elders in the borough.

## Demand: Disability

**5.10:** Over 20,000 households in the borough include someone with a disability. 10% of the stock has been adapted to be more accessible. The JSNA summary set out at 4.12 above demonstrates that substantial numbers of older people have a disability. Of the 949 sheltered housing users surveyed in 2010/11, 47% described themselves as having a disability.

## Demand: Dementia Needs

**5.11:** There were 1449 predicted cases of dementia in 2011 and this is projected to rise by 13% in 2017, across the population as a whole.

**5.12:** However the projected increase in the over 85 population is likely to be much more significant in percentage terms as this group is set to grow over the next 10 years and is at higher risk of developing dementia.

**5.13:** Dementia prevalence is particularly aligned to the number of people aged 85+ within the population. As this is a segment of the older population where Tower Hamlets can expect to see a steady increase, it is unsurprising that overall dementia needs will rise and that the greatest need of care will be amongst the oldest and potentially most complex constituency.

**5.14:** Taking all these factors into consideration there is an increasing need for housing for people with dementia in the borough.

### **Demand: LGBT Older People**

**5.15:** Although the council has very little statistical data on older lesbian, gay, bisexual and transgender (LGBT) people, it is estimated that there is a sizable community living in the borough and that it is set to grow. Of the 949 sheltered housing users surveyed in 2011, less than 1% described themselves as lesbian, gay or bisexual.

**5.16:** Through our consultation on this statement, older LGBT people have reported that they sometimes experience discrimination,

particularly in communal accommodation.

**5.17:** The 2012 Older Persons Housing Commission found that providers need to ensure that they implement their equalities policies in relation to the LGBT community to enable this section of the community to feel safe and secure in their homes.

**5.18:** The council aims to work with Rainbow Hamlets and the Older People's Reference Group (Age Concern) to make sure sheltered services are welcoming and appropriate for older LGBT people.

### **Supply for older persons: existing specialist accommodation**

**5.18:** There are some 744 units of sheltered housing with support (26 schemes) and a further 260 units of housing designated for older

people without support. The average size of scheme is 26 units with a range from 6 to 41 units. The median build date is 1980 (where information is available) suggesting that at least half of the stock is more than 30 years old.

**5.19:** There are four well established Extra Care Sheltered Housing (ECSH) schemes within borough. They are owned by two different Registered Providers, (Sanctuary Care for Coopers Court; and Circle for the other three schemes) and the care is provided by Sanctuary Care, the care arm of Sanctuary Housing in all four schemes.

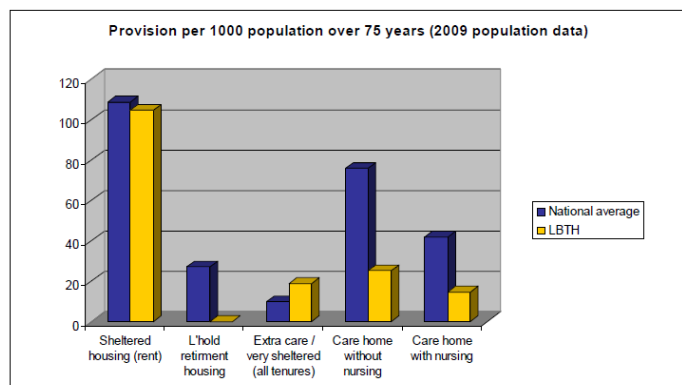
**5.20:** Two new schemes, Sue Starkey House and Shipton House, both completed in early 2012, provide an additional 53 units rising to 59 units as current ordinary sheltered units are absorbed into the Shipton House scheme, The former will be targeted at older people, but referrals will also come from younger adults (aged 18+) with physical or learning disabilities or with mental ill-health. Shipton House will provide care for older people with dementia.

**5.21:** The level of provision of sheltered housing is almost exactly in line with the national average based on the population over the age of 75 years. The borough is unusual in that there is currently no leasehold retirement housing. This is probably a result of the economic profile, resulting in very limited numbers of residents with the financial means to support private sector homes and strong performance by the borough in providing home care which is currently free at the point of

delivery. However, Gateway Housing Association are in the process of developing two shared ownership schemes for older residents building on the finding of the Older Person Housing Commission which addressed the need to widen the spectrum of retirement housing in the Borough.

There is significantly lower provision of care home places per head of older population than in other parts of England, which reflects the borough's policy to support residents in their own homes

The table below sets out the comparison with the national averages:



**5.22:** Quality of accommodation is as relevant as quantity for older people as standards have changed more rapidly than in general needs accommodation. The Best Value Review noted that in 2006:

- 7% of accommodation was bedsits.
- Only 3% of units had two or more bedrooms.
- Void rates are low (only 2% in 2004-5 and just under 3% in 2011).

**5.23:** Sheltered Housing is not evenly distributed across the borough with an absence of sheltered housing schemes on offer St. Katherine's and Wapping Mile End East and Bromley by Bow.

would require major works and investment. It would also involve greater charges to leaseholders.

**5.24:** The Council's ALMO, Tower Hamlets Homes manage a number of blocks that are classified as Elderly Persons Dwellings. The Council will consider the option of installing lifts where there are disabled older people in residence. New lifts could open up access to older people but

**5.24:** Set out below is a map showing the locations of sheltered and extra care sheltered schemes across the borough:





# Sheltered and ExtraCare Sheltered Housing in LBTH Feb 2013

TOWER HAMLETS GIS for Development and Renewal

Path: W:\Development & Renewal\Planning\1 - Maps\2013\AF206982PD - Care and Extra Care Facilities\Care and ExtraCare.mxd



## Supply for older people: Accessible Housing

**5.25** Supply of accessible housing comes from two sources: new developments or adaptations to existing properties. Within the

social housing sector approximately 10% of the stock has been adapted to increase accessibility but less than 1% of the social housing stock is fully wheelchair accessible. The council was unable to find sufficient information about the amount of stock in other tenures which has been adapted or is wheelchair accessible; it is reasonable to assume that this will be fairly low.

### **Remaining at home: Home Care**

**5.26:** The preference of most older people is to remain in their own homes for as long as possible but the availability, cost and flexibility of homecare packages can have a direct influence on the extent to which housing options are a viable and readily available alternative to residential care.

**5.27:** Tower Hamlets commissions and provides a large amount of home care and its performance in enabling access to intensive homecare was the best in the country in 2006-7. It also performed well on helping people aged 65+ to live at home. Therefore given accessible, good quality housing there should be potential for a high percentage of older people with care needs to live in independent housing. Indeed, there are much higher packages of care delivered in general housing than in extra care housing.

**5.28:** Tower Hamlets is the only council in England that provides free home care. Demand for independent accommodation for older people is likely to increase compared with demand for extra care housing in the future. There is

a case that as there is an increase in older people and their care needs, the borough will need to consider how residents can continue to remain independent in extra care housing without necessarily being too dependent or reliant on residential and/or nursing care in later life.

### **Remaining at Home: Social Housing Landlord Support**

**5.29:** Tower Hamlets Homes has identified that around one third of its tenants and leaseholders are over 60. In 2013, it has taken forward an initiative to review how it should provide landlord services into the future to meet the needs of this group. Their emerging ideas will be discussed with the other landlords across the borough. A number of initiatives have been identified including a raised level of decent homes works, extra accessibility works, the development of digital communities and a raft of potentially beneficial community support and service delivery improvements aimed specifically at older residents.

### **Remaining at Home: Private Sector Support**

The council is committed to helping both tenants who live in the private sector and owner occupiers enjoy secure, accessible and well managed accommodation. Initiatives covering day to day repairs, adaptations to make properties more accessible, assistive technology to improve security and emergency responses

as well as energy efficiency

initiatives will be considered.

## Meeting needs: Gap Analysis

### Extra care:

**5.30:** The Needs Assessment for Extra Care Sheltered Housing (2008) models demand for Extra Care Housing (ECH), based on four different scenarios for the future use of Dementia Care ECH in Tower Hamlets as follows:

- 1 - Current rates of approved referrals applied to the change in the older population
- 2 - Allowing (in addition to the point above) for 30% of current referrals to residential care being transferred to Extra Care Housing
- 3 - Increased demand to allow for phased adjustments in cultural expectations within the Bangladeshi community
- 4 - An allowance for a balancing of communities in extra care housing whereby 50% of residents will have lower levels of need.

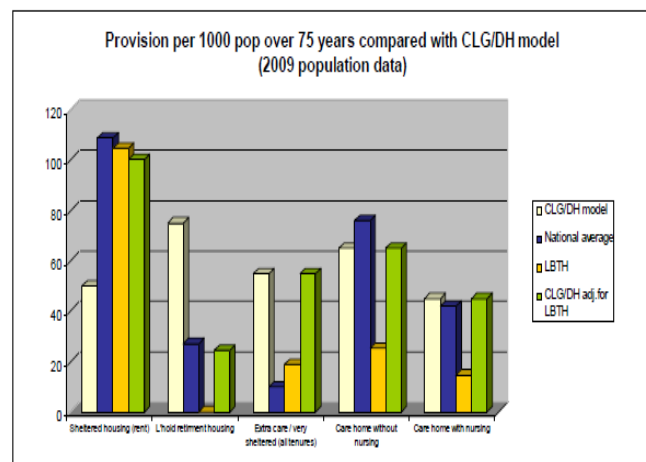
**5.31:** Applying the percentage increases implied by the four scenarios to the existing stock of extra care housing suggests that increases of 137% and 195% would be required by 2018 to respond to Scenarios 2 and 3. This translates into a requirement for 381 and 475 units respectively. The question of which scenario should be used for planning depends upon the extent to which extra care housing is promoted in the borough in the future and the speed of cultural change in the Bangladeshi community, but it would seem to be reasonable to

assume that Scenario 3 of 475 units is a realistic forecast.

A fuller explanation on this modelling is set out in the Needs Assessment.

### General Provision:

**5.32:** A comparison between the supply levels recommended by Government and current levels of provision in LBTH are shown in graph below. Tower Hamlets have made an adjustment to the tenure balance between rented and leasehold sheltered housing suggested in the model, to reflect the high proportion of social housing in the borough.



**5.33:** Translating these levels of provision into numbers of units and applying GLA population projections (and adjusted for tenure balance in Tower Hamlets) shows demand for additional unit numbers shown in the table below.

The table sets out 3 future scenarios in comparison to current levels:

- 1- Provision for 2009 model based on Dep't Health/CLG Guidance

2- Provision for 2018 model based on Dep't Health/CLG Guidance adjusted

3- Provision for 2031 model based on Dep't Health/CLG Guidance adjusted

|   | Existing Provision | Provision for 2009 population of LBTH based on model (adjusted) | Provision for 2018 population of LBTH based on model (adjusted) | Provision for 2031 population of LBTH based on model (adjusted) |
|---|--------------------|---|---|---|
| Sheltered housing (rent)                  | 895                | 858   | 943   | 1295  |
| L'hold retirement housing                 | 0                  | 210   | 231   | 318   |
| Extra care / very sheltered (all tenures) | 161                | 470   | 517   | 710   |
| TOTAL                                     | 1056               | 1538  | 1691  | 2323  |

The 2009 figure of 470 units suggested by the model for extra care is relatively close to the needs assessment of between 375 and 481 set out at **5.32** above.

A similar comparison can be made for the 2018 and 2031 figures. The Council will now need to investigate further as to what provision it wishes to follow through in its commissioning priorities for the future.

**5.34:** The first steps toward new provisions are being taken forward through an application for funding through the GLA Care and Supported Housing Fund. The Council is supporting four schemes being proposed by Gateway and Islington and Shoreditch Housing Associations which will provide 67 new homes for rent and 19 homes for affordable shared ownership.

**5.35:** The Older People's Housing Needs Assessment also suggested

that there is considerable scope to increase the provision of extra care housing. Although current demand is not reported to outstrip supply, the council believe this to be a product of the nature of the current service (which caters for a relatively narrow range of care needs) and the way in which the extra care housing has been promoted. With more targeted and more extensive marketing the perceptions of extra care housing amongst older people could change and result in much greater demand. The Council will consider re-commissioning provision in this area.

**5.36:** In addition there is a need to provide more flexible and accessible accommodation that can cater for the needs of the 85+ group. This accommodation is not the perceived traditional sheltered housing but something that can deliver the same benefits (e.g. through separate but linked communal/'hub' facilities). This type of accommodation can be expected to be in strong demand into the future. An increase of this type of accommodation by at least 20% over existing levels should be considered for over the next 15 years.

**5.37:** Based on the assessment of standards in the existing stock at least a quarter of the available stock for older people needs to be replaced and this re-provision will need to be factored into future planning.

### Other Provision

**5.38:** Leasehold retirement housing is notable by its absence in Tower Hamlets and therefore there is also

likely to be some (limited) scope for re-balancing the stock in relation to tenure. There has been a lack of private leaseholder schemes for older people in Tower Hamlets due to its tenure profile being largely social housing stock (around 40%), and a lack of financial means from residents to support the development of such schemes in the borough.

Gateway Housing association will be taking forward two schemes that will provide around 20 units of shared ownership for older residents in the Isle of Dogs and Bow.

**5.39:** The provision of housing options to purchase on a leasehold basis need to recognise that many older owner occupiers in the borough have very limited incomes: many are leaseholders who purchased under 'Right to Buy'. The new Gateway Housing Association Shared Ownership schemes accommodation designed for older people could potentially meet the needs of those that previously purchased their Council homes. Supporting these household to move into more suitable accommodation will in turn potentially free up larger ex council homes which could help reduce overcrowding which is another council priority.

**5.40:** The qualitative dimension of demand is equally important. In the figures discussed above the council

have used the term 'sheltered housing' to refer to any form of designated accommodation for older people which meets their needs in terms of accessibility and, if needed, access to support. It is clear from the consultation the council have carried out that traditional sheltered housing with a dedicated support officer service is valued by many existing residents, but its image, profile and, in many cases, the accommodation on offer, mean that current demand is unpredictable.

**5.41:** Through the Older Persons Pathway Board, the Council will continue to consider how it can achieve best value for money and to look at ways of how the borough can better meet the needs of sheltered housing tenants in an affordable way.

**5.42:** Given the strong messages about social isolation amongst older people, the importance of social engagement, and the challenges of transport, older people's housing therefore needs to be located in close proximity to community 'hubs' such as the Sundial scheme in Bethnal Green. Ways of integrating service provision with those hubs where a wider provision of support and care is also offered to the surrounding neighbourhood community alongside existing residents will continue to be investigated.



## **6. Aim 1: Provide a range of good quality accommodation and access to home adaptations and improvements that offers older people housing that meets their needs.**

### **6.1 Introduction**

**6.2:** Changing aspirations and social trends are shifting demand for older people's housing. Whilst increasing life expectancy and wellbeing in older life is to be celebrated it presents new challenges for housing, health and social care services. Tower Hamlets need to consider what sort of housing older people will need and this could include adaptation and remodelling of existing stock and looking at other housing options across all tenures. The wider policy agenda for older people encourages a rebalancing of the housing stock by decreasing the number of residential or institutional care homes and increasing the housing options for older people.

**6.3:** The Older People's Housing Needs found that whilst the borough had a range of social, sheltered, extra care and supported accommodation, a greater range of housing was needed to meet the demand of housing required by older people in Tower Hamlets.

### **6.4 Challenges**

- The density and shortage of housing for all ages impacts upon older people.
- There is a shortage of good quality accommodation that is appropriate to older people's needs and as a result there is little choice.
- There are very low levels of owner occupation and few choices for the minority that do own their homes to move within the borough to suitable housing.
- There are problems of overcrowding faced by older people living as part of extended families; at the same time many older people 'under occupy' their accommodation.
- There is a lack of good alternatives to encourage older people to consider a move to a smaller or more suitable property.
- Although levels of adapted stock are reasonably high there are still less than 1% of units that are adapted for wheelchairs and there is a shortage of ground floor and accessible accommodation.
- The use of assistive technology is under-developed in regard to people with dementia, but this is an area that the council needs to explore in more depth.
- There is a need to improve the marketing of the Home Improvement Agency.

- Dementia and Mental Health needs are set to increase, with a corresponding need for more specialist housing which meets these needs.
- Many older people are isolated on upper floors because of inaccessible communal areas.
- Security and safety issues are high on older people's agendas.
- Sheltered housing remains popular amongst tenants but the demand for vacancies is variable, with quality and location being the key factors.
- The advent of personalisation means that consideration needs to be given to new models, including high quality accommodation with flexible support services.

In order to address these challenges, the following priorities for action have been devised.

## 6.5 - Priorities for Action

- **AP1.1:** To consider the requirements for a range of older persons accommodation on all new developments as part of the affordable housing delivery and planning process.
- **AP1.2:** To plan for longer term provision of extra care sheltered housing schemes to meet future demand including dementia care.
- **AP1.3:** In partnership with Registered Providers and Supporting People to review existing sheltered housing stock and consider remodelling to ensure it is decent, secure and fit for purpose.
- **AP1.4:** To promote the Council's offer to older under occupiers and assist applicants in finding suitable smaller properties where they have expressed that choice.
- **AP1.5:** To take forward an affordable private leaseholder scheme in Tower Hamlets and support the Gateway Housing Association Older Persons Housing Commission.
- **AP1.6:** To market the Home Improvement Agency and the grant funding process for major works and Disabled Facilities Grant to enable older people to remain safe, warm, and secure within their existing homes.
- **AP1.7:** To review assistive technology provision to increase uptake amongst those with critical and substantial need ensuring it is accessible to a wide range of client groups including those with dementia.
- **AP1.8:** To promote the private sector handyperson service.
- **AP1.9:** Develop the affordable warmth strategy to help older people live comfortably within their existing homes in order to reduce fuel poverty for older people by offering support and grants to makes homes more energy efficient.



## **7. Aim 2: Help older people to continue to remain active, independent and healthy in their homes supported by flexible inclusive and affordable services**

### **7.1: Introduction**

**7.2:** This second aim of this strategy is based on ensuring older people in Tower Hamlets across all tenures are able to maintain a sustainable quality of life that allows them to live independently in their own homes as long as possible and to promote health and well being. This aim is supported by a common theme expressed during the consultation by older people of their fundamental desire to live independent lives in their own homes.

**7.3:** Accessible, flexible and inclusive services will provide more opportunities for older people to stay in the borough in housing which can adapt to their needs. The council aims to provide well procured, affordable and Value for Money services which will in turn give residents good quality, inclusive and well managed services and help residents to remain secure, healthy and independent.

### **7.4: Challenges**

- Effective housing support, benefits advice and practical help needs to be made more available to enable older people to stay in their own homes – for example through the creation of more community hubs.
- There will increased pressure on the Housing Choice and Options service to provide advice to the growing number of older people in the borough.
- LinkAge Plus has been successful but needs expanding by offering a wider range of referral pathways/support services and still needs a higher profile across the borough.
- “Advocacy” both in the specific meaning of the term and in the broad sense of advice and information the word was recurring theme in the research. There is a need for a more joined up approach to working with housing and support providers to enhance the flow of information, advice and advocacy.
- Partnerships in the borough are well developed but there is a need for more information about and understanding of housing at all levels and still scope for greater integration of housing with health and social care services for older people.
- Certain sections of the older population are marginalised - the older white population suffer from a ‘left behind’ syndrome, whilst Bangladeshi elders often face overcrowding and many feel that their problems are not heard.

- Older people in the borough feel very strong ties to their local area, but at the same time feel that the sense of community is being eroded.
- There is a need for some form of “transition to 3rd age” service to assist older people in making decisions and accessing the support and advice that is already available.

In order to address these challenges, the following priorities for action have been devised.

## 7.5 Priorities for Action

- **AP2.1:** Continue to provide a range of support services to older people in their own homes through Supporting People, Adult Social Care and external partners including landlords.
- **AP2.2:** To further explore the provision of hub facilities offering integrated social care, health and well being services linked more closely with housing – by means of both new building and allocation of existing units in close proximity to such facilities. Consideration should be given to existing natural hubs such as churches and mosques.
- **AP2.3:** To improve the quality of housing and health advice and information services older people receive through the third sector by securing long term funding for LinkAge Plus (currently funded by the NHS and the Council) and by implementing the Information and Advice Strategy through commissioning high quality information and advice services for residents delivered by third sector organisations.
- **AP2.4:** To develop the housing advice and options services located at various points across the borough to provide a more holistic housing options service.
- **AP2.5:** To ensure the floating support contractor provides a community based support/prevention services reaching across the diversity of tenure and location and increases take up in line with need.
- **AP2.6:** Review and develop existing housing policies with Tower Hamlets Homes and other social landlords that support older people to remain in their homes including referrals of vulnerable people to the Tower Hamlets Floating Support service.
- **AP2.7:** To involve older people in the evaluation of services to inform commissioning priorities. This will allow a degree of independence from the Local Authority on services procured.
- **AP2.8:** To promote joint working with Age Concern, Housing Providers and third sector organisations to make sure sheltered services are welcoming and appropriate for older BME and LGBT people.
- **AP2.9:** Continue to support befriending services older people facing isolation in their homes.
- **AP2.10:** To continue to support initiatives such as the annual hop festival celebrating old East End traditions.

## 11. Conclusion

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**11.1:** This statement intends to change the current provision of housing for older people. It aims to do this by offering more choice, quality, accessibility, inclusiveness and value for older people in Tower Hamlets.

**11.2:** Decent, good quality, well managed housing, appropriate to their needs, is important for older people. For many older people this is an aspiration rather than something they enjoy. The statement plans to re-balance their needs and change these aspirations into realities.

**11.3:** This statement has been developed through extensive consultation with tenants and residents, internal and external stakeholders and the Older People's Partnership Board to ensure all the relevant information, issues and considerations have been taken on board.

**11.4:** As the statement shows, there is much that can be done to improve older people's housing situations and choices. A more creative and flexible use of current Supporting People funding will enable the variety of housing support needs of older people in different tenures to be met.

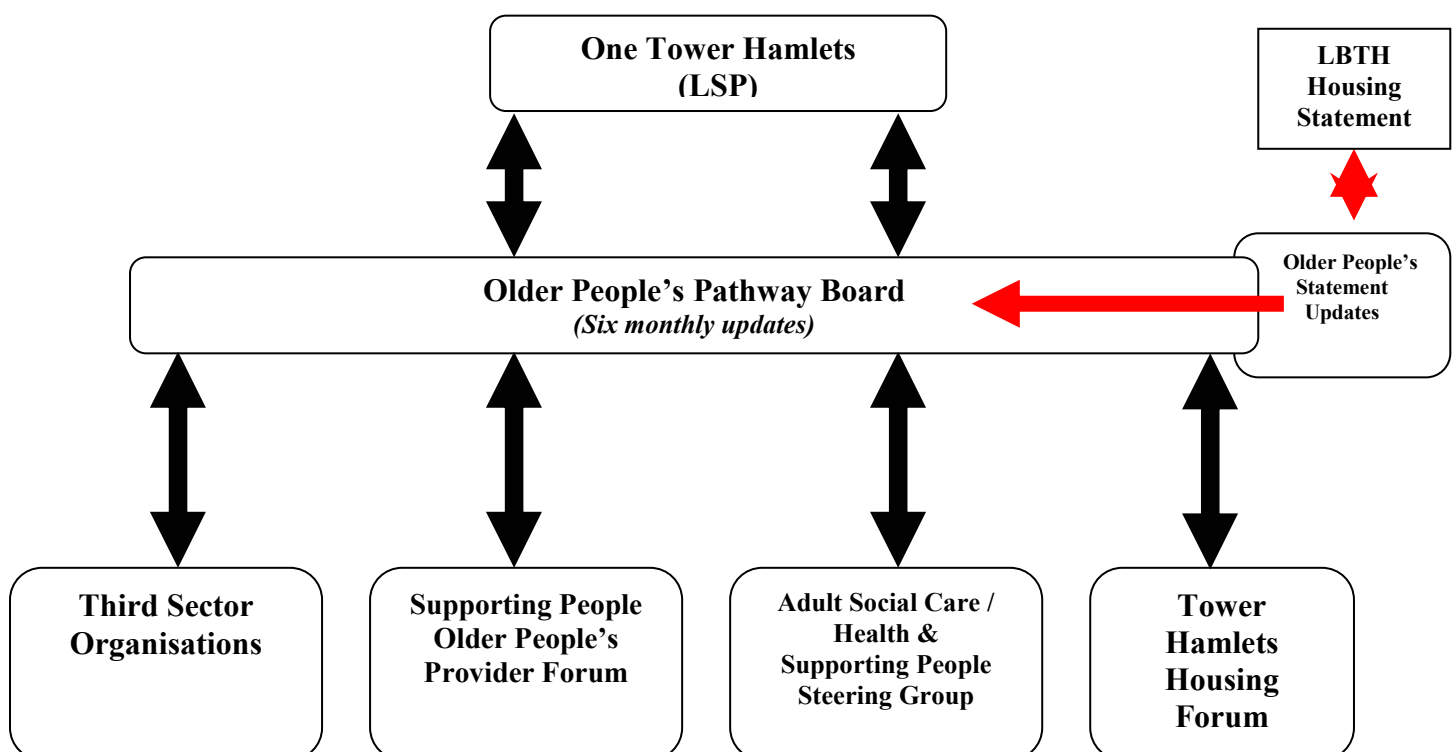
**11.5:** Finally, the statement recognises the value that partner agencies play in developing the statement and its delivery.

## 12. Monitoring and Delivery of the statement

**12.1:** To make sure that the recommendations in this statement are delivered on time and to the highest standards, and that they continue to reflect the priorities of local people, Tower Hamlets will monitor progress in a number of ways.

Activity will include:

- **A:** Progress on the statement will be measured against a SMART (Specific, Measurable, Agreed, Realistic, and Time-bound) action plan and updates provided on a six monthly basis to the Older People’s Pathway Board.
- **B:** Using our existing consultation framework to share progress with residents, invite their feedback and measure success. For example, Tower Hamlets Tenants’ and Residents’ Association, LinkAge Plus centres and Local Area Partnerships will all be important platforms for discussing progress.
- **C:** Reviewing all monitoring activity after the first 12 months, to make sure that local people and stakeholders continue to feel fully engaged in the process.
- **D:** Ensuring that key delivery partners monitor the progress of the statement according to a specific framework, which is set out below:



## How to contact us?

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If you have any questions or comments about this statement, or any other strategies mentioned in it, please feel free to contact us at:

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Web site: [www.towerhamlets.gov.uk/housing](http://www.towerhamlets.gov.uk/housing)



# **London Borough of Tower Hamlets Older Person Housing Statement Action Plan**

| <b>Aim 1: P Provide a range of good quality accommodation and access to home adaptations and improvements that offers older people housing that meets their needs.</b>         |  |  |  |  |
|--|--|--|--|--|
| <b>Action</b>  | <b>Expected Outcome</b>  | <b>Output</b>  | <b>Date</b>  | <b>Responsible Officer</b>   |
| <b>AP1.1:</b> To consider the requirements for a range of older persons accommodation on all new developments as part of the affordable housing delivery and planning process. | To ensure the requirements for older persons housing as set out in the needs assessment are considered as part of future development programmes. | Additional housing for older persons.  | 2013 - 15  | Alison Thomas<br><br>Affordable Housing Development Team<br><br>Michael Bell<br><br>Planning Policy Team |
| <b>AP1.2:</b> To plan for longer term provision of extra care sheltered housing schemes to meet future demand including dementia care.   | To meet existing and future demand for extra care housing in the borough. To set a target base don the Tribal Care Needs Assessment.             | St Thomas' House will have 40 flats for EC SH.<br><br>Sue Starkey will provide 19 flats for EC SH with dementia. | St. Thomas Extra Care Sheltered Housing: 2012<br><br>Sue Starkey Extra Care Dementia Housing: 2012 | Barbara Disney.<br><br>Adult Social Services   |



|  |  |  |                  |  |
|--|--|--|------------------|--|
| <p><b>AP1.3:</b> In partnership with Tower Hamlets Homes, Registered Providers and Supporting People to review existing sheltered housing stock and consider remodelling to ensure it is decent, secure and fit for purpose.</p> | <p>To make all homes decent for older people in Tower Hamlets.<br/>To set out an agreed plan of refurbishment for the sheltered housing stock.</p> | <p>Work with Registered Providers on carrying out options appraisals to look at ways to make sheltered housing modern and more accessible enabling a variety of support needs to be met.</p> | <p>2013 - 15</p> | <p>Tracey St Hill,<br/>LBTH<br/><br/>Tower Hamlets Housing Forum / Registered Providers<br/><br/>Supporting People</p> |
| <p><b>AP1.4:</b> To promote the Council's offer to older under occupiers and assist applicants in finding suitable smaller properties where they have expressed that choice</p>  | <p>Rehouse older people into suitable properties and contribute to reducing overcrowding in the borough.</p>                                       | <p>Work with Tower Hamlets Homes and Registered Providers to promote transfers for underoccupiers and keep incentives under review.</p>  | <p>2013 - 15</p> | <p>Tower Hamlets Housing Forum / Registered Providers</p>  |

|   |   |  |                  |   |
|---|---|--|------------------|---|
| <p><b>AP1.5:</b> To take forward an affordable private leaseholder scheme in Tower Hamlets through the Gateway Housing Association Older Persons Housing Commission.</p>  | <p>Subject to the outcome of the Commission and financial viability, look to provide an affordable private leaseholder scheme that offers a viable alternative choice of tenure for older people.</p> | <p>Provision of an older person's private leaseholder scheme in Tower Hamlets.</p>                               | <p>2013 - 15</p> | <p>Alison Thomas<br/>Affordable Housing Development Team<br/><br/>Gateway Housing Association<br/>Alan Warner<br/>Private Sector Housing Manager (LBTH)</p> |
| <p><b>AP1.6:</b> To market the Home Improvement Agency and the grant funding process for major works and Disabled Facilities Grant to enable older people to remain safe, warm, and secure within their existing homes.</p> | <p>Increase in take up of services from 2009/10 baseline.</p>   | <p>Increase in take up of services by 10% monitored by equality groups (subject to confirmation of funding).</p> | <p>2013 - 15</p> |   |

|  |   |   |                  |  |
|--|---|---|------------------|--|
| <p><b>AP1.7:</b> To review assistive technology provision to increase uptake amongst those with critical and substantial need ensuring it is accessible to a wide range of client groups including those with dementia.</p>                        | <p>Expanded assistive technology provision. Support provided to a wider client base with varying needs.</p> | <p>Reviewed assistive technology provision and costs of modernising equipment adaptable to various client needs especially those with complex dementia needs.</p> | <p>2013 - 15</p> | <p>Adult Social Care Services- Karen Sugars</p>        |
| <p><b>AP1.8:</b> To promote the private sector handyperson service which has benefited from increased investment.</p>  | <p>To improve the quality and condition of private sector homes across the Borough.</p>                     | <p>Target to be set.</p>  | <p>2013 - 15</p> | <p>Carrie Kilpatrick<br/>Supporting People Manager</p> |
| <p><b>AP1.9:</b> Develop an affordable warmth strategy to help older people live comfortably within their existing homes in order to reduce fuel poverty for older people by offering support and grants to makes homes more energy efficient.</p> | <p>To improve energy efficiency, reduce fuel poverty and improve the health of older persons.</p>           | <p>Target to be set.</p>  | <p>2013- 15</p>  | <p>Abdul Khan<br/>Sustainable Development Manager</p>  |

| <b>Aim 2: Help older people to continue to remain active, independent and healthy in their homes supported by flexible inclusive and affordable services</b>                                    |  |   |                  |   |
|---|--|---|------------------|---|
| <b>Action</b>   | <b>Expected Outcome</b>  | <b>Output</b>   | <b>Date</b>      | <b>Responsible Officer</b>                              |
| <p><b>AP2.1:</b> Continue to provide a range of support services to older people in their own homes through Supporting People, Adult Social Care and external partners including landlords.</p> | <p>To deliver more tailored services for residents through the Tower Hamlets personalisation programme.</p> <p>Commission of services to meet the needs of Older People.</p> | <p>Commission services identified in the JSNA, OPHNA and Adult Services commissioning strategy for Tower Hamlets.</p> <p>Focus on integrating health and social care services, befriending and outreach, improving healthy lifestyles through aligned referral pathways.</p> <p>Develop an Information, advocacy and advice strategy disseminated to health, adult social care, and third sector providers.</p> | <p>2013 - 15</p> | <p>Barbara Disney<br/>Adult Social Care Services</p>    |
| <p><b>AP2.2:</b> To further explore the provision of hub facilities offering integrated social care, health and well being</p>  | <p>Enable older People with needs to remain independent.</p>   | <p>Monitor the number of Supporting People (SP) Services being received by client group and retain a broad spectrum of</p>  | <p>2013 - 15</p> | <p>Carrie Kilpatrick<br/>Supporting People Manager.</p> |

|  |   |  |                  |   |
|--|---|--|------------------|---|
| <p>services linked more closely with housing – by means of both new building and allocation of existing units in close proximity to such facilities. Consideration should be given to existing natural hubs such as churches and mosques.</p>  |   | <p>commissioned services meeting existing and newly arising need identified in the SP strategy.</p>  |                  |   |
| <p><b>AP2.3:</b> To improve the quality of housing and health advice and information services older people receive through the third sector by securing long term funding for LinkAge Plus (currently funded by the NHS and the Council) and by implementing the Information and Advice Strategy through commissioning high quality information and advice services for residents delivered by third sector organisations.</p> | <p>Early intervention and prevention for older people by having access and advocacy for housing services.</p> | <p>Secure long term funding for LinkAge Plus.<br/><br/>Work with LinkAge Plus to extend the range of service offered to older people by commissioning a survey on what areas of information, advocacy, and health and advise older people would like this service to expanded upon.<br/><br/>Identify funding to expand the service.<br/><br/>Offer a wider scope of services to older people.</p> | <p>2013 - 15</p> | <p>Barbara Disney<br/><br/>Adult Social Care Services</p> |

|   |  |                                |                  |  |
|---|--|--------------------------------|------------------|--|
| <p><b>AP2.4:</b> To develop the housing advice and options services for older persons and provide a more holistic housing options service.</p>  | <p>Provide services to help older people remain in their own home.</p>   |                                | <p>2013 - 15</p> | <p>Colin Cormack<br/>Housing Options</p>                                   |
| <p><b>AP2.5:</b> To ensure the floating support contractor provides a community based support/prevention services reaching across the diversity of tenure and location and increases take up in line with need.</p>   | <p>To support people to remain independent within their own homes through a higher take up of floating support service by older persons.</p> | <p>Target to be set.</p>       | <p>2013 - 15</p> | <p>Carrie Kilpatrick<br/>Supporting People</p>                             |
| <p><b>AP2.6:</b> Review and develop existing housing policies with Tower Hamlets Homes and other social landlords that support older people to remain in their homes including referrals of vulnerable people to the Tower Hamlets Floating Support service</p> | <p>To allow older people to remain in their own homes.</p>   | <p>Full review in 2013/14.</p> | <p>2013 - 15</p> | <p>Peter Brown<br/>Tower Hamlets Homes<br/>Tower Hamlets Housing Forum</p> |

|  |  |  |                  |  |
|--|--|--|------------------|--|
| <p><b>AP2.7:</b> To involve older people in the evaluation of services to inform commissioning priorities. This will allow a degree of independence from the Local Authority on services procured.</p> | <p>Improvement of service and increased involvement.</p>   | <p>Target to be set.</p>   | <p>2013 - 15</p> | <p>TBA</p>   |
| <p><b>AP2.8:</b> To promote Joint working with Rainbow Hamlets to make sure sheltered services are welcoming and appropriate for older BME and LGBT people.</p>  | <p>To ensure the provision of housing in later life is appropriate to meet the needs of older BME and LGBT people.</p> | <p>To create safe and accessible communities that meet the needs of older people through greater involvement of Rainbow Hamlets (LGBT) and the Older People's Pathway Board.</p> | <p>2013 - 15</p> | <p>Gateway Housing Association<br/>Tower Hamlets Housing Forum</p> |
| <p><b>AP2.9:</b> Continue to support befriending services older people facing isolation in their homes.</p>  | <p>Reduce isolation amongst older persons.</p>   | <p>Ongoing.</p>  | <p>2013 - 15</p> | <p>TH Voluntary Sector</p>   |
| <p><b>AP2.10:</b> To continue to support initiatives such as the annual hop festival celebrating old East End traditions</p>   |  |  | <p>2013 - 15</p> | <p>Tower Hamlets Housing Forum</p>                                 |





## Appendix 3 Consultation

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**1:** Although the focus of the consultation initiatives was older people, those of all ages were encouraged to take part, on the basis that in planning future services LBTH needs to take account of what future cohorts of older people will want as well as catering for the needs and preferences of the current older population. Responses to the consultation were invited through various channels including East End Life newspaper, the LB Tower Hamlets website, One Tower Hamlets website, the Tower Hamlets Involvement Network (THINK) event on 10th June 2010 and through a number of housing associations and voluntary organisations working with older people.

### Questionnaire

**2:** The council developed a questionnaire concerning housing in later life which has been completed by a wide range of people, both older and younger. It was a self selected sample and therefore the results cannot necessarily be claimed to be representative of the wider population of the borough. Wider surveys, with statistically significant sampling have been carried out as part of the housing needs survey; the purpose of this consultation was to try to obtain a more in-depth insight into older people's views about types of housing and the reasons behind the preferences expressed. The questionnaire was circulated through the Tower Hamlets website, and a range of service providers that have contact with older people. It was made

available both in hard copy and on-line; and where appropriate professionals and volunteers assisted older people in completing questionnaires: for example, Tower Hamlets Friends and Neighbours Network completed questionnaires through interviews with housebound older people.

**3:** A total of 184 responses were received, of which 42% were residents of sheltered housing and 16% were younger people (under 50 years) 73% of the sample lived in social housing, 7% rented privately and 14% owned their own home. The aspects of housing considered to be of greatest importance were accessibility (64% of respondents rated this as essential), 'a safe and secure environment' (73%) and help and support available when needed (70%).

### Focus Groups

**4:** Focus groups were carried out at four locations chosen with the aim of exploring the views of older people with different backgrounds, housing situations and experiences:

- Ted Roberts House: residents from a number of Gateway sheltered housing schemes.
- St Hilda's East Community Centre: a group from all tenures with a wide range of support and care needs.
- Appian Court Community Centre: a group from all tenures, mostly without care and support needs.

- Sonali Gardens Day Centre: a group of Bengali elders and younger people from the Bengali community, with a range of physical and mental health disabilities, mostly living with extended families.

**5:** Freedom, independence, safety and accessibility are themes that came through strongly in each case. Those not living in specialist housing displayed a reluctance to consider it, either because they were satisfied with their existing accommodation or because they considered they were too old to contemplate moving. The loss of 'community' and concerns about safety and security featured strongly amongst those who do not live in sheltered housing, as did concerns about its cost. The Bengali group expressed a strong preference to continue living with their families rather than consider sheltered or extra care housing.

**6:** The sheltered housing group were generally very positive about the scheme manager service but critical of administration of service charges and what they saw as too much regimentation through rules and regulations. Satisfaction with accommodation was generally high. A few would prefer larger (i.e. 2 beds) accommodation and a few would consider something smaller if it was cheaper. Communal lounges were valued, but most would prefer a washing machine in their own flat to a communal laundry.

**7:** There did not appear to be any appetite for additional facilities and services such as a restaurant, this was seen as more like a care home. Almost all of those taking

part in the groups said that they would prefer a level access shower to a bath.

**8:** Overcrowding and lack of accessible bathroom facilities featured very strongly in the responses from the Bengali elders group.

**9:** The sheltered housing focus group expressed a strong view that placing people with higher needs in sheltered housing was not appropriate, but accepted, in most cases, that those whose needs increased while living in sheltered housing should be allowed to stay: they could be supported more effectively since they were a part of the community within the scheme. It was felt by the sheltered housing focus group that Sheltered Housing and Extra Care Housing were different and should be kept as separate models. There was a general view, expressed both by sheltered housing residents and others that the term sheltered housing was unhelpful and that it needed re-branding.

**10:** People living in general needs housing identified the need for better lighting in communal areas and better security systems: cameras rather than spy-holes, the latter being difficult for older people to use. The primary concerns of people in general needs housing were focussed around neighbours and neighbourhood issues, including crime, upkeep of common areas, and the erosion of 'community'. The problem was caused by the sale of units purchased by Buy-to-Let landlords, who let it on short term tenancies, resulting in high turnover of residents and therefore difficulty in

establishing relationship with neighbours. Even with good neighbours, if they are younger they may be out at work much of the time and so older people can feel isolated during the day. Where older people are fortunate enough to occupy ground floor accommodation there are often problems created by families being housed above, owing to noise transference just from normal activities such as children running around. Most people in the groups indicated a preference to live amongst older people, but as part of the wider community.

#### Gateway Older Peoples Housing Commission

11. The 2010 work was augmented by further qualitative consultation carried out by Gateway Housing Association as part of its 2012 Housing Commission.

12. This included a mix of focus groups and individual telephone interviews and explored the views, experiences, needs and aspirations of older people with different backgrounds, housing situations and experiences. The engagement was targeted at people in the 50 – 70 age range and was clustered in a number of different areas of focus:

- A cross section of ethnic groups including Bangladeshi, Somali, White British and others, with community interpreters used to prevent language creating a barrier to understanding;

- Geographical locations where the 20 Gateway units for home ownership will be piloted – Bow and the Isle of Dogs;

- A cross section of older people with a potential interest in ownership options, including leaseholders living in ex-Right-to-Buy accommodation, leaseholders in general needs shared ownership accommodation, and other owner occupiers.

- Older people from Lesbian, Gay, Bisexual and Transgender (LGBT) communities.

12. Over the course of the engagement work Gateway consulted directly with 87 older people. This included three focus groups with 21 women and 6 men from the Bengali community, one focus group with 15 women from the Somali community and one focus group with 15 people from LGBT communities. Thirty four of those interviewed or participating in focus groups owned their own home.

13. In relation to the issue regarding what would make targeted home ownership schemes attractive to older person the following issues emerged:

- Making the accommodation physically desirable and economic to live in and maintain;
- Making the information about what's involved in moving, including the costs, easy to understand;
- Providing help, advice and support to guide people through the process from start to finish; and
- Providing practical and comprehensive help with the move itself.

Key issues that emerged and that

have been considered in detail in relation to the property include:

- Design and quality of the finish product
- Green space
- Location
- Permeable community space
- Communal space
- Costs
- Scheme size

14. The Commission's report provides a wealth of further qualitative information in relation to older people's aspirations, cultural preferences, concerns about security, finance, support services and location of housing. It suggests a high level of demand for accommodation that is more flexible and accessible than traditional sheltered models, but has some of the same benefits through separate but linked communal/"hub" facilities.

15. The report also takes into account the views of family members whose influence should not be underestimated. The findings also reinforced the earlier work that suggested a high level of demand for accommodation that is more flexible and accessible than traditional sheltered models, but has some of the same benefits through separate but linked communal/"hub" facilities.

#### Tower Hamlets Homes: Ageing Enquiry

16. Tower Hamlets Homes recognised that in order to understand how they can provide the best services and support for older residents, it would be beneficial to Inquiry into Ageing.

The Inquiry was borne out of a realisation that:

- whilst roughly a third of Council tenants and leaseholders were aged 65+, as a general-needs housing provider, THH had no specific service offer to the older age group
- the demographic profile of council tenants and leaseholders differs from that of the Borough more generally
- demographic indicators predict that the older segment will grow in size, and people will live longer.

16. Two workshops were held with residents in June and July 2012. The first was focused on property, including considering how accessibility needs are being met in the asset. The second focused on support – both the support that residents received but also the support they provided to others. There were between 16-18 participants at each session; a majority of participants were older people but there were also some younger people who were carers.

17. The concerns of workshop participants have been broadly grouped into four areas: Property, Building Communities, Customer Service, and Contractors. The Inquiry Panel has received a report on the findings and a set of 18 responsive 'policy ideas' has been drawn up which will be taken forward by Tower Hamlets Homes.

## Appendix 4 Central Government Policy and Local Strategies and Research

### Government Policy

**1:** A host of government reports, initiatives and directives over the past few years have highlighted the need for services that promote independence and choice and enable older people to remain in their own homes, whether that means their original home or a self-contained unit in some form of supported housing.

For example:

- Quality and Choice in Older People's Housing, DETR (2001)
- National Service Framework for Older People DH (2001)
- Our health, Our Care, Our Say; A new direction for community services -White Paper, DH (2006)
- Commissioning Framework for Health and Well Being, DH (2007)
- Putting People First, DH (2007).
- Lifetime Homes Lifetime Neighbourhoods – A National Strategy for Housing in an Ageing Society, CLG/DH/DWP (2008)
- Health and Social Care Bill, DH (2011).
- Localism Act, DCLG (Dec. 2011).

**2:** Sheltered housing was supported by government policy from the late 1950s but always

provided a relatively low level of support, from a resident 'warden' or 'manager'. In the late 1970s and early 1980s public and voluntary sector providers started to experiment with the provision of 'very-sheltered' housing, where additional support was available.

**3:** At the same time one or two providers of residential and nursing care were exploring the potential to provide residential and nursing care in more self-contained settings.

**4:** During the 1990s it began to be realised that in most parts of the country there was a sufficient supply of conventional sheltered housing, but that opportunities existed to add to the stock of extra care housing. This was substantiated in a study for the Department of the Environment (McCafferty, 1994) which concluded that there was "a significant unmet need for 'very sheltered housing' and a potential over-provision of ordinary sheltered housing". Seventeen years on, this is still true, but the problem is exacerbated by further ageing of both the sheltered housing stock and the population.

**5:** In 2001 '**The National Service Framework for Older People**' set out standards of care for older people and made a commitment to ending discrimination in health and social care on the grounds of age. It also set objectives of promoting an active, healthy life in old age and developing 'person-centred care', themes which became more prominent during the decade. It announced a reform programme that would develop more effective

links between health, adult social care and other services such as housing partners working with the voluntary and private sectors. New housing models such as extra care housing fitted perfectly with these objectives.

**6:** Guidance produced in 2002 by the Office of the Deputy Prime Minister (as it was then) and the Department of Health on “**Preparing Older People’s Strategies**” encouraged local authorities to give consideration to extra care housing as one of the key elements of their local strategies for housing provision for older people. Similarly, in 2006 the department for Communities and Local Government report “**Quality and choice for older people’s housing: a strategic framework**” encouraged local council strategies to address older people’s immediate requirements and, at the same time, plan to meet future requirements. In particular it promoted preventative approaches which could contribute to older people being better able to retain their health and mobility.

**7:** The 2007 White Paper, “**Our health, our care, our say: a new direction for community services**”, although dominated by health issues, gave implicit support for housing models which enshrined the concepts of ‘independence’, ‘choice’ and ‘care close to home’ in the provision of social care.

**8:** “**Putting People First**” (2007) set out the government’s commitment to independent living for all adults. It did not discuss specific models of housing

provision, but promoted ‘personalised’ care, an agenda which is now being driven forward in social care commissioning.

**9:** In 2008, the government published “**Lifetime Homes, Lifetime Neighbourhoods** – A national strategy for an ageing society”. This document recognised the fact that the majority of people not only *want* to stay in their existing home as they grow older, but actually do so. It therefore placed emphasis on the Lifetime Homes concept of accessible design of *all* housing and on support for adaptation of existing accommodation by means of disabled facilities grants and home improvement agencies. Nevertheless, the role of ‘specialist’ housing provision (e.g. ‘sheltered’ or ‘extra care’) was also recognised.

**10:** The **Health and Social Care Act 2012** which received its Royal Assent in March 2012 introduced major health care reform. The Act amounts to the most extensive reworking of the structure of the National Health Service. The Act has implications for all health organisations in the NHS, not least for NHS Primary Health Care Trusts (PCTs) and Strategic Health Authorities (SHAs), which would be abolished; at the same time, £60 to £80 billion of “commissioning”, or cash health care funds, would be transferred from those dissolved PCTs over to several hundred “consortia” run by the general practitioners (GPs) in England.

**11:** This fundamentally changes the way commissioning of health

services for older people will be made.

**12: DCLG/DH/HCA :Housing our Ageing Population: Panel for Innovation: panel for Innovation (HAPPA1) 2009.** The high-profile was established in June 2009 to tackle the following question: **What further reform is needed to ensure that new build specialised housing meets the needs and aspirations of the older people of the future?**

The panel focused on improving the quality of life of our ageing population by influencing the availability and choice of high quality and challenging the perceptions of mainstream and specialised housing for older people, for existing and future generations.

In addition it aimed to raise the aspirations of older people to demand higher quality, more sustainable homes and spread awareness of the possibilities offered through innovative design of housing and neighbourhoods.

The report outlines innovative housing examples from across England that respond to a variety of care needs such as older people controlling the housing processes, issues regarding space, light and accessibility, a shared sense of purpose the idea of being part of a community.

**13:Housing Our Ageing Population: Plan for Implementation: All Party Parliamentary Group on Housing and Care for Older people:**

**November 2012:** The All Party Parliamentary Group (APPG) on Housing and Care for Older People, chaired by Lord Best, has highlighted the benefits of improved housing options for older people. Their 2012 inquiry report, is the result of a five month inquiry into the progress in implementing the recommendations and design criteria set out in the 2009 HAPPI report.

The APPG inquiry found there were far reaching benefits from developing good quality housing for older people, including a reduction in health and social care costs, as well as the freeing up of family housing and has made a series of recommendations to create movement in the housing market, improve the health of older people and create new housing options for **younger people and families.**

**14: The Localism Act** received Royal Assent in December 2012. The coalition government is putting localism and decentralisation at the heart of its agenda. This shift of power will underpin the overarching objective of building the 'Big Society'. The Act will impact on a number of key service areas and democratic practices which include but are not limited to  
Neighbourhood planning  
Social Housing tenure reform  
Community right to buy/challenge 'communal' assets and Local Referendums

**15:** There is also a potential impact with the **Welfare Reform Act** which could affect many older people if they are under-occupying their current property. Housing benefit will be paid based on the



claimants bedroom need as opposed to the size of the property they occupy. This could have an adverse affect on many older people living in under-occupied homes in Tower Hamlets and claiming benefits.

**16:** The Government plans to use the Welfare Reform Act to introduce a measure to cut the benefit payable to working age 'under-occupiers' in social housing, at an average cost of £14 per week for 670,000 tenants across UK. The current definition of working age is anybody up to the age of 65 years old.

## Local Strategies and Research

The needs and provision of services for older people are covered through a range of local strategies and research:

**1:** The aim of the Tower Hamlets [2020 Community Plan](#) is to *'improve the lives of all those living and working in the Borough'* by 2020.

**2:** The Plan outlines ways in which Tower Hamlets will become a great place to live such as investment in neighbourhoods, improved transport networks, helping economic growth in the Borough,

**3:** The plan is split into four themes:

- A great place to live;
- A prosperous community;



- A safe and supportive community;
- A healthy community.
- Managing Demand and Reducing Overcrowding.
- Increasing housing supply and Investment.

**4:** Underpinning these 4 themes is a desire to build One Tower Hamlets where everyone has an equal stake and status, equal opportunities, a responsibility to contribute and where families are the cornerstone of success.

**5:** There is particular reference to older people under the 'Great Place to Live' theme. The strategy aims to prevent and reduce fuel poverty for vulnerable groups such as older people and ensure that the local transport system makes the borough's town centres and neighbourhoods more accessible for all local people, particularly older and disabled people.

**6:** The Council **Local Development Framework** (2010-2025) core strategy has been declared sound and adopted, the key plan to guide the development of the Borough over the next 15 years. There is a strong emphasis on rejuvenation and on the provision of more affordable housing. Strong borough-wide policies are underpinned by a vision for each of the areas ("hamlets") that make up the borough. The Framework identifies key sites for new health facilities, improved transportation hubs and large housing developments.

**7:** The **Housing Strategy** (2009-12) has four main aims. These are;

- Decent Homes and Housing Management.
- Place-making and Sustainable Communities.

**8:** The first aim, Decent Homes and Housing Management looks at Decent Homes in the private sector including vulnerable people. The section on Disabled Facilities Grants (DFG) says that under the East London protocol Registered Providers will carry out aids and adaptations work up to £1,000. Works to Tower Hamlets Homes (ALMO) (THH) properties are funded through major repairs capital budgets.

**9:** The second aim, Place-making and Sustainable Communities includes a commitment to ensure healthy living programmes and health infrastructure requirements are an integral part of social housing providers' activities. Also a commitment to integrate the Supporting People (SP) Strategy with housing and homelessness strategies.

**10:** The third aim, Managing Demand and Reducing Overcrowding lists a number of initiatives already in place to reduce overcrowding, a major issue for the borough.

**11:** Finally increasing the housing supply, reiterates targets in housing market assessment and in addition, states that 45% of affordable new housing should be 3 bed or larger. It also refers to the need to increase the proportion of fully wheelchair accessible housing (10% of all new developments) and accessible housing generally. In addition it sets out the design

requirements to meet the needs of BME households. There is reference to innovative approaches to develop intermediate market housing but no specific reference to housing for older people.

**12:** There is a new **Supporting People Commissioning Strategy 2011 – 2016**. The Strategy is based on four key delivery areas as follows:

- Supporting individuals to live as independently as possible;
- Rebalancing services towards prevention and early intervention away from high cost less empowering longer term services;
- Expanding our commitment to personalised services; and
- Driving up efficiency and effectiveness in the use of resources.

**13:** The **Homelessness Strategy (2008-13)** makes no specific reference to older people, reflecting the fact that very few older people present as homeless. Other boroughs have found, however, that older people can be over-represented in some hostels, often as long term residents. The Places of Change agenda is beginning to tackle this problem. This agenda has been driven forward by government since 2005 under the Hostels Capital Improvement Programme (HCIP). The HCIP has invested £90 million of capital grants in organisations serving homeless people. This investment has improved the physical condition of homelessness services and provided items of capital equipment for associated activities.

**14:** The strategy highlights pressure on social housing and recommends consideration of different pathways for single people, this could potentially impact on older people wanting more appropriate accommodation but not wishing to move into sheltered housing.

**15:** A **Best Value Review (BVR) of Older People** was carried out in May 2006. Tower Hamlets was recognised for good practice in a number of areas, including Social Exclusion Unit work with older people, and being chosen as a pilot for LinkAge Plus. The BVR report highlights the contribution of DFGs and housing allocations to helping people remain independent.

**16:** A **Best Value Review of Sheltered Housing** was carried out in June 2006. The report refers to 4 extra-care schemes, providing 161 units, managed by Adult Social Care. This was considered to be a slight over-supply, with some hesitation about whether demand would increase in the future. There were around 100 units of culturally specific sheltered housing provision. Most sheltered accommodation is 1 bed, though there are a few 2 beds. Most people are satisfied with sheltered accommodation; the main complaint was distance from the shops. Security was also a concern for many. There were also issues raised about the lack of social and leisure activities, policies on pets, and disputes between tenants.

**17:** In December 2008 the Council submitted an expression of interest to the Department for Communities and Local Government (CLG) and

was successful in securing enhanced service programme funding for 2 years. This funding was to be utilised to expand, develop and integrate the Borough's existing Home Improvement services, with the aim of providing an infrastructure where all Home Improvement services can be accessed and coordinated from a single point of access. Ridgeway's were commissioned to carry out an assessment of the home improvement agency in 2010.

**18:** In 2008, the Council commissioned Tribal to produce a **Needs Assessment for Extra Care Sheltered Housing** for older people over the next five to ten years. The report found that there should be an:

- Increase in the contribution that extra care housing can make to the avoidance of residential care placements, and the needs of people with dementia in particular
- Provide a higher proportion of placements (up to 25%) to people under 65 who would nevertheless benefit from this type of housing
- Enable access to extra care housing for people with lower level needs, where preventative benefits or other strategic outcomes are possible.

**19:** The **Ridgeway Report** (Ridgeway Associates 2010) recommended significant change to existing services, into an integrated holistic service which sits within one department, with a first point of access which can signpost to

relevant services and a single assessment process in place. The consultation highlighted a lack of knowledge about services, including from staff at the LinkAge Plus centres, and a view that services were only available to those on benefits. Consultation with over 50s in general needs housing includes looking at services which they may require for the future.

**20:** During 2009, the Council carried out a **Strategic Housing Needs Assessment (SHMA)**. The SHMA is a study conducted to enhance the Council's awareness of how the housing market functions. The study provided a wealth of analysis, including information on:

- The housing market in Tower Hamlets in relation to neighbouring markets
- How the housing market operates, key drivers and relationships within the market
- Levels of housing need and demand that will inform the development of local planning and housing policies
- The mix and size of market and affordable housing required.

**21:** The study found that there is likely to be an overall increase in the 65+ population of 27.1% by 2026 (4,914 people). In the 85+ age group there is a rise of 1,553 people (81.0%).

**22:** The increase in older householders will have implications for support services, extra care housing, and the long term

suitability of accommodation, equity release schemes, adaptations, and other age-related care requirements.

The study recommended that:

- There is a need for support services and adaptation required to enable people to remain in their own home;
- Update the type, scale and quality of existing sheltered stock in meeting today's housing standards and preferences;
- There is a future need for 'extra care' accommodation for the growing frail elderly population over the longer term.

**23:** The Council commissioned Trimmers Associates to carry out a detailed **Older People's Housing Needs Assessment (2010)** looking at housing need, supply and demand for older people's housing in Tower Hamlets. The report provided valuable information which in turn is used as the empirical evidence base that underpins this strategy.

**24: Gateway Housing Association carried out an Older Person Housing Commission in 2012.** The aim was to make a positive contribution to local strategy development, to strengthen the local evidence base and to ensure that Gateway's own development strategies are well aligned with the latest knowledge of best practice. The Commission's findings will contribute both to local service innovation and to future strategy development in older

people's services in Tower Hamlets as well as more widely across the older people's accommodation sector.

**25: Tower Hamlets Homes** carried out an enquiry in 2012. It was established in order to understand how they can provide the best services and support for older residents.

The Inquiry was borne out of a realisation that:

- whilst roughly a third of Council tenants and leaseholders were aged 65+, as a general-needs housing provider, we had no specific service offer to the older age group
- the demographic profile of council tenants and leaseholders differs from that of the Borough more generally
- demographic indicators predict that the older segment will grow in size, and people will live longer.

In a time of constrained resources, retrenchment of health and social care and support in general as well as the opportunities brought about by significant investment in their stock, THH felt it was a good time to begin a discussion about what older people housed in Council properties need, want and expect and to think through the organisational responses to these challenges.

These challenges will include making choices around asset management and investment. THH also want to shape the service we

offer and the ways in which they offer it to better match the preferences expressed by older people.

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# Equality Analysis (EA)

## Section 1 – General Information (Aims and Objectives)

Name of the proposal including aims, objectives and purpose:

### **Older Persons Housing Statement**

The current and future demographic profile of older persons in the borough create a set of challenges for the Council as to how their housing needs will be met in the future.

Despite a comparatively low population of people over 65 compared to regional and national levels, it is expected that the number of people in this age group will rise over the next 20 years and that they will live longer.

Older people in the borough are more likely to suffer health problems and be in poverty compared to regional and national levels, so the Council has a key role in meeting their housing and support needs.

The Older Persons Housing Statement and its accompanying action plan pulls together the Council's current and long term plans to meet the needs of this group so that their needs can be addressed in a consistent and coherent manner.

### **Who is expected to benefit from the proposal?**

The proposal is primarily aimed at meeting the needs of older persons in the borough. However many of the actions could also benefit other sections of the community. A prime example is where an under occupying older person is rehoused into more suitable accommodation and frees up a larger property that will meet the needs of an overcrowded household.

Service area:

**Development and Regeneration**

Team name:

**Strategic Housing**

Service Manager:

**Faisal Butt**

Name and role of the officer completing the EA:

**Martin Ling – Housing Policy Officer x0469**

## Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

- Needs Assessment for Extra Care Sheltered Housing
- Older Person Housing Needs survey
- 2011 Census update
- Joint Strategic Needs Assessment ( JSNA)
- Findings from the Gateway Older Persons Housing Commission
- Findings from the Tower Hamlets Homes Older Persons Inquiry

**Statistics covering housing demand in the Borough including:**

Housing Waiting list broken down by need  
Data on overcrowding  
Data on underoccupation  
Data on medical need  
Data on race of applicants for social housing  
Lettings statistics for Older Persons

**Section 3 – Assessing the Impacts on the 9 Groups**

**How will what you're proposal impact upon the nine Protected Characteristics?**

For the nine protected characteristics detailed in the table below please consider:-

- **What is the equality profile of service users or beneficiaries that will or are likely to be affected?**

-Use the Council's approved diversity monitoring categories and provide data by target group of users or beneficiaries to determine whether the service user profile reflects the local population or relevant target group or if there is over or under representation of these groups

- **What qualitative or quantitative data do we have?**

-List all examples of quantitative and qualitative data available

*(include information where appropriate from other directorates, Census 2001 etc)*

-Data trends – how does current practice ensure equality

- **Equalities profile of staff?**

-Indicate profile by target groups and assess relevance to policy aims and objectives e.g. Workforce to Reflect the Community. Identify staff responsible for delivering the service including where they are not directly employed by the council.

- **Barriers?**

-What are the potential or known barriers to participation for the different equality target groups?  
Eg, communication, access, locality etc

- **Recent consultation exercises carried out?**

-Detail consultation with relevant interest groups, other public bodies, voluntary organisations, community groups, trade unions, focus groups and other groups, surveys and questionnaires undertaken etc. Focus in particular on the findings of views expressed by the equality target groups. Such consultation exercises should be appropriate and proportionate and may range from assembling focus groups to a one to one meeting.

- **Additional factors which may influence disproportionate or adverse impact?**

-Management Arrangements - How is the Service managed, are there any management arrangements which may have a disproportionate impact on the equality target groups

- **The Process of Service Delivery?**

-In particular look at the arrangements for the service being provided including opening times,



custom and practice, awareness of the service to local people, communication

Please also consider how the proposal will impact upon the 3 One Tower Hamlets objectives:-

- Reduce inequalities
- Ensure strong community cohesion
- Strengthen community leadership.

|                          | <p><b>Impact – Positive or Adverse</b></p> <p>What impact will the proposal have on specific groups of service users or staff?</p>  | <p><b>Reason(s)</b></p> <ul style="list-style-type: none"> <li>• Please add a narrative to justify your claims around impacts and,</li> <li>• Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making</li> </ul> <p>Please also how the proposal will promote the three One Tower Hamlets objectives?</p> <p>-Reducing inequalities<br/>-Ensuring strong community cohesion<br/>-Strengthening community leadership</p>   |
|--------------------------|---|--|
| <p>Race<br/>Page 422</p> | <p><b>Positive</b> – The Older Persons Housing Statement applies to all older persons regardless of their race. However the evidence base provided information in both qualitative and quantitative terms on the housing needs of black and minority ethnic elders and these findings have been factored into both the statement and the action plan.</p> | <p>As the evidence base provided information in both qualitative and quantitative terms on the housing needs of black and minority ethnic elders their future needs will be considered in the delivery of the action plan.</p> <p>The evidence identifies that Bangladeshi elders often face overcrowding and many feel that their problems are not heard. As the Bangladeshi population ages, there may be a demand for culturally specific care and support services through either separate or integrated provision. The gap analysis conducted within the needs assessment<sup>1</sup> factored in increased demand to allow for phased adjustments in cultural expectations within the Bangladeshi community.</p> <p>In addition, the 2012 Older Person’s Commission found that there remains a strong cultural drive to care for people within the extended family as far as possible.</p> <p>The needs of Somali elders were also considered and provided similar feedback as was received from Bangladeshi</p> |

<sup>1</sup> Needs assessment for extra care Sheltered Housing 2008 (TRIBAL)

|                     |  |   |
|---------------------|--|---|
|                     |  | elders in terms of cultural requirements and preference to stay in the family home.   |
| Disability          | <b>Positive</b> – The Older Persons Housing Statement takes into account the health needs of older persons and in particular those with disabilities and addresses these needs.  | The Statement and action plan recognise the need to provide funding options for adaptations of existing properties and the need to provide suitable accessible new build accommodation for older persons.   |
| Gender              | <b>No Impact</b> – The Older Persons Housing Statement will have neither a positive or adverse impact on this group as the actions are gender neutral. It should be noted that women generally live longer than men in the borough and are more likely to be affected by the actions in the statement.   | The statement and action plan aims to meet the needs of older people regardless of gender. Services apply to men and women equally, although older single (often widowed) women are more likely to be affected.   |
| Gender Reassignment | <b>Positive</b> – The Older Persons Housing Statement could have a positive impact on this group as there is a clear commitment to meet the needs of all people and where appropriate meet their specific needs in relation to gender reassignment. The action plan sets out a clear commitment to ensuring services are welcoming and appropriate for older LGBT people.      | <b>Positive</b> – The action plans sets out a clear commitment to create safe and accessible communities that meet the needs of older people through greater involvement of Rainbow Hamlets (LGBT) and the Older People’s Pathway Board.  |
| Sexual Orientation  | <b>Positive</b> – The Older Persons Housing Statement could have a positive impact on this group as there is a clear commitment to meet the needs of all people and where appropriate meet their specific needs in relation to their sexual orientation. The action plan sets out a clear commitment to ensuring services are welcoming and appropriate for older LGBT people. | <b>Positive</b> – The action plans sets out a clear commitment to create safe and accessible communities that meet the needs of older people through greater involvement of Rainbow Hamlets (LGBT) and the Older People’s Pathway Board.  |
| Religion or Belief  | <b>Positive</b> – The Older Persons Housing Statement could have a positive impact on this group as there is a clear commitment to consider the role of religious support networks where appropriate.  | <b>Positive</b> – The action plan makes a commitment to explore the provision of hub facilities offering integrated social care, health and wellbeing services linked more closely with housing – by means of both new building and allocation of existing units in close proximity to such facilities. Consideration will be given to existing natural hubs such as churches and mosques and where people have religious |

|                                  |  |   |
|----------------------------------|--|---|
|                                  |  | belief it could be advantageous that they can receive services and advice at their place of worship.  |
| Age                              | <p><b>Positive</b> - The purpose of the Older Persons Housing Statement is to have a positive impact on older persons.</p> <p>However by taking positive actions to meet the needs of older persons, particularly by making best use of existing housing stock and planning attractive new provision, other groups including children can benefit by the release of larger homes which could alleviate overcrowding.</p>   | <p><b>Positive</b> – All the actions in the action plan are intended to produce positive outcomes for older persons</p> <p>Families with children and young people who are rehoused from overcrowded households as a result of older persons moving out of under occupied larger housing can also benefit from this increased focus on older persons housing needs.</p> |
| Marriage and Civil Partnerships. | <p><b>Positive</b> – The Older Persons Housing Statement could have a positive impact on this group. There is a clear commitment to meet the needs of all people and where appropriate meet their specific needs in relation to their sexual orientation. The action plan sets out a clear commitment to ensuring services are welcoming and appropriate for older LGBT people who may in some cases have entered into civil partnerships and if and when legalised, gay marriage.</p> <p>The action plan will aim to treat heterosexual older people equally whether single, married or cohabiting.</p> | <p><b>Positive</b> – The action plans sets out a clear commitment to create safe and accessible communities that meet the needs of older people through greater involvement of Rainbow Hamlets (LGBT) and the Older People’s Pathway Board. This will apply to older people in civil partnerships.</p>  |
| Pregnancy and Maternity          | <p><b>No impact</b> – Older persons unlikely to be pregnant and require maternity services so the statement is neutral in this area.</p>   | <p><b>No impact</b> – The action plan makes no provision in this area.</p>  |
| Other Socio-economic Carers      | <p><b>Positive</b> – The evidence base identifies that a higher proportion of older people in Tower Hamlets are likely to live in poverty compared to regional and national. The statement aims to respond to this need.</p>   | <p><b>Positive</b> – The action plan aims to meet the needs of older people particularly those of limited means in order to improve their housing, health and general wellbeing.</p>  |

#### **Section 4 – Mitigating Impacts and Alternative Options**

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence of or view that suggests that different equality or other protected groups (inc' staff) could have a disproportionately high/low take up of the new proposal?

No, access to housing and services will be maintained at similar levels for older people from all backgrounds.

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added/removed?

*(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. AN EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)*

#### **Section 5 – Quality Assurance and Monitoring**

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

No

How will the monitoring systems further assess the impact on the equality target groups?

The Older Persons Housing Statement will be monitored through the individual teams that deliver the actions and by regular reporting to both management teams and the Older Persons Pathway Board.

Does the policy/function comply with equalities legislation?  
(Please consider the [OTH objectives](#) and [Public Sector Equality Duty](#) criteria)

Yes

If there are gaps in information or areas for further improvement, please list them below:

None

How will the results of this Equality Analysis feed into the performance planning process?

The Council's Strategic Housing Team will take part in the monitoring of the proposals and feed the outcomes into the Development and Renewal Directorate performance planning process.

**Section 6 - Action Plan**

*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.*

| <b>Recommendation</b>   | <b>Key activity</b>   | <b>Progress milestones including target dates for either completion or progress</b>                          | <b>Officer responsible</b> | <b>Progress</b> |
|---|---|--|----------------------------|-----------------|
| <b>Example</b>  |   |  |                            |                 |
| 1. Better collection of feedback, consultation and data sources | 1. Create and use feedback forms. Consult other providers and experts     | 1. Forms ready for January 2010<br>Start consultations Jan 2010  | 1.NR & PB                  |                 |
| 2. Non-discriminatory behaviour                                 | 2. Regular awareness at staff meetings. Train staff in specialist courses | 2. Raise awareness at one staff meeting a month. At least 2 specialist courses to be run per year for staff. | 2. NR                      |                 |

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| <b>Recommendation</b>     | <b>Key activity</b>                  | <b>Progress milestones including target dates for either completion or progress</b>             | <b>Officer responsible</b>       | <b>Progress</b> |
|---------------------------|--------------------------------------|---|----------------------------------|-----------------|
| Monitoring of Action Plan | 19 actions as set out in Action plan | Each action to be assigned milestones including target dates for either completion or progress. | D & R and E, S & W team members, |                 |

**Section 7 – Sign Off and Publication**

|  |  |
|--|--|
| <b>Name: Faisal Butt</b><br>(signed off by)                |  |
| <b>Position:</b> Housing Strategy and Partnerships Manager |  |
| <b>Date signed off: 02/03/2013</b><br>(approved)           |  |



**Section 8 Appendix – FOR OFFICE USE ONLY**

This section to be completed by the One Tower Hamlets team

**Policy Hyperlink :**

| Equality Strand                   | Evidence |
|-----------------------------------|----------|
| Race                              |          |
| Disability                        |          |
| Gender                            |          |
| Gender Reassignment               |          |
| Sexual Orientation                |          |
| Religion or Belief                |          |
| Age                               |          |
| Marriage and Civil Partnerships.  |          |
| Pregnancy and Maternity           |          |
| Other<br>Socio-economic<br>Carers |          |

| Link to original EQIA         | Link to original EQIA |
|-------------------------------|-----------------------|
| EQIAID<br>(Team/Service/Year) |                       |



# Agenda Item 6.7

|  |                               |   |                                  |
|--|-------------------------------|---|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted  | <b>Report No:</b><br>CAB 100/123 |
| <b>Report of:</b><br>Corporate Director Communities Localities and Culture<br>Assistant Chief Executive (Legal Services)<br><br><b>Originating officer(s)</b><br><br>Stephen Murray, Head of Arts & Events<br>Paul Greeno, Senior Advocate |                               | <b>Title:</b><br><b>Queen Elizabeth II Olympic Park – Proposed Byelaws</b><br><br>Ward affected<br><br>Bow East |                                  |

|                             |  |
|-----------------------------|--|
| <b>Lead Member</b>          | <b>Councillor Shahed Ali (Cabinet Member for Environment)</b>  |
| <b>Community Plan Theme</b> | <b>A Great Place to Live</b>   |
| <b>Strategic Priority</b>   | <b>A Great Place to Live</b> - Improve the local environment and public realm & Provide effective local services and facilities<br><br><b>A Safe and Cohesive Community</b> - Focus on crime and anti-social behaviour |

## 1. **SUMMARY**

- 1.1 The report deals with proposals for byelaws to cover the Queen Elizabeth Olympic Park following handover of the park in 2013 to the London Legacy Development Corporation. The area of the Queen Elizabeth Olympic Park straddles Newham, Hackney, Tower Hamlets and Waltham Forest and each authority has been asked to make identical Byelaws in relation to Parks and Open Spaces and Public Conveniences.
- 1.2 Byelaws are local laws designed to address potential problem behaviours in a way that complements rather than duplicates existing legislation and it is considered that these Byelaws will assist in ensuring acceptable behaviour in the park so that residents and visitors are able to fully enjoy the park.
- 1.3 The making and revoking of byelaws is a matter for full Council. This is confirmed in Article 4.02(j) of the Council's constitution. The Council's constitution gives the General Purposes Committee (GPC) responsibility for recommending to Full Council the making of byelaws.

## **2. DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 Consider the two sets of byelaws for Queen Elizabeth II Olympic Park which are set out in Appendix 1 and 2 and agree that it may go forward to full council for these to be made.

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

- 3.1 The Queen Elizabeth Olympic Park will reopen to the public in phases following the Olympic Games. The first part of the Park will reopen on the 27th July 2013, followed by further phased opening on the 31st December 2013 and finally all Park areas will be open to the public from 31st March 2014. The Council has recently made Byelaws for its parks and open spaces. This park was not included in these Byelaws.
- 3.2 The Council has recently made Byelaws for its parks and open spaces but this park was not included in these Byelaws. These Byelaws will assist in ensuring acceptable behaviour in the park so that residents and visitors are able to fully enjoy the park.

## **4. ALTERNATIVE OPTIONS**

- 4.1 The Council could choose not to have Byelaws but a the area of the Queen Elizabeth Olympic Park straddles Newham, Hackney, Tower Hamlets and Waltham Forest and each authority has been asked to make identical Byelaws in relation to Parks and Open Spaces and Public Conveniences then if the Council was to decide not to make Byelaws then it would have an adverse effect on the overall management of the park.

## **5. BACKGROUND**

- 5.1 The area of the Queen Elizabeth Olympic Park straddles Newham, Hackney, Tower Hamlets and Waltham Forest. Park boundaries and the boundaries of each London borough are shown in Appendix 3.
- 5.2 The Queen Elizabeth Olympic Park will reopen to the public in phases following the Olympic Games. The first part of the Park will reopen on the 27th July 2013, followed by further phased opening on the 31st December 2013 and finally all Park areas will be open to the public from 31st March 2014.
- 5.3 The London Legacy Development Corporation (LLDC) will have a freehold or leasehold interest in of most of the land in the Park. As much of the park will be open to the public, the LLDC considers that byelaws and dog control orders to cover the Park, as would be usual as part of the management a

public park, are essential to ensure appropriate behaviour and use of the Park by the public.

- 5.4 The LLDC does not have powers to make byelaws. Accordingly, the LLDC have sought cooperation from Tower Hamlets and the other relevant public authorities with the power to make byelaws for the Park. The LLDC would like each authority to make byelaws in identical form, to assist with the future management of the Park.
- 5.5 The area within Waltham Forest is governed by byelaws made by Lee Valley Regional Park Authority and therefore they are unaffected by these proposals. The Lee Valley Regional Park Authority and British Waterways Board also have byelaw making powers and have already made byelaws which will govern part of the Park.
- 5.6 The majority of the park is located within Newham and it was originally considered whether it may be possible for Hackney and Tower Hamlets to delegate their bye law making powers to Newham, thus enabling Newham to make byelaws for the entire park. This was rejected however and the three (3) authorities have agreed to make byelaws in identical form to cover the Park.

## **6. BODY OF REPORT**

- 6.1 There are two (2) sets of byelaws which Tower Hamlets are being asked to make that are relevant to management of the Park. These are:  
Byelaws for pleasure grounds, public walks and open spaces  
Byelaws for public toilets
- 6.2 These byelaws exist in model form and, provided the Council makes the byelaws in line with the models, which is what is proposed, the Secretary of State's consent should be obtained without delay.
- 6.3 The process for making byelaws is briefly as follows:-  
  
    Consultation with interested groups and representatives  
    Form of bye law approved by Full Council  
    Notice in newspaper (30 days)  
    Byelaws submitted to Secretary of State for confirmation  
    Byelaws come into effect on the date fixed by the Secretary of State when they are confirmed
- 6.4 The Secretary of State will confirm byelaws where he is satisfied that they are within the Local Authority's powers, do not conflict with any other law and the nuisance merits criminal sanctions and addresses a genuine problem. For this reason model byelaws have been produced which are in a form generally sufficient to enable good rule and management of parks and open spaces.

- 6.5 The preliminary consultation for the Queen Elizabeth Olympic Park Byelaws ran for a two-week period from 22<sup>nd</sup> October – 6<sup>th</sup> November 2012. The groups and organisations consulted were as follows –

#### **Organisations consulted**

- The Diocese of London
- The Crown Estates
- National Council for Metal detecting
- British Model Flying Association
- Canal and River Trust
- Tower Hamlets Wheelers
- Ramblers

#### ***Equalities Groups/organisations***

- Tower Hamlets Accessible Transport Forum
- Interfaith Forum
- New Residents and Refugee Forum
- Rainbow Hamlets
- Real (user-led organisation for people with disabilities)
- Age UK Tower Hamlets
- Older People's Reference Group
- Carer Forum and Mental Health Carer Forum
- Deaf Plus
- Royal London Society for Blind People

#### ***Sports Groups***

- Tower Hamlets Football Partnership
- Tower Hamlets Sports Council
- Tennis Development Group
- Bowls Group
- Athletics Development Group
- Cricket Development Group

- 6.6 Comments have been received from British Model Flying Association; Tower Hamlets Sports Council; and Real. There were no objections to the Byelaws being made. An issue was raised about dog control, which will be addressed in Dog Control Orders.

- 6.7 Consultation with the public will take place after the Council has made and sealed the Byelaws but prior to an application to DCLG for approval of Byelaws.

#### **Enforcement**

- 6.8 There will be three (3) levels of enforcement.

Firstly, the primary “enforcement” role will be undertaken by security employed by LLDC. The intention by LLDC will be to employ 51 security

staff. These will be working in shifts 24/7. These officers will not have enforcement powers but will be the first line in terms of nipping any issues in the bud. This will be by way of an informal chat. The security staff will however also monitor anti-social behaviour and gather evidence of hot spot areas where such behaviour is taking place. This would then escalate to the second level of enforcement.

Secondly, the LLDC have been in discussion with the Metropolitan Police and the park will have a dedicated “Safer Parks Team” of Police similar to the Safer Neighbourhood Teams. These officers will report persons for breach of Byelaws and/ or other offences where appropriate.

The third level of enforcement is where they will call on local authority enforcement officers to conduct special exercises should this be necessary. In that event they would meet our costs associated with the exercise.

- 6.9 Any enforcement by the Council of the Byelaws will be in accordance with the Council’s enforcement policy, adopted by Cabinet on 8 September 2010. The policy sets out the following clear principles for the Council’s enforcement action:

**raising awareness** of the law and its requirements;  
**proportionality** in applying the law and securing compliance;  
**consistency** of approach;  
**transparency** about the actions of the Council and its officers; and  
**targeting** of enforcement action

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

- 7.1 The report sets out for consideration the two sets of byelaws for Queen Elizabeth II Olympic Park which the Council has been asked to make identical Byelaws in relation to Parks and Open Spaces and Public Conveniences. There are no direct financial implications emanating within these proposals.

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

- 8.1 The Council has power under section 235 of the Local Government Act 1972 to make byelaws for –

- The good rule and government of the whole or part of the borough.
- The prevention and suppression of nuisances in the borough.

- 8.2 The Council has additional powers to make byelaws –

For the regulation of public walks or pleasure grounds under section 164 of the Public Health Act 1875.

For the regulation of open spaces for which it has acquired control under the Open Spaces Act 1906 and for the days and times of admission to such spaces and for the preservation of order and prevention of nuisances in those spaces.

- 8.3 Section 236 of the Local Government Act 1972 sets out the current procedure for making byelaws. Byelaws must be made under the Council's seal, but do not take effect until they are confirmed by the Secretary of State. Before applying for confirmation, the Council must: give notice of its intention to apply for confirmation in a newspaper circulating in the borough; and must make a copy of the proposed byelaws available for public inspection at the Council's offices. If a person requests a copy of the byelaws, the Council must make one available (for which the Council may charge a fee not exceeding 10p per hundred words).
- 8.4 In order to obtain confirmation, the Council must submit an application to the Department of Communities and Local Government ("DCLG"). The Secretary of State may either confirm or refuse to confirm any byelaw submitted for confirmation under section 236 of the 1972 Act. The Secretary of State may fix a date on which the byelaws come into effect, but if he does not specify a date the byelaws come into effect one month from the date of its confirmation.
- 8.5 The DCLG has indicated that in considering an application for confirmation, the points on which it will concentrate are as follows –
- that the byelaws are *intra vires* the relevant legislation and that any action required by the legislation, such as consultation with a named public body, has been taken;
  - that they do not duplicate or conflict with the general law, existing byelaws or any local Act, or common law;
  - that the nuisance they address merits criminal sanctions and that, to a reasonable person, the penalty available is proportionate;
  - that they directly address a genuine and specific local problem and do not attempt to deal in general terms with essentially national issues; and
  - that they do not conflict with Government policy.
- 8.6 The DCLG has published model byelaws which set out what the Government considers to be appropriate wording. Byelaws which exactly follow a model will in most cases satisfy the considerations set out above.

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

- 9.1 Recent studies by the Commission for Architecture and the Built Environment (CABE) suggested that providing good quality local green space is a very effective way to tackle inequality. People living in deprived urban areas view green space as a key service and one of the essentials in making a neighbourhood liveable.



9.2 When people were asked if they experienced any barriers to using their local green spaces, the biggest single barrier to accessing urban green space was safety. This was expressed both in terms of the physical environment and the perceived threat of others. Around a third of people reported they would use urban green space more if safety were improved.

9.3 Therefore, effective enforcement of Byelaws and other supporting legislation within the borough's parks and open spaces has the potential to improve the experience of park users and increase use by the community.

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

10.1 Byelaws are designed to protect parks and open spaces and the plants and wildlife within them. Effective implementation of the Byelaws will help to ensure access to nature for everyone in the borough.

## **11. RISK MANAGEMENT IMPLICATIONS**

11.1 The principal risk would be ensuring that the New Byelaws are publicised and enforced effectively from date of implementation.

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

12.1 The New Byelaws will support improved enforcement and community engagement specific to behaviour in the Queen Elizabeth Olympic Park. For this reason they will play their part in helping to drive down crime, littering and vandalism which in turn will help dealing with crime. They will also help to increase the use of the park by reducing fear of crime and ASB levels helping to promote a healthier, happier and more cohesive community. This will have efficiency benefits for adult social care and public health costs by keeping people healthier and more active for longer.

## **13. EFFICIENCY STATEMENT**

13.1 Included in 10 above.

## **14. APPENDICES**

Appendix 1 – Proposed Byelaws for Parks & Open Spaces

Appendix 2 – Proposed Byelaws for Public Toilets

Appendix 3 – Map showing the Park boundaries and the boundaries of each borough

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**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

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

**Bylaws Equality Impact Assessment**

**Afiya Begum**

Telephone: 020 7364 0218

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4th Floor

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London

E14 2BE

**LONDON BOROUGH OF TOWER HAMLETS**  
**BYELAWS FOR PLEASURE GROUNDS, PUBLIC**  
**WALKS AND OPEN SPACES**

ARRANGEMENT OF BYELAWS

PART 1  
GENERAL

1. General interpretation
2. Application
3. Opening times

PART 2  
PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

4. Protection of structures and plants
5. Unauthorised erection of structures
6. Climbing
7. Grazing
8. Protection of wildlife
9. Gates
10. Camping
11. Fires
12. Missiles
13. Interference with life-saving equipment

PART 3  
HORSES, CYCLES AND VEHICLES

14. Interpretation of Part 3
15. Horses
16. Cycling
17. Motor vehicles
18. Overnight parking

PART 4  
PLAY AREAS, GAMES AND SPORTS

- 19. Interpretation of Part 4
- 20. Children's play areas
- 21. Children's play apparatus
- 22. Skateboarding, etc
- 23. Ball games
- 24. Ball games - Rules
- 25. Cricket
- 26. Archery
- 27. Field sports
- 28. Golf

PART 5  
WATERWAYS

- 29. Interpretation of Part 5
- 30. Bathing
- 31. Ice skating
- 32. Model boats
- 33. Boats
- 34. Fishing
- 35. Pollution
- 36. Blocking of watercourses

PART 6  
MODEL AIRCRAFT

- 37. Interpretation of Part 6
- 38. Model aircraft

PART 7  
OTHER REGULATED ACTIVITIES

- 39. Provision of services
- 40. Excessive noise
- 41. Public shows and performances
- 42. Aircraft, hang-gliders and hot air balloons
- 43. Kites

44. Metal detectors

PART 8  
MISCELLANEOUS

45. Obstruction

46. Savings

47. Removal of offenders

48. Penalty

SCHEDULE - Rules for playing ball games in designated areas

Byelaws made under section 164 of the Public Health Act 1875 by the London Borough of Tower Hamlets with respect to the Queen Elizabeth Olympic Park.

## **PART 1**

### **GENERAL**

#### **General Interpretation**

1. In these byelaws:

“the Council” means the London Borough of Tower Hamlets;

“the ground” means the Queen Elizabeth Olympic Park;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

#### **Application**

2. These byelaws apply to the Queen Elizabeth Olympic Park.

#### **Opening times**

3. No person shall enter or remain in the ground except during advertised opening hours.

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Protection of structures and plants**

4. (1) No person shall without reasonable excuse remove from or displace within the ground:
  - (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
  - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall walk on or ride, drive or station a horse or any vehicle over:
  - (a) any flower bed, shrub or plant;
  - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
  - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

#### **Unauthorised erection of structures**

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

#### **Climbing**

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

#### **Grazing**

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

#### **Protection of wildlife**

8. No person shall without the consent of the Council kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

#### **Gates**

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.

- (2) Byelaw 9(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

### **Camping**

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

### **Fires**

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.  
  
(2) Byelaw 11(1) shall not apply to:
  - (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit;

### **Missiles**

12. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

### **Interference with life-saving equipment**

13. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.



## **PART 3**

### **HORSES, CYCLES AND VEHICLES**

#### **Interpretation of Part 3**

14. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

#### **Horses**

15. (1) No person shall ride a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

#### **Cycling**

16. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

#### **Motor vehicles**

17. (1) No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way or a designated route for that class of vehicle.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

#### **Overnight parking**

18. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the ground between the hours of 10 p.m. and 6 a.m..

## **PART 4**

### **PLAY AREAS, GAMES AND SPORTS**

#### **Interpretation of Part 4**

19. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

#### **Children’s play areas**

20. No person aged 14 years or over shall enter or remain in a designated area which is a children’s play area unless in charge of a child under the age of 14 years.

#### **Children’s play apparatus**

21. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

#### **Skateboarding, etc**

22. No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

#### **Ball games**

23. No person shall play ball games outside a designated area for playing ball games in such a manner:

- (a) as to exclude persons not playing ball games from use of that part;
- (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
- (c) which is likely to cause damage to any tree, shrub or plant in the ground.

#### **Ball games - Rules**

24. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in the Schedule and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

**Cricket**

25. No person shall throw or strike a cricket ball with a bat except in a designated area for playing cricket.

**Archery**

26. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

**Field sports**

27. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council.

**Golf**

28. No person shall drive, chip or pitch a hard golf ball.

**PART 5**  
**WATERWAYS**

**Interpretation of Part 5**

29. In this Part:

“boat” means any yacht, motor boat or similar craft but not a model or toy boat;

“power-driven” means driven by the combustion of petrol vapour or other combustible substances;

“waterway” means any river, lake, pool or other body of water and includes any fountain.

**Bathing**

30. No person shall without reasonable excuse bathe or swim in any waterway.

**Ice skating**

31. No person shall step onto or otherwise place their weight upon any frozen waterway.

**Model boats**

32. No person shall operate a power-driven model boat on any waterway except in a designated area for model boats.

**Boats**

33. No person shall sail or operate any boat, dinghy, canoe, sailboard or inflatable on any waterway without the consent of the Council except in a designated area for the sailing or operation of boats.

**Fishing**

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in a designated area for fishing.

**Pollution**

35. No person shall foul or pollute any waterway.

**Blocking of watercourses**

36. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

**PART 6**  
**MODEL AIRCRAFT**

**Interpretation of Part 6**

37. In this Part:

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length; or
- (c) one or more electric motors or by compressed gas.

“radio control” means control by a radio signal from a wireless transmitter or similar device.

**Model aircraft**

38. No person shall cause any power-driven model aircraft to:

- (a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or
- (b) land in the ground without reasonable excuse.

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

#### **Provision of services**

39. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

#### **Excessive noise**

40. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:
- (a) shouting or singing;
  - (b) playing on a musical instrument; or
  - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 41(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

#### **Public shows and performances**

41. No person shall without the consent of the Council hold or take part in any public show or performance.

#### **Aircraft, hang gliders and hot air balloons**

42. No person shall except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.

#### **Kites**

43. (1) No person shall fly a kite except in a designated area for flying kites.
- (2) No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

#### **Metal detectors**

44. (1) No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

## **PART 8**

### **MISCELLANEOUS**

#### **Obstruction**

45. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
  - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
  - (c) any other person in the proper use of the ground.

#### **Savings**

46. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

#### **Removal of offenders**

47. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable. The Council has the power of arrest in circumstances were they not able to ascertain details of an offender.

#### **Penalty**

48. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale. In any proceedings for an offence under these byelaws, it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence.

# **SCHEDULE**

## **RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 24)**

Any person using a designated area for playing ball games is required by byelaw 24 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.



# **LONDON BOROUGH OF TOWER HAMLETS**

## **BYELAWS FOR PUBLIC TOILETS**

### **ARRANGEMENT OF BYELAWS**

1. Interpretation
2. Application
3. Payment of fees
4. Interference with privacy of others
5. Improper soiling
6. Writing, etc
7. Affixing of pictures, etc
8. Loitering
9. Obstruction
10. Penalty

Byelaws made under section 87(3)(a) of the Public Health Act 1936 by the London Borough of Tower Hamlets with respect to public toilets.

### **Interpretation**

1. In these byelaws:

“the Council” means the London Borough of Tower Hamlets;

“the park” means those parts of the Queen Elizabeth Olympic Park as edged black on the annexed plan;

“toilet” means toilet facilities provided by public use by the Council and includes urinals and changing facilities for young children.

### **Application**

2. These byelaws apply to the park.

### **Payment of fees**

3. No person shall enter any cubicle without first paying any fees which the Council may charge for its use.

### **Interference with privacy of others**

4. No person shall interfere with the privacy of another person using the public toilet or give that person reasonable grounds for annoyance.

### **Improper soiling**

5. No person shall improperly soil any part of the toilet.

### **Writing, etc**

6. No person shall write on or mark or otherwise deface any part of the toilet.

### **Affixing of pictures, etc**

7. No person shall affix any picture or printed or written matter to any part of the toilet.

### **Loitering**

8. No person shall loiter in the toilet.

### **Obstruction**

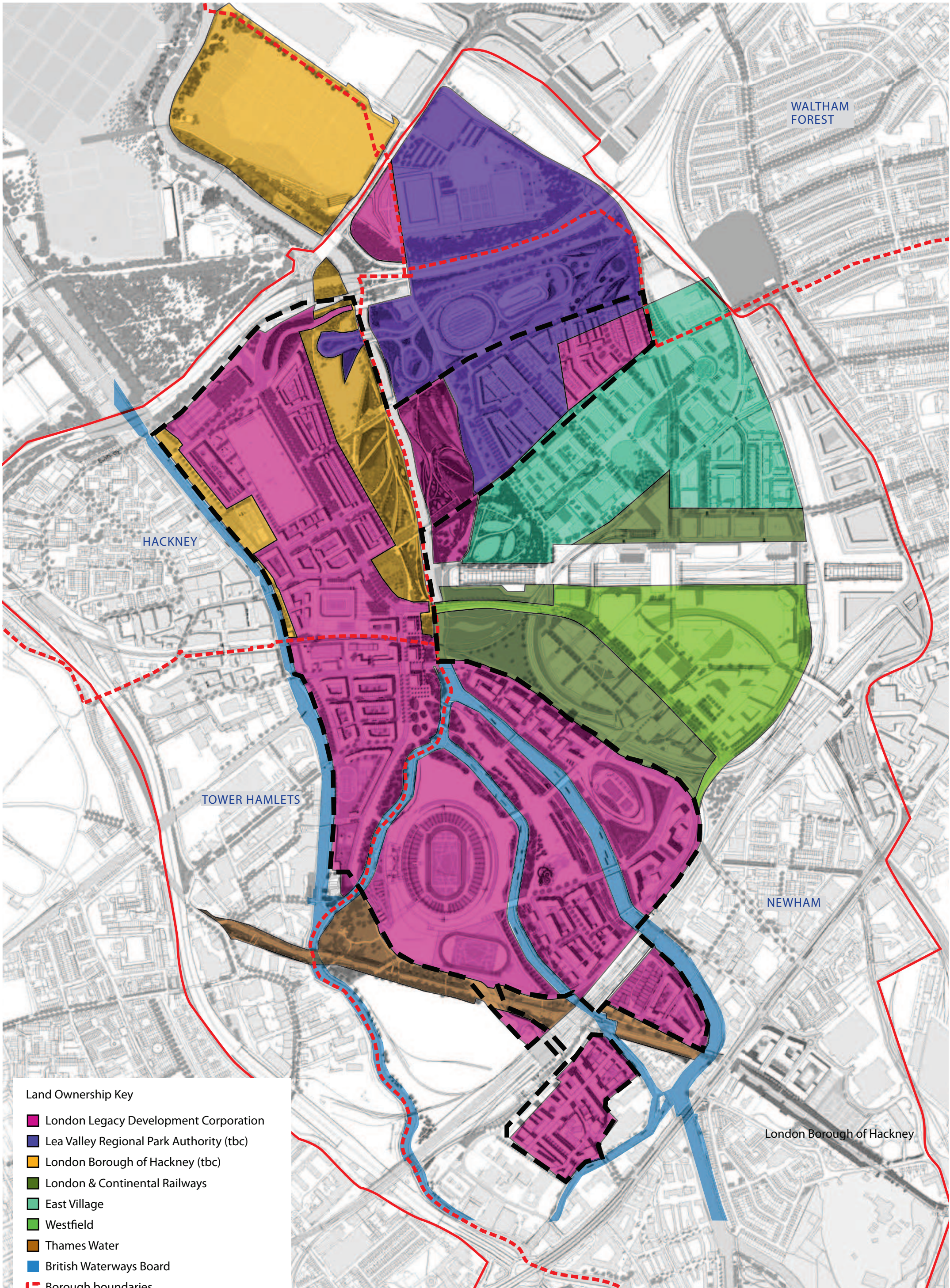
9. No person shall obstruct:
  - (a) any officer of the Council in the proper execution of his duties;
  - (b) any person carrying out an which is necessary to the proper execution of any contract with the Council; or
  - (c) any other person in the proper use of the toilet.

### **Penalty**

10. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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Land Ownership Key

- London Legacy Development Corporation
- Lea Valley Regional Park Authority (tbc)
- London Borough of Hackney (tbc)
- London & Continental Railways
- East Village
- Westfield
- Thames Water
- British Waterways Board
- Borough boundaries
- LLDC boundary
- Area of LLDC management control ie all publicly accessible open spaces within this area subject to LLDC park byelaws

Queen Elizabeth Olympic Park land ownership and management boundaries



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# Agenda Item 6.8

|   |                               |  |                                  |
|---|-------------------------------|--|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet  | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 101/123 |
| <b>Report of:</b><br>Corporate Director (Communities Localities & Culture) Stephen Halsey<br><br><b>Originating officer(s)</b><br>Margaret Cooper – Head of Transport & Highways<br>Stephen Adams - Finance & Resources Manager |                               | <b>Title:</b><br>Communities, Localities & Culture Directorate Capital Programme 2013/14<br><br><b>Wards Affected:</b> All |                                  |

|                             |                                    |
|-----------------------------|------------------------------------|
| <b>Lead Member</b>          | Councillor Shahed Ali              |
| <b>Community Plan Theme</b> | A Great Place to Live              |
| <b>Strategic Priorities</b> | Strengthen and Connect Communities |

## 1. **SUMMARY**

- 1.1 This report provides details of the schemes within the Communities, Localities and Culture (CLC) capital programme with capital finance agreed for expenditure in 2013/14. In order to progress implementation of these schemes, formal adoption of capital estimates by Cabinet is required.

## 2. **RECOMMENDATIONS**

The Mayor in Cabinet is recommended to:-

- 2.1 Include the schemes listed in appendix A to the report within the Communities, Localities & Cultural Services Directorate's 2013/2014 Capital Programme.
- 2.2 Adopt Capital Estimates (sum specified in estimated scheme cost column) for the schemes as outlined in Appendix A to the report.
- 2.3 Agree that where possible the Council's Measured Term Contracts be used for the implementation of the Transport and Highways Works as appropriate.
- 2.4 Agree that where possible the landscape improvement works be let under the terms of the Landscape Framework Agreement for implementation as appropriate.

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

- 3.1 A report was presented to Cabinet in February 2013 to agree the Capital programme for the Council for 2013-14 to 2015-16. Appendix A to this report provides the breakdown of details for individual schemes within that programme for which capital estimates must be adopted according to Financial Procedure FP 3.3. It also provides detail of additional capital funding which has been approved since the beginning of 2013 for inclusion on the 2013/14 capital programme.

### **4. ALTERNATIVE OPTIONS**

- 4.1 Failure to adopt Capital Estimates will result in delays to progression of works in the capital programme.

### **5. BACKGROUND**

- 5.1 Cabinet has previously agreed the Capital programme for the Council for 2013-14 to 2015-16. Appendix A to this report provides the breakdown of details for Local Implementation Plan (LIP) and LBTH capital schemes previously agreed, and the new schemes funded by S106. The revised CLC Directorate Capital Programme for 2013/2014 is now £12.826m, which has been amended to take account of decisions taken by the Council, Mayor and officers, including the additional grant resources that have become available.

- 5.2 The new schemes, totalling £10.322m, as outlined in Appendix A of this report are funded from the following sources.

|                                   | £'000 |
|-----------------------------------|-------|
| • Local Implementation Plan (TfL) | 3,377 |
| • TfL Cycling on Greenways        | 100   |
| • Developer Contributions (S106)  | 3,515 |
| • Various Grant Funding           | 1,035 |
| • Other funding                   | 400   |
| • LBTH Capital                    | 1,000 |
| • Prudential Borrowing            | 750   |
| • LPP                             | 145   |

- 5.3 All schemes link with the Council's Strategic Plan and Community Plan through strategic priorities 2.2 and 2.3 in the Great Place to Live theme. Priority will be given to those schemes which are time constrained and must be subject to practical completion by the 31<sup>st</sup> March 2014.

- 5.4 Transport & Highways capital estimates include a fee of 27.5% of the total works cost which covers the cost of staff resources engaged in the entire scheme development process from inception to construction.



5.5 All works are fully funded and further opportunities may arise through the year to supplement this funding. As in previous years the Council's Major Planned Highway Works Contract will be utilised for the implementation of the highways programme in addition to other specialist Measured Term Contracts for drainage and street lighting works. Other framework contracts shared with partner organisations are also available for utilisation.

## **6 SCHEMES AND FUNDING SOURCES**

### **6.1 TfL – Local Implementation Plan (LIP) Allocation**

6.1.1 TfL use a formula based approach to allocate local transport funding to London Boroughs which can be used to deliver the programme set out in the Local Implementation Plan 2 for traffic and streetscene improvement works and supporting measures for encouraging change in travel behaviour and road safety education. This is a working document which sets out an indicative 3 year rolling programme of works, taking account of the Council's current priorities. In addition a needs-based prioritisation governs allocation of LIP funding for planned maintenance of principal roads and bridges, while a competitive process still takes place for Area-Based schemes.

6.1.2 Of the total LIP allocation of £3.377m, the above categories received funding as follows:

- LIP Corridors, Neighbourhoods and supporting measures £2.245m
- LIP Area Based schemes £700k
- LIP Principle Road maintenance £332k
- Local Transport Funding £100k

Appendix A gives a breakdown of the funding allocation for 2013/14 based on progress in delivery of the 3 year plan over the past year and the Council's current priorities.

TfL Borough Projects and Programmes team have also provided a provisional allocation of £100k for a scheme in Cavell Street, to continue the objectives and long-term delivery of Greenways in London.

### **6.2 Transport & Highways Projects Developer Contributions – S106**

6.2.1 £1.250m of Section 106 contributions from developments in the borough have been approved by the Council's Planning Contributions Overview Panel (PCOP) as being specified in planning consents for specific traffic and highways works.

### 6.3 **Other Developer Contributions – S106**

6.3.1 £1.015m of S106 funding has been identified for six schemes that now form part of the CLC Capital programme. These schemes are:

- Landscaping works to the open space immediately adjacent to Christchurch Spitalfields – allocation £387k
- Hedges and interpretation panels to be placed in Mile End Park – allocation £151k
- Planting of semi-mature trees, Boroughwide – allocation £16k
- Improvement works to St Georges Pool – allocation £106k
- Relocation of the Mosaic/Mural on Brick Lane Wall – allocation £45k
- CCTV improvements – allocation £310k

### 6.4 **Victoria Park Developer Contributions – S106 and Other Funding**

6.4.1 £1.250m of Section 106 contributions from developments in the borough have been approved by the Council's Planning Contributions Overview Panel (PCOP) as being specified in planning consents for Victoria Park Sports Hub and other works. The Victoria Park scheme is additionally funded by Grants from London Marathon Trust (£235k) and the National Governing Bodies of Sport (£800k) with a further £400k being funded by LBTH Insurance, the total scheme estimate is £2.685m

6.5 The S106 schemes detailed above are included in Appendix A and approval of the Council's Planning Contributions Overview Panel (PCOP) is being sought, for delivery of these projects to start in 2013/14.

### 6.6 **Council Capital**

6.6.1 In the 2012/13 capital programme, a 3 year programme of planned highway maintenance was approved and allocated £1m funding per annum. All schemes included in the 2012/13 programme are due to be completed, with 21 streets being resurfaced in total.

6.6.2 The programme has been developed following condition surveys of the borough's streets. Following good practice, £750k is allocated to those streets in the worst condition according to these surveys, whilst £250k is allocated to the second priority of streets, where less expensive work can bring the condition

back to a good standard, thus achieving better value for money in maintaining the asset life overall.

- 6.6.3 The streets included in the 2013/14 programme are listed in Appendix A.
- 6.6.4 In addition Cabinet in February 2013 agreed to include into the proposed capital programme for approval by Council £750k for the procurement of ground maintenance plant, vehicles and equipment which will be funded through prudential borrowing. £45k is included for Mudchute and accelerated delivery Cycle Improvements of £100k.

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

- 7.1 This report outlines to Cabinet the Capital Programme for Communities, Localities and Culture for 2013/14 of £12.826m. Cabinet is requested to approve the programme and adopt Capital Estimates of £10.322m for the new schemes as outlined within Appendix A, funding for the new schemes is set out in the table below.

| Funding Source                            | Funding Secured<br>£'000 |
|---|--------------------------|
| Local Implementation Plan (TfL)           | 3,377                    |
| TfL Cycling on Greenways                  | 100                      |
| Section 106                               | 3,515                    |
| Grant: London Marathon Trust              | 235                      |
| Grant: National Governing Bodies of Sport | 800                      |
| LBTH Insurance                            | 400                      |
| LBTH Capital                              | 1,000                    |
| Prudential Borrowing                      | 750                      |
| LPP                                       | 145                      |
| <b>Total Funding Secured</b>              | <b>10,322</b>            |

- 7.2 In utilising the Measured Term Contracts for the Transport & Highways schemes, the Service Head Public Realm must be satisfied that these represent value for money for the Council.
- 7.3 The proposed prudential borrowing in relation to grounds maintenance plant, vehicles and equipment can be contained within approved Council borrowing targets. The revenue implications will be met from within CLC's existing budget.

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

- 8.1 Cabinet is asked to note information as to the capital expenditure for 2013/14 financial year. There is a positive duty on the chief finance officer to monitor

expenditure under section 114 of the Local Government Finance Act 1988. It is consistent with proper administration of the Council's financial affairs as required by section 151 Local Government Act 1972 for Cabinet to consider this report and adopt capital estimates

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

- 9.1 Extensive public and stakeholder consultation was carried out on the LIP2 from which these schemes originate. An Integrated Impact Assessment completed in parallel took account of equalities impacts of the plan overall which included specific actions such as better street lighting, accessibility, road safety and personal safety improvements to seek to ensure improvements are provided for all. In addition individual schemes are designed with due regard to guidance on providing for people with mobility handicaps and vulnerable road users.

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

- 10.1 The use of monies as outlined within the report will support current policies to improve the local environment, accessibility and safety.

## **11 RISK MANAGEMENT IMPLICATIONS**

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

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

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

## **13. EFFICIENCY STATEMENT**

- 13.1 As many Transport & Highways Capital Schemes as possible will be implemented using the Measured Term Contract within which efficiencies were secured through negotiation in 2011/12.

## **14. APPENDICES**

Appendix A: CLC Capital Programme 2013/14

Appendix B: Equalities Checklist – Capital Programme

**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

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

None

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## Appendix A - Communities, Localities & Culture

### New Schemes

| Programme<br>Category    | Scheme  | Capital<br>Estimate<br>£'000 | Funding<br>Source | Scheme Details  |
|--------------------------|---|------------------------------|-------------------|---|
| Local Transport Funding  | LIP Local Transport Funding (individual schemes to be identified) | 100                          | LIP Allocation    | for feasibility work and minor schemes.   |
| Major Schemes            | Bethnal Green Road Town Centre                                    | 700                          | LIP Allocation    | Urban renewal scheme to revitalise the market and shopping area of Bethnal Green Road. The scheme will consider relocation of the market off the carriageway and improving linkages between Bethnal Green Road and nearby facilities such as parks, specialist markets, and community facilities and buildings. Linkage from Bethnal Green Station to Brick Lane and the new Shoreditch High Street Station would also be improved. Design features include re-paving, improved and additional opportunities for crossings for pedestrians & cyclists, de-cluttering, street trees, improved lighting, CCTV and cycle parking. Gateway entrances and review of the main junctions at either end of the shopping area at Vallance Road and Cambridge Heath Road. |
| <b>Total New Schemes</b> |   | <b>800</b>                   |                   |   |

### TfL Schemes

|  |   |              |                |   |
|--|---|--------------|----------------|---|
| Corridors Neighbourhoods and Supporting Measures | Road Safety - Boroughwide                   | 100          | LIP Allocation | Safety improvements targeting vulnerable road user casualties at the highest priority sites in LBTH.  |
| Corridors Neighbourhoods and Supporting Measures | Manchester Rd/ Island Gardens               | 200          | LIP Allocation | Streetscene improvements to provide a cohesive neighbourhood in terms of design incl. greening, traffic calming and improved access to Island Garden DLR Station and other local amenities incl Millwall Park, Island Gardens, the Foot Tunnel and local shops.   |
| Corridors Neighbourhoods and Supporting Measures | Bow   | 250          | LIP Allocation | Implementation of traffic management study proposals of the Bow area. This will included review of existing traffic restrictions and calming in the area with a view to improving local access to support Roman Road market & shops and linkages to the Olympic Park for legacy.  |
| Corridors Neighbourhoods and Supporting Measures | Cycle Training                              | 125          | LIP Allocation | In schools and for adults using existing pool of cycle trainers to facilitate increased levels of cycle use and reduce casualties includes all ability cycling.   |
| Corridors Neighbourhoods and Supporting Measures | Zebra Crossing Halos                        | 60           | LIP Allocation | Continuing boroughwide programme for Installation of LED halos on crossings, to include driver awareness of vulnerable road users.  |
| Corridors Neighbourhoods and Supporting Measures | Local area minor accessibility improvements | 130          | LIP Allocation | Review clutter and footway arrangements at bus stops; cycle parking stands; dropped kerbs and other minor works to facilitate access for all road users   |
| Corridors Neighbourhoods and Supporting Measures | Historic Streets                            | 300          | LIP Allocation | Conservation Area streetscene improvements: Spitalfields, Wapping and Bethnal Green areas.  |
| Corridors Neighbourhoods and Supporting Measures | Cycle Infrastructure Improvements           | 50           | LIP Allocation | Including footway and public realm improvements to enhance cycle usage, 'Legible London' wayfinding, CCTV at key locations, and wider infrastructure such as traffic calming measures and measures to improve cycle permeability and support an eastward extension of the Cycle Hire Scheme. Cycle Parking at Transport Hubs (Bethnal Green Station). |
| Corridors Neighbourhoods and Supporting Measures | Cycle Route Improvements                    | 150          | LIP Allocation | Implementing recommended measures from CRISP studies ( user surveys of routes).   |
| Corridors Neighbourhoods and Supporting Measures | Legible London                              | 100          | LIP Allocation | Implementation of 4 borough Olympic fringe wayfinding strategy and extension to other key centres in LBTH.  |
| Corridors Neighbourhoods and Supporting Measures | Bartlett park                               | 350          | LIP Allocation | Rationalisation of the open space and realignment   |
| Corridors Neighbourhoods and Supporting Measures | Sydney Street                               | 250          | LIP Allocation | Safety improvements including redesign of Stepney Green junction and changes to existing traffic calming measures, improving conditions for cyclists and pedestrians.   |
| Corridors Neighbourhoods and Supporting Measures | Bus Stop Accessibility Programme            | 100          | LIP Allocation | Review clutter and footway arrangements to improve bus bus passenger experience.  |
| Corridors Neighbourhoods and Supporting Measures | Belgrave Street                             | 80           | LIP Allocation | Review to determine the feasibility of converting Belgrave Street to one-way in order to prevent traffic using it as a rat run to the Limehouse Link and improve safety at the junction with Commercial Road  |
| <b>Total TfL Schemes</b>                         |   | <b>2,245</b> |                |   |

### TfL Principal Road Network

| Programme<br>Category | Scheme | Capital<br>Estimate | Funding<br>Source | Scheme Details |
|-----------------------|--------|---------------------|-------------------|----------------|
|-----------------------|--------|---------------------|-------------------|----------------|

|   |                |            |                |  |
|---|----------------|------------|----------------|--|
| Principal Road Network                  | Westferry Road | 332        | LIP Allocation | Carriageway reconstruction and resurfacing to section between Heron Quays to Tiller Road in response to the condition index. |
| <b>Total TfL Principal Road Network</b> |                | <b>332</b> |                |  |

#### TfL Cycling on Greenways

|                                       |               |            |                |   |
|---------------------------------------|---------------|------------|----------------|---|
| TfL Cycling on Greenways              | Cavell Street | 100        | LIP Allocation | to continue the objectives and long-term delivery of Greenways in London. |
| <b>Total TfL Cycling on Greenways</b> |               | <b>100</b> |                |   |

#### Section 106 Developers Contribution

| Programme Category                               | Scheme                                      | Capital Estimate   | Funding Source  | Scheme Details  |
|--|---|--------------------|---|---|
| 2013/14 to 2014/15                               |   | £'000              |   |   |
| Transportation & Highways                        | 33-35 Commercial Road                       | 125                | S106 - PA/08/01034  | Public Realm improvements in the vicinity of the site                               |
|  | 231-237 Cambridge Heath Road                | 47                 | S106 - PA/10/00810  | Public Realm improvements to Three Colts Lane in the locality of the land           |
|  | 57-59 Whitechapel Road                      | 30                 | S106 - PA/10/01466  | Pedestrian, cycling and public realm improvements works in the vicinity of the site |
|  | 32-42 Bethnal Green Road                    | 150                | S106 - PA/07/02193  | Towards improving the street environment and walking links                          |
|  | 21 Wapping Lane                             | 64                 | S106 - PA/06/01787  | Provision of a raised speed table on Wapping Lane                                   |
|  | Former Safeway Store, 2 Gladstone Place     | 135                | S106 - PA/09/00203  | Highway improvement works on Cardigan Road  |
|  | Caspian Wharf and 1-3 Yeo Street            | 146                | S106 - PA/08/01763 & PA/05/01647  | To improve the safety of the highway in the vicinity of the site                    |
|  | 101-109 Fairfield Road                      | 20                 | S106 - PA/09/00177  | Installation of traffic calming features along Fairfield Road                       |
|  | Improvements to pedestrian and cycle routes | 160                | PA/03/01277, PA/06/01010, PA/08/01034, PA/11/01223, PA/08/00504, PA/09/01656                                | PID contributions related to pedestrian and cycle route improvements.               |
|  | Ocean Estate FS2                            | 49                 | S106 - PA/09/02584  | Local highway improvement works to Ben Johnson Road                                 |
| Marsh Wall                                       | 324   | S106 - PA/06/01439 | Pedestrian and cycle environment improvements to Cuba Street, Manilla Street, Tobago Street and Byng Street |   |
| <b>Total Section 106 Developers Contribution</b> |   | <b>1,250</b>       |   |   |

#### LBTH Capital

| Programme Category        | Scheme                      | Capital Estimate | Funding Source                              | Scheme Details   |
|---------------------------|-----------------------------|------------------|---|--|
|                           |                             | £'000            |   |  |
| LBTH Capital              | Planned highway maintenance |                  | LBTH Cap                                    | Reconstruction and resurfacing of carriageways on the streets recorded with the worst condition in independent highway visual surveys. |
|                           | EMPSON STREET               | 73               | "   | from DEVONS ROAD to END  |
|                           | BARNARDO STREET             | 54               | "   | from DEVONPORT STREET to END   |
|                           | CHESTER STREET              | 26               | "   | from VALLANCE ROAD to MAPE STREET  |
|                           | FORD CLOSE                  | 4                | "   | from ROMAN ROAD to END   |
|                           | BUXTON STREET               | 45               | "   | from SPITAL STREET to BRICK LANE   |
|                           | GALE STREET                 | 39               | "   | from HAWGOOD STREET to DEVONS ROAD   |
|                           | ALDERNEY ROAD               | 68               | "   | from BANCROFT ROAD to GLOBE ROAD   |
|                           | EZRA STREET                 | 22               | "   | from RAVENSCROFT STREET to COLUMBIA ROAD   |
|                           | PRITCHARDS ROAD             | 57               | "   | from GOLDSMITHS RW/WHISTON RD to HACKNEY RD  |
|                           | ST STEPHENS RD              | 130              | "   | FROM OLD FORD TO ROMAN ROAD  |
|                           | SHANDY ST                   | 47               | "   | FROM DUCKETT ST TO WHITE HORSE LANE  |
|                           | RUSSIA LANE                 | 48               | "   | from BISHOPS WAY to START OF ESTATE ROAD   |
|                           | TREBY STREET                | 20               | "   | from ERIC STREET to END O/S NO.5   |
|                           | LOCKHART STREET             | 22               | "   | from BOW COMMON LANE to ROPERY STREET  |
|                           | CHISENHALE ROAD             | 62               | "   | from KENILWORTH ROAD to DRIFFIELD ROAD   |
|                           | MORVILLE STREET             | 75               | "   | from ORDELL ROAD to TREDEGAR ROAD  |
| DEVONS ROAD               | 88                          | "                | from BRUCE ROAD TO DEVAS STREET             |  |
| BURSLEM STREET            | 33                          | "                | from CANNON STREET ROAD to CHRISTIAN STREET |  |
| PUNDERSONS GARDENS        | 33                          | "                | from MIDDLETON STREET to BETHNAL GREEN RD   |  |
| BIGLAND STREET            | 54                          | "                | from MORRIS STREET to CANNON STREET ROAD    |  |
| <b>Total LBTH Capital</b> |                             | <b>1,000</b>     |   |  |



|                           |                      |            |      |  |
|---------------------------|----------------------|------------|------|--|
| <b>LBTH Capital</b>       | Mudchute             | 45         | LBTH | Small projects to the Farm which include tarmac, toilets and storage.  |
|                           | Cycling Improvements | 100        | LBTH | This funding would increase provision of improvements for cyclists including more cycle parking facilities, better local cycle routes with increased permeability through the local area, bike pump facilities and more cycle safety awareness promotions. |
| <b>Total LBTH Capital</b> |                      | <b>145</b> |      |  |

|                                   |                     |            |                      |  |
|-----------------------------------|---------------------|------------|----------------------|--|
| <b>Prudential Borrowing</b>       | Grounds Maintenance | 750        | Prudential Borrowing | Purchase of grounds maintenance equipment. |
| <b>Total Prudential Borrowing</b> |                     | <b>750</b> |                      |  |

**Section 106 Developers Contribution**

|  |  |              |  |  |
|--|--|--------------|--|--|
| <b>Parks Projects</b>                            | Victoria Park Sports Hub & Other Works | 2685         | 1250 - S106 - PA/09/1916, PA/08/1088, PA/06/0432, PA/09/2018 & PA/10/0925<br>1035 - Various Grants and 400 - Other funding | The purpose of the Victoria Park Phase 2 project is to provide: A new community multi-sports hub in the park, including a refurbished changing room pavilion, increase the number and quality of sports pitches in the park. Carriageway improvements to facilitate access to and egress from Victoria Park, minimising damage to the grassed areas and facilitate access to and egress from the park. An Event Support Area, playground fencing, interpretation panels and CCTV installation. |
| <b>Parks Projects</b>                            | Christ Church Gardens                  | 387          | PA/09/00965  | landscaping works to the open space immediately adjacent to Christchurch Spitalfields  |
| <b>Parks Projects</b>                            | Mile End Hedge                         | 151          | PA/03/00154  | Hedges and interpretation panels to be placed in Mile End Park   |
| <b>Parks Projects</b>                            | Trees - Boroughwide                    | 16           | PA/04/00094 & PA/03/00218 & PA/04/00880 & PA/00/00409  | planting of semi-mature trees  |
| <b>Culture Project</b>                           | St Georges Pool                        | 106          | PA/09/02018 & PA/10/01466  | improvement works  |
| <b>Culture Project</b>                           | Brick Lane Mural                       | 45           | PA/11/03765 (£1993) & PA/11/02732 (£12,051), Other PA(s) yet to be identified  | Relocation of the Mosaic/Mural on Brick Lane Wall. Scheme will not commence until the full funding has been secured.   |
| <b>Safer Communities</b>                         | CCTV Improvements                      | 310          | PA/02/00074 & PA/06/01787  | CCTV Improvements  |
| <b>Total Section 106 Developers Contribution</b> |  | <b>3,700</b> |  |  |

|  |               |
|--|---------------|
| <b>Communities, Localities and Culture Total</b> | <b>10,322</b> |
|--|---------------|

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## EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

|  |                                |
|--|--------------------------------|
| <b>Name of 'proposal' and how has it been implemented</b><br>(proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal) | CLC 2013/14 Capital Programme  |
| <b>Directorate / Service</b>   | CLC, Public Realm              |
| <b>Lead Officer</b>  | Margaret Cooper /Stephen Adams |
| <b>Signed Off By</b>   |                                |

| Stage    | Checklist Area / Question  | Yes / No / Unsure | Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)   |
|----------|--|-------------------|--|
| <b>1</b> | <b>Overview of Proposal</b>  |                   |  |
| a        | Are the outcomes of the proposals clear?   | Yes               | Agreed scope of works and funding streams agreed.  |
| b        | Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?  | No                | For those schemes in the programme outside of LIPS2, consultation will proceed concurrently with scheme design & development and therefore those affected will be identified.<br>For those schemes identified through the LIPS2 Consultation, those who will be affected are known.  |
| c        | Is there a narrative in the proposal where NO impact has been identified?<br>Please note – if a Full EA is not to be undertaken based on the screen or fact that a proposal has not been 'significantly' amended, a narrative needs to be included in the proposal to explain the reasons why and to evidence due regard | No                | LIPS2 Consultation was carried out late 2010/early 2011 in response to the Mayor of London's Transport Strategy Statement (MTS). LIPS2 included SEA, HIA and EIA. The final LIPS document that informs the 2013/14 CLC Capital Programme was approved by Cabinet on 11 <sup>th</sup> May 2011.<br>Other Capital schemes have been developed in response to individual representations from stakeholders whereas others are based upon condition surveys. |

| <b>2 Monitoring / Collecting Evidence / Data and Consultation</b> |  |  |
|---|--|--|
| <b>a</b>  | Is there reliable qualitative and quantitative data to support claims made about impacts?  | Yes<br>LIPS2 included large amounts of data dealing with travel patterns and priorities. Local Consultations also carried out. |
|   | Is there sufficient evidence of local/regional/national research that can inform the analysis?   | Yes  |
| <b>b</b>  | Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?             | Yes  |
| <b>c</b>  | Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?  | Yes  |
| <b>3 Assessing Impact and Analysis</b>                            |  |  |
| <b>a</b>  | Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics? | NA   |
|   | Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?                          | NA   |
| <b>b</b>  | Has the assessment sufficiently considered the three aims of the Public Sector Equality Duty (PSED) and OTH objectives?                                    | NA   |
| <b>4 Mitigation and Improvement Action Plan</b>                   |  |  |
| <b>a</b>  | Is there an agreed action plan?  | NA   |
| <b>b</b>  | Are all actions SMART (Specific, Measurable, Achievable, Relevant and Time Bounded)  | NA   |
| <b>c</b>  | Are the outcomes clear?  | NA   |
| <b>d</b>  | Have alternative options been explored   | NA   |
| <b>6 Quality Assurance and Monitoring</b>                         |  |  |
| <b>a</b>  | Are there arrangements in place to review or audit the implementation of the proposal?   | Yes  |
| <b>b</b>  | Is it clear how the progress will be monitored to track impact across the protected characteristics??  | Yes  |

| <b>7 Reporting Outcomes and Action Plan</b> |  |
|---|--|
| <b>a</b>                                    | Does the executive summary contain sufficient information on the key findings arising from the assessment?<br>NA   |
| <b>8 Sign Off and Publication</b>           |  |
| <b>a</b>                                    | Has the Lead Officer signed off the EA?<br>Please note – completed and signed off EA and Quality Assurance checklists to be sent to the One Tower Hamlets team<br>NA |

|                           |             |
|---------------------------|-------------|
| <b>Any other comments</b> |             |
| <b>Signature</b>          | <b>Date</b> |

*Please keep this document for your records and forward an electronic version to the One Tower Hamlets Team*

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# Agenda Item 7.1

|  |                               |   |                                  |
|--|-------------------------------|---|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted                                    | <b>Report No:</b><br>CAB 103/123 |
| <b>Report of:</b><br>Corporate Director Education, Social Care and Wellbeing |                               | <b>Title:</b><br>2013/14 Children, Schools and Families Capital Programme |                                  |
| <b>Originating officer(s):</b><br>Pat Watson                                 |                               | <b>Wards Affected:</b> All  |                                  |

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

## 1.0 SUMMARY

- 1.1 This report advises Cabinet on the 2013/14 Children, Schools and Families (CSF) Capital Programme and seeks various approvals as set out in the report.

## 2.0 DECISIONS REQUIRED

The Mayor in Cabinet is recommended to:-

- 2.1 Note the contents of this report and specifically the predicted out-turn for the 2012/13 CSF Programme (detailed in Appendix A) and proposed allocation of the funding available in 2013/14 (as detailed in Appendix B);
- 2.2 Approve the adoption of capital estimates for 2013/14 capital condition and improvement programme schemes as shown in Appendix C and authorise expenditure (paragraph 6.9);
- 2.3 Note the completion of the Primary Capital Programme (PCP) schemes as shown in Appendix D (paragraph 6.11);
- 2.4 Note the existing approved Primary School Expansion Programme as detailed in Appendix E (paragraph 6.13);
- 2.5 Approve the revised capital estimate of £7.16m for the works at Marners Primary School to be funded from the uncommitted funds within the CSF capital programme (paragraph 6.14);

- 2.6 Approve the revised capital estimates of £4.80m for the works at ArnhemWharfPrimary School to be funded from the uncommitted funds within the CSF capital programme (paragraph 6.16);
- 2.7 Approve the adoption of a capital estimate of £400,000 for the costs of providing additional short term accommodation if required for additional pupils until major works have been carried out to provide permanent additional school places and authorise expenditure (paragraph 6.20);
- 2.8 Approve the adoption of a capital estimate of £500,000 to cover the costs of developing proposals to be considered for inclusion in the capital programme and authorise expenditure (paragraph 6.22);
- 2.9 Approve the adoption of £1.3m grant to fund capital works to provide the places required to meet the statutory entitlement for free early education for eligible two year olds from 1<sup>st</sup> September 2013 (paragraph 6.24);
- 2.10 Approve the adoption of £126,348.87 to renovate the Youth Services One Stop Shop, based at 150 Burdett Road to be funded from the 2012/13 Short Breaks Capital grant. (paragraph 6.32);
- 2.11 That the Director of Education, Social Care and Wellbeing (ESCW), in respect of all proposed tenders referred in this report, in consultation with the Assistant Chief Executive (Legal Services), is authorised to accept tenders for projects within the approved programmes and capital estimate and to award the necessary contracts and the Assistant Chief Executive (Legal Services), is authorised to enter into all necessary documents to implement this decision ;
- 2.12 That any scheme exceeding the approved budget, the Director of ESCW is authorised to prepare and carry out a Bill of Reductions where relevant to ensure expenditure is contained within the agreed costs.

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

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

### **4.0 ALTERNATIVE OPTIONS**

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

### **5.0 BACKGROUND**



5.1 This report advises Members on the latest position on the CSF Capital Programme, the projected out-turn for 2012/13 (as described in Appendix A) and the proposed allocations for 2013/14 (as detailed in Appendix B) based on the expected funding allocation by the Department for Education (DfE), and seeks authority for necessary additions/revisions to the programme to enable projects to be progressed.

## **6.0 BODY OF REPORT**

### **6.1 Allocations and Funding**

6.2 In the April 2012 Report to Cabinet on the CSF capital programme, Members were advised of the review by the Secretary of State for Education on all capital investment in schools. Although there are still aspects of the review that the government has not yet responded on, the majority of funding is now for Basic Need and Capital Maintenance in the form of grant. Schools still receive devolved capital, but this has been significantly reduced.

6.3 The government have announced a two year grant allocation of £16.438m, 2013/14 and 2014/15, for Basic Need and a one year grant allocation of £3.554m, 2013/14, for Capital Maintenance.

6.4 Where the Basic Need allocation alone cannot meet the identified need it may be necessary to use part of the Capital Maintenance grant to support the school expansion programme. This would be possible on the basis that extending and adapting existing schools will address a proportion of existing condition needs.

6.5 Because of the long lead in time required in developing such projects we are continuing to develop options.

6.6 The assumed out-turn commitment for 2012/13, as reported to Council in February 2013, was £16.998m. Based on more recent forecasts, the out-turn commitment is now expected to be £18.334m (see Appendix A).

6.7 Appendix B sets out the assumed available of funds for 2013/14 to 2015/16, amounting to £42.883m (excluding BSF), and the funding sources available. This includes an unallocated balance of £20.202m, for which project proposals are being developed and will be subject to further reports to Cabinet.

6.8 In addition to grants and previous supported borrowing, the CSF capital programme is supplemented by a number of other resources. This includes contributions towards projects from schools' devolved formula capital and developer contributions (s.106 planning gain). The current uncommitted S.106 available for additional places is £2.3m. This, together with the future accumulation of contributions, will be used to support the pupil places expansion programme to meet rising demand.

### **6.9 Capital Condition and Improvement Projects 2013/14**

6.10 The projects at schools that have been included within the programme are listed in Appendix C. Projects are included on the basis that they are either necessary to rectify serious building or supply faults to ensure safe and continued operation of premises by users, or to meet statutory requirements eg. accessibility, fire protection, etc. A separate allocation of £100,000 was agreed by Cabinet in February 2012 to address similar urgent condition and statutory requirement works at CSF non-school premises in 2013/14.

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

6.12 The PCP has been completed. The projects included and the expected final costs are listed in Appendix D.

### **6.13 Primary School Expansion Projects (Appendix E)**

6.14 In 2012 Cabinet approved funding for a number of projects within the Primary School Expansion programme amounting to £41.28m. The works at Arnhem Wharf, Ben Jonson, Culloden, Manorfield, Marner and Wellington Primary schools have now been completed.

6.15 The works at Marner have had to be undertaken in several phases to minimise the disruption to the school. The last phase has been completed and the contractor has submitted a claim as part of the final costs amounting to £4.4m which exceeded the original contract sum. The contractor's justification was that a number of delays and additional works had resulted in additional costs. Although some of the claim could be substantiated, mainly due to necessary design changes, this only amounted to £4.02m. Following detailed discussions with the contractor they have now accepted this reduced amount. The additional cost amounts to approximately £320,000. These costs could not be covered within the project contingencies as they had already been fully committed, so it is recommended that an overall revised capital estimate of £7.16m is approved. This can be funded from uncommitted sums within the CSF capital programme.

6.16 In the case of Arnhem Wharf, additional costs were incurred as a result of design changes that were necessary to address problems that arose during the programme. The estimated additional cost of £120,000 cannot be covered within the project contingencies as they had already been fully committed

6.17 The schemes to expand Cayley Primary and Bonner Primary schools are progressing well and are on programme. Two Reception classes have already opened at the new Bonner (Mile End) site and the additional Reception class at Cayley will open in September 2013.

6.18 A further review of the primary school medium term strategy, as reported to Cabinet in September 2012, has now been completed. A total of nine community primary school sites were included in the review on the basis that, from a desktop review, they may have potential for expansion and that they were near the areas where additional pupil places are required.

- 6.19 Where the review has identified possible expansion opportunities discussions are taking place with the schools and their Governing Bodies on the proposals. Once these proposals are agreed to be pursued, a further report will be presented to Cabinet for approval.
- 6.20 In the short term it may be necessary to identify suitable school sites to locate the additional pupils until major works have been completed to provide the places needed in the longer term. It is recommended that a sum of £400,000 is included in the programme as a financial provision. If this is not required, the funds will be included in the main programme.
- 6.21 On 5 September 2012 Cabinet adopted a capital estimate of £10m for the project to expand Woolmore Primary School from 1FE to 3FE. The report stated that this would be funded from the DfE Basic Need grant. The project for Woolmore School forms part of the Blackwall Reach redevelopment. Over time the Blackwall Reach scheme will contribute s. 106 funding of £14.48m in total. Within this, £6.4m is identified for the provision of school places. The s. 106 funding is profiled over a number of years as the development is implemented in phases. It is therefore proposed to fully fund the Woolmore School project from the DfE Basic Need grant and then apply the s. 106 receipt for subsequent school places schemes when available.

## **6.22 Feasibility Studies and Project Development**

- 6.23 There is a need to continue with development of proposals to provide additional primary capacity. Feasibility studies will continue to be undertaken to develop the programme. The Council has secured site allocations for new schools through the LDF process. These sites are in private ownership and the Council will need to respond to the developers' timetables. There will be a need to undertake some feasibility and viability testing work on these sites as they arise.
- 6.24 It is recommended that a sum of £500,000 is included in the programme to fund the feasibility studies and scheme development.

## **6.25 Early Education Provision**

- 6.26 Free early education will become a statutory entitlement for eligible two year olds from 1 September 2013, with the local authority having a duty to secure provision. The Department for Education has awarded Tower Hamlets £1.3m of capital funding in 2012-13 as a contribution to local authorities' capital budgets. Revenue funding for free early education for two year olds will form part of the Dedicated Schools Grant (DSG) from 2013-14.
- 6.27 The Early Years Service will work closely with childcare providers to identify potential capital development projects that fit with the strategic aims of the funding programme. Once projects are identified, the providers will be supported in refining and developing their projects.
- 6.28 Once suitable projects have been identified formal approval will be requested either by delegated authority or Cabinet.

## 6.29 Short Break Provision

- 6.30 The Council has received £214,184 from the Government's short breaks capital grant. This is to help local authorities and their health partners to create better access to short break provision by providing new equipment, adaptations and facilities for disabled children and young people.
- 6.31 Approval has already been given to allocate £87,835 of the grant to voluntary sector organisations providing short breaks for children and young people with disabilities, for various items of equipment to enhance our current short break offer.
- 6.32 It is also recommended that remaining £126,348.87 be used to renovate the Youth Services One Stop Shop, based at 150 Burdett Road. This would create a new purpose built accessible Hub with interactive sports and leisure facilities for young people with disabilities and their siblings/ friendship groups. As the building shares a site with the Urban Adventure Base, it will help make other facilities at the site more inclusive through better use by disabled young people and also benefit young carers from the Young Carers Group who use Urban Adventure Base. The Hub will be available for exclusive use by young people with disabilities and their siblings for 60% of the after school, weekend and holiday sessions, including sessions on Saturdays and Sundays. The remaining 40% of weekly sessions will be universal provision, available for all young people.

## 7.0 COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 The Education Social Care and Wellbeing (ESCW) (CSF) capital budget of **£43.903m**, agreed at Council on 7 March 2013 reflected the profiled position based on spending to the end of quarter 2 2012/13 and expected government grants known during the budget setting process. This report now provides an update on the CSF capital programme for ESCW to reflect the Quarter 3 2012/13 spending, known government grants for 2013/14 and any further changes either affecting the profile of spend or the priorities. Projects included in this report are all affordable within the available resources.
- 7.2 The table below explains how the capital budget of **£42.883m** in **Appendix B** relates to the figure agreed by Council.

**Table 1: Movement in CSF capital budget 2013/14-2015/16 from Cabinet 9<sup>th</sup> January 2013**

| Component  | Value<br>£m     |
|--|-----------------|
| CSF capital budget as per Cabinet 9 <sup>th</sup> January 2013 (2012/13 – 2015/16)   | <b>£43.903m</b> |
| Less 2012/13 budget (because the programme is now looking at 2013/14 onwards)  | -£16.998m       |
| Slippage of programme since reported quarter 2 2012/13 position for 2012/13  | +£3.506m        |
| Increase in programme because of confirmation of final government capital resources for school condition. basic need and short breaks. | +£10.172m       |
| Increase in programme because of additional S106 monies  | +£2.300m        |
| CSF capital spend 2012/13 as per this report (Appendix B).   | <b>£42.883m</b> |

7.3 Within the overall programme resources of **£42.883m**, **£20.202m** is as yet uncommitted and will be the subject of proposals at a later stage.

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

8.1 The report outlines proposed projects in CSF and seeks Cabinet's approval of the associated capital estimates.

8.2 The Financial Regulations set a threshold of £250,000, above which Executive approval is required for a capital estimate. The Financial Procedures supplement this requirement. In accordance with Financial Procedure FP 3.3, senior managers are required to proceed with projects only when there is a capital estimate adopted and adequate capital resources have been identified. Where the estimate is over £250,000 the approval of the adoption of that capital estimate must be sought from the Executive.

8.3 There is no legal impediment to approval of the estimates, as the Proposed projects are capable of being carried out within the Council's statutory functions. The Council has a duty under the Education 1996 to secure that sufficient schools are available for Tower Hamlets. The Council has a duty under the School Standards and Framework Act 1998 to make premises available as part of its duty to maintain schools. The Council is also subject to duties under the Health and Safety at Work etc Act 1974 to ensure so far as is reasonably practicable the health and safety of staff, pupils, visitors and volunteers on school premises. It will be for officers to ensure that individual commitments are carried out in accordance with legal requirements.

8.4 Procurement for the various projects will need to be carried out in accordance with the Council's Procurement Procedures and, where relevant, the Public Contract Regulations 2006. Compliance with the procurement procedures should assist the Council to comply with its duty as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness" (section 3 of the Local Government Act 1999).

## **9.0 ONE TOWER HAMLETS CONSIDERATIONS**

9.1 The implementation of the CSF capital programme is part of the LA's strategy to improve achievement by improving the teaching and learning environment.

9.2 Strategies to raise educational attainment, including improving quality of school buildings, support students moving into employment.

9.3 The expansion of schools under the capital programme is necessary to ensure the Council meets its legal obligation to secure sufficient schools for Tower Hamlets, but will also promote equality of opportunity for children and young people (including within the meaning of the Equality Act 2010).

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

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

## **11.0 RISK MANAGEMENT IMPLICATIONS**

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

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

12.1 There are no specific implications arising.

## **13.0 EFFICIENCY STATEMENT**

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

### **APPENDICES**

Appendix A-CSF Predicted Capital Out-Turn 2012/13

Appendix B - Proposed Allocation of Funds 2013/14 to 2015/16

Appendix C - CSF Condition and Improvement Programme

Appendix D - Primary Capital Programme

Appendix E - Expansion Programme

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### **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

#### **List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”

None.

**Appendix A  
Out-turn 2012/13**

|  | Resources     | Commitments   | Carry Forward |
|--|---------------|---------------|---------------|
| <b>Supported Borrowing (SB)</b>  |               |               |               |
| *Other ICT   | 1.454         | 0.800         | 0.654         |
| <b>Grants (G)</b>  |               |               |               |
| Capital Maintenance  | 1.220         | 0.960         | 0.260         |
| Basic Need/New Pupil Places  | 28.722        | 13.577        | 15.145        |
| PCP  | 0.591         | 0.591         | 0.000         |
| Sure Start – Globe Town  | 0.025         | 0.025         | 0.000         |
| Short Breaks   | 0.068         | 0.068         | 0.000         |
| *Unapplied Children’s Services grants held within the Early Intervention Reserve | 1.100         | 0.030         | 1.070         |
| *Modernisation   | 1.053         | 0.471         | 0.582         |
|  | <b>32.779</b> | <b>15.722</b> | <b>17.057</b> |
| <b>Developer Contributions (S106)</b>  |               |               |               |
| Bishops Square – Christ Church Community provision                               | 0.300         | 0.300         | 0.000         |
| *Bishop Challoner Community facilities   | 0.850         | 0.000         | 0.850         |
|  | <b>1.150</b>  | <b>0.300</b>  | <b>0.850</b>  |
| <b>Local Priorities Programme (LPP)</b>  |               |               |               |
| Youth Services Accommodation   | 0.010         | 0.010         | 0.000         |
| BMX Bike Track   | 0.042         | 0.042         | 0.000         |
| Sale of Lukin Street (Bishop Challoner)  | 0.768         | 0.768         | 0.000         |
| Bishop Challoner community facilities  | 0.600         | 0.600         | 0.000         |
| Non-School Condition & Statutory   | 0.075         | 0.075         | 0.000         |
| Osmani Youth Centre  | 0.007         | 0.007         | 0.000         |
| *Swanlea – Crossrail Contribution  | 0.350         | 0.000         | 0.350         |
|  | <b>1.852</b>  | <b>1.502</b>  | <b>0.350</b>  |
| <b>RCCO</b>  |               |               |               |
| RCCO – Gorsefield  | 0.010         | 0.010         | 0.000         |
|  | <b>37.245</b> | <b>18.334</b> | <b>18.911</b> |
| <b>Total:</b>  | <b>37.245</b> | <b>18.334</b> | <b>18.911</b> |

\* Funded items added since February 2013 Cabinet Report - £1.301m in 2012/13 and £3.506-m carry forward.

**APPENDIX B**  
**Proposed Allocations of Funds 2013/14 to 2015/16**

| CAPITAL BUDGETS (£m)             |               |               |              |               | FUNDING (£m)  |              |      |    |              |              |               |
|----------------------------------|---------------|---------------|--------------|---------------|---------------|--------------|------|----|--------------|--------------|---------------|
| Programme                        | 2013/14       | 2014/15       | 2015/16      | Total         | G             | SB           | RCCO | SC | S106         | LPP          | Total         |
| Condition & Improvements         | 1.110         | 0.100         | 0.000        | <b>1.210</b>  | 1.010         |              |      |    |              | 0.200        | <b>1.210</b>  |
| Primary School Expansion         | 11.630        | 4.855         | 0.000        | <b>16.485</b> | 16.485        |              |      |    |              |              | <b>16.485</b> |
| Early Education Funding          | 1.300         | 0.000         | 0.000        | <b>1.300</b>  | 1.300         |              |      |    |              |              | <b>1.300</b>  |
| Short Breaks Funding             | 0.180         | 0.000         | 0.000        | <b>0.180</b>  | 0.180         |              |      |    |              |              | <b>0.180</b>  |
| Other commitments (*Appx. A)     | 3.506         | 0.000         | 0.000        | <b>3.506</b>  | 1.652         | 0.654        |      |    | 0.850        | 0.350        | <b>3.506</b>  |
| Uncommitted balance              | 4.187         | 8.000         | 8.015        | <b>20.202</b> | 17.902        |              |      |    | 2.300        |              | <b>20.202</b> |
| <b>Total Allocations</b>         | <b>21.913</b> | <b>12.955</b> | <b>8.015</b> | <b>42.883</b> | <b>38.529</b> | <b>0.654</b> |      |    | <b>3.150</b> | <b>0.550</b> | <b>42.883</b> |
| <b>Funded by:</b>                |               |               |              |               |               |              |      |    |              |              |               |
| Carry Forward:                   |               |               |              |               | 17.057        | 0.654        |      |    | 0.850        | 0.350        | 18.911        |
| 2013/15 DfE Basic Need           |               |               |              |               | 16.438        |              |      |    |              |              | 16.438        |
| 2013/14 DfE Capital Maint.       |               |               |              |               | 3.554         |              |      |    |              |              | 3.554         |
| LBTH Resources                   |               |               |              |               |               |              |      |    |              | 0.200        | 0.200         |
| 2012/13 Early Education Funding  |               |               |              |               | 1.300         |              |      |    |              |              | 1.300         |
| 2012/13 Short Breaks Funding     |               |               |              |               | 0.180         |              |      |    |              |              | 0.180         |
| Developer Contributions (S.106)  |               |               |              |               |               |              |      |    | 2.300        |              | 2.300         |
| <b>Funding by Year</b>           |               |               |              |               |               |              |      |    |              |              |               |
| Grant (G)                        | 19.959        | 12.855        | 5.715        | <b>38.529</b> |               |              |      |    |              |              |               |
| Supported Borrowing (SB)         | 0.654         |               |              | <b>0.654</b>  |               |              |      |    |              |              |               |
| School Contribution (SC)         |               |               |              |               |               |              |      |    |              |              |               |
| Developer Contribution (S.106)   | 0.850         |               | 2.300        | <b>3.150</b>  |               |              |      |    |              |              |               |
| Local Priorities Programme (LPP) | 0.450         | 0.100         | 0.000        | <b>0.550</b>  |               |              |      |    |              |              |               |
| <b>Total Funding:</b>            | <b>21.913</b> | <b>12.955</b> | <b>8.015</b> | <b>42.883</b> | <b>38.529</b> | <b>0.654</b> |      |    | <b>3.150</b> | <b>0.550</b> | <b>42.883</b> |



## APPENDIX C

### CSF CONDITION & IMPROVEMENT PROJECTS

| Premises  | Works   | Estimate     | Previous Spend<br>£m | Apr 13- Mar 14<br>£m | Apr 14 - Mar 15<br>£m |
|---|---|--------------|----------------------|----------------------|-----------------------|
| 2012/13 Commitments                                     |   |              |                      |                      |                       |
| Blue Gate Fields J&I                                    | Upgrade Electrical Supply   | 0.200        | 0.100                | 0.100                | 0.000                 |
| Globe   | Replace heating pipework (Phase 1)  | 0.150        | 0.000                | 0.150                | 0.000                 |
| Mayflower   | Replace heating   | 0.140        | 0.130                | 0.010                | 0.000                 |
|   | Total:  | 0.490        | 0.230                | 0.260                | 0.000                 |
| 2013/14 Programme                                       |   |              |                      |                      |                       |
| Blue Gate J&I   | Boiler Replacement  | 0.070        | 0.000                | 0.070                | 0.000                 |
| Cubitt Town Junior                                      | Create Fire Escape Staircase  | 0.020        | 0.000                | 0.020                | 0.000                 |
| Mayflower Primary                                       | Electrical Rewire Phase 3   | 0.080        | 0.000                | 0.080                | 0.000                 |
| Smiby Primary   | Recover Roof  | 0.080        | 0.000                | 0.080                | 0.000                 |
| Statutory Requirements                                  | To support schools in providing physical access for staff pupils with disability and improving fire protection. | 0.500        | 0.000                | 0.500                | 0.000                 |
|   | Schools Total:  | 0.750        | 0.000                | 0.750                | 0.000                 |
| <b>Non-Schools</b>                                      |   |              |                      |                      |                       |
| Eva Armsby CC   | Replace Roof Covering   | 0.060        | 0.000                | 0.060                | 0.000                 |
| Statutory Requirements                                  | To address works required to meet statutory requirements eg.fire prevention                                     | 0.140        | 0.000                | 0.040                | 0.100                 |
|   | Non-Schools Total:  | 0.200        | 0.000                | 0.100                | 0.100                 |
| <b>Total of all Condition &amp; Improvement Schemes</b> |   | <b>1.440</b> | <b>0.230</b>         | <b>1.110</b>         | <b>0.100</b>          |

## APPENDIX D

### PCP Projects

| Premises                       | Works  | Allocation<br>£m     | Previous<br>Spend<br>£m | Apr 13- Mar 14<br>£m | Total<br>£m  |
|--------------------------------|--|----------------------|-------------------------|----------------------|--------------|
| Globe                          | Refurbishment, remodel and planned maintenance                   | 2.46                 | 2.46                    | 0.00                 | 2.46         |
| Canon Barnett                  | Refurbishment, remodel ground floor and planned maintenance      | 1.02                 | 1.02                    | 0.00                 | 1.02         |
| Malmesbury                     | Remodel and planned maintenance                                  | 1.39                 | 1.39                    | 0.00                 | 1.39         |
| Bygrove                        | Refurbishment, planned maintenance and remodelling               | 1.67                 | 1.67                    | 0.00                 | 1.67         |
| Mayflower                      | Refurbishment, extension & planned maintenance                   | 1.46                 | 1.46                    | 0.00                 | 1.46         |
| Steeple                        | Refurbishment, extension and planned maintenance                 | 1.05                 | 1.05                    | 0.00                 | 1.05         |
| Elisabeth Selby                | Refurbishment, extension and planned maintenance                 | 1.23                 | 1.23                    | 0.00                 | 1.23         |
| Smithy Street                  | Refurbishment, extension and planned maintenance                 | 1.88                 | 1.88                    | 0.00                 | 1.88         |
| Various kitchen improvements   | Improvements to school meals kitchens                            | 1.39                 | 1.39                    | 0.00                 | 1.39         |
| <b>Voluntary Aided Schools</b> |  |                      |                         |                      |              |
| Christ Church CE               | Refurbishment and planned maintenance                            | 1.50<br>(1.17 grant) | 1.17                    | 0.00                 | 1.17         |
| St John's CE                   | Refurbishment and planned maintenance; including additional site | 1.60<br>(1.26 grant) | 1.26                    | 0.00                 | 1.26         |
| St Paul's CE                   | Refurbishment and planned maintenance                            | 2.00<br>(1.62 grant) | 1.62                    | 0.00                 | 1.62         |
|                                |  |                      |                         |                      |              |
|                                | <b>TOTALS:</b>   | <b>17.60</b>         | <b>17.60</b>            | <b>0.00</b>          | <b>17.60</b> |

## Primary School Expansion Programme

| Premises                              | Allocation<br>£m | Previous Spend<br>£m | Apr 13 - Mar 14<br>£m | Apr 14 – Mar 15<br>£m | Apr 15 – Mar 16<br>£m | Revised<br>£ |
|---------------------------------------|------------------|----------------------|-----------------------|-----------------------|-----------------------|--------------|
| Arnhem Wharf                          | 4.68             | 4.68                 | 0.12                  | 0.00                  | 0.00                  | 4.80         |
| Ben Jonson                            | 3.31             | 3.31                 | 0.00                  | 0.00                  | 0.00                  | 3.31         |
| Bonner (Phase 1)                      | 2.00             | 1.50                 | 0.50                  | 0.00                  | 0.00                  | 2.00         |
| Bethnal Green Centre<br>Refurbishment | 2.30             | 0.15                 | 2.12                  | 0.03                  | 0.00                  | 2.30         |
| Cayley                                | 5.80             | 2.90                 | 2.82                  | 0.08                  | 0.00                  | 5.80         |
| Culloden                              | 5.70             | 5.70                 | 0.00                  | 0.00                  | 0.00                  | 5.70         |
| Manorfield                            | 5.17             | 5.17                 | 0.00                  | 0.00                  | 0.00                  | 5.17         |
| Marner                                | 6.84             | 6.84                 | 0.32                  | 0.00                  | 0.00                  | 7.16         |
| St Luke's                             | 4.00             | 4.00                 | 0.00                  | 0.00                  | 0.00                  | 4.00         |
| Wellington                            | 3.58             | 3.48                 | 0.10                  | 0.00                  | 0.00                  | 3.58         |
| Woolmore                              | 10.00            | 0.50                 | 4.75                  | 4.75                  | 0.00                  | 10.00        |
| Sub Total:                            | 53.38            | 38.23                | 10.73                 | 4.86                  | 0.00                  | 53.82        |
| Provision of Bulge Classes            | 0.40             | 0.00                 | 0.40                  | 0.00                  | 0.00                  | 0.40         |
| Schemes Development                   | 0.50             | 0.00                 | 0.50                  | 0.00                  | 0.00                  | 0.50         |
| Sub Total:                            | 0.90             | 0.00                 | 0.90                  | 0.00                  | 0.00                  | 0.90         |
| <b>Totals</b>                         | <b>54.28</b>     | <b>38.23</b>         | <b>11.63</b>          | <b>4.86</b>           | <b>0.00</b>           | <b>54.72</b> |

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# Agenda Item 7.2

|  |                               |  |                                  |
|--|-------------------------------|--|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 104/123 |
| <b>Report of:</b><br><br>Corporate Director Education, Social Care & Wellbeing<br><br><b>Originating officer(s)</b> Pat Watson, Head of Building Development |                               | <b>Title:</b><br><br>Holy Family & Our Lady's RC Primary Schools – proposed amalgamation<br><br><b>Wards Affected:</b> Limehouse |                                  |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Cllr Oliur Rahman   |
| <b>Community Plan Theme</b> | A Prosperous Community  |
| <b>Strategic Priority</b>   | Priority 3.1: Support lifelong learning opportunities for all |

## 1. SUMMARY

- 1.1 This report explains the background to the proposals put forward by the governing body of the schools and the Diocese of Westminster. It informs Cabinet of the consultation that has taken place and the outcome.

## 2. DECISIONS REQUIRED

The Mayor in Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Note that Our Lady & St Joseph's School is planned to open in September 2014 following the amalgamation of the two existing primary schools.

## 3. REASONS FOR THE DECISIONS

- 3.1 Westminster Diocese, the LA and the governing body of Holy Family & Our Lady's Schools have been working together for some time to develop proposals to allow the schools to amalgamate on one site. Following initial consultation, statutory proposals were published on 14 January 2013 by the Diocese and the governing body. This report informs Cabinet of the consultation and the decision taken to implement the proposals.

## 4. ALTERNATIVE OPTIONS

- 4.1 The required process has been followed in order to make the changes to the schools. The proposals were developed to ensure the long term sustainability of two small schools and presented an opportunity to

address the accommodation deficiencies of the Our Lady's School site and premises which would not otherwise be capable of improvement.

## **5. BACKGROUND**

- 5.1 Our Lady's School is in Copenhagen Place, E14 and HolyFamilySchool is in Wades Place, E14. Both are voluntary aided schools for which the Diocese of Westminster is the Trustee and owns the sites and premises. The governing bodies of the schools federated in 2009. Holy Family School is one form entry (1FE) school with 30 places in each year. Our Lady's School has 26 places in each year as its accommodation is restricted and does not allow it to have a full 1FE.
- 5.2 Westminster Diocese and the LA have worked together to support the schools over a period of time. The Diocese and the governing body continue to be concerned to ensure that there is secure Roman Catholic primary education in this part of Tower Hamlets and that both schools are sustainable. Small schools can remain vulnerable to leadership changes and have less flexibility in their budgets to support staff retention and spread of curriculum for the pupils.
- 5.3 The deficiencies of the Our Lady's site have been recognised for some time. The Diocese, the governing body and the LA worked together to develop proposals for a new building on the Holy Family site which would be large enough to accommodate both schools. It was initially envisaged that the LA would be able to contribute some funding to the scheme anticipating that the Primary Capital Programme would continue. When that programme was ended by the DfE, the Diocese continued to give the project high priority within its overall school estate. The Diocese proposes that it will fund the building project partly by the eventual disposal of the Our Lady's site (as had been previously envisaged) and with funds from its own reserves.
- 5.4 The scheme to build a new school at the Holy Family site received planning consent in December 2012. The implementation involves HolyFamilySchool being decanted into temporary accommodation at the site from summer 2013. For September 2014 for the amalgamation to come into effect, both schools will move into the new accommodation. Children on roll of the existing schools at 31 August 2014 will automatically transfer to the new school.
- 5.5 The new school will be a full 2FE school providing 420 places with 2 nursery classes. The admissions arrangements will remain essentially as they operate for the two existing schools to give priority to Roman Catholic children in the local area and then other Christian children. Other places remaining after these priorities are available for other applicants.

## **6. BODY OF REPORT**

### Decision-making on school expansion proposals

- 6.1 There is a statutory framework for implementing certain alterations to schools. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For voluntary aided schools, it is generally the governing bodies or Diocesan authorities who can make proposals. The LA is responsible for decisions to implement proposals.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and statutory proposals are published for a specified period (in this case 6 weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not the proposals should be implemented. The LA must take this decision within 2 months of the end of the second consultation period; if it fails to do so, the decision must be referred to the Schools Adjudicator.
- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.

## **CONSULTATION**

- 6.4 Consultation had previously been undertaken when the governing body federated and as the building proposals were being developed. The initial consultation period as required for the formal changes to the schools was from 5 November until 14 December 2012. The governing body and the Diocese issued a consultation paper which set out the background and the reasons for the proposals.
- 6.5 Consultation meetings were held to discuss the proposals with parents and staff. LA officers and Diocese representatives attended the meetings. There was a positive response from HolyFamilySchool parents and staff but there was a significant adverse response from some of the Our Lady's parents. The main concern expressed was the loss of a small, local school with many parents saying they had specifically chosen Our Lady's because it is a small school.
- 6.6 After the end of the consultation period, the governing body met and considered all the responses that had been received during the period. Whilst the governors recognised the considerable feeling that had been expressed by some parents at Our Lady's, it considered the matters that had previously been taken into account in developing the proposals. On balance, considering the sound education reasons for proceeding with the amalgamation to ensure the sustainability of the schools and continuing Roman Catholic education in the area, the governors decided to proceed with the proposals and made their recommendation to the Diocese. The Diocese accepted the recommendation and agreed to proceed with the publication of proposals.

## **STATUTORY PROPOSALS**

- 6.7 The proposal for the schools has been developed as an amalgamation and has been presented in consultation accordingly. However, there is no legal process to create an amalgamation of schools and this has to be

achieved by simultaneous establishment of a new school and closure of the existing schools.

- 6.8 In this case, the proposal to establish the new school was published by the Diocese of Westminster and the proposal to discontinue both schools was published by the governing body of the federation. It is made clear that the proposals are related and will only be implemented in their entirety.
- 6.9 The proposed new school will be called Our Lady & St Joseph's School.
- 6.10 The statutory proposals were published on 14 January for a 6 week period to 22 February. In that period it is open for anyone to make any comments or objections by submitting them to the LA. No comments or objections were received during the 6 week period.

#### **DECISION TO IMPLEMENT THE PROPOSALS**

- 6.11 Under the Council's scheme of delegation, where no objections are received to statutory proposals, the decision to implement is taken by the Corporate Director. Following the end of the consultation period, the Corporate Director has made the determination to implement and this has been communicated to the Diocese and the governing body.

#### **IMPLEMENTATION**

- 6.12 The Diocese will proceed to enter into the construction contract for the works. An interim governing body for the new school will be established. The interim governing body will proceed to deal with staffing matters to ensure that staff are able to have posts in the new school confirmed as soon as possible. The interim governing body will advertise for the post of the Headteacher of the new school and will continue to regular communications with parents in the transitional phase.

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

- 7.1 This report concerns the formal process for changes to the two RC primary schools. The Council is not bearing any capital costs associated with the project as these will all be funded by the Diocese of Westminster.
- 7.2 Future revenue costs of the amalgamated school will be funded through the Dedicated Schools Grant.

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

- 8.1 This is a noting report. Whilst the Council remains responsible for ensuring there are sufficient school places in the borough, its role in the establishment of the new school is quite limited under the Education and Inspections Act 2006. The report sets out what steps have been taken.

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

- 9.1 The new school will continue to provide Roman Catholic education for local children. The school is part of the the overall range of choice of



schools for parents and to meet the needs of the local community of the Roman Catholic faith.

- 9.2 The new building will be fully accessible which will enhance the range of provision available in mainstream schools for children with physical disabilities. The school will be inclusive for children with special education needs.

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

- 10.1 The new building is designed to current standards for sustainable materials energy efficiency which will provide significant improvements in comparison with the existing buildings.

## **11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 The implementation of the amalgamation is being managed by the Diocese of Westminster. Officers from the LA will support the governing body and Head in the transition to the amalgamated school to ensure that the education standards at both the existing schools and the new school are not harmed by the process.

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

- 12.1 There are no specific implications arising.

## **13. EFFICIENCY STATEMENT**

- 13.1 Westminster Diocese is seeking to make the best use of estate assets by this proposal. For the LA, it is anticipated that the proposal will in the long term secure effective education provision and enhanced use of revenue resources.

## **14. APPENDICES**

n/a

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### **Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

Brief description of “background papers”

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

Consultation paper issued 5 November 2012  
Details of statutory proposals

Pat Watson 020 7364 4328  
Town Hall, Mulberry Place, E14 2BG

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# Agenda Item 7.3

|  |                               |   |                                  |
|--|-------------------------------|---|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet   | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted  | <b>Report No:</b><br>CAB 105/123 |
| <b>Report of:</b><br>Corporate Director Education, Social Care & Wellbeing<br><br><b>Originating officer(s)</b> Pat Watson, Head of Building Development |                               | <b>Title:</b><br>Proposals for BowSchool<br><br><b>Wards Affected:</b> Bow East, Bromley by Bow |                                  |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Cllr Oliur Rahman   |
| <b>Community Plan Theme</b> | A Prosperous Community  |
| <b>Strategic Priority</b>   | Priority 3.1: Support lifelong learning opportunities for all |

## 1. SUMMARY

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

## 2. DECISIONS REQUIRED

The Mayor in Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Agree that statutory proposals should be published for BowSchool for the proposed enlargement and change of character to admit boys and girls from September 2014;
- 2.3 Agree that the transitional admission arrangements described in paragraph 6.17.4 should operate for admissions to the school for the four years from September 2014.

## 3. REASONS FOR THE DECISIONS

- 3.1 Proposals have been developed to expand BowSchool, admit both boys and girls and transfer to a larger site. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposed changes, the response to the initial consultation and the recommendation that statutory proposals for the expansion and admission of both boys and girls should be published. The

publication of statutory proposals is required in order to implement these changes to the school.

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

- 4.1 In order to meet the rising need for school places, the Council has implemented a number of school expansion projects and continues to develop further schemes to meet need. Longer term development plans for the borough include proposals for new schools. The proposals for BowSchool will form part of a programme that will continue in order to meet the need.

#### **5. BACKGROUND**

- 5.1 On 5 September 2012 the Mayor in Cabinet received a report Planning to Meet the Growth Requirement for School Places 2012 – 2022. This set out the projected need for school places and actions in place to meet the need. There is a steeply rising need for additional primary and secondary school places.
- 5.2 The proposals for BowSchool to be relocated to a new, larger site at Bow Lock were developed as part of the Building Schools for the Future programme. The additional places will help meet the rising need for secondary school places.
- 5.3 BowSchool at present has places for 125 boys each year. The BSF programme is providing a new site and building for the school to overcome the problems at the current site which could not be addressed within the site available. The relocation allows a larger school to be provided.
- 5.4 The report to Cabinet referred to above included reference to the proposal for BowSchool. A recommendation was agreed that the existing site of BowSchool should be retained for primary education use following the site transfer. Details of this proposal are under development and will be referred to Cabinet in due course.

#### **6. BODY OF REPORT**

##### Decision-making on school expansion proposals

- 6.1 There is a statutory framework for implementing certain alterations to schools, including enlargements and other changes of character. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community schools, the Local Authority (LA) can propose certain alterations, including enlargements.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (four or 6 weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation. The LA must make a decision within 2 months of the end of the statutory

consultation period; if it fails to do so, the matter is referred to the Schools Adjudicator.

- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.
- 6.4 The timetable for the process is shown in paragraph 6.29, taking into account the legal requirements of the consultation and decision-making

**THE NEED FOR ADDITIONAL SCHOOL PLACES**

- 6.5 The report referred to above, Planning to Meet the Growth Requirement for School Places 2012 – 2022, included details of the need for additional secondary school places and options considered to meet the need.
- 6.6 The LA keeps the need for additional school places under regular review to ensure that there are sufficient places to meet need. Annual school roll information is used to project the need for places in future years. The projection methodology takes into account the trend in school rolls, actual birth data and population projections. This information is compared with data on the capacity of existing schools and the extent of unfilled places in schools in order to assess if additional capacity has to be planned for, or if there is excess capacity which can be reduced.
- 6.7 The forecasts of school rolls have indicated for some time that the rising primary school roll will be reflected in the secondary cohort. The position for the current year and in the medium term is as follows:

|                |                             |                             |
|----------------|-----------------------------|-----------------------------|
|                | Places available 2013/14    |                             |
| Year 7         | 2,816                       |                             |
|                | January 2014 projected roll | January 2017 projected roll |
| Year 7         | 2,781                       | 3,096                       |
| Total Y7 – Y11 | 13,153                      | 14,884                      |

**IDENTIFICATION OF POTENTIAL SITES FOR EXPANSION**

- 6.8 As reported to Cabinet in the report referred to above, the Council's strategic planning process has sought to allocate new sites for secondary schools as the existing school estate has limited capacity to provide more places by school expansion. The forecast need for additional school places significantly exceeds the additional capacity proposed for BowSchool. The outcome of the Examination in Public was that the sites allocated for new schools were supported. As these sites come forward for development, the Council will be working with the owners to develop new schools.
- 6.9 In developing the BSF (Building Schools for the Future) programme, the LA sought to address some of the emerging need in the proposals for BowSchool. The new site selected for BowSchool overcomes the deficiencies of the existing site as well as having capacity for a larger school. The new site for BowSchool is close to the existing school so will continue to serve the community of that area.

- 6.10 As a first phase of increasing secondary school capacity, the proposal for BowSchool has been progressed.

### **BowSchool**

- 6.11 The proposals for BowSchool include the following changes:
- to increase the size of the school from 125 places in each year to 270 places in each year (Years 7 to 11)
  - to admit both boys and girls to the school
  - to transfer the school to a new site on Gillender Street, E3, with brand new purpose built accommodation
  - to provide 6th form education
- 6.12 The development of the project for the new school has been going on for some time. The Headteacher and the governing body have been closely involved in the development. Planning consent has been obtained. The building will be ready for the school to occupy for September 2014.

### **Implications of the Proposals**

- 6.13 **6<sup>th</sup> form places** – the addition of these places has previously been subject to consultation and statutory proposals and was agreed by Cabinet on 3 August 2011. The 6<sup>th</sup> form places at Bow will be provided as part of the 6<sup>th</sup> Form East Collaborative which includes Bow, LangdonPark, Stepney Green and St Pauls' WayTrustSchools. At Bow there will be 160 places available in the 6<sup>th</sup> form at the new building.
- 6.14 **Transfer of the school site** – the Council undertook a lengthy process to identify the new site for the school. The existing site has a number of deficiencies, including separation by Paton Close. A new site was sought as it was not possible to overcome the problems with the existing site. The new site is close to the current school so will serve the same community and local primary feeder schools. Statutory proposals are not required for this transfer of the school site as it is within 2 miles of the existing site.
- 6.15 **Enlargement of the school** – the school at present has 125 places in each year and it is proposed that this is increased to 270 (9FE). This is a substantial increase in the size of the school and will contribute to the overall additional need forecast.
- 6.16 The new school building is being completed to comply with current standards and so will be fully accessible for people with physical disabilities. This will create more choice in mainstream schools for pupils with physical disabilities.
- 6.17 **Admission of boys and girls**
- 6.17.1 It is proposed that the school will admit both boys and girls from September 2014 when it occupies the new building. Statutory proposals are required to implement this change of character.
- 6.17.2 It is proposed that girls will only be admitted at year 7 until all year groups are mixed, i.e. year groups which were admitted as boys only up to September 2013 will remain boys only until they complete year 11.
- 6.17.3 Where it is proposed that a school changes from single sex to both boys and girls, it is necessary to put in place transitional arrangements to deal with admission arrangements. Under normal admission arrangements and taking account of equalities duties, it is not possible to restrict or cap the number of places in a mixed school for either gender. However,

where the intention is to support the school with the change of character, transitional arrangements are able to assist the promotion of a balanced roll of boys and girls over time. The transitional arrangements are as follows:

6.17.4 For four years from September 2014, girls will only be admitted at Year 7 until the year groups have both girls and boys. The Year 7 places will be designated equally with 135 places for girls and 135 places for boys. The places will be filled in this priority order:

- Pupils who apply from each gender will be considered in accordance with banding arrangements and the admissions criteria for community schools up to a maximum of 135 places for boys and 135 places for girls. This may mean that some pupils may be initially refused a place because the target number for that gender has been filled.
- Any places remaining after national offer day and applications received outside the normal point of entry will be filled in accordance with the admission criteria regardless of gender.
- After September 2018, the school will operate the normal admission arrangements for community schools in Tower Hamlets.

6.17.5 Bow School will operate alongside all the other secondary schools in Tower Hamlets. Because of the way the pattern of provision of schools has developed over time, there is not an even distribution of girls', boys' and mixed places. The gender balance in Tower Hamlets primary schools is almost equal but the secondary roll shows an imbalance due to the availability of single sex and mixed provision, and is also influenced by the movement of children in and out of the borough which is mainly to secure a place at a single sex school, often a faith school.

6.17.6 The distribution of secondary admission places is shown below for the existing pattern of provision and as proposed with the change for Bow School:

**TABLE 1**

|                        | Existing |     |     |       | Proposed |     |     |       |
|------------------------|----------|-----|-----|-------|----------|-----|-----|-------|
|                        | Adm no   | B   | G   | Mixed | Adm no   | B   | G   | Mixed |
| Bethnal Green          | 180      |     |     | 180   | 180      |     |     | 180   |
| Bishop Challoner Boys  | 120      | 120 |     |       | 120      | 120 |     |       |
| Bishop Challoner Girls | 150      |     | 150 |       | 150      |     | 150 |       |
| Bow                    | 125      | 125 |     |       | 270      |     |     | 270   |
| Central Foundation     | 240      |     | 240 |       | 240      |     | 240 |       |
| George Green's         | 210      |     |     | 210   | 210      |     |     | 210   |
| Langdon Park           | 180      |     |     | 180   | 180      |     |     | 180   |
| Morpeth                | 240      |     |     | 240   | 240      |     |     | 240   |
| Mulberry               | 210      |     | 210 |       | 210      |     | 210 |       |
| Oaklands               | 120      |     |     | 120   | 120      |     |     | 120   |
| Raine's Foundation     | 150      |     |     | 150   | 150      |     |     | 150   |
| Sir John Cass          | 180      |     |     | 180   | 180      |     |     | 180   |
| St Paul's Way          | 240      |     |     | 240   | 240      |     |     | 240   |

|               |             |            |            |             |             |            |            |             |
|---------------|-------------|------------|------------|-------------|-------------|------------|------------|-------------|
| Stepney Green | 180         | 180        |            |             | 180         | 180        |            |             |
| Swanlea       | 210         |            |            | 210         | 210         |            |            | 210         |
|               | <b>2735</b> | <b>425</b> | <b>600</b> | <b>1710</b> | <b>2880</b> | <b>300</b> | <b>600</b> | <b>1980</b> |

6.17.7 Because of there is not an even distribution of boys, girls and mixed places, the rolls of mixed schools do not have an equal gender balance. The rolls of the mixed schools at January 2012 was as follows:

**TABLE 2**

|                       | No. of Girls | No. of Boys | Total       | % Boys       | % Girls      |
|-----------------------|--------------|-------------|-------------|--------------|--------------|
| Bethnal Green Academy | 246          | 423         | 669         | 63.2%        | 36.8%        |
| George Green's        | 517          | 631         | 1148        | 55.0%        | 45.0%        |
| Langdon Park          | 420          | 467         | 887         | 52.6%        | 47.4%        |
| Morpeth               | 522          | 656         | 1178        | 55.7%        | 44.3%        |
| Oaklands              | 261          | 326         | 587         | 55.5%        | 44.5%        |
| Raine's Foundation    | 374          | 434         | 808         | 53.7%        | 46.3%        |
| Sir John Cass         | 694          | 951         | 1645        | 57.8%        | 42.2%        |
| St Paul's Way Trust   | 365          | 487         | 852         | 57.2%        | 42.8%        |
| Swanlea               | 323          | 690         | 1013        | 68.1%        | 31.9%        |
|                       | <b>3722</b>  | <b>5065</b> | <b>8787</b> | <b>57.6%</b> | <b>42.4%</b> |

6.17.8 There is some concern that the creation of mixed places at Bow School will have an impact on the ability of all mixed schools to have a reasonably balanced roll. As shown in Table 1, if proposals for Bow School are implemented, there will be 300 places available each year for admission to boys' schools and 600 at girls' schools. This will have an impact on the gender distribution of those applying for places at mixed schools. However, it necessary to take into account the location and distribution of secondary school places and the impact this can have on families, particularly in the Bow area of Tower Hamlets. Table 3 below shows the average distance travelled for children who secured a place at secondary school in the 2012 admission round:

**TABLE 3**

|       | Average Distance (m) travelled within Borough | Average Distance (m) travelled by Bow residents | Average Distance (m) travelled by Bow East residents | Average Distance (m) travelled by Bow West residents |
|-------|---|---|--|--|
| Boys  | 742.8   | 1742.8  | 2098.5   | 1153.2   |
| Girls | 788.1   | 1992.1  | 2245.2   | 1729.2   |
|       | 765.5   | 1867.4  | 2171.9   | 1441.2   |

6.17.9 On average, girls in Bow travel furthest, with an average distance of almost 2km, to access a preferred secondary school. A girl living in Bow West would travel almost three times distance to school compared to a girl living in another area of Tower Hamlets.



- 6.17.10 The ability of girls to apply for places at Bow School will create a new opportunity to apply for a place nearer home for residents of Bow East and Bow West.
- 6.17.11 The change of Bow to a mixed school will adjust the overall distribution of places available which will have an impact on the ability of all mixed schools to achieve a reasonably balanced roll. However, this needs to be considered firstly against the need for more places overall which the Council will not be able to provide in a way that balances the mixed and single sex places, and secondly the geographical location of the relocated and mixed Bow School which provides opportunity for a school place nearer to home for more children than previously.

### **Funding Implications**

- 6.18 The capital costs of the scheme are in the main funded from the Building Schools for the Future programme. Cabinet on 2 November 2011 agreed the adoption of a capital estimate for the scheme to a sum not exceeding £31.74m.
- 6.19 Additional revenue funding will be provided to the school through the LA's funding formula.

### **Implementation of the Proposals**

- 6.20 The school will be able to occupy the new building from September 2014 and it is proposed that the changes take effect from then, subject to the approval of the statutory proposals. This means that the first increased year group of both boys and girls will be admitted in September 2014.
- 6.21 It is proposed to admit the extra pupils, including girls, to the school at year 7 only for the first 5 years. This will mean that the school has time to gradually adapt to the increase in size and the admission of both boys and girls and introduce any new management arrangements as the roll increases. This will also be subject to the transitional admission arrangements referred to above (6.17).

### **CONSULTATION**

- 6.22 The initial consultation period was from 7 January to 15 February 2013. The proposed building design was on display in the school for parents and children to see. Pupils have been consulted about the proposals. A copy of the consultation paper issued is included as Appendix A. The consultation information was available on the Council's website and the consultation paper was sent to:

- all parents and carers of children now at Bow School
- all staff at Bow School
- all governors of Bow School
- parents and carers of children in years 4 and 5 of local primary schools
- all headteachers and chairs of governors of schools in Tower Hamlets
- all councillors in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney
- the London Diocesan Board for Schools and the Westminster Diocese Education Service
- local trades unions

- 6.23 The proposals for the school have been the subject of considerable consultation to date as the plans were developed and the planning application dealt with. The Headteacher has consulted parents, students and staff and has met parents of primary age children who will be secondary transfer age over the next few years. The proposal therefore is already well known and this specific consultation period did not generate a significant number of responses.
- 6.24 The consultation paper included a form to return and responses were also received via the Council's website. The analysis of those returned is as follows:

|   | Agree | Disagree | Not sure |
|---|-------|----------|----------|
| I agree with the proposal to expand the school to provide more places | 17    | 1        |          |
| I agree with the proposal to admit both girls and boys to the school  | 14    | 3        | 1        |
| I agree with the proposed transitional admissions arrangements        | 13    | 1        | 4        |
| I agree with the proposal to transfer the school to a new site        | 16    | 1        | 1        |

- 6.25 A parents' meeting was held at the school during the consultation period. This was available to parents of boys now at the school as well as prospective parents on children now in primary schools. Although the turnout was low, the response from parents who attended the meeting was positive. At the parents' meeting there were questions and discussion on a number of issues including:
- How the school will make the change to a larger school with girls
  - The safety of travel to the new school site
  - The new facilities that will be available at the school
- 6.26 Some of the respondents using the form and the website made comments. These were:

|  |
|--|
| I am really excited about the new school and what opportunities it will bring for my son. I'm also really pleased about the road crossings that will be put in place as I live on Twelvetrees Crescent and it's a very busy road. Crossing should be there already. (Parent) |
| The proposed scheme is an essential component in the strategy to expand excellent school provision in Tower Hamlets, faced with a rapidly growing population of school age children. (Head of a secondary school)  |
| The school needs to move with the times and a purpose built school would be ideal. It's the only way. (Bow School governor)  |
| I am concerned about the pupils from Mile End and Bow areas that have to cross the roundabout. (Bow School parent)   |

- 6.27 Some concerns were expressed in meetings by heads of some existing mixed secondary schools about the potential impact of more mixed school places on the ability of all mixed school to achieve a balanced roll (no written comments received).
- 6.28 The governing body of Morpeth School made a response to the consultation. The comments reflect the school's concerns that the change of Bow School to admit boys and girls will affect the capacity for all mixed schools to achieve a balanced roll. The governing body point out that there has always been a gender imbalance in the roll of mixed schools because of the pattern of existing schools. The governing body objects to the proposal for Bow School to designate 135 places for boys and 135 for girls as this is denied to other schools. They also state that the increase in mixed places will result in imbalanced mixed schools.

### **Response to the consultation comments**

- 6.29 The relatively low response rate is noted but this was anticipated in view of the various forms of consultation that have previously taken place. The positive comments are welcomed.
- 6.30 Comments were made about the safety of road crossing to the new site. This matter was a priority in the planning process and a number of significant improvements are planned to address this. The Headteacher is planning to ensure appropriate supervision at the beginning and end of the school day.
- 6.31 The comments from Morpeth School are noted and these matters are covered in paragraphs 6.17.1 – 6.17.11 above. It appears that the governing body may have misinterpreted the proposed operation of the transitional admission arrangements for the first 5 years of admission of boys and girls. Whilst 135 places each for boys and girls will be designated, any places remaining after national offer day will be filled regardless of gender. It is not anticipated that these transitional admission arrangements will achieve a completely balanced roll, but aim to assist progress towards a reasonably balanced roll in the first years of the change of character. It should also be noted that in view of the rising need for school places for the foreseeable future, further new schools will be created. As these are most likely to be mixed schools (in order to avoid further uneven provision of single sex schools), this will further dilute the differences in the existing pattern of provision.

### **FURTHER ACTION NOW PROPOSED FOR BOW SCHOOL**

- 6.32 The consultation that has been conducted complies with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Secretary of State's guidance on consultation. The outcome of the consultation has been reviewed and there is support for the proposals.
- 6.33 The Mayor in Cabinet is recommended to agree to publication of statutory proposals for the expansion and change of character of Bow School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the six week period.
- 6.34 If there are no objections to the statutory proposals in the six week period, the decision to implement will be dealt with by the Corporate Director, Education,

Social Care & Wellbeing in accordance with the scheme of delegation. If there are objections to the proposals, the decision will be referred to Cabinet.

6.35 The timetable for the process is set out below:

|  |                        |
|--|------------------------|
| Cabinet receives a report on the initial consultation and decides on publishing formal statutory proposals   | 10 April 2013          |
| Statutory proposals published with 6 weeks allowed for comments  | 22 April – 31 May 2013 |
| The decision will be taken to implement the proposals either by the Council's Cabinet if there are objections; or, if there are no objections, by the Corporate Director of Education, Social Care & Wellbeing | By 31 July 2013        |
| Additional pupils and girls admitted to year 7; Bow School opens at the new site   | September 2014         |

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

- 7.1 This report concerns the formal process for consulting about and deciding on the expansion and change of character of the school. The capital works for Bow School will be funded from the Building Schools for the Future programme and as reported most recently to Cabinet in January 2013
- 7.2 Future revenue costs of the expanded school will be funded through the schools enrolling more pupils and attracting more formula funding through the Dedicated Schools Grant. The school is likely to require funding from the Pupil Growth Funding in the overall Schools Budget in future years as the school increases its available admissions places. Appropriate funding will need to be earmarked from within the DSG to cover the assessed needs as part of budget setting for all schools in future years.
- 7.3 Bow School is currently part of the Grouped Schools PFI contract, contributing £0.292m from the school's own delegated budget in 2012/13. When the school vacates its current premises the future arrangements for occupying the building have not yet been determined. The financial plan for the Grouped Schools PFI contract has included the most pessimistic scenario (i.e. the PFI costs continue, but there is no new body to pick up the school's contributions). The reality is bound to be better than this scenario (i.e. either PFI costs will reduce because a reduced service is being provided or income will increase because a new occupant has been found).

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

- 8.1. One of the Council's duties in respect of education is to secure that sufficient schools are available for primary and secondary education in Tower Hamlets. This obligation arises under section 14 of the Education Act 1996. The schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of appropriate education.
- 8.2. In deciding what provision to make in respect of primary and secondary schools, the Council is required to consider the need to secure diversity in the provision of schools and increasing opportunities for parental choice. This sits alongside the Council's general equality duty, which requires it to 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. Equalities issues are addressed in the body of the report. .
- 8.3. Section 19 of the Education and Inspections Act 2006 provides that where a local authority proposes to make prescribed alterations to a maintained school, it must publish its proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations") specify what alterations made by local authorities are prescribed alterations and specify the procedure to be followed when publishing and determining such proposals. The enlargement of a school's premises so as to increase the school's capacity by: (a) more than 30pupils; and (b) 25% or 200 pupils (whichever is the lesser) is a prescribedalteration.The proposals described in this report fall within that definition so the procedure in the Prescribed Alterations Regulations must be followed.
- 8.4. The Prescribed Alterations Regulations require the Council to follow a two stage process involving consultation prior to publication of a proposal, followed (assuming the Council wishes to proceed) by publication of the proposal. As part of the initial consultation, prescribed information must be provided to prescribed persons. The Council is required to have regard to the Secretary of State's guidance as to consultation on proposals. The guidance recommends that the consultation allows adequate time, provides sufficient information for those being consulted to form a considered view and makes clear how the views can be made known.Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals. The report states that consultation complies with the requirements of the Regulations and guidance and so the Council is in a position to determine whether to publish a proposal.
- 8.5. The Prescribed Alterations Regulations prescribe what information must be specified in a proposal and how it should be publicised. The proposal should be published within a reasonable timeframe following consultation so that it is informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some

other conspicuous place in the area served by the school (e.g. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations.

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

- 9.1. The expansion of schools is necessary to ensure the Council meets its legal obligation to secure sufficient schools for Tower Hamlets, but will also promote equality of opportunity for children and young people (including within the meaning of the Equality Act 2010).
- 9.2. The provision of school places and the LA's admission arrangements aim to promote fair access to schools particularly in terms of the distance from home and to allow siblings to attend the same school. The proposed transitional admission arrangements for Bow School enable some support to the school to assist achieving a balanced roll as far as possible as the school undertakes the process of the change of character.
- 9.3. The new building will be fully accessible which will enhance the range of provision available in mainstream schools for children with physical disabilities. The school will be inclusive for students with special education needs.

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

- 10.1. The design of the building and materials proposed to be used for Bow School have taken account of sustainability and energy efficiency. Products to be chosen will offer significant energy saving values; insulation products that have an approved environmental profile; and timber from certified sustainable sources.
- 10.2. The design complies with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency. A significant reduction in carbon emissions will be achieved. Lighting and energy management controls will enable the most efficient use of energy for the building as a whole.

## **11. RISK MANAGEMENT IMPLICATIONS**

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

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

- 12.1 There are no specific implications arising.

## **13. EFFICIENCY STATEMENT**

13.1 The Council undertook a detailed options analysis of its assets before deciding that the use of the new site for an expanded Bow School provided the best use of assets.

**14. APPENDICES**

Appendix A – Bow School Consultation Document

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**Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

| Brief description of “background papers”    | Name and telephone number of holder and address where open to inspection. |
|---|---|
| Response from Morpeth School Governing Body | Pat Watson 020 7364 4328<br>Town Hall, Mulberry Place, E14 2BG            |

## **PROPOSALS FOR BOW SCHOOL CONSULTATION 7 JANUARY – 15 FEBRUARY 2013**

Tower Hamlets Council and the governing body of Bow School are planning major changes to the school.

The changes we are planning from September 2014 are:

- to increase the size of the school from 125 places in each year to 270 places in each year (Years 7 to 11)
- to admit both boys and girls to the school
- to transfer the school to a new site on Gillender Street, E3, with brand new purpose built accommodation
- to provide 6<sup>th</sup> form education

This is an exciting and challenging proposal for Bow School and for the local community as we develop the school for the benefit of the future of young people in Tower Hamlets.

We want to consult as many people as possible and hear your views. During the consultation period, there will be opportunities at Bow School to discuss the proposals and see pictures and plans of the proposals for the new site. There will be meetings at some primary schools in the area for parents, particularly of children now in Years 4 and 5. You can see plans and pictures of the new building on Bow School's website ([www.bow-school.org.uk](http://www.bow-school.org.uk)) via this link:

[Bow School of Maths and Computing - New School Site - Important Information](#)

**Come to Bow School on Tuesday 29<sup>th</sup> January between 4.30pm – 6.30pm to see and hear about the plans. We welcome all parents of students now at Bow School and parents of children who will be applying for a secondary school in the future.**

Let us have your views by:

- completing and returning the form at the end of this paper
- attending one of the meetings
- visiting the consultation page of the Tower Hamlets Council website  
[http://www.towerhamlets.gov.uk/lgsi/851-900/867\\_consultation/bow\\_school\\_consultation.aspx](http://www.towerhamlets.gov.uk/lgsi/851-900/867_consultation/bow_school_consultation.aspx)



## **Why are we doing this?**

### Increasing the size of the school

In Tower Hamlets there is a steadily rising school roll and we forecast that it will continue to rise for several years to come. We have increased the size of some primary schools to ensure we have enough places and will continue to develop plans for more primary school places. We forecast that by 2014, all the existing secondary school places will be taken up and so we need to plan for more places in time for the children who will need them. We forecast that Tower Hamlets will need 13,000 more school places in the period 2012 to 2022, with 5,500 of those for 11-16 year olds. The plans for Bow School to increase from 125 to 270 places in each year will play a significant part in meeting the first stages of this rising need.

### Changing the school from boys' only school to girls and boys

In Tower Hamlets we have some mixed secondary schools and some which are either for boys or for girls. We have to plan for additional places in a way that will meet the needs of the community in the best way we can. By the school admitting boys and girls, there will be greater flexibility and choice for parents across the borough.

### Moving the school to a new site

The existing site of Bow School has a number of disadvantages:

- it is separated by Paton Close. The road cannot be closed because it is the access to the DLR track
- its size is restricted which means that we cannot provide all the facilities for the school on the site, and we cannot expand the school to provide more places that the borough needs
- the Council has the opportunity to make significant investment in improvements to the school in the Building Schools for the Future programme (BSF), but the existing site does not have the capacity to give the best outcome

The Council and local secondary schools have worked together to plan the best way to invest the BSF funds. In order to get the best for Bow School, we investigated the options for moving to a new site which would allow the creation of brand new facilities with sufficient space for a larger school. The Council has selected the Bow Lock site, which it already owns, because it is large enough for the new development and is close to the existing site so the school will continue to serve the same local community. The new site is in the area of the borough where there is a high level of new housing development so it will also serve the population of these areas.

### How will the admission arrangements work for girls and for boys?

In the first years of girls' places at Bow, we will take action to promote the number of girls at the school. For four years from September 2014, girls will only be admitted at Year 7 until the year groups have both girls and boys. The Year 7 places will be designated equally with 135 places for girls and 135 places for boys. The places will be filled in this priority order:

- Pupils who apply from each gender will be considered in accordance with banding arrangements and the admissions criteria for community schools up to a maximum of 135 places for boys and 135 places for girls. This may mean that some pupils may be initially refused a place because the target number for that gender has been filled.
- Any places remaining after national offer day and applications received outside the normal point of entry will be filled in accordance with the admission criteria regardless of gender.
- After September 2018, the school will operate the normal admission arrangements for community schools in Tower Hamlets.

#### How will the changes affect the school and students already on roll?

- all the building works will take place at a separate location before Bow School moves in so that avoids the disruption of building works going on around the school
- boys now on roll will benefit from the new facilities at the new site
- the increased number of 270 will be admitted at Year 7 only so the larger roll will build up over time and the school will be able to adapt gradually to the larger number and make arrangements for break and lunchtime if necessary as the extra students come to the school
- because girls will only be admitted at Year 7 and to the 6<sup>th</sup> form until all year groups operate at the new number, the total number of girls will build up over time. The school will ensure that the initial groups of girls have their own tutor groups/form groups to help the school integrate
- the school will be a part of the Sixth Form East affiliation from September 2013, but will not admit its own students to the 6<sup>th</sup> form until September 2014 when it moves to the new building. There will eventually be 160 places in the 6<sup>th</sup> form

#### Travel to the new school

The site for the new Bow School is well connected. The Bromley-by-Bow tube station, on the District and Hammersmith and City lines is a short walk away and Devon's Road DLR station is also close along Devas Street. A number of bus routes run close to the site, or along the A12/ Gillender Street or Twelvetrees Crescent. Vehicles can approach the site along the A12 and Gillender Street or along Twelvetrees Crescent. A variety of pedestrian routes lead to the site; beside the A12, along Twelvetrees Crescent, across the proposed pedestrian crossing on Twelvetrees Crescent, through the Coventry Cross subway or along the Lea Valley walk which runs through Bow Locks. Cyclists can also use these routes.

Safe access to the school for pupils and staff crossing the A12 has been considered throughout the design process. These works listed below are being done to improve the access and safety:

- Epsom Street and Bromley by Bow Subway improvements including the commissioning of a local artist to develop a brief for improvements, working with Bow School students.
- Improved street lighting
- Installation of CCTV along A12 and Twelvetrees Crescent including in subways.

- Footpath improvement and installing guardrails
- Installation of 2 pedestrian crossings across Twelvetrees Crescent and the Twelvetrees loop underpass
- Realignment of Twelvetrees Crescent to ensure traffic is slowed when entering loop road
- New traffic signals.

#### Consultation and what happens next

We are consulting widely on these proposals to make sure we hear as many views as possible. The timetable for consultation and taking decisions following this stage of consultation is:

|  |                              |
|--|------------------------------|
| Initial consultation   | 7 January – 15 February 2013 |
| The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals   | April 2013                   |
| Statutory proposals published with 6 weeks allowed for comments  | 22 April to 31 May 2013      |
| The decision will be taken to implement the proposals either by the Council's Cabinet if there are objections; or, if there are no objections, by the Corporate Director of Children, Schools & Families | By 31 July 2013              |
| School transfers to its new site   | Summer 2014                  |
| Girls and the additional pupils admitted to Year 7   | September 2014               |

Let us know your views by:

Completing the form on the next page

Visiting the consultation page of the Tower Hamlets Council website

[http://www.towerhamlets.gov.uk/lqsl/851-900/867\\_consultation/bow\\_school\\_consultation.aspx](http://www.towerhamlets.gov.uk/lqsl/851-900/867_consultation/bow_school_consultation.aspx)

Coming to meet us at Bow School on Tuesday 29<sup>th</sup> January between 4.30pm – 6.30pm. We welcome all parents of students now at Bow School and parents of children who will be applying for a secondary school in the future.

Coming to a meeting at your primary school – each local school will let you know the details

# BOW SCHOOL

## CONSULTATION ON THE PROPOSED CHANGES TO BOW SCHOOL

|   | Agree                 | Disagree              | Not sure              |
|---|-----------------------|-----------------------|-----------------------|
| I agree with the proposal to expand the school to provide more places | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| I agree with the proposal to admit both girls and boys to the school  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| I agree with the proposed transitional admissions arrangements        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| I agree with the proposal to transfer the school to a new site        | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Other comments

|   |  |
|---|--|
| NAME                                      |  |
| PARENT, GOVERNOR,<br>OTHER (please state) |  |
| DATE                                      |  |

Please return this page by 15 February 2012 to:

The school office; or

Pat Watson, Head of Building Development, Children's Services, Town Hall,  
Mulberry Place, 5 Clove Crescent, E14 2BG, or  
e-mail to: [pat.watson@towerhamlets.gov.uk](mailto:pat.watson@towerhamlets.gov.uk)

# Agenda Item 9.1

|   |                               |  |                                  |
|---|-------------------------------|--|----------------------------------|
| <b>Committee/Meeting:</b><br>Cabinet  | <b>Date:</b><br>10 April 2013 | <b>Classification:</b><br>Unrestricted   | <b>Report No:</b><br>CAB 102/123 |
| <b>Report of:</b><br>Corporate Director Education Social Care and Wellbeing<br><br><b>Originating officer(s)</b> Karen Sugars |                               | <b>Title:</b><br>Report on the Adult Social Care Local Account 1 <sup>st</sup> April 2011 – 30th November 2012<br><br><b>Wards Affected:</b> All |                                  |

|                             |   |
|-----------------------------|---|
| <b>Lead Member</b>          | Cllr Abdul Asad, Cabinet Member for Health and Wellbeing  |
| <b>Community Plan Theme</b> | A Healthy Community   |
| <b>Strategic Priority</b>   | Preventing people from dying prematurely<br><br>Providing excellent Primary and Community Care<br><br>Helping people live healthier lives<br><br>Enabling people to live independently<br><br>Keeping vulnerable children, adults and families safer, minimising harm and neglect |

## 1. **SUMMARY**

- 1.1 This report provides Cabinet with a summary of achievements and priorities as set out in the 2<sup>nd</sup> annual Local Account of Adult Social Care.
- 1.2 The aim of the Local Account is to provide transparency for local people to better understand how social care is being delivered in Tower Hamlets, leading to greater involvement and challenge.
- 1.3 This paper sets out the approach taken to co-develop and co-produce a Tower Hamlets Local Account for adult social care in partnership with THINK, which holds an appropriate independent challenge and scrutiny role
- 1.4 The Local Account consists of 3 elements:
  - The Adult Social Care Local Account – Strategic priorities – Main document
  - A customer facing magazine Local Account *Local*
  - The 2013/14 Adult Social Care Business Plan (available April 2013)

## 2. **DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:

- 2.1 Note the attached Local Account.

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

- 3.1 The Local Account is being put before Cabinet for information purposes.

## 4. **ALTERNATIVE OPTIONS**

- 4.1 N/A

## 5. **BACKGROUND**

- 5.1 The requirement for a Local Account is set out in *Transparency in Outcomes: A framework for adult social care* (ASCOF), for monitoring delivery and accountability arrangements. Published on 16 November 2010 by the Department of Health (DH), the ASCOF aims to enable a “broader, more transparent and outcome-focused approach to presenting information on what adult social care has achieved for people with support needs”.

- 5.2 Nationally, the ASCOF will give an indication of the strengths of social care and success in delivering better outcomes for people who use services across four Outcome Domains and are measured by ASCOF Indicators:

**Domain 1:** Enhancing quality of life for people with care and support needs

**Domain 2:** Delaying and reducing the need for care and support

**Domain 3:** Ensuring that people have a positive experience of care and support

**Domain 4:** Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm

This will support the Government’s role in reporting to the public and Parliament on the overall system, and influence national policy development.

- 5.3 The ASCOF enables ‘benchmarking’ and comparison between areas to assist with local accountability in reporting to the public as it provides validated sources of outcome information.

## 6. **Co-production of the Tower Hamlets Local Account**

- 6.1 To ensure that the Local Account is informed by the views of local people, the directorate has pursued a co-production and development approach with THINK. In 2012, this involved carrying out a number of consultations on the

contents of the 2010/11 Local Account and the summary called 'Local Account *Local*', resident's magazine.

- 6.2 The Local Account was circulated to residents in May and June 2012 via Idea Stores and One Stop Shops, Service User Customer Forums and Community Groups. A series of events were held throughout May and June to collect customer feedback. In addition, both the main document and the resident's magazine were made available on the Tower Hamlets Internet at:

[http://www.towerhamlets.gov.uk/lqsl/101-150/147\\_how\\_we\\_are\\_doing\\_in\\_social.aspx](http://www.towerhamlets.gov.uk/lqsl/101-150/147_how_we_are_doing_in_social.aspx)

- 6.3 The Local Account was presented to the Tower Hamlets Health and Wellbeing Board on 24<sup>th</sup> January 2013 who endorsed:
- a. Achievements in relation to outcomes for people who receive adult social care
  - b. Recommendations on areas for increased focus to feed into the business planning cycle of the council and the Health and Wellbeing Strategy

## **7. Resident perspectives on the content of the 2011/12 Local Account**

- 7.1 The majority of people were largely satisfied with the services they received and were keen to illustrate areas that they believed were particularly important to them. Many highlighted the strong relationship between Tower Hamlets Council and residents, emphasising the importance of good communication.
- 7.2 A number of local groups praised the work of the directorate, noting that communication with those we work with (service users and carers) is in fact an area where we have excelled in the past year. The publication of the Local Account *Local* magazine was held by all as a great example of this. Those in receipt of support from adult social care stated that they were fully aware of the services and information available in the borough.
- 7.3 The roll out of personal budgets was universally praised as a good idea, which allowed a more personalised service. People liked the fact that the use of personal budgets featured prominently in the Local Account as a means of working moving forward. However not all people felt confident to be able to use them as they did not fully understand their application. They do however like the fact that personal budgets offer a bespoke service that caters to their own independent need and are glad that Tower Hamlets has adopted this approach.
- 7.4 Conversely there were some residents not in receipt of support from adult social care who would like information on services promoted more extensively.
- 7.5 Against the current economic backdrop there is a considerable level of concern being expressed that provision of health and social care services in

Tower Hamlets will be cut back or taken away completely. A significant proportion of people would like to see evidence of frontline spending.

- 7.6 Feedback suggests that many people believe that wider determinants of poor health should be tackled. Social Isolation, housing and healthy lives were suggested as an areas of focus in the coming year.
- 7.7 Many service users and particularly carers described a need for an integrated approach to care. They would like to see evidence of this in the borough.
- 7.8 There was a mixed response in terms of the standard of care received with regard to staff. Some people thought the assessment system could be fairer.
- 7.9 These areas of feedback feature in the 2011/12 Local Account, with more detailed examples to be provided in Local Account *Local*.

## **8. BODY OF REPORT**

- 8.1 When considering the achievements set out within the Local Account 2011/12, it is useful to do so in the context of wider strategic issues. This Cabinet report will not serve to replicate the extensive narrative within the Local Account, but will summarise these into key messages.
- 8.3 There has been much debate nationally about the future of health and adult social care and we reported in our first local account the Government's intention to publish their vision of what care and support services should look like in future. Much has changed in relation to Health, however the Care and Support Bill<sup>1</sup> published in July 2012 makes its way through Parliament in 2013 with a view to implementation in 2015 and this will signal further change.
- 8.4 We continue to respond to one of the greatest challenges we have ever had to face – significant cuts in funding provided by Central Government to Local Government. These cuts are leading to difficult decisions across the public sector, and will continue to do so for the next few years. In addition to this, many of the borough's residents are facing their own challenges, because of changes being made to welfare benefits.

### **8.5 Key facts:**

- 65% of activity in formal social care support provided in 2011/12 was to people over 18 with a physical need. This includes those injured as a result of an accident, or who have a long term disability or illness. Many of this group are older people who have become frail, particularly those who are aged 80+. This age group use support 3 times the rate of other age groups. The costs for these groups are:
  - £38.9m or 43% of spend on social care goes on people 65 and over
  - £12m or 13% is spent on adults aged 18-64 with physical disability

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<sup>1</sup> For more information, visit <http://caringforourfuture.dh.gov.uk/>



- 18% of activity in formal support was provided to people aged 18+ experiencing mental health difficulties, many of whom have long term conditions
  - £13.2m or 14.6% of spend is used to support this group of people
- 14% of activity in support is provided to adults with learning disabilities which range from supporting people to live independent lives, to those with incredibly complex and profound disabilities, requiring 24/7 support
  - £23.8m or 26.5% of spend is used to support this group of people
- Just over 2% of activity in support is provided to people who are vulnerable for other reasons, for example, those who live chaotic lives due to the effects of alcohol or drugs
  - We use 5% of spend to support other vulnerable people

## 8.6 Key strategic achievements

- The Shadow Health and Wellbeing Board has become increasingly established over the last year. A number of quick start initiatives are in progress. The Board set up an Integrated Care Board to look at how health and social care interfaces can be improved. Alongside this, the Health and Wellbeing Strategy is at an advanced stage of development and this will underpin the work programme of the Board and its sub-groups.
- The transition of Public Health into the Council will be complete by the 1<sup>st</sup> April. A significant amount of detailed planning will enable a smooth transition of staff and responsibilities.

## 8.5 Our strategic priorities through to 2014 are:

- Reduce health inequalities and promote healthy lifestyles
- Enable people to live independently
- Provide excellent primary and community care
- Keep vulnerable children, adults and families safer, minimising harm and neglect

## 8.6 Achievements and priorities by ASCOF Outcome Domain 1: Enhancing quality of life for people with care and support needs

8.7 The level of reported quality of life of those in receipt of social care services in Tower Hamlets is an average score based on responses to the Adult Social Care Survey and is made up of eight different components. The Tower Hamlets social care-related quality of life (ASCOF 1A) score out of 24 was 17.9. The performance was slightly below England average (18.7), but is in line with the London average (18.1).

8.8 In Tower Hamlets the proportion of service users who report that they have control over daily life (ASCOF 1 B) was 62.5%. Performance is below London average (69.9%) and England average (75.1%). Overall performance is the lowest in London. One trend is that adult social care users of a Muslim or Bangladeshi ethnic background reported much lower levels of control compared to people of a White British ethnic background in the Tower

Hamlets survey. This trend was also evident in the 2010-11 ASCOF indicator information sources, though the difference is less pronounced this year. Over the last 12 months, the Quality and Involvement team have carried out a series of focus groups and discovery interviews to try and understand the reasons behind this trend. The following themes have been identified:

- Some people do not see relinquishing control as a negative thing
- Around 90% of Bangladeshi survey respondents received help to complete the survey. Discovery interviews suggest that a proportion of people gave the survey to close family members to complete on their behalf
- Language difficulties for people who have English as a second language are also likely to affect how much control people feel they have

- 8.9 Tower Hamlets continues to roll out Direct Payments and Personal Budgets and in 2011/12 the proportion of service users and carers who received self-directed support was 38.3%. The performance was below England average (43%) and London average (47.1%), but an 8.3% improvement on our 2010/11 outturn.
- 8.10 As at 31<sup>st</sup> December 2012, this increased to 51.3%. We aim to achieve the national milestone of 70% by 31<sup>st</sup> March 2013 (ASCOF 1C part 1). The proportion of people using social care who receive direct payments (ASCOF 1C part 2) was 17.7, above England (13.7) and London (17.3) averages.
- 8.11 We have sought to continue to support adults with learning disabilities and people experiencing mental health difficulties, both of whom are key groups at risk of social exclusion. In relation to Mental Health, Tower Hamlets reported performance was 6.9% and the authority performed better than London (5.9%), but still below England average (8%) for ASCOF 1F.
- 8.12 Tower Hamlets is the worst performer in our comparator group for ASCOF 1E, people with LD support into employment as this looks at those people in receipt of social care (substantial and critical). However, during the period April 2011 and March 2012, Tower Project has helped 55 people with learning disabilities into supported work placements and 20 people with learning disabilities into paid employment. During the same period, people with learning disability receiving a package of support from adult social care, 16 were successfully supported into paid employment (it is only this group of people we can count for the PI) and 15 people undertook unpaid voluntary work.
- 8.13 As part of our work to continue to improve employment opportunities for vulnerable people we are currently finalising the procurement process for the provision of a Supported Employment, Training and Enterprise Service. It is envisaged that this Service will consist of a floating service with targeted outreach, drop-ins and surgeries made available from suitable community venues, which will also include new community hubs. The purpose of this service is to strengthen the provision of job brokerage and supported

employment services to Tower Hamlets residents over 16 years of age who are economically inactive on account of a learning disability.

- 8.14 A new scheme to secure employment for people with learning disability within the Council is showing early signs of success with 10 people now in mainstream employment through the scheme. A priority for the coming year will be to evaluate this pilot and roll it out across partner organisations.
- 8.15 In 2011/12, Tower Hamlets performance was 89.4% and third highest in London and above England average for ASCOF 1H - Adults in contact with secondary MH services in settled accommodation
- 8.16 Our Dementia Strategy and Commissioning of new services has continued to go from strength to strength, with the strategy being shortlisted for a LGC Award.
- 8.17 As part of Transforming Adult Social Care, an extensive modernisation programme of day services saw the opening of our flagship community hub Phoenix Blend for people with LD.
- 8.18 In 2011/12, Tower Hamlets continued to perform above London average in relation to Carers receiving a review, assessment or specific carers service (National Indicator 135) and this will continue to be an area of focus within our newly implemented Carers Plan 2012-15

8.19 **Priorities through to 2014**

- Commission a Supported Employment Service for people with support needs and their carers
- Carry out a needs assessment to underpin a Learning Disability Accommodation Strategy and Commissioning Strategy
- Evaluate the pilot on employing people with LD across the council with a view to rolling the model out wider and providing meaningful employment to individuals
- Finalise the Mental Health Strategy and ensure that the Time to Change Pledge is signed up to across the council and by partners
- Roll out an accreditation scheme for local providers, to ensure quality and safety of care and support

8.20 **Achievements and priorities by ASCOF Outcome Domain 2: Delaying and reducing the need for care and support**

- 8.21 In a difficult financial context, Cabinet continue to protect funding of preventive services provided to people who are not eligible for social care under Fair Access to Care Services (FACS) guidelines. Provision of support in the community such as Assistive Technology, home care and day opportunities continue to be free of charge. In 2011/12, £54m was spent on such services. Consultation on the 2011/12 Local Account highlighted residents' awareness of funding pressures and are concerned that services will be reduced. Although the Council has seen a decrease in its overall budget, there has

been continued commitment to protect funding for adult social care. In 2009/10, adult social care received 28% of the Council's budget. In 2010/11, this increased to 30% and in 2011/12 this increased again to 33%. This shows that other council departments are seeing a greater reduction in funding as a bigger proportion of the reduced budget is made available for people who need social care.

- 8.22 In 2011/12, £32.9m funded placements in residential or nursing homes, offset by £15.7m income. Permanent admissions to residential and nursing care homes for younger adults (18-64) (ACSOE 2A part 1) was 24.7 per 100,000 population. Tower Hamlets is the second highest in terms of placing adults permanently into residential or nursing care in London. London average was 16.6 and England average was 19.4 per 100,000 population. Tower Hamlets performed lower than London and England average. Tower Hamlets place people residentially as a last option. Whilst there has been a significant reduction in the number of adults in residential care, there were at 31/3/12, 23 people living in out of borough supported living schemes. There are 82 high support units in borough, with an additional twenty due to open in the very near future. Our strategy is to bring people back to Tower Hamlets and into Supported Living Schemes. The number of long stay MH residents is decreasing year on year, so too are numbers of people with LD.
- 8.23 In relation to older people (65+), permanent admissions to residential or nursing care was 851.6 per 100,000 population. Tower Hamlets is the third highest in terms of placing older people permanently into residential or nursing care in London. The authority's performance is below London (542.6) and England (705.9) per 100,000 population.
- 8.24 Tower Hamlets data shows that the majority of people over 65 placed into residential or nursing care are 80+. In 2010/11, the average stay of those placed in that year was 78 days and this has been reducing year on year, showing that people are entering residential/nursing care when very elderly and not staying for very long. In addition, we are seeing a reduction in long stay residents, with a 15% reduction on 2010/11 levels
- 8.25 To delay needs escalating, Tower Hamlets extended the provision of our reablement offer in 2011. This intervention aims to increase a person's independence and prevent the need for long term care is now provided to all who may benefit, not only those following a crisis or stay in hospital as a universal service. In 2011/12, In Tower Hamlets the proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services was 86.6%. London average was 84.8% and England average was 82.7%. Tower Hamlets performed above London and England average (ASCOF 2B part 1). In relation to those offered reablement (ASCOF 2B part 2) 4.8% of older people (65 and over) discharged into the community were offered this service. Performance was above England average (3.2%), but in line with London average (4.8%).
- 8.26 1,937 people are currently receiving free universal Telecare services (as of December 2012), an increase on 100 from the previous year (December 2011). In Tower Hamlets we are currently exploring how technology can improve the way we support people with more complex support needs and in

November 2012, we launched a broader range of items. This new range is available to the Community Matrons within the Community Virtual Ward (CVW) network and other health staff. The CVW network has expanded across the borough, with each Virtual Ward, now including social workers. To date, 488 people have been supported by the CVW to remain out of hospital and this is expected to rise to 600 in 2013.

8.27 Most people have had a fall at some point in their lives, but for some a fall can be devastating, particularly older people for whom it can lead to worsening health problems, disability, feelings of fear and anxiety, and reduced independence. 731 people were 'screened' by LinkAge Plus in 2011/12 to see if they were at risk of falling. This showed a high proportion (53%) of people living alone. Staff in LinkAge Plus centres then refer people to the Falls Unit at Mile End Hospital, who then help with exercise, referral to the foot clinic and other types of support. 407 people were supported through Adults Health and Wellbeing contracts with the Handyperson service in 2010/11; 404 people were supported in 2011/12; and 227 people have been supported so far in 2012/13 (part year data).

#### **8.28 Priorities through to 2014**

- Commission our new Information, Advice and Advocacy services
- Work closely with Health to embed the Community Virtual Ward concept across the Borough to increase the number of people supported to 600
- Embed Assistive Technology as a viable support option with health and other partners
- Improve continence services to children and families
- Review the Reablement service with ten other health interventions to both enhance wider reablement potential for individual's and also improve waiting times
- Carry out in-depth analysis of admissions of people into residential care to ensure placements are appropriate and provide value for money
- Take forward the 50+ integrated care pathway work

#### **8.29 Achievements and priorities by ASCOF Outcome Domain 3: Ensuring that people have a positive experience of care and support**

8.30 The overall satisfaction of people who use services who said they were extremely or very satisfied with their care and support in the borough was 65.2%, significantly above the London average of 57.2%. The England average was 62.8% (ASCOF 3A).

8.31 The proportion of people who use services and carers who find it easy to find information about services (ASCOF 3D) in the borough was 73%. The London

average was 72% and the England average was 73.8%. More people with a learning disability reported finding it easier to find information and advice on support this year. 75% found it easy to find information on support this year, compared to 61% last year

- 8.32 There are around 60 adults in the borough whose first language is BSL. People have told us about the importance of being able to communicate with staff proficient in British Sign Language (BSL). As a result, we have set up a weekly drop-in service for Deaf people
- 8.33 Following a successful pilot in 2011, we have worked with health partners to provide Health and Wellbeing Checks for Carers. The added value of Carers Health and Wellbeing Checks is that mental and emotional health is included. The new programme of health checks got underway in August 2012 and 65 checks have been completed to date.

### **8.35 Priorities through to 2014**

- Improve waiting times for assessments and support by carrying out a review of the end to end process. This will include feedback gained from those who use services and their carers
- Improve information about eligibility for formal social care and how we make those decisions
- Increase awareness of the use of Personal Budgets to those who may benefit, including how they can be used, what to do if something goes wrong, and what to do if someone using such budgets is being abused.
- Consider how to increase the levels of choice and control for people whose first language is not English
- Implement our new e-Market Place
- review current end of life care provision and practice and develop a sensitive and holistic approach

### **8.36 Achievements and priorities by ASCOF Outcome Domain 4: Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm**

- 8.37 ASCOF 4a - The proportion of people who use services who reported through the annual survey that they feel safe was 58.9% in Tower Hamlets, in line with London average (58.9%) but below England average (63.8%). However, this means that 41% of service users expressed concerns with how safe they feel. We made contact with all those who expressed concern. People tended to answer this question in terms of the safety of their neighbourhood (e.g. levels of anti-social behaviour). The adult social care survey result is comparable with the 42% of residents in the Tower Hamlets Annual Residents Survey who cited safety as a top concern, suggesting the issue is broader than social care.

- 8.38 The proportion of people who use services who say that services have made them feel safe and secure (ASCOF 4B) was 81.8% in Tower Hamlets. The authority's performance is the second highest in London. Tower Hamlets performed better than London average (73%) and England average (75.4%).
- 8.39 There has been an increase in the number of complaints in 2011-12 compared to the previous year, although the overall number remains comparatively low when compared with other council services. Complaints "challenging assessment decisions" increased from 13 in 2010/11 to 30 in 2011/12, however when set in the context of 1469 assessments being completed in the year, this represents 0.2%.
- 8.40 The council receives a comparatively high volume of alerts where safeguarding is implicated. The service received 590 initial contacts in total for the full year, a 9.8% increase on 2010/11 levels. 296 of these were formally regarded as a safeguarding alert with 97% proceeding to a full safeguarding process. In 2011/12 the largest number of people going through the safeguarding process was older people (111). 61 People with Learning Disabilities and 44 people with Mental Health issues also went through the process in 2011/12.

#### 8.41 **Priorities through to 2014**

- Work with colleagues across the council to improve people's feelings of safety
- Further developing effective multi-agency practice, joint training and best practice sharing. Improving integration with other areas working with vulnerable adults: MAPPA, MARAC, Prevent, Children's Social Care and Community Safety.
- Ensuring that Adult Safeguarding is central to the Personalisation work where people are encouraged to get the balance right between being safe and getting on with their lives.
- Joint training for Health and Social Care Commissioners to ensure services purchased are of good quality and reflect proper safeguarding practice within their daily work.
- That safeguarding services work harder to engage with all of Tower Hamlets communities particularly where referrals rates are low
- Ensuring Hostels and other accommodation outside any regulatory framework are monitored and compliant with safeguarding arrangements.
- Working alongside providers and organisations to look at how to jointly develop more preventative ways of working to reduce avoidable safeguarding referrals.

- Agreeing a multi-agency approach to respond to people who self neglect

#### **8.42 Summary view of achieving positive outcomes for people who use services and their carers**

8.43 Tower Hamlets has continued to deliver the significant system changes required from *Putting People First* to transform adult social care so that services are delivered in a way that ensures that users of services “exercise maximum control over their own life...and participate as active and equal citizens, both economically and socially”. This has had an impact both on how our own services are organised and also how we commission services from external providers. This is the biggest change to adult social care since the introduction of the NHS and Community Care Act 1990. We now have more people being supported through reablement, personal budgets, Direct Payments, specialist services such as Dementia and learning disability. Our commitment is to continue to deliver excellent quality services. We will continue to focus on some of our timescales within the ‘customer journey’ in order to increase some aspects of reported satisfaction. In turn, there are some aspects of support that will need more detailed investigation to ensure we are doing all that is possible to support vulnerable people appropriately, namely admissions to residential care and supporting people into employment.

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

9.1 As per section two of the report, Cabinet are asked to note the Local Account for Adult Social Care.

9.2 The cost of producing the Local Account will be/has been met through existing general fund resources held by the Adults Health and Wellbeing Directorate. The main cost will be the production of the publication. There are no other specific financial implications arising from the publication of the local account.

9.3 The Local Account includes a section on the financial position of the Adults Health and Wellbeing Directorate. This includes the financial outturn and performance of the Directorate in 2011/2012 which is consistent with publications and reports that are already within the public domain. In particular, the Council’s annual accounts and reports submitted to Cabinet and full Council.

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

10.1 The report informs members about the publication of a Tower Hamlets Local Account developed in conjunction with THINK. The local account is intended to be a source of information, developed locally, which may include quality and outcome priorities and how these have been progressed; a description of



partnership working; and data relating to quality and performance. Local information and local outcome measures should be contained in a local account, supplementary to national outcomes measures so as to promote quality, transparency and accountability in adult social care.

- 10.2 The delivery by the Council of its statutory functions in respect of adult social care in a way that is high quality, transparent and accountable is consistent with good administration. There is thus adequate power to support development of a local account inherent within the statutory functions which will be the subject of the local account narrative. Were it necessary, an additional source of power may be found in the general power of competence in section 1 of the Localism Act 2011. The general power enables the Council to do anything that individuals generally may do, subject to such restrictions and limitations as are imposed by other statutes.
- 10.3 The local account is a report and summary that ranges across the Council's adult social care functions. To the extent that the local account sets out priorities or actions, these are a reflection of the content of a number of Council plans and strategies. The delivery of these may give rise to legal issues that will need to be addressed. The Council will continue to have act within its statutory functions, including by complying with its many duties in respect of adult social care and its best value duty under section 3 of the Local Government Act 1999.
- 10.4 In developing the local account, the Council will need to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited 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.

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

- 11.1 The report informs Cabinet that the Local Account is a requirement under *Transparency in Outcomes: A framework for adult social care* (ASCOF). The Local Account development process seeks to identify areas of inequality for local people. The report highlights areas where further work will be carried out in the coming year to better understand and address potential issues.
- 11.2 The report addresses provision of care and support for vulnerable people, particularly safeguarding, in conjunction with partners. The report is therefore very relevant to the aims of One Tower Hamlets and has a direct impact on the following Strategic Objectives:
- **A Safe and Supportive Community** – bringing together support for the most vulnerable residents with community safety issues
  - **A Healthy Community** – including public health, access to primary care and mental health

- 11.3 The development and discussion of the Local Account with a wide range of community groups seeks to promote the wide variety of support services on offer to various communities in the borough.
- 11.4 The Local Account is intended to be a mechanism for local challenge and has been developed in conjunction with THINK. Feedback was sought from some of the borough's most vulnerable residents. A local magazine summarising key information will increase this involvement further and encourage more people to get involved in the development of social care for vulnerable adults.

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

- 12.1 The Local Account is an extensive document and has been made publicly available from the Council's internet, reducing the need to produce extensive and expensive hard copies. To ensure that local people can understand and engage in service development and delivery going forward, a shorter magazine has been produced that will be printed and sent to key locations across the borough

## **13. RISK MANAGEMENT IMPLICATIONS**

- 13.1 This report is being presented to Members for information purposes, no proposals are being made. However the scope of the services being delivered to vulnerable people in the borough and the partnership working required enabling this to be carried out effectively and safely requires an appropriate governance structure to ensure appropriate risk management activities are in place. Section 8.6 of the report sets out, in Tower Hamlets, the body which oversees the strategy to improve health and wellbeing and address health inequality in the borough is the shadow Health and Wellbeing Board, due to become a statutory Board on 1<sup>st</sup> April 2013.
- 13.2 In addition, the Safeguarding Adults Board oversees the effectiveness of implementation of the Pan London Safeguarding procedures across Partner agencies in Tower Hamlets. Strong leadership and partnership working should be underpinned by appropriate risk identification and management processes in order to minimise risk to vulnerable adults in the borough.

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

- 14.1 Paragraph 8.37 of the report informs members of the level of concern users of adult social care have in relation to their safety. Further research suggests that responses relate to wider community safety concerns. It will be important to ensure that this issue and wider adults safeguarding issues are addressed as part of the review of Community Safety Plan.

## **15. EFFICIENCY STATEMENT**

15.1 Efficient use of resources is of key concern for Adult Social Care in order to ensure that the Council can continue to discharge its statutory duty to meet eligible assessed need. The key mechanism, by which resources are distributed, is through robust application of eligibility criteria as set out within national Fair Access to Care Services guidance (FACS). It is through application of this guidance that resources are directed to the most vulnerable residents with needs classified as being 'critical' and/or 'substantial' in nature. Section 7.5 of the report, further detailed within the Local Account, highlights resident's views on the application of FACS criteria and therefore more work will be carried out to ensure residents have appropriate information on how decisions are made and how resources are targeted towards the needs the Council has a duty to meet.

## 16. APPENDICES

Appendix 1 Local Account

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### **Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

| Brief description of "background papers" | Name and telephone number of holder and address where open to inspection. |
|--|---|
| None                                     |   |

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London Borough Of Tower Hamlets

# Local Account 2011-12

December 2012

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Throughout this report, you will notice that some words or phrases are underlined. We know that some readers may not be familiar with all the terms used in this report, so there is a “Glossary” explaining any underlined words on page 47.

## Foreword from Mayor Lutfur Rahman, and the Lead Member for Adult Social Care, Cllr Abdul Asad

Cllr Asad and I hope you enjoy reading this, our second annual local account of adult social care. This has been informed by discussions with residents and I am pleased that so many residents have taken part in these conversations. As part of talking to residents about what's important, the first local account was circulated to residents in May and June via Idea Stores and One Stop Shops, Service User Customer Forums and Community Groups. A series of events were held throughout May and June to collect feedback on how well social care for adults is doing in meeting the needs of vulnerable people.

To find out what we are doing in relation to your feedback, look out for the **'Resident's Action Points'** throughout this document.

We are pleased that the majority of people were satisfied with the services they received and also praised the strong relationship and good communications between Tower Hamlets Council and residents. A number of local community groups praised the work of adult social care, highlighting that communication with people who use services is an area where we have excelled in the past year. The publication of the 'Local Account Local' magazine was held by all as a great example of this.

This is a period of extreme financial difficulty for local councils, however we are pleased that in the face of these challenges, we are continuing to provide the services you need and deserve. We are the only Council in England to still provide services to residents in their homes free of charge. Our community leadership role is also important and we have used our commissioning power to support local businesses and the London Living Wage. We have ensured that all our providers pay London Living Wage as we believe that a better paid workforce will provide a better service to residents.

There are many changes taking place in social care, and when these changes take place we may not always get things right, and we welcome your views, positive or negative! We hope that through the Local Account and the many events that we will hold to discuss this with local people, you will feel able to ask the Council questions about how services are doing and challenge us to make improvements.



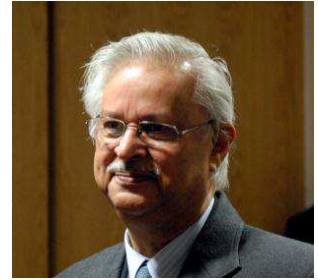


Mayor Lutfur Rahman

Cllr Abdul Asad

**AmjadRahi**

**Co-Chair Tower Hamlets Involvement Network (THINK)**



Our members welcome the production of the Annual Local Account by our Council. This report is undoubtedly an important step in providing local residents the opportunity to learn what and how social care is provided in Tower Hamlets; it also shows how it has enabled them to express their views and allowed them to hold the Borough to account for the services they directly provide or commission for the community.

In our opinion the current Local Account is a true representation of the activities of the Council's Adult Social Care services. It is divided into easy to read sections and the language has been simplified to understand and assimilate the message. It is commendable for it being transparent and open in providing evidence for what has been working well, what has not been working so well, and what needs to be improved.

Adult Social Care services have worked hard to capture the views of service users and have engaged THINK directly in their commissioning processes over the past year. However with significant cuts to funding and the need to increase savings in the next few years it is imperative that users and the community at large are at the centre of decision making about how care services are designed and delivered to minimise the impact on the people most in need.

From the feedback we have gathered from service users in Tower Hamlets it would appear that most of them are appreciative of services provided or commissioned through private and voluntary sector. Whereas there are several major unresolved issues about Health service provision in Tower Hamlets, Adult Social Care in the community is a clear winner.

However social isolation and loneliness particularly in the elderly population is an issue which needs to be tackled effectively in future years. There is no doubt that change in the social benefits system has impacted adversely. The Council has the uphill task of innovating to deliver 'more for less'.

THINK play an important and independent role in ensuring people have a positive experience of adult social care. The Network gives local people ways of getting involved and influencing service, design, review and development of health and social care services. They are independent of the Local Authority and the NHS and can comment on all health and social care including local hospitals, GPs, care homes, and pharmacies.

In line with government legislation, THINK will change into "HealthWatch" in April 2013. In addition to gathering resident views and monitoring the quality of services, HealthWatch will also have a signposting function to support residents to find information and advice on health and social care.

Those with long term conditions who can benefit from exercise and weight control measures would welcome reasonable free access to Gyms and other facilities on medical grounds. Even those who can pay to access swimming pools find them unsuitable for their medical needs. It has been suggested by the residents that when contracts for running swimming pools are up for renewal there should be input from Health professionals to ensure that the pools are adopted to meet the needs of persons with short or long term conditions.

Members of the Somali community in the Borough, particularly women, are very pleased with services provided by their day centre. The elderly and the frail would, however, like home care support to be more flexible and accommodative. Vitamin D deficiency and osteoporosis is a public health issue for which residents would welcome informed support.

The section dealing with information and advice in the Local Account is most welcome; with so many changes on the horizon it is essential that meaningful information is available, making it easy for the residents to contact the right people for help and support.

There is a strong feeling from users that health professionals and social care staff need to work closer together to produce a streamlined care pathway. THINK fully supports the aim of greater integration of services that put patients and service users at the centre of a package of support and that involves GPs, hospitals, mental health provisions, community services as well as carers, family and friends. This should place the emphasis on providers and commissioners to build services that link together and enable relationship building and information sharing between the people responsible for providing care and the individuals receiving care.

The Borough has worked very hard this year to transform adult social care support to a person centred approach. Over the years it has championed equality, diversity, and fairness and easy access to services. Our membership is committed to work with the Council to achieve the best social care for the community and we support a continuing growth in the number of people using a personal budget in the coming years.

Now that Public Health is moving to the Council our ambition should be to aim to be the healthiest and best cared for community in the country.

AmjadRahi

## Introduction

Welcome to the second annual report of adult social care. This 'local account' will update you on the priorities set out in our [last report](#) and also what we will be focusing on over the coming year. It has been a busy year and we have much to feed back to you.

### What's happening nationally?

There has been much debate nationally about the future of adult social care and we reported in our first local account the Government's intention to publish their vision for what care and support services should look like in future. This has been laid out in the [Care and Support Bill](#)<sup>1</sup> published in July this year. We, alongside the NHS and public sector partners, share the priorities set out in the White Paper and we will bring you more details of how we are responding as the paper makes its way through Parliament in 2013.

Also reported in last year's local account, we continue to respond to one of the greatest challenges we have ever had to face – significant cuts in funding provided by Central Government to Local Government. These cuts are leading to difficult decisions across the public sector, and will continue to do so for the next few years. In addition to this, many of the borough's residents are facing their own challenges, because of changes being made to welfare benefits being introduced by the Government over the next few years. We are working hard at the Council to prepare residents for these changes, and to offer advice and support where we can.

You can find more information on our website:

[http://www.towerhamlets.gov.uk/lgs/51-100/70\\_welfare\\_reforms.aspx](http://www.towerhamlets.gov.uk/lgs/51-100/70_welfare_reforms.aspx)

Our partners in the NHS, and indeed across the public and voluntary sectors, are also going through a great deal of change, and have equally hard funding decisions to make. These changes echo the experience of the public and voluntary sectors across the country.

### What's happening locally?

Despite the significant cuts to Council funding, we are not planning cuts to adult social care services. Although the Council has seen a decrease in its overall budget, there has been continued commitment to protect funding for adult social care. In 2009/10, adult social care received 28% of the Council's budget. In 2010/11, this increased to 30% and in 2011/12 this increased again to 33%. This shows that other Council departments are seeing a greater reduction in their funding as a bigger proportion of the reduced budget

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<sup>1</sup> For more information, visit <http://caringforourfuture.dh.gov.uk/>

is made available for people who need social care. We are doing our bit to reduce our spend and we are focusing on how we can work in different ways to improve the services which do provide, and are focusing on supporting people to be as independent as possible. We know that people who need support want to be as independent and safe as they can, so this focus on independence whilst keeping people safe has been designed to both improve people's quality of life and help us meet the challenges we face.

In last year's [local account](#) we talked about the work we were doing on the 'journey' customers take through our care system and how this changed in September 2011. Over the past year we have looked at how well this new 'journey' is working. Going forward, our plans are to continue to review people's experience, and we will continue to use this information to improve services. We have to target our resources wisely and are interested in hearing your views about your experience of adult social care and keen to use that feedback to improve services for the borough's most vulnerable people now, and also for those who may need support in the future.

### Levels of health and social care need in the Borough

One of the main ways we can predict who might need support in future is by looking at how the Borough continues to change. 2012 was an exciting year for our researchers. It was the year where the findings from the 2011 Census<sup>2</sup> started to be released. For the first time in 10 years we have a very accurate understanding of who lives in our Borough. The Census 2011 estimates that there were 254,100 people living in Tower Hamlets on 27th March 2011. This is a 30% increase on the 2001 Census – the highest growth rate seen across all local authority areas across England and Wales.

People in the 20 to 64 age group in Tower Hamlets have increased from 122,070 in 2001 to 176,400 in 2011, an increase of over 44.5%. This compares to 17.1% increase in London and 7% in England and Wales<sup>3</sup>.

Nationally, the percentage of the population aged 65 and over was the highest seen in any Census at 16.4 %. One in six people in the UK are over 65. However, in Tower Hamlets the number of people aged over 65 fell from 18,362 in the 2001 Census to 15,500 in 2011. This is a reduction of 15.6%. Similarly, Tower Hamlets saw a fall of 21.9% in those aged 65 to 79. However, there was an increase of 7.7% in those aged over 80.

The table below shows how we are currently expecting the number of older people to increase over the coming years:

| <b>ONS Projections based on 2011 Census September 2012 Release</b> | <b>2012</b> | <b>2015</b> | <b>2020</b> | <b>% Increase</b> |
|--|-------------|-------------|-------------|-------------------|
| Total population 50 and over                                       | 39,894      | 42,214      | 47,590      | <b>19.3%</b>      |
| Total population 65 and over                                       | 15,696      | 15,811      | 16,736      | <b>6.6%</b>       |

<sup>2</sup> The Census is a count of all people living in the UK. Find out more at [www.ons.gov.uk](http://www.ons.gov.uk)

<sup>3</sup> CRU, Census briefing

|                             |         |         |         |              |
|-----------------------------|---------|---------|---------|--------------|
| People aged 85+             | 1,873   | 2,100   | 2,414   | <b>28.9%</b> |
| Total population - all ages | 263,294 | 283,446 | 311,331 | <b>18.2%</b> |

Fig. 6: Office of National Statistics projections to 2020, based on 2011 Census

It is particularly worth noting, alongside a general increase in the numbers of older people in the borough, that ONS predicts a 28.9% increase in the number of people aged 85+ by 2020. These population changes, together with the levels of long term illness or disability (34% higher than the national average) are anticipated to lead to a growth in demand for adult social care services.

You can read more about the health and wellbeing of people in Tower Hamlets by visiting [www.towerhamlets.gov.uk/jsna](http://www.towerhamlets.gov.uk/jsna)

### People receiving adult social care

Tower Hamlets has high levels of deprivation and people living in poverty. Half of older people live below the poverty line in Tower Hamlets, and more people live alone compared to national averages (47% compared to the UK average of 33%). In addition, only 10% of older people eat the recommended amount of fruit and vegetables, and only 20% meet recommended exercise levels. The biggest challenge for health and social care services is how to support people to improve their health and overall wellbeing.

Of the Borough’s *most* vulnerable adults, 4643 were receiving formal support from adult social care in 2011-12<sup>4</sup>, with many more with less severe needs using information, advice and “preventative” support funded by the Council. Formal support means that the Council has a legal duty to provide this because if we didn’t, this group of people would quickly go into hospital, residential care, nursing care, or even die. All other support described can be provided if there is enough money to do so – in other words, it is discretionary. However in February 2011, Tower Hamlets Cabinet agreed to protect funding for such services and therefore many people with lower levels of need continue to receive support to prevent their needs from getting worse. We know that many Council’s up and down the country are making tough decisions when it comes to spending on preventative services, with some withdrawing funding to focus on the highest levels of need. We are fortunate to be able to continue to invest in these services, but we have to accept that this will be tough in the future, particularly if other Council services are being cut to fund this.

#### Key facts:

- 65% of activity in formal social care support provided in 2011/12 was to people over 18 with a physical need. This includes those injured as a result of an accident, or who have a long term disability or illness. Many of this group

<sup>4</sup>Referral, Assessments and Packages of care (RAP) return 2011-12

are older people who have become frail, particularly those who are aged 80+. This age group use support 3 times the rate of other age groups. The costs for these groups are:

- £38.9m or 43% of spend on social care goes on people 65 and over
- £12m or 13% is spent on adults aged 18-64 with physical disability
- 18% of activity in formal support was provided to people aged 18+ experiencing mental health difficulties, many of whom have long term conditions
  - £13.2m or 14.6% of spend is used to support this group of people
- 14% of activity in support is provided to adults with learning disabilities which range from supporting people to live independent lives, to those with incredibly complex and profound disabilities, requiring 24/7 support
  - £23.8m or 26.5% of spend is used to support this group of people
- Just over 2% of activity in support is provided to people who are vulnerable for other reasons, for example, those who live chaotic lives due to the effects of alcohol or drugs
  - We use 5% of spend to support other vulnerable people

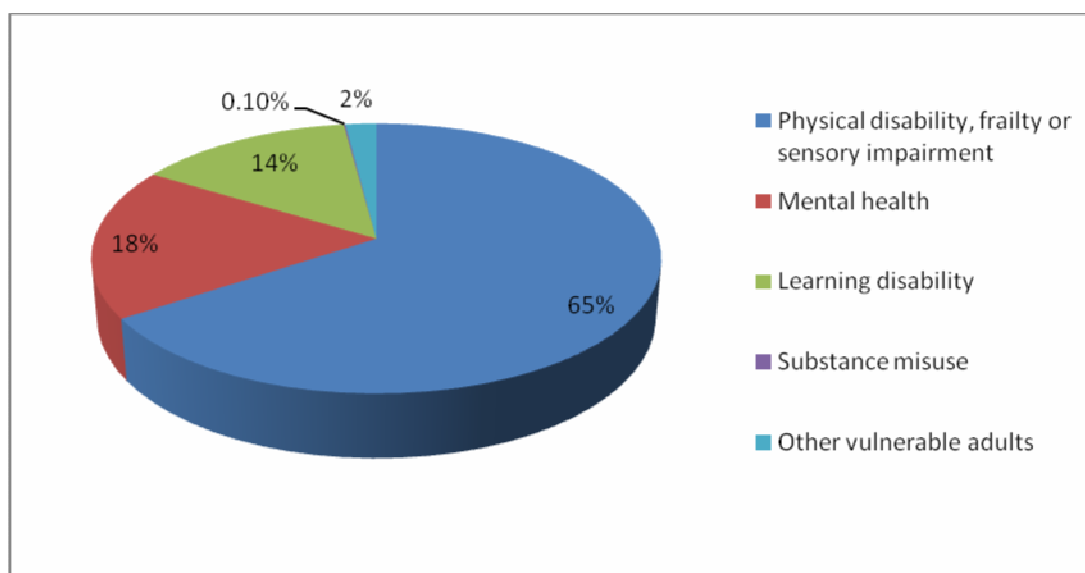


Fig. 2: Profile of the 4643 people who used adult social care in 2011-12<sup>5</sup>

1469 people had a social care assessment with a Social Worker, Occupational Therapist, or other social care professional<sup>6</sup>. A further 2459 people had their support package reviewed with a social care professional<sup>7</sup>. In addition, over 1600<sup>8</sup> carers had an assessment in 2011-12, which is significantly higher than national averages.

## The annual cost of providing adult social care and Supporting People services

<sup>5</sup> Referral, Assessments and Packages of care (RAP) return 2011-12

<sup>6</sup> Referral, Assessments and Packages of care (RAP) return 2011-12

<sup>7</sup> Referral, Assessments and Packages of care (RAP) return 2011-12

<sup>8</sup> 1032 received separate assessments. 602 received joint assessments with the cared-for person. 2011-12 RAP return.



The annual total cost of providing social care services in 2011/12 was £113m. This figure includes £15.7m income we received from people who received services such as residential care. Just 1.1% of the overall budget is allocated to strategic staff and support functions, with the remainder being used to deliver support to vulnerable people, either through our assessment and support planning functions, or through provision of services and Direct Payments. Spend represents 33% of the Council's total budget. This is broken down into £32.9m on residential and nursing care, £54m on support in the home, for example home care, equipment and meals services, and services provided in the community, such as day opportunities.

## Carers

Carers play an incredibly important role, and in recognition of this, we are working to improve the way in which we work with and support them. All parts of this local account are relevant to carers as well to people who need care and support, and we have a range of services specifically targeted at carers themselves.

In 2011/12 we spent £1.5m providing services such as information, advice, and short breaks away for carers. One-off direct payments remain a very popular option for carers. The annual budget to support carers increased by 300% between 2008 and March 2011 to £140,000 and despite the financial challenges facing the Council, we maintained this level of funding up to March 2012<sup>9</sup>.

There are an estimated 21,000 carers in the borough, the majority of whom are not "known" to services. In 2011/12 we supported 1273 carers by providing short breaks or packages of support to help them maintain their caring role. In addition, the numbers of carers taking cash payments to arrange their own support has increased from 371 in 2007/08 to 407 in 2011/12. Through working with carers, we know that flexible arrangements which enable carers to have time to themselves and a life of their own are important as Peter explains on the below:

Read the 2012-15 Carer Plan at [www.towerhamlets.gov.uk/strategies](http://www.towerhamlets.gov.uk/strategies)

*"Hi my name is Peter, and I am my wife`s carer, she is Bi-Polar, or as she prefers to call it Bio- Polo. Last year was quite a good year for carers in Tower Hamlets. On the plus side thanks to carer led lobbying by THINK (Tower Hamlets Local Involvement Network) we secured funding for a full-time dedicated Mental Health Carers` Support Worker at the Carer Centre, in addition to the part time worker we have. Unfortunately this post is only until November, but we will be trying to secure funding it for the future. We also (after a successful pilot for Health and Wellbeing checks for carers) received*

<sup>9</sup> The Carer Plan 2012-15 estimate, based on 476 carers receiving a direct payment in 2010-11.

*funding for this year and next year for two nurses to continue with the checks, which after a slow start is up and running now.*

*In adult social care, work was started on a new “customer journey” for carers, but unfortunately there have been delays with this. It is good that this work is now due to be progressed. There have been problems with Department of Health money for carers’ respite breaks not being used for this purpose, so the news that the government will shortly be asking local health services to account for this money is welcomed. Respite and carer breaks does not necessarily just mean carers going away for a break, but also just having a bit of “Me Time”, which can be what most carers want for a couple of hours once or twice a week. If the facilities are not there and there is a shortage of carers’ support workers then it makes it harder for carers to have their “Me Time”.*

*Next year I would like to see the Council along with their partners the NHS East London Foundation Trust (for mental health) and NHS Barts Health Trust work together. I would like to see them being more pro-active in identifying the thousands of unknown carers, and visit all the places people congregate, such as mosques, dinner clubs, outside schools at going home time, at the large supermarkets and all similar places. On a national level, I would like to see the Department of Health ring-fence money for carer breaks, to ensure that carers benefit from this”*

With this in mind, we worked with carers, including Peter, to develop a three-year “Carers Plan<sup>10</sup>”, setting out how the Council, health and third sector services will meet the needs of carers in Tower Hamlets through to 2015. Developing this plan was a priority highlighted in last year’s local account. The key changes introduced by this plan are:

- To improve information, advice and advocacy for carers
- To introduce carers personal budgets to give carers more choice and flexibility
- To support carers to stay healthy and well
- To review balance between money invested in our block contracts for carer services and how we can free as much of this up as possible for carers to take as personal budgets.
- To ensure that the plan is able to meet the requirements set out in the new Care and Support White Paper

An exciting development for the coming year will be the “shared lives” service. We are still in the process of identifying the route we wish to take in terms of our shared lives model and have been liaising with other models of good practice to find an approach that best meets the needs of our residents and offers choice, flexibility, control and dignity and supports families and carers.

The “vision” for how we want carers to experience social care was developed with carers, and says that “we will recognise value and support the unique

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<sup>10</sup> Read more at [www.towerhamlets.gov.uk/strategies](http://www.towerhamlets.gov.uk/strategies)



contribution of carers by offering access to high quality information and support options that promote independence, choice and control”.

In summary, our priorities for supporting carers in the next year are:

- To deliver the priorities stated in the 2012-15 Carer Plan,
- To develop a more flexible and personalised approach to respite and carers breaks such as the Shared Lives Scheme.
- To develop a new “journey” for carers through social care, including the development of personal budgets for carers.

## Working with health and the Health and Wellbeing Board

People who use social care, patients and those who care for them often tell us how important it is for health and social care staff to work well together, so we are keen to ensure this happens.

**Resident’s Action Point 1:** People who use services and particularly carers described a need for an integrated approach with health

Our overall aim is to identify people with health or social care needs before they hit crisis

The Health and Wellbeing Board is made up of Councillors, Health and Social Care Leaders, and patient representatives in Tower Hamlets, and is there to drive forward plans to improve health and wellbeing in Tower Hamlets.

point. For example, Social Workers work closely with GP’s, Community Nurses and Community Matrons. We also work together at a higher, “strategic” level, to plan how we work together, such as through the development of new “Community Virtual Wards (CVW)”.

Following a successful pilot last year, the CVW is a new way of identifying and managing vulnerable patients in the community to reduce unnecessary or repeat admissions to hospital and support self-care of long term conditions. We do this by identifying those most at risk and coordinate and plan their care. The Community Virtual Ward Model of Care is now being fully developed across the Borough and is linked to local areas.

Each CVW provides support from different health professionals and social care staff work closely with GP’s, Community Matrons and Community nurses on a daily basis to support people with health and social needs. We are placing 4 social workers, one in each ‘ward’ to ensure we work in a more integrated way. Since June of this year the community virtual ward has worked with 488 vulnerable people at risk of readmission to hospital and we are expecting this to increase to over 600 of the borough’s most vulnerable people being supported as the CVW’s become more established.

One of the most important priorities from last year has been to bring health and social care closer together through the establishment of our Health and Wellbeing Board (HWB). We reported the development of this Board in last

year's Local Account. This high profile Board will ensure that the health and social care priorities for Tower Hamlets are addressed through our Health and Wellbeing Strategy *Towards a Healthier Tower Hamlets*. The new HWB will maximise every opportunity to enhance local health provision to best serve the needs of vulnerable residents and their Carers. Working with the Clinical Commissioning Group, improving health of our local residents is our top priority. Through the Strategy, the Board aims to improve health and wellbeing through all stages of life through:

- Reducing health inequalities
- Promoting choice, control and independence
- Focusing on prevention, early detection and early intervention
- Patient centred care
- Looking across the life course
- Taking a family centred approach
- Ensuring 'health in all policies'
- Understanding and addressing diversity
- Building on community potential and capacity

Since last year the Board has set up an Integrated Care Board in part to look at a "50+ Pathway" to draw on all organisations involved in supporting people in the 65+ age group (e.g. GP, social work, community health services). So far the group has developed the start of the pathway focusing on preventing people from being admitted to hospital, for those who are admitted, effective and speedy discharges back into the home; and then ensuring effective management of complex and/or vulnerable cases, including last years of life.

#### **Resident's Action Point**

**2:**Residents would also like to see adult social care and health focus more on wider determinants in the upcoming year

Many residents have fed back through our consultations that the wider determinants of poor health should be tackled. Social Isolation, housing and healthy lives were constantly listed as key contributing factors.

As well as making sure we are working together with other organisations to improve health and wellbeing in the borough, the Board has prioritised a number of specific projects.

1. One of four priorities for the Board in the coming year is to develop a mental health strategy for Tower Hamlets

Each of the organisations represented on the Board will sign the "Time to Change" pledge, which is about:

- reducing stigma around mental health problems in Tower Hamlets;
- increasing the take up of mental health support services; and
- ensuring that organisations support their staff in the best possible way when it comes to their own mental health.

The strategy will cover all ages and will consider a range of activities and services, from promotion and prevention, to services in the voluntary sector, health and social care services.

2. A priority from last year, which continues for the year ahead, has been to prepare for the government's reorganisation of health services. A lot of public health activities will change from being the responsibility of the NHS to being the responsibility of the Council from 1 April 2013, along with a budget of £20 million per year. This pays for some important treatments and services, including the treatment of sexually transmitted infections and services for people who have alcohol and drugs misuse problems. It provides an opportunity for adult social care and public health to strengthen how we work together, particularly around prevention and keeping people well.

The Tower Hamlets public health team has a strong record of innovation and improving the health of people in Tower Hamlets. Areas of success include:

- Childhood immunisations up 20% in two years and amongst the highest rates in the country;
- Increased uptake of breast, cervical and bowel cancer screening achieved through a community based awareness raising programme;
- Steady reduction of teenage pregnancies every year since 1998; and
- Reducing the rise in obese and overweight children in Tower Hamlets.

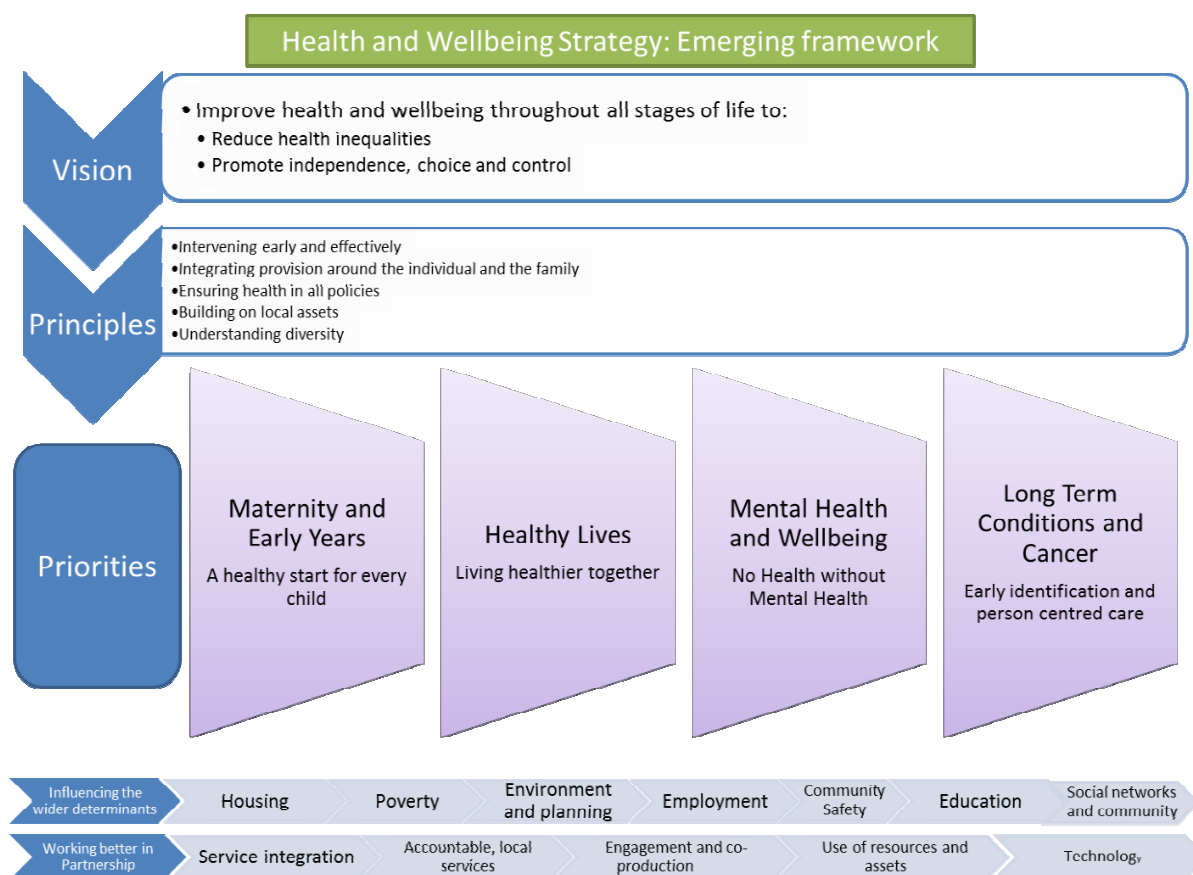
The Council aims to ensure that this success continues when public health becomes a Council responsibility.

3. Another priority for the Board will be to improve continence services for children and the overall experience that families have when getting help for continence problems.

To improve health and wellbeing in the borough, we want to improve how we work with children's social services too. 2013 will see social services for adults, children and the education department move from being separate departments of the Council into one new Directorate called Education, Social Care and Wellbeing. Integrating will provide a better opportunity to look at the needs of whole families, rather than just individuals within the family. This "Family Wellbeing Model" is aimed at providing the most effective support for children and their families to achieve their full potential. This could involve health, early years, education, youth, social care, crime and justice and housing services and any other service impacting on a child, young person and /or their parents or carers.

These and other projects and plans are being brought together into one Health and Wellbeing Strategy aimed at tackling specific issues and also the wider determinants of health. This will be finalised in April 2013. Our consultation involved engaging with local people and organisations. We found that overall there is general support for the future "vision" for health and wellbeing in Tower Hamlets. The principles of the strategy also appear to be well supported and we received specific feedback about how these could be

improved. 84% of respondents to the survey either strongly agreed (26%) or agreed (58%) with the priorities. This feedback was then used to define the framework for the strategy:



The members of the Board are now drawing up plans to make sure that the strategy’s vision and priorities are put into place.

Altogether, the Health and Wellbeing Board, its strategy and the transfer of Public Health to the Council provide a strong foundation that enables us to work together in partnership to improve the health and wellbeing of everyone in Tower Hamlets.

Our priorities for next year are:

- To work with health colleagues to draw up plans on how to make the health and wellbeing strategy a reality for people in the borough. This will include our approach to working with colleagues in the NHS;
- Finalise our mental health strategy to make sure the local mental health “system” provides what people need and want and
- To make sure that public health’s move from the NHS to the Council is smooth, and that public health continue to work on the priorities in the health and wellbeing strategy.
- To set stop smoking targets for organisations at a local or “ward” level, to encourage more people to stop smoking;

- To set up a ‘diabetes alliance’ or agreement between organisations in the borough, the aim of which will be to help people avoid and manage diabetes;
- To improve continence services for children in the community

## Setting the scene for greater independence

In social care, when we work with people who need support, we draw on their skills and strengths to improve their quality of life, whilst reducing dependency on services as this quote from a Discovery Interview shows:

*“I think sometimes too much is done. I think I was only able to do things because there was no-one else to do them for me...I can understand, when you’ve got somebody doing it for you, you let them do it. And then you stop being able to do it yourself. So I think sometimes too much is done for people. They don’t have the incentive to do it themselves. I know it is a hard road, if you have to do everything for yourself, but it should be. But that’s just the way I feel.”<sup>11</sup>*

Being independent is an aspiration for many and this is what has driven the transformation of our services over the past few years. We know that some aspects of our services are not working quite as well as we would like, but by using the wealth of feedback over the last year we are better able to pinpoint your priority areas.

Hearing the views and experiences of people who use adult social care, or care for those who do, is crucial when it comes to ensuring people have a positive experience. Some of our key activity over the last year has been:

- Going to resident groups around the borough to talk about adult social care. We have attended a range of meetings – such as the Tower Hamlets Older People’s Reference Group (supported by Age UK) and the Carer Forum (supported by the Carer Centre) – to get people’s input into Telecare, the Health and Wellbeing Strategy, and this report.
- Sending out our second annual questionnaire to all service users in receipt of long-term adult social care. Around 3500 people were sent a questionnaire in February 2012, and we received around 900 responses.
- Talking to a small group of people in detail about their experiences of the Reablement service, to see how people experience the service and how we can improve this.
- Training a group of people who have experience of adult social care services to carry out research with service users and carers.
- Developing service user and carer involvement in the Learning Disability Partnership Board.

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<sup>11</sup> – BLT Discovery Interview, March 2012.

For example, in 2012 we asked a local research company (PPRE) to work with us to train a group of people who have experience of using social care to become Peer Researchers'. These people then carried out a range of interviews and focus groups with those who had been through the 'customer journey' and were now in receipt of services. This enabled us to get a detailed understanding of the issues that still need to be addressed. The full report will be available in early 2013, but here are some of the key findings:

- Generally, social care assessments were seen as positive events conducted by people who were seen as skilled and sensitive. The importance of people being "listened to" by Social Workers and staff comes out clearly from the research.
- However, peer researchers found that not everyone understood the different roles and responsibilities of adult social care, the NHS and landlords. Likewise, not everyone was aware about the level of choice available to them, or who to go to if things go wrong.
- There was also disappointment from some service users that the things they felt they needed had not all been agreed, and that the reasons for this had not been made clear. Service users are worried about cuts, and some feel that this having an impact on their support.

We are now developing an action plan to address the issues raised in the report. Our aim is for all service users to have a sound understanding of what they can expect from social care, and how decisions are made.

### Peer research

Our recent peer research project enabled service users to talk to people who may have had similar experiences and are independent of the Council, whilst providing us with a valuable insight into the quality of our services and how that might be improved.

16 "peer researchers" were recruited in 2012, and interviewed a small group of adult social care users about their experiences of support planning. Additional peer researchers are

In addition to this work, results from the Department of Health's survey show that many people needing on-going social care support in Tower Hamlets agree that this support helps them stay as independent as possible (77.6%)<sup>12</sup>. However, this result is down from 88% last year. People with a learning disability, people in residential care, and people in receipt of a Direct Payment or cash personal budget were more likely to say that care and support helps them to stay independent than other groups. We want this figure to be nearer 100% for all groups.

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<sup>12</sup> 2011-12 Tower Hamlets User Experience Survey



We carried out a detailed look, or 'audit' of 123 people's assessments asking "has support to keep people well, delay dependency and promote independence been fully considered?" Results show that 88% of assessments fully achieved this, 7% partially achieved, 2% not achieved and 4% not appropriate<sup>13</sup>. Whilst people may not always feel that services are keeping them independent it is a core part of our assessment process and we need to understand why people's perception differs from our own evidence.

**Resident's Action Point 3:** Some residents criticised the assessment system and thought that this could be fairer.

Our consultation on last year's local account also highlighted **Resident's Action Point3:** that some criticised the assessment system and thought that this could be fairer, so clearly we have some work to do in 2013 to understand this better. This feedback mirrors the increase in the number of complaints challenging assessment decisions. You can read more about this at page 20.

The Department of Health's 'social care-related quality of life' measure<sup>14</sup>, gathered via an annual survey to all who receive formal social care asked people if they feel clean and presentable, if they are getting the right amount of food and drink, if they have a clean and comfortable home, if they feel safe, if they feel in control of their daily lives, if they have enough social contact with others, if they spend time doing things they value and enjoy, and if the way they are supported makes them feel better about themselves. Responses show an improved overall quality of life reported this year compared to last year:

- 61.6% rated their quality of life as 'good' compared to 57% last year.
- People reported increased feelings of safety, having more social contact, and being able to spend more of their time doing things they enjoy.
- The proportion of people who said they felt safe was in line with the London average but below the England average. Anecdotally, we know that people tend to answer this question in terms of the safety of their neighbourhood (e.g. levels of anti-social behaviour) and this finding is comparable with the 42% of residents in the Tower Hamlets Annual Residents Survey who cited safety as a top concern. We are working with Council colleagues and partners to address this issue, for example, the Learning Disability Partnership Board is looking at people's experience of feeling safe on public transport.
- Tower Hamlets performed well (81.8%) for the proportion of people who use services who say that those services have made them feel safe and secure, this is higher than London average (73%) and England average (75.4%).

<sup>13</sup> Based on 123 Case Record Audits carried between May and August 2012

<sup>14</sup> You can read the full Adult Social Care Outcomes Framework here:

<http://www.dh.gov.uk/health/2012/03/adult-social-care-outcomes-framework/>

On the less positive side, people reported feeling less in control of their daily lives, and were less likely to say they felt better as a result of how they are supported. At the same time, even though more service users reported feeling safe this year compared to last year, there are still relatively high numbers of service users who reported not feeling safe enough (40.5%) or even 'not safe at all' (3%).

The table below provides a summary of people's quality of life compared to last year<sup>15</sup>:

|   | <b>Topic</b>   | <b>2010-11 result<sup>16</sup></b> | <b>2011-12 result<sup>17</sup></b> |
|---|--|------------------------------------|------------------------------------|
| 1 | I feel adequately clean and presentable or better.                 | 90%                                | 90%                                |
| 2 | I feel positive about the food and drink I have.                   | 90%                                | 91%                                |
| 3 | My home is clean and comfortable                                   | 92%                                | 92%                                |
| 4 | I feel as safe as I want   | 58%                                | 59.5%                              |
| 5 | I have enough control over my daily life.                          | 69%                                | 64%                                |
| 6 | I have enough social contact with others.                          | 74%                                | 76%                                |
| 7 | I am able to spend my time doing things I value and enjoy          | 60%                                | 61%                                |
| 8 | The way I am helped and treated makes me feel better about myself. | 65%                                | 60%                                |

*Fig. 1: 2010-11 and 2011-12 Tower Hamlets User Experience Survey results – Quality of life*

One trend is that adult social care users of an Asian Bangladeshi ethnic background reported much lower levels of control compared to people of a White British ethnic background in the Tower Hamlets survey. We found this in the 2010-11 survey, but the difference is less pronounced this year. Over the last 12 months, we have carried out focus groups and one-to-one interviews to understand why. This work continues but provisionally, the following themes have been identified:

- A significant minority of people of an Asian Bangladeshi ethnic background have difficulties understanding English, which has an effect on how much control people feel they have.
- Some people may not see relinquishing control to people they trust as a negative thing.
- Around 90% of Bangladeshi survey respondents received help to complete the survey. There is research to suggest people do not always give an honest opinion if they get help to fill the survey in<sup>18</sup>.

We are now working to address these issues. Over the next year, we want to raise awareness of adult social care for people who have English as a second language through holding a series of community events. We want everyone

<sup>15</sup> 2011-12 Tower Hamlets User Experience Survey

<sup>16</sup> Based on 987 responses from Tower Hamlets adult social care service users in long-term support

<sup>17</sup> Based on 896 responses from Tower Hamlets adult social care service users in long-term support

<sup>18</sup> Across England "There were slightly lower satisfaction levels where the service user was not involved in answering the questions with only 60 per cent of returned questionnaires showing that the service user was extremely or very satisfied" – Adult Social Care Survey England 2011-12 report



to understand what they can expect from social care and how the system works, so that they feel more in control of the support they receive.

This survey also showed that 65.2% of people who use long-term support services in Tower Hamlets reported being extremely or very satisfied with their care and support services this year, compared with 60.5% last year<sup>19</sup>. A further 23% reported being “quite satisfied”. When we compare our performance with other London Boroughs, and England the London average was 57.2% and the England average was 62.8%. The table below gives an overview of the feedback we have received on adult social care this year compared to last year:

|   |   |       |     |
|---|---|-------|-----|
| 1 | Extremely or very satisfied with care and support services.   | 60.5% | 65% |
| 2 | The way I'm helped makes me feel better about myself.   | 65%   | 60% |
| 3 | I am treated with respect by the people who assess my needs for social care.                                    | 89%   | 82% |
| 4 | I have found it very or fairly easy to find information and advice about support, services or benefits.         | 63%   | 62% |
| 5 | I was very or fairly satisfied with the information, advice and support I initially got from social care staff. | n/a   | 76% |

*Fig. 1: 2010-11 and 2011-12 Tower Hamlets User Experience Survey results – experience of social care*

Overall, the results of the 2012 survey shows:

- People with a learning disability report more positive experiences over many areas when compared with people with a physical disability or mental health issue.
- People in residential care report more positive experiences over many areas when compared to those who live in their own homes. People who get a personal budget in the form of a direct payment also report higher-than-average satisfaction levels across many areas.
- Younger adults and people of an Asian Bangladeshi or Black African ethnic background report more negative experiences across several areas when compared to older people and people of a White British ethnic background.

These same trends were evident in the 2011 survey, so over the last 12 months we have looked in more detail and talked to service users. What we have found is that there is a complex set of reasons behind why different people answer the survey in different ways: These include language barriers

<sup>19</sup> The User Experience Surveys are carried out each year, and are sent to all service users in long-term support services. 978 surveys were completed in 2010-11, and 896 were received in 2011-12. This represents a response rate of around 30%.

<sup>20</sup> Based on 987 responses from Tower Hamlets adult social care service users in long-term support

<sup>21</sup> Based on 896 responses from Tower Hamlets adult social care service users in long-term support

that affect some people's quality of life, deprivation in the borough which particularly affects some people, and the help some people received to fill in the survey. It is also interesting to note that the same trends are evident in survey results across England. Our priorities for this year are to tackle these issues where we can. For example, as noted earlier, we plan on doing more to raise awareness of social care for people who have difficulties understanding English.

### Adult social care complaints and feedback

The table below provides a summary of the formal complaints received by the Council in relation to adult social care over 2011-12.

|                               |           |           |           |           |           |          |
|-------------------------------|-----------|-----------|-----------|-----------|-----------|----------|
| Access to services            | 0         | 5         | 3         | 0         | 1         | 1        |
| Challenge assessment decision | 13        | 30        | 18        | 7         | 3         | 2        |
| Conduct/competence            | 10        | 8         | 3         | 2         | 1         | 2        |
| Policy/procedure              | 0         | 1         | 0         | 1         | 0         | 0        |
| Records/info held             | 0         | 2         | 2         | 0         | 0         | 0        |
| Service delay/failure         | 13        | 18        | 4         | 6         | 7         | 1        |
| Service quality               | 1         | 2         | 1         | 0         | 1         | 0        |
| <b>Totals</b>                 | <b>37</b> | <b>66</b> | <b>31</b> | <b>16</b> | <b>13</b> | <b>6</b> |

Fig. 5: Adults Health and Wellbeing Directorate Corporate Complaints 2010-11 and 2011-12

There has been an increase in the number of complaints in 2011-12 compared to the previous year, although the overall number remains comparatively low when compared with other Council services.

#### Resident's Action Point 4:

Feedback suggests mixed experiences in terms of the standard of care being received in relation to staff and feedback from service users, carers, and residents has told us that we need to do a better job at communicating FACS assessment criteria so that people have clear expectations and a better understanding of social care

Complaints "challenging assessment decisions" increased from 13 in 2010/11 to 30 in 2011/12. **Resident's Action Point 3:** also highlighted that some criticised the assessment system and thought that this could be fairer so this is consistent with this pattern. Three of the complaints were upheld and seven were partially upheld. **Resident's Action Point 4:** Feedback suggests mixed experiences in terms of the standard of care being received in relation to staff and feedback from service users, carers, and residents has told us that we need to do a better job at communicating the "Fair Access or Care Services" (FACS) assessment criteria we use,

so that people have clear expectations and a better understanding of social care<sup>22</sup>.

To improve this we have included more detailed information on FACS criteria in our publications and are looking at the training needs of our staff in promoting this in more accessible ways.

“Service failures or delay” accounts for a 38% increase in complaints. We are closely monitoring the time it takes people to receive services, so that the risk of this happening is minimised. We know it is taking too long for people to receive services and we are working on minimising this.

Our aim is for people to get assessments and reviews swiftly, and for these to be based on what each person needs support with and what they want to achieve. We expect everyone to be treated with respect by social care staff, and we know from feedback how important it is for our staff to work well with staff from other organisations. We have checked our performance against these aims, and have found that:

- The time it takes for people to get an assessment can vary. Last year, 331 people had an urgent need for an assessment and were seen within two days. 394 were seen between two days and two weeks, 200 were seen between two and four weeks, 396 were seen between four weeks and three months<sup>23</sup> and the remainder were seen over three months.
- The vast majority (82%) of people who need support felt treated with respect by the people assessing their need for support<sup>24</sup>. However, this figure is down by seven percentage points compared to last year, and we recognise that more work is needed to understand both this and the experience of the 5% who report not being treated with respect.
- An audit to check the quality of 123 assessments or reviews found that 72% of assessments are fully achieving best practice across seven key areas<sup>25</sup>. 82% of assessments had fully applied the principles of personalisation (focussing on choice and outcomes) when staff worked with

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<sup>22</sup> The assessment criteria used by Social Workers, Occupational Therapists and other professionals to determine who is eligible for adult social care services continues to be based on Department of Health “Fair Access to Care Services

<sup>23</sup> Referral, Assessments and Packages of care (RAP) return 2011-12

<sup>24</sup> 2011-12 Tower Hamlets User Experience Survey

<sup>25</sup> (1) Has eligibility criteria been applied appropriately? (2) Has support to keep people well, delay dependency and promote independence been fully considered? (3) Have the principles of personalisation – focussing on choice and outcomes - been fully applied when working with the service user? (4) Has a multi-agency approach been undertaken when working with the service user? (4) Has the role and function of all carers been fully explored and their expertise respected? (5) Has the role and function of all carers been fully explored and their expertise respected? (6) If mental capacity is an issue, are decisions being made based on the wellbeing of the individual? (7) Is the recorded information used to carry out this audit of a high quality?

service users. 13% had partially applied these, 1% had not applied these, and 4% were not applicable<sup>26</sup>.

- The same audit found that 75% of cases, staff had worked well with other organisations when carrying out an assessment. 9% had partially achieved this, 2% had not achieved this and 14% were not applicable. There was evidence in 64% of the 123 cases that the role of carers had been fully explored and their expertise respected in an assessment. 11% had partially achieved this, 6% had not achieved this, and 19% were not applicable.

The feedback via complaints, although on the increase, can be seen negatively, although we see that these figures signify that people feel more confident in making a complaint, as we know from feedback that some people worry that complaining will have a negative impact on their support.

Our priorities for the coming year are:

- Reviewing customer representation on Directorate decision-making structures.
- Carrying out more research with peer researchers.
- Looking at how to learn more about the views and experiences of people with dementia.

## Information and Advice

Our aim is to give people information on adult social care that is clear, useful and easy to understand<sup>27</sup>. This year, the people who use social care have told us that we are doing a good job, but that there is still room for improvement:

**Resident's Action Point 5:** Some residents said that they would like more information on the services available to them.

- **Resident's Action Point5:** Some residents said that they would like more information on the services available to them.
- More people with a learning disability reported finding it easier to find information and advice on support this year. 75% found it easy to find information on support this year, compared to 61% last year.
- 26% of people with a physical disability or frailty found it difficult to find information on support this year (around three percentage points higher than last year), so we recognise we still have work to do. We will work to improve this over the coming year, through the development of things like our [e-market place](#).

<sup>26</sup> Internal Case Record Audit of 123 service user assessments or reviews between May and August 2012

<sup>27</sup> This is one of the four core quality standards in our Quality Assurance Framework

- More than three quarters (76%) of adult social care users told us they were satisfied with the information and advice they received when they first came into contact with social care. 73% told us they found it easy to find information about services, which is slightly above the London average (72%) and below the England average was 73.8%.

A clear message from residents has been the importance of knowing where to go for social care and understanding who can access support. We have included this information in a range of new leaflets, and have been distributing these across the borough in places like One-Stop Shops, IDEA Stores and GP surgeries.



In addition, we are in the process of commissioning and funding a new information, advice and advocacy service for people with support needs including all disabilities, sensory impairments, and people living with HIV/AIDS. The idea is to have a network or “hub” where people can get information, advice and advocacy on a wide range of subjects. This will also make it much easier for people to find out about other services, including:

- Health and healthy living services
- Leisure and social activities
- Employment including supported employment
- Housing
- Volunteering
- Crisis
- One to one advocacy to help people to speak out
- Benefits and financial information

The idea is that these services will support people to be as independent as possible and help prevent reliance and dependency on more intensive care and support.

“Financial inclusion” means everyone getting the chance to get the most from their money, and everyone being able to avoid unnecessary charges or fees.

Changes to welfare benefits are having a major impact on residents of the borough, and financial challenges are being felt across all sections of our community. Across the borough, organisations are all working together to forewarn residents about changes to people’s benefits, with the aim of helping residents to be as prepared as possible. The main changes relate to the



overall Benefit Cap, and changes to Local Housing Allowance. The changes are likely to affect families with no one in work, or only in work for a limited number of hours a week, and particularly those with two or more children. There are also significant plans for changes – and cuts - to disability benefits, with particular implications for many people who use adult social care support services. The Council has been putting together information and advice for people who are likely to be affected by benefit changes. This includes staff in adult social care so that they in turn can help people with any questions or concerns they may have.

As a Council, we are trying to respond to this by putting a renewed focus on tackling debt, poverty and promoting financial inclusion in the borough. A Financial Inclusion Strategy has been drawn up, which focuses on improving people's ability to manage their money; making sure people can get financial "products" (e.g. mortgages) and services; and making sure people can get debt and money advice.

If you have any questions or are worried about how changes to benefits could affect you, you can phone the Department of Work and Pensions Benefit Enquiry line on 0800 882 200. If your question is about Housing Benefit, you can phone the Council on 020 7364 5001.

You can also get information and advice about social care from our First Response Service, which is the first port of call for adult social care questions or concerns. In last year's local account we told you about the service, but it was still quite new. However, the service has now been in place for a year, and between 1<sup>st</sup> September 2011 and 31<sup>st</sup> August 2012 the service had received 3913<sup>28</sup> contacts from members of the public, with 85% of queries being resolved within 24 hours. Since the service has been in place we've learnt the following things about the First Response Service:

- 9% required no further action
- 5% needed information and advice
- 3 out of 4 of people (72.4%) had an initial assessment;
- 9% needed urgent support;

The volume of work coming into the team is larger than expected and the main priority is to make sure there are skilled staff available to meet the needs of the borough's residents.

### Our future plans

- To establish and support the new information, advice and advocacy service;
- To increase people's understanding of adult social care (particularly for people not currently in contact with us), so that people have clear expectations of what we can help them with.

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<sup>28</sup> LBTH, 2012, First Response Activity Map Period: 1st September 2011 to 31st August 2012, Internal report

- To make it easier for people to find information on adult social care by developing an e-marketplace and implementing the Promoting Independence Strategy.

## Prevention: Keeping people well

### Support to older people to avoid falls

Most people have had a fall at some point in their lives, but for some a fall can be devastating, particularly older people for whom it can lead to worsening health problems, disability, feelings of fear and anxiety, and reduced independence. It is important that the risk of older people falling is minimised and we have a range of ways to support people at risk of falling:

Helping people to remain at home for as long as possible is one of our main focuses in adult social care. Our Handyperson service carries out small tasks around the home such as repairs, installing items of equipment and making the environment safe and comfortable. This can reduce the risk of falls and other accidents and is a valued service by carers and those they care for. The Handyperson service also helps people recently discharged from hospital in ensuring their home is safe for them to return to. 407 people were supported through Adults Health and Wellbeing contracts with the Handyperson service in 2010/11; 404 people were supported in 2011/12; and 227 people have been supported so far in 2012/13 (part year data).

The Handyperson service is run by Age UK, and in addition to receiving referrals from social workers and other health and voluntary sector workers, people who need the service can also self-refer by contacting Age UK in Tower Hamlets.



To contact the  
Handyperson  
service, call 0208  
981 7124

[info@acth.org.uk](mailto:info@acth.org.uk) |  
[www.acth.org.uk](http://www.acth.org.uk)  
82 Russia Lane,  
London

LinkAge Plus is a programme to promote local, community based, and mainstream service alternatives to institutionalisation and isolation. This extensive, co-ordinated network of over thirty community based organisations works around 5 network hubs and provides a range of services to people over 50 years old. These include health promotion, benefits advice, education, volunteering opportunities and leisure activities.

In addition, 731 people were 'screened' by LinkAge Plus in 2011/12 to see if they were at risk of falling. This showed a high proportion (53%) of people living alone. Staff in LinkAge Plus centres then referred people to the Falls Unit at Mile End Hospital, who then helped with exercise, referral to the foot clinic and other types of support.

## Health Checks for Carers

Being a carer can have an adverse effect on one's health. Following a successful pilot in 2011, we have worked with health partners to provide Health and Wellbeing Checks for Carers. The added value of Carers Health and Wellbeing Checks is that mental and emotional health is included. The new programme of health checks got underway in August 2012 and 65 checks have been completed to date.

Nurses based in places like the Carers Centre carry out confidential health checks and provide time and space for carers to talk about how their caring role impacts on their own life. A letter is written to the carer's G.P and the carer is helped to get support if needed. Carers have told us that they valued having some time to look at their health and their life as a carer.

We are now working with Community Matrons and GP practices across the borough to embed Carers' Health Checks so carers can maintain physical, mental health and wellbeing, which is a key priority of the 2012-15 Carers Plan. A particular priority this year is to increase the number of health checks for carers of adults with a learning disability.

For more information on Carers Health Checks, contact the Tower Hamlets Health Check for Carers Team, Carers Centre, 21 Brayford Square, London. E1 0SG.

## People with sight or hearing problems (sensory impairment)

There are currently 1292 adults on Tower Hamlets Council's sensory impairment registers. This includes:

- 1) 204 people who are deaf and
- 2) 297 who are hard of hearing and
- 3) 411 adults registered as blind and
- 4) 380 as partially sighted.

Information from independent national organisations suggest that there are likely to be more people in the borough with hearing or vision loss who are not known to us.

Over the last year, changes have been made to the support available, with a view to people getting in contact with the Sight and Hearing service at an early stage. Anyone with hearing or vision loss can access it.

SatvinderUmahefula is a Social Worker with the Sight and Hearing Service explains how the team supports people:

"Through the provision of equipment, specialist clinics, information and advice, sensory rehab training and individualised support plans the service has helped enable people to maximise their independence. Furthermore through outreach work we have helped to raise awareness of sensory loss within the local community and with a range of staff across the Council and



our own social care teams, enabling sensory impairment to be considered within assessments and also ensuring people know where and how to access services.

Our services support people to remain independent and in control. Advice and information given at the initial point of contact maximises the choices people have and the support they can get from a range of services.

We provide “Vision Rehab” and “Low Vision” services which are aimed at keeping people as independent as possible. Providing equipment or supporting people with rehabilitation to become independent and avoid the need for long term social care services through mobility and living skills training and Braille classes. A Community Low Vision clinic, staffed by people from health and social care also provide optometry assessments, low vision equipment in the form of magnifiers, and rehabilitation.

There are a number of elements to the services provided to d/Deaf people in the borough. There is an established Hearing Clinic for people who are d/Deaf or hard of hearing (some of whom communicate in BSL and some of whom do not), which is available by appointment. People using the Hearing Clinic can get advice, information and equipment demonstrations.

There are around 60 adults in the borough whose first language is BSL. People have told us about the importance of being able to communicate with staff proficient in British Sign Language (BSL). As a result, we have set up a weekly drop-in service for Deaf people. On Wednesday morning each week a BSL duty officer is available, from 9.30am – 1pm, and in the afternoon, there is open door service for anyone who uses BSL to come in and discuss any issues of concern, from 2 – 4pm. Both are held at Albert Jacob House, 62 Roman Road.

If anyone would like more details about any of these services, or is not able to attend in person, they can e-mail [sightandhearing@towerhamlets.gov.uk](mailto:sightandhearing@towerhamlets.gov.uk) or text 07947 308 235.

The Sight and Hearing service objective is to:

- Run sensory awareness training for all adult social care staff;
- Work more closely with staff who support people with a learning disability and mental health problem;
- Work more closely with staff in the Reablement service;
- Run sensory awareness sessions for carers and providing more information and advice to carers, and
- Improve the support provided to for deaf people.
- Expand the weekly BSL drop-in session

## Employment support

Being in work can be hugely beneficial to people's health and wellbeing. The Tower Project Employment Team support people to get into work by helping build CV's, search for, and apply for jobs, provide training and also provide job coaching once people start a new job. Between April 2011 and March 2012, Tower Project supported 20 people with learning disabilities into paid employment; 41 people into work placements (typically 12 weeks in length which are unpaid) and 37 people into voluntary opportunities. Not everyone being supported by Tower Project is known to adult social care, as generally those receiving formal support have more complex levels of need. Of those receiving a package of support from adult social care, 16 (2.5%) were successfully supported into paid employment and 15 people undertook unpaid voluntary work. Taking into account both paid and voluntary work, this represents 4.9%. Our performance is lower than England (7.1) and London (9.3). In comparison with other London boroughs Tower Hamlets performance was the lowest.

A priority for 2013 is to procure a Supported Employment, Training and Enterprise Service. This is to be provided in community venues as well as the new community "hubs" to further support people with a learning disability to find work.

In addition to this, Tower Hamlets Council has launched its own scheme to provide people with a learning disability with job opportunities. The Council are funding ten paid work placements across the Council for people who receive formal support from adult social care and who live in the Borough. Placements started in October 2012 and will last for one year. Placements combine both paid employment and training for Level 1 NVQ in Business Administration.

In last year's local account we introduced Sam Walker, our Engagement Support Assistant who, following a similar placement scheme was recruited to a permanent part-time post in July 2011. Sam recently carried out an employment survey among 52 people with learning disabilities where 44 people said that they wanted to work and highlighted the different barriers that prevent them from actively looking for employment, such as their benefits being stopped. Sam regularly produces a blog on her experiences which is available at:

[http://www.towerhamlets.gov.uk/lqsl/101150/148\\_get\\_involved\\_with\\_social.aspx](http://www.towerhamlets.gov.uk/lqsl/101150/148_get_involved_with_social.aspx)

In addition to supporting people with learning disability into work, supporting people with Mental Health problems is also important. In Tower Hamlets the proportion of adults in contact with secondary mental health services in paid employment in 2011/12 was 6.9% and is higher than London (5.9%), but still below England average (8%). Our performance this year is an improvement on the final figure for 10/11 which was 6.1%. In Tower Hamlets the main employment support service for people with mental health problems is commissioned by the NHS; it's called REWORK and is provided by Working Well Trust, and provides support to service users with Serious Mental Illness

with getting into employment. Within East London Foundation Trust Occupational Therapists within Community Mental Health Teams, Community Rehab Team, Early Intervention Service and the Tower Hamlets Centre for Mental Health screen all Employment, Training and Education referrals and do preparatory work prior to the service users going to REWORK. The Trust and REWORK have a very successful partnership creating a smooth pathway for people into employment. In 2011/12 Rework supported 61 people into employment of which 25 were on a Care Programme Approach which is an indicator for severe mental illness. The NHS also commissions a “Support, Advice and Recovery Service” (SARS) from the Community Options Team which supported 41 people to gain or stay in employment in 2011/12, with a further 75 supported to get into or stay in education, training or voluntary work.

### Using new technology

The world around us is rapidly changing and technology increasingly plays an important role in our day to day lives. In social care, we want to fully exploit the benefits that technologies can offer, in order to better support people with care and support needs. Over the last few years [assistive technologies](#) have been developed, and can help enable people to manage a range of health conditions and impairments. 1937 people are currently receiving Telecare services (as of December 2012), an increase on 100 from the previous year (December 2011).

**“Telecare” is a small portable alarm that can be installed at home or carried around. If the alarm is activated, staff who work in social care will get in contact to check everything is ok.**

*Between January and March 2012 the Council spent some time trying to find out what people thought about Telecare and our plans to extend the range of items on offer. We found that people who had experiences of Telecare generally reported a positive experience, and people were particularly supportive of the potential for Telecare to provide a break for carers. However, some people were worried about Telecare giving people a false sense of security as it won't always be as effective as human presence. Some people were concerned that Telecare may replace care workers and leave people isolated.*

In Tower Hamlets we are currently exploring how technology can improve the way we support people and their carers. We are trying out a bigger range of technology in [Extra Care Supported Housing schemes](#); the Dementia Memory Clinic and in the [Community Virtual Ward](#), to see what impact this has and whether it helps people avoid hospital admissions:

- The Extra Sheltered Housing scheme fitted with extra technology is called Shipton House, and is aimed at residents who have dementia. Door sensors will be installed for each flat and these will be programmed to suit the daily pattern of the resident. The idea is that the warden will be alerted if a tenant leaves their flat at a time that isn't safe.
- People who are in contact with the Dementia Clinic may be provided with devices such as reminder units, environmental sensors and

person locators (for those at risk of wandering) to maximise their safety, security and wellbeing, while enabling them to remain living in their own homes for as long as possible.

- Patients using the Community Virtual Ward may also be able to use a bigger range of technology to help people remember to take their medication or alert someone when a risk of a fall or sudden illness is detected.

We also want to offer more technology to people at home, as we know this may help some people to stay at home and avoid residential care by making homes safer. The new devices can help in the following ways:

- People can raise an alarm that goes through to a carer or the Council's monitoring centre if they feel threatened or suffer from a sudden incident of illness
- People can be reminded to carry out important activities such as taking medication or locking the house in the evening
- People can get help quickly if something is wrong. New devices can send alerts to a carer or monitoring centre if, for example, there is a long delay in returning to bed after getting up at night or no movement in the house for a long period, when the person is supposed to be at home.

It is important to say that these items will only be provided following a rigorous assessment of need to ensure the items are appropriate and that the person can use them. These new items will not be available to everyone.

### **Choice over equipment**

A major development over the last year has been to give more choice over simple items of equipment people need to stay independent, giving people a "prescription" for equipment to be used at one of 24 accredited retailers in the borough. This is a free service to eligible residents of Tower Hamlets, but people can choose to pay extra for a more bespoke item (for example, in a different finish).

The service started with four social care teams providing prescriptions on 30th April 2012, and was then extended to more teams in June 2012. The service is now growing from strength to strength, health staff are now being trained to become prescribers (the training began in December 2012).

Our monitoring shows that people across the borough are benefiting from the new system and exercising choice. Between April 2012 and October 2012, 1637 items of equipment were prescribed in this way and the numbers are expected to rise further.

### **Reablement: Help to regain independence**

The Reablement service was introduced in April 2009 and was expanded in August 2011 to provide Reablement opportunities for the vast majority of people who need social care. [Reablement](#) is an important part of social care, and one of the main ways we are working to support people to stay as well as

possible for as long as possible. Typically, the Reablement service involves a six-week programme of support aimed at helping people to be as independent as they can. At the end of the Reablement service, some people may need no further support. Others may need a smaller amount of support than they otherwise would. Since August 2011 there has been a big increase in the demand for Reablement. The number of referrals between August 2011 and July 2012 totalled 1246, five times as many people than had been through the service the previous year. The service has two areas of focus:

### **Supporting people discharged from hospital**

Tower Hamlets has some work to do to improve its delayed transfers of care from hospital which are attributable to adult social care. The average number of delayed transfers of care which are attributable to social care per 100,000 adult (18+) population was 5.2 for Tower Hamlets which is 5th highest in London and not in line with London average (3.0) and England average (3.8). Most delays are due to people delaying leaving hospital to wait for suitable placements for those who need residential care. When we do discharge people into the community, the service is proving to be effective at keeping people at home following a stay in hospital. 86.6% of older people (65 and over) who were still at home<sup>29</sup> 91 days after discharge from hospital into Reablement/rehabilitation services above both London (84.8%) and England averages (82.7%<sup>30</sup>).

### **Supporting people to maintain independence**

As can be seen from the increased numbers of referrals to the service, many of these are from new people not previously known to us<sup>31</sup>. Although we work with people in the same way as those coming out of hospital, those being discharged from hospital have to be prioritised in order to ensure that hospital beds are made available for other patients.

This has led to longer waiting times for people who are contacting us from within the community. Our monitoring shows that people can wait 2 months for Reablement to begin and this is longer than we would like. Of the 1246 people receiving Reablement, 354 people went on to receive on-going support in the form of a personal budget.

To better understand the experience of people going through this service, eleven interviews were carried out in summer 2012. Many people reported a highly positive experience including clear communication from staff, officers who were flexible, who cared and who listened and receiving support that was effective in increasing their confidence and independence.

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<sup>29</sup>The proportion of older people aged 65 and over discharged from hospital to their own home or to a residential or nursing care home or extra care housing for rehabilitation, with a clear intention that they will move on/back to their own home (including a place in extra care housing or an adult placement scheme setting), who are at home or in extra care housing or an adult placement scheme setting 91 days after the date of their discharge from hospital.

<sup>30</sup> LBTH, 2012, [Comparison of Social Services Performance Indicators](#)

<sup>31</sup>Between November 2011 and November 2012, 3995 people got in contact with us, 2898 people had an initial assessment, and 1090 were referred to Reablement

The main barriers people identified were around health needs that either cannot improve or constantly change, people needing more time to achieve goals and the different perceptions people have of their own independence.

Our priorities for the coming year are to reduce the time people have to wait for Reablement whilst increasing levels of satisfaction. Alongside this we are keen to look at ways to help people be independent in ways other than daily physical tasks

## Longer Term Support Services

### Personal Budgets and Support Planning

People with long-term social care needs are experiencing a greater level of choice as personal budgets are increasingly offered. This allows people to know how much is being spent on the cost of their formal social care and people can opt to take this money, devise their own support plan and manage their support themselves. Alternatively, these budgets can be managed by their family or even by the Council. The key is that they get to choose when and how they receive their support.

Between August 2011 and September 2012, 925 people went through support planning, although this took an average of 55 days to complete. The majority of people have chosen to have their personal budgets managed by the Council. We have identified through our consultation on last year's local account that personal budgets were universally praised as a good idea as it allowed a more personal service. People liked the fact that the use of personal budgets featured prominently in the local account as a means of publicising this.

Visit our website to find out more:

[http://www.towerhamlets.gov.uk/lqsl/701-750/730\\_longer-term\\_support\\_and\\_pe.aspx](http://www.towerhamlets.gov.uk/lqsl/701-750/730_longer-term_support_and_pe.aspx)

#### Did you know?

A cash Personal Budget is when you receive the money into your own chosen bank account to pay for your own support.

**Resident's Action Point 6:** Some people said that they did not feel confident in using personal budgets as they did not fully understand how they could be used.

budgets and the support available.

**Resident's Action Point 6:** However many said that they did not feel confident in using personal budgets as they did not fully understand how they could be used. We know from this that we need to provide better information and support to people in using personal

Residents do however like the fact that personal budgets offer a bespoke service that caters to their own independent need and are glad that adult social care in Tower Hamlets has adopted this approach.



In 2011-12, 1990 people directed their own support. 920 of these did so with a cash personal budget or direct payment<sup>32</sup>.

Tower Hamlets' has fewer people receiving "self-directed support" than the England average and average for other London Boroughs but we have a higher proportion of people who taking the money and manage it themselves. Working with people to move to a personal budget is a very challenging area as people have told us that they are concerned about the responsibility of managing their own budget and also concerns that some people may experience financial abuse. We have given this a lot of thought and have spent the past year working with people to understand what a personal budget means for them.

In a survey sent to all service users in long-term support in 2012, 64.5% of people said they could choose the support they received, and 61% said they could choose how and when to get support. In the same survey, 23% of adult social care users said they were interested in the idea of a cash personal budget paid to them, and a further 28% were interested in a budget paid to someone they trust. People who completed the survey who are in receipt of a cash personal budget (i.e. one paid directly to them) reported higher-than-average satisfaction levels: 68.2% reported being extremely or very satisfied with their care and support services, compared to an average national response of 64.7%.

In mental health services, around 200 support plans have been completed, with many plans emphasising support intended to improve physical as well as mental health and getting back into employment - for example, personal trainers and courses to improve skills and employability. Service users who are 'new' to social care are now being identified, for whom the menu of traditional services on offer had not been suitable. These people are benefiting from the new focus on choice and control, and from the flexibility of the personal budget.

The "review" of the experience of people with a physical disability or frailty in adult social care found that whilst people are getting support to be independent, we need to ensure people have real choice and control over the resources used to secure support. We also need to ensure that bureaucracy (paperwork and formalities etc.) is minimised, and that staff both inside and outside the Council are working effectively together. We will be working on this over the coming year.

To help to make sure that people with support needs have more choice and control at every stage, Real, a local Disabled Person's Organisation, has continued to provide an independent support planning and brokerage service on a pilot basis during 2012 in addition to existing Direct Payment support services. The independent support planning and brokerage arrangements have been evaluated during 2012, and the learning from this evaluation will be used during the early part of 2013 to further develop our overall approach to

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<sup>32</sup> Adult Social Care Outcomes Framework 2011-12 – 1C result for Tower Hamlets.

the continuing delivery of high quality adult social care. Arrangements for providing the right support to individuals taking their Personal Budget as a Direct Payment will also continue to be developed during 2013 to keep pace with expected increases in the take-up of Direct Payments.

We know there's more we need to do to make sure the people we support have the level of choice and control they need and want. Our priorities are:

- To make sure that people have real control over the money for their care and support;
- To provide more support for people to develop their own networks of support in their local communities and to increase community connections; and
- Increase awareness of what personal budgets can be used for and the support available with Tower Hamlets residents and those who use services.
- Improve the time it takes to be served throughout the Customer Journey so that people do not wait longer than necessary for support.

### Help in the home

Around 1800 adults in Tower Hamlets receive about 1.1 million hours of care and support in the home each year<sup>33</sup>, to help with things like personal care and household tasks. These services continue to be free and Tower Hamlets is the last remaining Council in England not to charge for care to people living in the community.

We spent £23.2 million<sup>34</sup> on home care services in 2011-12, which represents just over a fifth of the total annual budget for adult social care. An additional 386<sup>35</sup> people receive a cash personal budget to purchase support, of which a significant proportion chose to employ a Personal Assistant to support them.

In the 2012 survey, 59% of people receiving home care reported being extremely or very satisfied with their care and support services<sup>36</sup>. The feedback we have received from service users and carers has highlighted the importance of good customer service in ensuring someone has a positive experience of home care:

*They [the care workers] were really nice and friendly... Because they were very patient and they heard me out ... it was a good experience...they were very pleasant and they were asking questions*  
(Discovery Interview, May 2012)

<sup>33</sup>As of 23<sup>rd</sup> July 2012, 1774 adults were in receipt of home care in Tower Hamlets.

<sup>34</sup>Total expenditure on home care including joint arrangements, Adult Social Care Expenditure in 2011-12 including SSMSS costs.

<sup>35</sup>Number of people receiving a Direct Payment as of 31<sup>st</sup> March 2012.2011-12 RAP return.

<sup>36</sup>2011-12 Tower Hamlets User Experience Survey



7 of the 22 formal complaints resolved by Council between October 2011 and May 2012 concerned home care services: One related to a delay in home care, four related to the quality of home care and two related to home care services being withdrawn following an assessment. Concerns about the quality of home care have been raised in the some of the feedback we have received from residents: The Tower Hamlets Older People's Reference Group in November 2011 raised the availability, quality and continuity of care from care workers as an issue. We are putting systems in place so that we can check the quality of home care, through things like customer feedback. We are supporting people to understand what they can expect from home care in our publications. We are also giving people more choice about who provides their home care through offering more people Personal Budgets.

During 2012 the Council re-tendered its home care contracts. A number of existing organisations were unsuccessful in being awarded new contracts and are being replaced by new providers, all of whom meet the Care Quality Commission essential standards of quality and safety. The new contracts started on 26<sup>th</sup> November 2012, and a detailed programme of work was put in place to ensure the safe and seamless transfer from existing organisations to new ones where this was required. "Handover" visits between the existing and new care workers were organised to ensure that each individual's specific requirements were properly communicated to the new care workers. People, who preferred to stay with their existing home care provider, or go to a different one, also had this choice by getting a cash personal budget.

New providers will use an [Electronic Homecare Monitoring](#) system to monitor the timeliness of care workers. Under this system care workers are required to log their start and finish times to check that carer workers are arriving on time and that the time spent with the service user matches the expected duration. Any late arrival or visits which are cut short can then be easily identified and raised with the relevant provider or care agency to improve quality. The system also allows the Council to only pay for delivered care.

In home care, our priorities for the coming year include:

- Offering people more choice over who provides their home care by continuing to offer personal budgets, and giving people more detailed information to make these choices by developing an e-marketplace.
- Increasing the use of "electronic home care monitoring" to improve quality and value for money
- Encouraging people to use the THINK "Rate our Service" system, so that people can view resident feedback on different home care providers.

### **End of life care**

The Department of Health estimates that the overall annual cost of end of life care to NHS and Social Care services is measured in billions of pounds. Survey results show that most people in Tower Hamlets do not die in their place of choice – 64% die in hospitals, although national surveys suggest that

most people would like to die at home. This means developing a range of support services at the end of life, spanning both health and social care.

There has been some progress in advancing the end of life care agenda, especially within the health sector, progress elsewhere has proved inconsistent. End of life care cannot be the sole concern of the health sector; local authorities also have a key part to play.

A priority for 2013 will be to review current end of life care provision and practice and develop a sensitive and holistic approach.

### **Support outside the home**

Many adults in Tower Hamlets need support outside of the home too; this can include support to give carers a break, called respite. In addition, people can be supported to undertake training or work experience, do activities with friends and even meet up for lunch. Last year 386<sup>37</sup> people receive a cash personal budget for this purpose.

Over the last year we have worked in partnership with people who use our services and their carers to transform several of our day services to make them services that they would want to buy. To do this we have been working to change the way our day centres work so that they are able to offer people more choice, control and independence in what activities and support they have during the day.

A major development in the last year has been the new Phoenix Blend Community Hub for people with learning disabilities on Bell Lane which is a flagship service representing a move from traditional 'building based' services to a community hub and a 'service without walls'. Working with an organisation called RCHL<sup>38</sup>, Phoenix Blend officially opened on 20<sup>th</sup> July 2012. You can watch a film of the event on You Tube (<http://www.youtube.com/watch?v=kCHAH4Yulw8>).

On the 10<sup>th</sup> December the hub was visited by Government Health Minister Norman Lamb MP. Mr Lamb said he found the visit 'inspiring', and was 'very impressed with the building and its setting'. Spending over 30 minutes talking with people who go to Phoenix Blend, Mr Lamb told staff that he had been hugely impressed by the variety of activities being undertaken at Phoenix Blend and how the whole service was designed and led by those that use it.

As part of the move from the William Brinson Centre from late May and June 2012, people with learning disabilities were involved in the layout, furniture, colour scheme and planning and research for the cafe. This co-design involved Poetry In Wood, another learning disabilities day service and social enterprise, making an art sculpture which shows journeys and interests of people using the community hub and designing the Phoenix made of wood and mosaic. Both of these pieces of art are displayed at Phoenix Blend.

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<sup>37</sup> Number of people receiving a Direct Payment as of 31<sup>st</sup> March 2012.2011-12 RAP return.

<sup>38</sup> Redbridge Community Housing Ltd.



As part of Phoenix Blend there's a social enterprise café that has been up and running from June. The cafe provides an opportunity for people with learning disabilities to gain confidence, training, and work experience with the aim that this will support people to gain future paid employment opportunities.

In January 2012, all services in the Adult Resource Centre at Southern Grove moved to new premises to make way for a state of the art new school. Jim Craddock and Claudette Mason tell us how it went:

### **Jim Craddock, Manager of the Riverside Centre**

For some people, leaving Southern Grove was quite emotional, as a number of people had been going there for many years. Staff had regular conversations with people about the move, and there was a display showing the floor plan of the new Centre and a number of photographs showing how the work was progressing. The last day at Southern Grove was celebrated with a farewell party, which everyone enjoyed.

After three days of getting the new furniture into the right position, our people arrived and were thrilled with the new Centre. For the first few days everyone was saying things like, 'Isn't it wonderful', 'Isn't it lovely and bright', and 'there seems to be so much room'.

Once things settled down and everyone was familiar with things, we decided to hold a competition to find a new name for the Centre. When all suggestions had been received, people themselves selected the name they most liked. The Riverside Centre was chosen.

In May 2012 we had our official opening attended by Mayor Lutfur Rahman and the Lead Member Cllr Asad, followed in the afternoon by our first Open Day, which proved to be a great success. In recent months, we have worked with 'Clod Ensemble – Extravagant Acts for Mature People' on a photography project to create their own 'photo history'. Aided by a small contribution by the Centre these were professionally bound and printed, and people were given a

copy of their own book to keep. A copy of this is currently on display at CubittTown library. This year, we are looking forward to telling people more about the Riverside Centre, so that more people are aware of our service.

The Riverside Centre and is based on the ground floor of Jack Dash House. You can take a “virtual tour” of the Riverside Centre by visiting:

[‘http://www.towerhamlets.gov.uk/lgsi/251-300/296\\_community\\_and\\_day\\_centres/Riverside\\_Centre.aspx’](http://www.towerhamlets.gov.uk/lgsi/251-300/296_community_and_day_centres/Riverside_Centre.aspx)

### **Claudette Mason, Manager of the Day Opportunities service**

Day Opportunities for adults with physical disabilities moved from Southern Grove into new premises in the Red Coat Centre in January 2012. It was an emotional and difficult thing to do as people had attended the Southern Grove site for many years and held fond memories. People however were pleased that we had a new place to move to because this is the only service of its kind for people with physical disabilities in Tower Hamlets.

Since the move we were able to resume our therapeutic work with people, and built up many links within the local community, including our local City Farm and IDEA Store. These links have been really successful, and have enabled people access to new opportunities. For example, some at the Centre have completed Customer Service Level 1 and 2 training provided by Tower Project and have secured a stall in Spitalfields Market where they sell art and crafts products that they have made.

In summer 2012, the Centre organised a joint celebration of the Queen’s Diamond Jubilee and the Olympic Games, called the “Jubolympics”. The event was well attended with entertainment from the Pearly King and Queen of East London, and there were accessible games and our own medal ceremony. We were also pleased that a number of service users had the opportunity to attend the Paralympic Games supported by staff and carers.

This year, we are looking forward to continuing to support service users to access new opportunities.

The Physical Disability Opportunities Centre has moved into the Red Coat Centre in Stepney (called Stepney Way), shared with a youth club.

### **Independent living**

In Tower Hamlets we are putting increasing emphasis on supporting people to live as independently as possible by providing a better range of accommodation options. An example

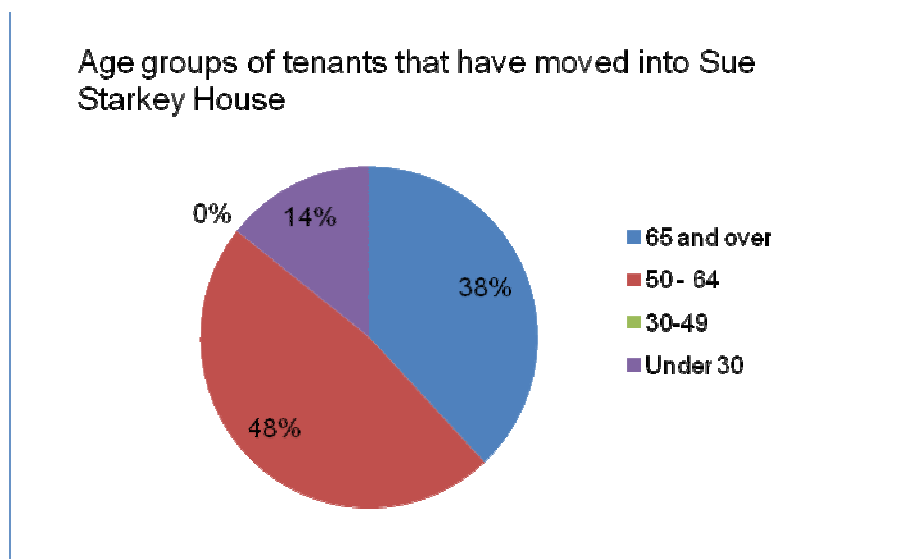
**ECSH aims to meet the housing, care and support needs of older people, while helping them to maintain their independence in their own private accommodation. It combines purpose-built housing for older people with onsite flexible care that adapts to residents’ changing needs and allows them to retain their**

of this is Extra Care Sheltered Housing (ECSH), which has historically been targeted at older people, and at the same time, reducing the need for general residential care. Most existing residential facilities either are already specialised in dementia (nursing and residential) or targeted to be more specialised in the future

Although there remains a high demand for places in care homes in the borough, especially for specialist dementia, ESCH provides an alternative to a care home in specialist self-contained flats that promote independence and allow individuals to be in control of their lifestyle.

There are now six ECSH schemes in Tower Hamlets, providing 161 apartments for rent. This includes two new ECSH schemes opened in the borough in 2012 providing 57 additional flats. One of the schemes is specifically for people with dementia and in the other, we are encouraging younger adults with learning/physical disabilities and mental health to consider the scheme as an alternative to long-term residential care. This has proven to be quite popular.

The take up of flats in the new scheme by younger adults with learning/physical disabilities and mental health needs show that ECSH is an option for all adults, not just for older people (see the chart below).



In Tower Hamlets the proportion of adults with learning disabilities who live in their own home or with family was 43% for 2011/12 which is the second lowest in London (London average is 65.7%) and is below England average (69.9%). In Tower Hamlets we know that we have a significant number of people with learning disabilities who live in residential settings – for some people this is the right setting for their care and support but for others there are aspirations for other accommodation options which include things like ECSH, supported living and cluster flats.



One of our priorities for the coming year is ensure people with learning disabilities can live in accommodation options that best meet their needs and aspirations. As part of this we are conducting a needs assessment to support development of an accommodation strategy that will provide a range of accommodation options for this group. During the next year the needs assessment will be completed and the strategy developed to take forward the actions.

### **Mental Health Accommodation Strategy**

Over the last couple of years we have worked hard to support people who are in contact with secondary mental health services to live independently, with or without support. In the provisional performance indicators Tower Hamlets is performing well compared with other London Boroughs and England; the authority's performance is third highest in London and above England average.

The Mental Health Accommodation Strategy set us targets for the number of admissions to and discharges from residential care which we are achieving. In 2011/12 there were 13 admissions and compares favourably with the 29 in 2008/09 (the highest number in the last 6 years). The number of discharges has increased to 25 from 15 in 2006/07. The number of people with mental health problems in residential care at year end (2011/12) has decreased to 2007 levels; 118 at year end in 2011/12 compared with 135 at its highest in 2008/09.<sup>39</sup>

During this financial year we are working to support people living in in-borough supported accommodation who with the right support would be potentially able to move on to an independent tenancy – this requires significant support from the Housing Resettlement Team and demand has been higher than expected.

We have 2 major workstreams to support service users with Mental Health and Learning Disability to live as independently as possible. This involves reviewing all users currently in residential care and seeing if with more community based support they can live in less institutionalised accommodation. The MH strategy is in its 3rd year and the Ld work in its 2nd year.

Some of the savings from ceasing to commission high cost residential care placements is being reinvested with Supporting People money to increase our in-borough supply of supported accommodation where services users can hold a proper tenancy. This involves our social work teams and the mental health service providing a high level of support to individual service users and their families.

### **Residential and nursing care**

Around 1000 Tower Hamlets residents were in residential or nursing care placements funded by Tower Hamlets Council in 2011-12. There are six older

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<sup>39</sup> LBTH, 2012, Mental Health Accommodation Strategy – Summary of 2011/12 performance

people's Residential or Nursing Care Homes in Tower Hamlets providing 335 beds registered for older people's care and nursing. There are nursing and residential options for older people outside of the borough too and people move to care homes based on preferences like living close to family members or the need for specialist support. The overall spend on residential and nursing care in 2011-12 was £32.9 million, representing just under a third of the total spent that year.

For adults under the age of 65, Tower Hamlets is the second highest in terms of placing adults permanently into residential or nursing care in London. For older people aged over 65, Tower Hamlets is the third highest. Our local data shows that the majority of people over 65 placed into residential or nursing care are 80+. In 2010/11, the average stay of those placed in that year was 78 days and this has been reducing year on year, showing that people are entering residential/nursing care when very elderly and not staying for very long. In addition, we are seeing a reduction in long stay residents, with a 15% reduction on 2010/11 levels

### **Health promoting activities in care homes**

People who go into residential or nursing care are by far the most vulnerable in society, experiencing physical and mental deterioration which requires all professionals to work well together. We know that this doesn't always happen.

The Council and health colleagues in the [Clinical Commissioning Group](#) are starting to address this, which involves working with older people, carers, social care, GPs, community matrons and staff and the Royal London Hospital. The aim is to focus around residents' needs and wishes, to help them to remain independent for longer and manage the inevitable deteriorations as people age, in line with the resident's wishes by planning ahead.

A significant aspect of our work is through purchasing different types of care and support services from providers outside of the Council – this process is called 'commissioning'. In 2011/12 we spent £98.6m purchasing services for vulnerable people to use. Much has been said in the media about people's safety when receiving care and rightly, people are anxious to hear how we work with providers to ensure, as far as possible, that people are safe.

The Safeguarding Adults Team at Tower Hamlets Council has continued to work closely with commissioning staff within both the Council and NHS Tower Hamlets, especially with regard to cases arising within residential and nursing care which are often commissioned by both health and social care. It is the intention of partners to continue to develop integrated commissioning and a key aim for the Safeguarding Adults Team will be to ensure that safeguarding is fully incorporated into these processes. In 2012/13, the Safeguarding Adults Board strengthened and clarified the safeguarding responsibilities of both NHS and Local Authority commissioners and this is now more explicit in all aspects of contracting supported via bespoke training. This means that

learning from safeguarding investigations can travel back to commissioning practice and inform future contracting and procurement.

With safeguarding of vulnerable adults at the forefront, we have developed a Commissioning Plan which explains how we will ensure that when we buy new services, or re-commission existing services, we do this in a way which is based on evidence, supported by a transparent and fair approach, and focused on safe, good outcomes which services will achieve for individuals and communities. Approved by the Council's Cabinet in September 2012, the plan is designed to be read alongside the Market Position Statement, which provides a detailed picture of current demand for, and supply of, social care services in the Borough, and how we expect this to change over coming years. As more and more people take up the offer of cash personal budgets, our role in the Council changes; as well as purchasing services ourselves, we also need to make sure that there are appropriate services in the local market for people to choose from. This is what we mean by 'market development'. The aim is to encourage and support providers to shape their services towards personalisation, get good results when they support people, provide better ways of supporting people, and explore ways in which they can complement these approaches and be rewarded for doing so

## Safeguarding activity

The Council receives a comparatively high volume of alerts where safeguarding is implicated. The service received 590 initial contacts in total for the full year, with 296 of these being formally regarded as a safeguarding alert. Comparative records only started in September 2011 and within this period 97% of alerts proceeded to full safeguarding process. This implies a good local understanding across agencies and the public as to what safeguarding is and what should be done about it. Anecdotally it is worth noting that the amount of alerts raised by care and nursing staff is increasing and marks a professional confidence to make concerns known as part of proper care and nursing practice.

In 2011/12 the largest number of safeguarding referrals was for older people (111), people with Learning Disabilities (61) and Mental Health issues (61). Due to the way previous data was collected it is difficult to make direct comparisons, however the data shows a significant increase in referrals of people with Learning Disabilities. Some of this increase is linked to people living under more independent living arrangements.

During the year 60% (178) of referrals due to safeguarding issues were of women. The service now receives more domestic violence referrals as a result of the increased profile safeguarding now has within the local domestic violence forums.

Allegations of physical abuse have increased in 2011/12, being now 101 of all referrals, with financial abuse being 27% of all referrals (25% in 2008/09).

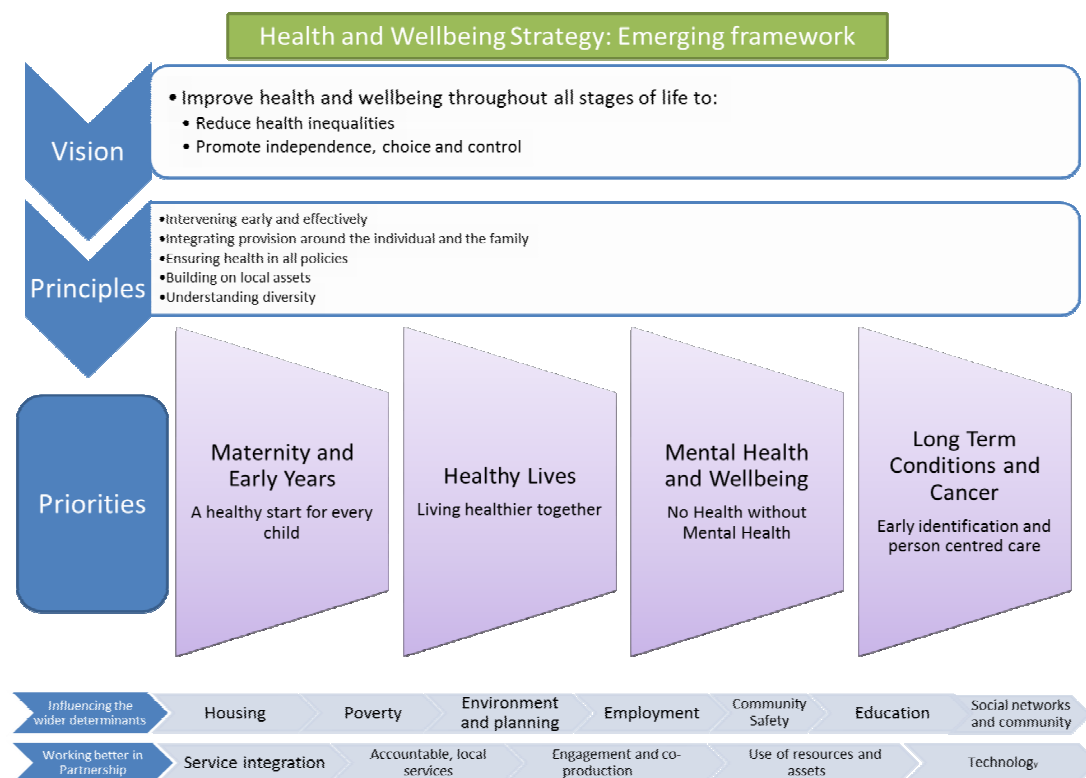


Our data shows that in Tower Hamlets most reported abuse is in people's own homes. This is consistent with national data. It is also recognised that abuse frequently goes unreported in people's own homes.

The referrals of abuse occurring in care homes is also relatively high, and work has been undertaken with providers to ensure good reporting of abuse to the Safeguarding Team. This work has improved alerting rates but an on-going challenge is that of working alongside providers to minimise similar alerts. The referrals to the safeguarding team show the majority of abuse is seen as coming from within families which is again borne out by national data.

## Summary of priorities for 2013/14

The priorities for adult social care are part of the emerging framework for the Tower Hamlets Health and Wellbeing Strategy:



As part of this, our strategic priorities are:

- Reduce Health Inequalities and Promote Healthy Lifestyles
- Enable People to Live Independently
- Provide excellent primary and community care.
- Keeping vulnerable children, adults and families safer, minimising harm and neglect

- Analyse the implications of the Care and Support Bill
- Finalise the transition of Public Health into the Council
- Establishment of the Health and Wellbeing Board from its shadow form by 1<sup>st</sup> April 2013

The Department of Health “Adult Social Care Outcomes Framework” provides a way for Council’s to view their progress and the impact adult social care services are having. The Framework is built around four domains, which have been used here to set out our priorities for the coming year:

**Domain 1:** Enhancing quality of life for people with care and support needs

- Commission a Supported Employment Service for people with support needs and their carers
- Conduct a needs assessment to underpin a LD Accommodation Strategy
- Evaluate the pilot on employing people with LD across the Council with a view to rolling the model out wider and providing meaningful employment to individuals
- Finalise the Mental Health Strategy and ensure that the Time to Chance Pledge is signed up to across the Council and our partners
- Roll out an accreditation scheme for local providers, to ensure quality and safety of care and support

**Domain 2:** Delaying and reducing the need for care and support

- Deliver the Health and Wellbeing Strategy and action plan to tackle the wider determinants of health
- Deliver our E-market solution to enable people to purchase their own services
- Review the Reablement service with health partners to both enhance wider Reablement potential for individual’s and also improve waiting times
- Carry out in-depth analysis of admissions of people into residential care to ensure placements are appropriate and provide value for money
- Increase health checks for carers who support people with a LD
- Take forward the 50+ integrated care pathway work
- Increase the number of people supported to remain at home via the Community Virtual Ward network to 600

**Domain 3:** Ensuring that people have a positive experience of care and support

- Improve waiting times for assessments and support by carrying out a review of the end to end process. This will include feedback gained from those who user services and their carers

- Improve information about eligibility for formal social care and how we make those decisions
- Increase awareness of the use of Personal Budgets to those who may benefit, including how they can be used, what to do if something goes wrong, and what to do if someone using such budgets is being abused.
- Consider how to increase the levels of choice and control for people whose first language is not English
- Work with colleagues across the Council to improve people's feelings of safety

**Domain 4:** Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm

- Work with colleagues across the Council to improve people's feelings of safety
- Further developing effective multi-agency practice, joint training and best practice sharing. Improving integration with other areas working with vulnerable adults: MAPPA, MARAC, Prevent, Children's Services and Community Safety.
- Ensuring that Adult Safeguarding is central to the Personalisation work where people are encouraged to get the balance right between being safe and getting on with their lives.
- Joint training for commissioners to ensure services purchased are of good quality and reflect proper safeguarding practice within their daily work.
- That safeguarding services work harder to engage with all of Tower Hamlets communities particularly where referrals rates are low
- Ensuring Hostels and other accommodation outside any regulatory framework are monitored and compliant with safeguarding arrangements.
- Working alongside providers and organisations to look at how to jointly develop more preventative ways of working to reduce avoidable safeguarding referrals.
- Agreeing a multi-agency approach to respond to people who self-neglect

## Appendix II: Glossary

|                                       |   |
|---------------------------------------|---|
| Advocacy                              | Support to help a person say what they want, secure their rights and represent their interests.   |
| Assistive technology                  | Products or equipment that help people to carry out daily tasks and stay safe.  |
| Audit                                 | Inspecting work to see whether it is being carried out properly.  |
| Benefit Cap                           | A limit on the amount of money someone can receive in benefits.   |
| Block contracts                       | A contract to say an organisation will provide a large number (or “block”) of services.   |
| Carers                                | Support or “look after” a friend or family member who needs help.   |
| Clinical Commissioning Group          | Group of GPs who decide on a lot of local health services.  |
| Commissioning                         | Funding other organisations to provide social care on our behalf.   |
| Community Virtual Ward                | Getting support from a range of health professionals without being admitted to hospital.  |
| Direct payment                        | Money paid directly into someone’s bank account.  |
| Electronic Home Care Monitoring       | A way to record when a Care Worker starts and ends their shift when caring for someone at home.   |
| e-marketplace                         | An online catalogue, showing what support people could buy with a personal budget.  |
| Equipment                             | Things like an alarm or a bath seat. Equipment helps people stay safe and carry out tasks like washing and cooking.                         |
| Extra-care sheltered housing          | Housing (e.g. a block of flats) where residents each have their own flat but get support from social care staff with daily tasks.           |
| Fair Access to Care Services Criteria | The main criteria we use to decide who can get social care.   |
| Family Wellbeing Model                | Looking at the needs of a whole family (e.g. parents and children) rather than just one family member.                                      |
| Financial inclusion                   | Everyone being able to get the most from their money and avoiding charges or fees.  |
| Financial inclusion strategy          | A plan saying how we will help people get the most from their money and avoid fees and charges.   |
| First Response service                | The first point-of-contact for any adult social care queries or concerns.   |
| Framework Agreement                   | A list of approved organisations we can fund to provide adult social care on our behalf.  |
| Health and Wellbeing Board            | The Board is there to drive forward plans to improve health and wellbeing in Tower Hamlets.   |
| Health and Wellbeing Strategy         | The plan lays out how the Council and other organisations will improve health and wellbeing.  |
| HealthWatch                           | A group of local residents who give their views and try to improve health and social care. HealthWatch will take over from “THINK” in 2013. |

|                                  |   |
|----------------------------------|---|
| Housing-related support          | Support to help someone to be independent, linked to where they live. Homeless hostels, women's refuges and sheltered housing are all examples.     |
| Independence plans               | A plan in the "Reablement" service, saying what changes a person would like to see as a result of getting support.                                  |
| Joint Strategic Needs Assessment | Research into the current and future health and wellbeing of Tower Hamlets residents.   |
| Link Age Plus                    | Centres offering information, advice, activities and support to older people.   |
| Local Housing Allowance          | A way of working out Housing Benefit for people who rent from a private landlord.   |
| Long-term condition              | A long-term health problem, such as asthma or diabetes.   |
| NHS East London Foundation Trust | Part of the NHS, running things like mental health services.  |
| NHS Barts Health Trust           | Part of the NHS, running things like the Royal London Hospital.   |
| Outcomes                         | The changes, benefits or other results that happen as a result of getting support from social care.   |
| Personal budget                  | An amount of money from the Council to buy social care.   |
| Personalisation                  | A person who needs social care having more choice and control over their lives and the support they get.  |
| Procurement                      | The process of purchasing or buying something.  |
| Provider                         | An organisation we fund or "commission" to provide adult social care on our behalf.   |
| Public health                    | Public health looks at how to improve the overall health and wellbeing of a population, rather than individuals.                                    |
| Reablement                       | A short-term programme of support designed to help people regain their confidence and independence.   |
| Recovery                         | A way of dealing with mental health problems, aimed at improving a person's health and quality of life.   |
| Respite                          | A temporary rest period. Respite care is normally a temporary break for carers of the ill or disabled.  |
| Safeguarding                     | Protecting people who are vulnerable from harm or abuse.  |
| Self-directed support            | Support that a person chooses, organises and controls to meet their needs in a way that suits them.   |
| Sensory impairment               | A sight or hearing problem.   |
| Social care assessment           | An assessment is looks at what support a person needs. FACS Criteria is used to decide whether someone is eligible to get support from social care. |
| Supporting People                | A government programme helping vulnerable people live independently and keep their social housing tenancies.  |
| Support package review           | A review to check if a person's need for support has changed, and to see the support they are getting is still right for them.                      |
| Support planning                 | Laying out the support a person will get and what changes they want to see as a result.   |
| Transitions                      | Moving from children's social services to adult's social services.  |
| Telecare                         | Equipment to help someone stay safe. Telecare is usually an alarm of some sort. If the alarm is set off,  |

|       |   |
|-------|---|
|       | someone gets in contact to check everything is ok.  |
| THINK | A group of local residents who give their views and try to improve health and social care. HealthWatch will take over from "THINK" in 2013. |