

Meeting of the

CABINET

Wednesday, 6 November 2013 at 5.30 p.m.

AGENDA – SECTION ONE

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,
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www.towerhamlets.gov.uk/committee

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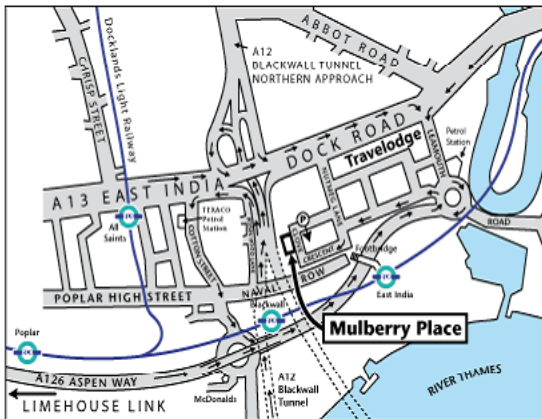
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A Guide to CABINET

Decision Making at Tower Hamlets

As Tower Hamlets operates the Directly Elected Mayor system, **Mayor Lutfur Rahman** holds Executive powers and takes decisions at Cabinet or through Individual Mayoral Decisions. The Mayor has appointed nine Councillors to advise and support him and they, with him, form the Cabinet. Their details are set out on the front of the agenda.

Which decisions are taken by Cabinet?

Executive decisions are all decisions that aren't specifically reserved for other bodies (such as Development or Licensing Committees). In particular, Executive Key Decisions are taken by the Mayor either at Cabinet or as Individual Mayoral Decisions.

The constitution describes Key Decisions as an executive decision which is likely

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

Upcoming Key Decisions are published on the website on the 'Forthcoming Decisions' page through www.towerhamlets.gov.uk/committee

Published Decisions and Call-Ins

Once the meeting decisions have been published, any 5 Councillors may submit a Call-In to the Service Head, Democratic Services requesting that a Key Decision be reviewed. This halts the decision until it has been reconsidered.

- The decisions will be published on: **Friday, 8 November 2013**
- The deadline for call-ins is: **Friday, 15 November 2013**

Any Call-Ins will be considered at the next meeting of the Overview and Scrutiny Committee. The Committee can reject the call-in or they can agree it and refer the decision back to the Mayor, with their recommendations, for his final consideration.

Public Engagement at Cabinet

The main focus of Cabinet is as a decision-making body. However there are opportunities for the public to contribute.

1. Public Question and Answer Session

Before the formal Cabinet business is considered, up to 15 minutes are available for public questions on any items of business on the agenda. Please send questions to the clerk to Cabinet (details on the front page) by **5pm the day before the meeting**.

2. Petitions

A petition relating to any item on the agenda and containing at least 30 signatures of people who work, study or live in the borough can be submitted for consideration at the meeting. Petitions must be submitted to the clerk to Cabinet (details on the front page) by: **Thursday, 31 October 2013 (Noon)**

LONDON BOROUGH OF TOWER HAMLETS

CABINET

WEDNESDAY, 6 NOVEMBER 2013

5.30 p.m.

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.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

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 - 12	

The unrestricted minutes of the Cabinet meeting held on 9 October 2013 are presented for information.

4. PETITIONS

To receive any 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

6 .1	New Homes - Bradwell Street	13 - 24	Bethnal Green South; Mile End & Globe Town
6 .2	Fuel Poverty Strategy Action Plan	25 - 66	All Wards
6 .3	Revised Local List	67 - 120	All Wards
6 .4	Bartlett Park Landscape Improvement Plan and Capital Estimate for Phase 1 Improvement Works	121 - 160	East India & Lansbury; Limehouse

7. A PROSPEROUS COMMUNITY

7 .1	PFI Contracts - progress review 2013/14	161 - 172	All Wards
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8. A SAFE AND COHESIVE COMMUNITY

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9 .1	Food Law Enforcement Plan 2013/14	173 - 230	All Wards
9 .2	Day Services for Older People	231 - 238	All Wards
9 .3	Mental Health Day Opportunities and Support Services Contracts	239 - 246	All Wards
9 .4	Commissioning Plan for Young Peoples Supported Accommodation	247 - 316	All Wards

10. ONE TOWER HAMLETS

10 .1	Council Tax Reduction Year Two	317 - 352	All Wards
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11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

12. UNRESTRICTED REPORTS FOR INFORMATION

12 .1	Exercise of Corporate Directors' Discretions	353 - 358	All Wards
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13. **EXCLUSION OF THE PRESS AND PUBLIC**

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

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

EXEMPT/CONFIDENTIAL SECTION (PINK)

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

	PAGE NUMBER	WARD(S) AFFECTED
14. EXEMPT / CONFIDENTIAL MINUTES		
Nil items.		
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		
Nil items.		
17. A PROSPEROUS COMMUNITY		
Nil items.		
18. A SAFE AND COHESIVE COMMUNITY		
Nil items.		
19. A HEALTHY AND SUPPORTIVE COMMUNITY		
Nil items.		

20. ONE TOWER HAMLETS

Nil items.

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

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

Nil items.

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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:-

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 5.38 P.M. ON WEDNESDAY, 9 OCTOBER 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)

Other Councillors Present:

Councillor Amy Whitelock Gibbs	
Councillor Peter Golds	(Leader of the Conservative Group)
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:

Anne-Marie Berni	(Infrastructure Planning Manager, Planning & Building Control, Development & Renewal)
Anne Canning	(Service Head Learning and Achievement, Education Social Care and Wellbeing)
Sara Dilmamode	(Mayor Project Development, Planning)
Ben Gadsby	(Political Adviser to the Conservative Group)
Numan Hussain	(Political Adviser to the Mayor, Executive Mayor's Office, Chief Executive's)
Frances Jones	(Service Manager One Tower Hamlets, Corporate Strategy and Equality Service, Chief Executive's)
Murziline Parchment	(Head of Executive Mayor's Office, Democratic Services, Chief Executive's)
John Rutherford	Interim Service Head, Adult Social Care, Education Social Care and Wellbeing
Takki Sulaiman	(Service Head Communications, Chief Executive's)
Paul Thorogood	(Interim Service Head Finance and HR Development, Resources)
Robin Beattie	(Service Head, Strategy & Resources & Olympic)

Jill Bell	Impact, Communities Localities & Culture) (Head of Legal Services (Environment), Legal Services, Chief Executive's)
Aman Dalvi	(Corporate Director, Development & Renewal)
Chris Holme	(Acting Corporate Director - Resources)
Robert McCulloch-Graham	(Corporate Director, Education Social Care and Wellbeing)
John Williams	(Service Head, Democratic Services, Chief Executive's)
Matthew Mannion	(Committee Services Manager, Democratic Services, Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Oliur Rahman, Cabinet Member for Children's Services
- Councillor Motin Uz-Zaman, Chair of the Overview and Scrutiny Committee.
- Stephen Halsey, Head of Paid Service and Corporate Director, Communities, Localities and Culture.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the Cabinet meeting held on 11 September 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 Amy Whitelock Gibbs, Scrutiny Lead for Children, Schools and Families, tabled an update report on behalf of the Chair of the Overview and Scrutiny Committee (OSC) reporting on the discussions that had taken place at their last meeting.

In particular she:

- Thanked Councillor Abdul Asad, Cabinet Member for Health and Wellbeing, for attending the Scrutiny Spotlight session on the key challenges facing the Education, Social Care and Wellbeing

directorate, which had resulted in a valuable discussion and identified areas for OSC to monitor in the future.

- Highlighted OSC's concerns that the Health and Wellbeing Board had not yet been formally established.
- Reported that OSC had received a report on Early Years provision that demonstrated problems with the government's pledge to provide 15 hours learning for all eligible two year olds.
- Explained that the Committee had had a detailed discussion on the efforts of the Electoral Registration Service to mitigate against fraudulent activity and to ensure a higher return of registration forms.

The **Mayor** thanked Councillor Amy Whitelock Gibbs for her presentation and for the work of the Overview and Scrutiny Committee.

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

The Clerk advised that no requests had been received to 'call-in' for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Mayor in Cabinet at the meeting held on 11 September 2013.

6. A GREAT PLACE TO LIVE

6.1 Community Infrastructure Levy (CIL) – Revised Draft Charging Schedule

Councillor Rabina Khan, Cabinet Member for Housing, introduced the report. She highlighted the opportunity this provided to ensure developers helped to improve the facilities available in the borough and she also reported on the results of the consultation exercise that had taken place.

Two updates to the report were tabled at the meeting as follows:

Amendment 1: Inclusion of explicit definition of convenience retail.

The following definition is proposed to be included in the Revised Draft Charging Schedule (page 2 - s5.3):

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.

Amendment 2: Amend the Infrastructure Planning and Funding Gap Report to clarify the impact of Wood Wharf in a CIL context.

The following clarification is proposed to be included in the Infrastructure Planning and Funding Gap Report (Page 10 - s2.11 and 2.12, Pages 17 and 19 - Appendices B and C):

The projected CIL receipt for Wood Wharf of £56,738,487 would increase the CIL projections figure from £148,277,130 to £205,015,617 and reduce the funding gap from £228,950,000 to £172,211,513.

Following discussion around how the Council would work to ensure maximum benefits were realised and how the charging rates were calculated, the **Mayor** welcomed the report and the benefits it could bring to the community and **agreed** the amendments and the recommendations set out in the report.

RESOLVED

1. Subject to the amendment tabled, to approve the Tower Hamlets Community Infrastructure Levy (CIL) Revised Draft Charging Schedule (Appendix 1 of this report) for a 6 week public consultation.
2. To note the Summary of Consultation Responses October 2013 Report attached at Appendix 2.
3. To note the Infrastructure Planning and Funding Gap Report attached at Appendix 3, as amended. This document explains the infrastructure planning criteria Tower Hamlets must meet in order to implement a CIL Charging Schedule.
4. To note BNP Paribas Real Estate's Viability Study that forms part of the supporting evidence for the Draft Charging Schedule.
5. To authorise the Corporate Director of Development and Renewal to make any minor modifications to the Revised Draft Charging Schedule following the public consultation and to submit the Revised Draft Charging Schedule, the representations made and evidence base together with any proposed modifications to the Planning Inspectorate for public examination.

7. A PROSPEROUS COMMUNITY

7.1 Improving post-16 educational attainment in Tower Hamlets: Response to the Scrutiny Challenge Session

Councillor Amy Whitelock Gibbs, Scrutiny Lead for Children, Schools and Families, introduced the report. She summarised the work of the task group in looking at how to improve post-16 attainment. She thanked all those who had given up their time to support the investigation.

The two main trends highlighted were around some students not matching good GCSE grades at A level and also a problem with a narrow range of

higher education choices and ensuring students were presented with a full range of options. It was noted that there were a whole set of complex reasons for the issues highlighted and that this was reflected in the recommendations and action plan set out at the end of the report.

After discussion of the report the **Mayor** highlighted the importance he placed on education and investing in children's attainment, for example through the education maintenance allowance. He welcomed the report and agreed to examine the recommendations. He then **noted** the report.

RESOLVED

1. To note the review report.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 Tower Hamlets Safeguarding Children Board Annual Report and Business Plan 2012-13

The **Mayor** introduced the report and agreed the recommendation as set out.

RESOLVED

1. To note the content of the Safeguarding Children Board Annual Report and be advised of the appointment of the new Independent LSCB Chair by the Head of Paid Service.

9.2 Tower Hamlets Safeguarding Adults Board Annual Report

Councillor Abdul Asad, Cabinet Member for Health and Wellbeing, introduced the report. He commended the good work being undertaken in safeguarding both children and adults and highlighted that both reports had been submitted to the Shadow Health and Wellbeing Board for approval.

The **Mayor** thanked all those involved in the work and **agreed** the recommendation as set out in the report.

RESOLVED

1. To approve the publication of the Safeguarding Adults Board Annual Report.

10. ONE TOWER HAMLETS

10.1 Medium Term Financial Plan Update

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report. He highlighted the sound financial planning that was in place to try and weather the storm of the government's cuts to the Council's budget whilst still trying to meet the diverse needs of the borough.

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

RESOLVED

1. To consider and comment on the draft Medium Term Financial Plan set out in paragraph 6 and Appendix 1 of the report, in the context of the Spending Review 2013.
2. To consider the financial outlook and medium term projections set out in this report and agree that, on this basis, no immediate action is required to develop additional savings for 2014/2015.
3. To note that the financial position is subject to many unknowns and that officers will monitor the financial position closely and report to the Corporate Management Team and the Mayors Advisory Board for Strategic and Resource Planning during the financial year on developments in Government policy and their implication on the medium term financial plan.
4. To agree that officers, after consultation with the Mayor and Lead Member for Resources continue to develop further spending reduction options for the 2015/2016 financial year and the medium term.

10.2 Contract Forward Plan Q3

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report and the **Mayor agreed** the recommendations as set out.

RESOLVED

1. To approve that all the contracts set out in Appendix 1 can go to tender.
2. That the Corporate Director for the service has delegated power to award the contracts subject to consultation with the Mayor and the relevant lead member and a Head of Legal Services.
3. To authorise a Head of 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** agreed the recommendation as 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

No motion to exclude the press and public was passed.

14. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

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

Nil items.

20. ONE TOWER HAMLETS

Nil items.

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

Nil items.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 6.06 p.m.

John S. Williams
SERVICE HEAD, DEMOCRATIC SERVICES

Cabinet 6 November 2013	 TOWER HAMLETS
Report of: Aman Dalvi, Corporate Director Development & Renewal	Classification: Unrestricted
New Homes – Bradwell Street	

Lead Member	Cllr Rabina Khan, Cabinet Member for Housing
Originating Officer(s)	John Coker, Strategic Housing Manager Geeta Le Tissier, Strategic Housing Manager
Wards affected	Bethnal Green South, Globe Town and Mile End
Community Plan Theme	A Great Place To Live
Key Decision?	Yes

Executive Summary

The Estates Capacity Project commenced in March 2012 with the objective to identify opportunities within existing estates to produce more new homes and identified nine potential sites to build 320 new homes. In March 2013 the London Mayor’s prospectus “The Housing Covenant – Building the Pipeline” was published and invited housing providers to bid for investment funding.

The Mayor of London informed LBTH on the 22nd July 2013 that two Building the Pipeline bids had been successful. These were Bradwell Street Garages providing 12 affordable homes and Ashington House East providing 53 affordable homes. The grant awarded was £360,000 and £1,590,000 respectively. The schemes are all 100% affordable, responding to the housing priorities of the borough and will be let at POD affordable rents.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the total grant of £1,950,000. from the GLA towards the development of 65 Council homes for rent at the Bradwell Street and Ashington House East sites under the Building the Pipeline Supply programme
2. Agree the resulting contribution from the Council of £1,991,000 for the development of the Bradwell Garage site
3. Adopt a total capital estimate of £2,451,000 in order to deliver the Bradwell Street scheme. This represents the total scheme costs of £2,351,000 plus a suggested contingency of £100,000 (paragraph 1.8).

4. Authorise the Director, Development & Renewal to take the necessary actions to deliver the scheme within the timescale of the funding programme including negotiating with Network Rail for the acquisition of amenity land for the Bradwell Street project and dealing with the settlement of any existing rights on both projects
5. Authorise officers to proceed with the procurement of the required professional and technical services and works contracts and utilising suitable procurement frameworks available to the public sector.
6. Agree to set aside £200,000 of funding from within available existing HRA Overcrowding Initiatives / Affordable Housing budgets in order to complete the preliminary design, site assembly and survey costs on the Ashington House East project pending a future report to Cabinet.
7. Authorise the Director, Development & Renewal in consultation with Legal Services to agree the terms of
 - i) the GLA Funding Agreement
 - ii) the contracts for the required professional and technical services for both schemes
 - iii) the works contracts for both schemes, (subject to funding being agreed for Ashington House East scheme)
 - iv) the land transactions with Network Rail
 - v) the settlement of any existing rights over land to be used for the schemes
8. Authorise the execution of the documents referred to at paragraph 7 above on behalf of the Council

1. REASONS FOR THE DECISIONS

- 1.1 It is proposed to build 12 new Council homes for allocation to the Council's housing applicants. The site located on Bradwell Street will deliver 63 bedspaces. The scheme is 100% affordable and responds to the housing priorities of the borough; the new homes will be let at the Tower Hamlets POD affordable rents.
- 1.2 The Council was successful in bidding for grant from the GLA Building the Pipeline Supply Fund in respect of two sites, Bradwell Street and Ashington East and has been awarded £30,000 per new home delivered. The Council needs to provide the remainder of the scheme costs. This report concerns the development at the Bradwell Street site only.
- 1.3 The Bradwell Street development costs total £2.351 million with the GLA grant being £360k of the total.
- 1.4 The units will be funded in the long term through the rental stream generated by the construction of the new units. Ten of the units are large family homes and will be generating a higher rental stream than the two bed units.
- 1.5 According to the grant conditions work at Bradwell Street must commence in 2014/2015. In order to achieve this date, legal work needs to start immediately to establish rights over Bradwell Street, rights of way, party wall matters and leaseholder interests. Due diligence surveys, soil surveys, design, and the preparation of planning applications, need to be completed before April 2014.
- 1.6 In order to receive the grant, LBTH is required to sign up to a Contract which sets out the number of homes to be delivered, the milestones and time-table, the requirement to comply with the Capital Funding Guide of the GLA, the monitoring arrangements, and an agreement to adopting an open book policy pertaining to the scheme cost, to include cost of goods and services, preliminary costs and overheads.
- 1.7 The work needs to be procured promptly for contracts to be in place and allow sufficient mobilisation time for the contractor to be ready to commence work within the delivery time-table. This requirement points to the use of public sector frameworks which have already been through the EU procurement processes and have a shorter leading time than direct procurement. In order to enable providers to start delivery on Day One, the Greater London Authority has set up a Development and Construction Panel of developers and contractors called the London Development Panel. Other public sector frameworks such as the East London Partnership and SCAPE are also open to the Council to use. It is proposed to consider the terms of each of these frameworks in terms of time-table, complexity and suitability for the scheme.
- 1.8 The bid was based on an early design drawn up in 2008. It requires updating and reworking to include new factors such as the request by local residents

for community facilities and other developments in the area. It is therefore proposed that an additional £100,000 be set aside to cover associated costs that might arise as the result of new designs and to cover unquantified items that might be identified during the course of surveys.

2. ALTERNATIVE OPTIONS

- 2.1 The Do Nothing Option. This option would result in the Council not taking up the available GLA grant of £1,950,000 and not delivering any of the additional new homes.
- 2.2 The alternative funding option for the Council would be not to utilise its existing financial resources and to borrow in order to fund the construction costs. This would result in additional borrowing of £1,991,000, using up an element of the available HRA headroom.
- 2.3 Do Something Else. The Council has been looking at ways of delivering more local homes. This can also be delivered by partnering with other providers; however, the partnership model is more suited to large scale initiatives and would not be suited to individual infill sites with development potential of less than 100 housing units.

3. DETAILS OF REPORT

- 3.1 The high levels of housing need in the borough are recognised in the Council's planning policies, including the adopted Core Strategy 2010, the Managing Development Document 2012, and the draft Supplementary Planning Document out to consultation. The Core Strategy includes:
 - direct public investment in housing, in line with the Housing Strategy, to facilitate the delivery of new housing in a number of areas
 - supporting infill development where it meets an identified need and contributes to creating sustainable communities.
- 3.2 The New Council Homes scheme at Bradwell Street contributes towards the Council's housing target to meet the London Plan. It also involves areas listed for direct public investment in housing in the Council's Core Strategy, namely Globe Town and Mile End.
- 3.3 The GLA invited Registered Providers to bid against the Building the Pipeline Supply Fund earlier this year with bids closing on 21st May 2013. The Council in conjunction with Tower Hamlet Homes (THH) submitted four bids for additional new homes to be owned by the Council and managed by THH.
- 3.4 The results of the bid were announced on 22nd July by the Mayor of London. 157 Local Authorities and Registered Providers submitted bids for a share of the funding. LBTH was successful in its submission for two development

schemes: Bradwell Street within the Longnor Estate and Ashington House East on Collingwood Estate.

- 3.5 At the same time, an Expression of Interest was submitted for 34 extensions to existing dwellings in order to create family size homes. A further submission was made in September 2013 to support the Expression of Interest registered in May. The GLA is yet to make a decision on the Extensions scheme.
- 3.6 Planning Officers from the LBTH pre-application team visited the sites included in the bid and letters setting out their preliminary opinions were included in the bid submission. However, the bid was based on concept schemes and the design development and planning process may deliver different scheme designs.
- 3.7 Bradwell Street forms part of the Longnor Estate and comprises a stopped-up road, an underused parking court of a number of garages, lock-ups, playground and play areas and hardstanding areas. The garages are in bad condition and many currently lie empty. It is proposed to relocate the existing occupiers. A more secure garage location is situated on the corner of the estate and is managed by THH.
- 3.8 The scheme at the Bradwell Street site is predominantly destined for large family homes. At the same time as planning our scheme, Network Rail is proposing a new student housing scheme on adjacent land for which they require rights of access over Bradwell Street in respect of car parking, laundry and refuse. In exchange for these rights, Network Rail proposes to transfer the strip of land to LBTH. Local residents have expressed the wish to use the Network Rail land for allotments. Bradwell Street will be much improved as a result of the two residential schemes. It is to be noted that the development of the new homes is *not* dependent on the additional land from Network Rail as LBTH has ownership of Longnor Estate and of the site area which is sufficient in planning terms for amenity space to be provided to the new homes.
- 3.9 Engaging with residents on the Longnor Estate will be a priority and the design team will work with them throughout the project, from working up concept schemes to final designs and construction. Residents will be kept informed throughout the development process and will be consulted on the design prior to planning as well as through the formal planning process. Residents have been aware of a previous proposal and renewed consultation immediately followed the results of the funding bid. A meeting was held with the chair and members of the Longnor Estate in respect of our proposals for Bradwell Street on 4th September. A formal meeting with the wider TRA membership took place on 18th September. Follow-up meetings will take place through the established TRA meetings programme on both estates and will address a wide range of topics including new homes, parking provision, security and the new community space.
- 3.10 The scheme milestones form part of the grant conditions; a key consideration in meeting these is the procurement time-table which is determined by the

procurement route identified for the scheme. Our bid submission included the use of existing public sector procurement frameworks as a means of achieving a credible timeline and be on site in 2014. Frameworks such as the GLA London Development Panel, SCAPE, East London Solutions and others to which both LBTH and THH have access, have been through a rigorous vetting procedure, including cost, quality, and value for money. The use of such frameworks would also help to achieve final scheme costs which are comparable to other public sector developments and re-assures the GLA that the scheme cost will be on par with other grant-funded schemes. For LBTH it would be a safeguard in ensuring it achieves value for money.

- 3.11 The initiative will also boost economic recovery through the direct creation of new jobs in construction and the wider supply chain. The procurement pack for the contractor will request proposals for local initiatives which can assist local employment, training and healthy living. Contractors will be required to meet minimum criteria for local labour and community benefits in the borough as part of the selection criteria.
- 3.12 The Bradwell Street development costs total £2.351 million with the GLA grant being £360k of the total. The scheme expenditure commences in 2014/15 for Bradwell Street site with expenditure in the order of 5-10% for financial year 2013/14 with the balance being spread over 2014/15 in accordance with the staged payments agreed with our selected partner.
- 3.13 The project costs to date have been based on industry averages of build per square metre and on concept designs. This can vary depending on final design, survey findings, Section 106 contributions, procurement outcomes and changes in market conditions. Cabinet authorisation will be required in order to procure services and works contracts - it is proposed that this function is delegated to Executive Directors.
- 3.14 The estimated development costs and funding requirements of the scheme are as follows:

Table 1

Description	Bradwell Street Garages £,000
<u>CAPITAL EXPENDITURE</u>	
Estimated Capital Cost	2,351
GLA - Pipeline Supply Grant	(360)
LBTH Financing Requirement	1,991

- 3.15 Capital resources to finance the Council contribution are limited, and any proposals must be considered in the context of competing demands from other projects. The main commitment within the HRA is currently the £181

million Decent Homes Backlog programme which is midway through the third year of the five year initiative, and the majority of Housing Capital Resources are committed to this project in the medium term. However, the Council is holding various funds that have been specifically earmarked for the provision of affordable housing, and it is proposed that some of these resources are applied to this project. This will reduce the impact on the Housing Revenue Account and the effect on the available borrowing headroom before the Council reaches its Debt Cap.

- 3.16 It is proposed that the following items are applied towards the £1.991 million funding of the project, plus the suggested contingency element of £100,000:

	£ million
Affordable Housing Measures Capital Reserve	1.091
Recycled Affordable Housing Resources	1.000

The background to these resources is outlined below:

Affordable Housing Measures Funding

As part of the 2011-12 and 2012-13 budget processes, Council earmarked £5.675 million of resources towards the development and progression of various housing initiatives to provide affordable housing units within the borough and projects to alleviate overcrowding. In February 2013 Cabinet approved the allocation of £1.7 million of these resources to finance the refurbishment of eleven of the Authority's short life housing properties leaving an uncommitted balance of £3.975 million.

Recycled Affordable Housing Resources

The Authority historically earmarked funding for a Registered Provider to develop a scheme to provide affordable housing. None of the projects proposed were acceptable to the Council and these funds have now been returned to the Authority and are available for reallocation to another project.

- 3.17 It is proposed that a future report will be submitted to Cabinet seeking approval for the Ashington House East project. In order to complete the preliminary design, site assembly and survey costs on this project it is proposed that £200,000 of funding is set aside from within existing HRA Overcrowding Initiatives / Affordable Housing budgets.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. This report updates Members on the outcome of the bid for GLA funding under the Mayor of London's Housing Covenant – Building the Pipeline scheme. Of the five bids that were submitted, the Council was successful in receiving grant funding for two schemes, the Ashington Estate Infill project and the Bradwell Street Garages site. This report seeks the adoption of a

capital estimate in respect of the Bradwell Street Garages site in order that the scheme can progress in line with the GLA grant conditions.

- 4.2. In respect of the Bradwell Street Garages bid, the Authority was allocated £360,000 (15%) of funding towards the total scheme costs of £2,351,000, leaving a residual cost of £1,991,000 to be funded from the Council's own resources as shown in Table 1 above.
- 4.3. In order that the project can be progressed capital estimates must be adopted for the full £2,351,000 cost of the project, plus a suggested contingency of £100,000.
- 4.4. In addition to the costs included above, it is proposed that £200,000 of the available HRA Overcrowding Initiatives / Affordable Housing budget be earmarked for preliminary works on the proposed Ashington House East scheme to incorporate design, site assembly and survey costs in advance of a future report to Cabinet to approve the project.
- 4.5. The GLA bid initially proposed that if necessary funding would be met from prudential borrowing within the HRA. However as outlined in section 3.15, it is preferable for the Council to apply its own resources if possible as this will reduce on-going costs to the Housing Revenue Account and the impact on the Council's debt cap. The Council will therefore retain the scope for future borrowing within the debt limit which will be required to finance the capital requirements of the housing stock over the life of the 30 year business plan.
- 4.6. In order to receive the grant income it is essential that the GLA grant conditions are met, including the specific delivery deadlines. It should be noted that the scheme costs that were incorporated in the GLA bid were compiled in conjunction with external advisors. The projects will be subject to a tendering process (paragraph 3.10) and it should be noted that the Council will be liable for any additional costs if the contract values returned are higher than were anticipated in the bid.
- 4.7. The GLA grant is payable on completion and delivery of the full projects. The Council will therefore need to forward fund the costs until the grant can be claimed at the end of the scheme.
- 4.8. It should be noted that the Council will lose parking and garage fee income as a result of the development at Bradwell Street, although due to the condition of the garages these fees are minimal, estimated at approximately £2,000 per annum.
- 4.9. As a result of the construction of 12 new properties, the Council will benefit from additional New Homes Bonus. Based on the current system, this will equate to approximately £20,000 of general resources to the Council per annum for the six year period following completion, although it should be stressed that the Government is currently consulting on the future methodology for determining the New Homes Bonus entitlement and that future entitlement may not be at the same level as previous years.

5. LEGAL COMMENTS

- 5.1 Legal work will include all procurement processes, contracts as well as title issues and rights of way. Land registry and preliminary utilities and environmental due diligence is underway. This work will enable us to confirm land ownership, rights of lessees and other third party interests for example occupancy of community space, parking bays etc and accommodate any needs into the design development and viability work.
- 5.2 The contribution to be made by the GLA is conditional on the Council signing a grant agreement which sets out the terms and conditions of the funding. These include payment on completion of the scheme as agreed, delivery in accordance with the agreed timetable and a final practical completion date of 31.3.2018. If the terms and conditions are not met then the grant is repayable.
- 5.3 Given the tight deadlines for starting on site at Bradwell Street, the recommended procurement route is by means of a pre-existing framework which allows the Council to draw down a contractor to build the properties. A consultant has been appointed using the Decent Homes Consultancy Framework procured by this Council.
- 5.4 The procurements for Ashington East are not as time sensitive and will be competitively tendered.
- 5.5 Title investigations on both sites have commenced and the Council owns all the land required for the new build at Bradwell Street. The Network Rail land is required to complete the scheme but acquisition of this will not delay the start on site date. Any development project but particularly an infilling project requires careful investigation of existing rights, and title investigations are proceeding to determine what rights exist and consider how these may be dealt with. Cabinet is asked to delegate authority to acquire the land from Network Rail and deal with the settlement of any existing rights.
- 5.6 When considering the recommendations in the report, the Mayor 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. There is information in the report relevant to these considerations.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The New Homes project targets housing applicants who are excluded by virtue of being unable to access the local housing market (either for rent or for sale).

- 6.2. Local communities in Tower Hamlets prefer families to have the use of separate kitchens and living rooms as large families have children of varying age groups with family members often involved in different activities at any one time. This arrangement is beneficial to children who have living space away from the kitchen, both for play and for studying. The internal lay-out specification of the new homes will reflect that local preference.
- 6.3. The consultation strategy will ensure that the principles of One Tower Hamlets are inherent to the way the project progresses. Consultation will be varied, and repeated through both formal and informal forums, adopting routes such as:
- Public meetings
 - Exhibitions to showcase schemes will provide opportunities for people to *see the plans* and not just read about them
 - Regular newsletters
 - Involving the community in design through architect led design groups
 - Interpreter services will be provided as required
 - Where possible we will find a location close to the proposed works where information can remain displayed throughout the process
- 6.4. The need to minimize the impact on local residents of the construction activities on the Network Rail student housing development has been raised with Network Rail as these are planned to be on site at the same time as the Bradwell Street development goes on site. Network Rail has agreed to co-operation from an early stage.
- 6.5. The project will have a focus on delivering Sustainable Communities and will work with resident groups to address safety and security issues through good design and adopting recognised standards such as Secure By Design. The new homes will add to the existing local homes and it is envisaged that the existing Tenants and Residents Associations will welcome the new residents into their fold.
- 6.6. Applicants will be from the Council's housing list. The mix of housing is focused on providing large family units and will include 10% of wheelchair units. Aids and adaptations will be provided prior to letting, thereby increasing the chances of these dwellings being suitable for the applicants. It is proposed to allocate the units prior to practical completion of the schemes. The Occupational Therapists will be involved in the final specification of the units in order to address the specific needs of the housing applicants. Applicants will be from the Council's housing list and any who live on the Longnor Estate and are already at the top of the Priority Waiting List for a Category A property, will be considered for the allocation of the wheelchair accessible homes to be built.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1. The New Homes will be built to Sustainable Design Standards and will provide energy efficient homes keeping domestic bills low for families. The schemes at both sites will meet the minimum Level 4 of the Code for Sustainable Homes. In preparing the design for the planning applications, advice from the Environmental Team will be sought in order to achieve better outcomes. Grey water recycling and insulation will meet modern standards and reduce the impact of the development on the environment. Both sites will have green amenity spaces and in the case of Bradwell Street, there are allotments proposed for local residents.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. The main risk that exists for the project is project overrun in its programme with the consequence that it incurs higher costs. The key consideration for the funding is the expectation from the GLA that the programme will assist house building in London and that it will be delivered in time to help both the London economy and the acute housing need. Against this backdrop Bradwell Street will be required to start on site no later than 31st March 2014. This will be mitigated through robust project and contract management, focusing particular clienting attention on key stages in the delivery process and putting systems in place to track progress, identifying any issues as early as possible and remaining solution focused. LBTH - D&R Housing will hold regular project meetings to monitor the expenditure against milestone and assisting in resolving issues.
- 8.2. Contractors who bid for the building contracts will be required to put up a bond equivalent to 10% of the contract value in line with the Council's procurement rules.
- 8.3. Resident support will be gained through early engagement to explain the concept schemes and their development to pre planning applications and onward to detailed planning applications in order to capture not only their support for development, but also their practical input into the scheme details. A pre- construction and health and safety meeting will be required as part of the contractor/developer delivery programme.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 The project will have a focus on delivering Sustainable Communities and will work with resident groups to address safety and security issues through good design and adopting recognised standards such as Secure By Design. Views of neighbouring residents who may be affected by the new developments will be taken into account and design solutions found wherever possible to deal with their concerns.
- 9.2 The proposed Community space will play a key role in helping to create Sustainable Communities and help prevent crime and disorder through diversionary activities as well as natural surveillance. The new homes will add

to the existing local homes and it is envisaged that the existing Tenants and Residents Associations will welcome the new residents in their fold.

10. EFFICIENCY STATEMENT

- 10.1 Provision of additional new homes will contribute to the Council's Overcrowding Strategy, rehousing tenants most in need. The homes will be built to sustainable design standards, thereby reducing the running costs such as energy bills for the residents.
- 10.2 The Project Delivery Team is in the process of being established. It will be led by a Programme Manager, 2 development officers and a resident liaison officer. The team will have new housing development skills and experience; their tasks will be to ensure that the build phase is delivered efficiently and that costs incurred are comparable in the sector. Other resources will be called upon as required and will include in house legal, asset management and finance services.
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Linked Reports, Appendices and Background Documents

Linked Report

None.

Appendices

None.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None.

Officer contact details for documents:

N/A

Cabinet 6 November 2013	 TOWER HAMLETS
Report of: Aman Dalvi, Corporate Director Development and Renewal	Classification: Unrestricted
Fuel Poverty Strategy and Action Plan	

Lead Member	Cllr Rabina Khan – Cabinet Member for Housing
Originating Officer(s)	Abdul Khan, Sustainable Development Manager
Wards affected	All Wards
Community Plan Theme	A Great Place to Live
Key Decision?	Yes

Executive Summary

In June 2012 the council set up and launched the energy co-operative (Tower Hamlets Energy Community Power) to bring cheaper energy to the residents, the scheme was based on the principles of Collecting Energy Switching. The scheme generated huge interest and was replicated by Local Authorities and Community Groups throughout the country, on a successful bid for funding to the Department of Energy and Climate Change (DECC) , a consortium of London Boroughs set up the Big London Energy Switch to promote Collective Energy Switching in London.

From April 2013 all government funding for domestic energy efficiency improvements were removed and replaced by the Energy Company Obligation and Green Deal Plan.

Under the Home Energy Conservation Act 1995 (amendments 2012), the council is required to develop and publish a plan that improves the energy efficiency of the housing stock in the borough.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the Fuel Poverty Strategy and Action Plan as attached in Appendix 1

1. REASONS FOR THE DECISIONS

- 1.1 Year on year domestic energy prices continues to rise and this trend is expected to continue in the coming years. Residents have raised concerns about the increasing prices, the changes in welfare benefits now means more and more households are not able to afford to adequately heat their homes to achieve thermal comfort levels.
- 1.2 The introduction of the single Energy Company Obligation (ECO) and Green Deal Plan means local authorities will need to take the local leadership role in bringing energy efficiency investment to the borough.
- 1.3 Under the Home Energy Conservation Act 1995 (amendment 2012), Local Authorities are required to develop and publish a plan that shows the actions taken by the local authorities to improve energy efficiency of homes in the in the borough.
- 1.4 Through this strategy and action plan, the council can demonstrate local leadership by providing residents access to cheaper energy and bringing in investment and funding to improve the energy efficiency of homes in the borough, these actions will help alleviate fuel poverty in Tower Hamlets as well as improve the health and wellbeing of our residents.

2. ALTERNATIVE OPTIONS

- 2.1 The council could choose not to have a Fuel Poverty Strategy; however, it is a requirement to have a Home Energy Conservation Act (HECA) Report which must outline the actions the council is taking to improve the energy efficiency of the housing stock in the borough.

3. BACKGROUND

- 3.1 Fuel poverty is caused by a convergence of three main factors:
 - Low income, which is often linked to absolute poverty
 - High fuel prices, including the use of relatively expensive fuel sources
 - Poor energy efficiency of a home.
- 3.2 Households with high energy costs living in poverty or on its margins face extra costs to keep warm. These costs are largely outside the control of those households – given the capital investment that would be required to reduce them – except through trading off the temperatures at which they live against other necessities, exacerbating the difficulties faced by all on such low incomes.

- 3.3 Living at low temperatures as a result of fuel poverty is likely to be a significant contributor not just to the excess winter deaths that occur each year, but to a much larger number of incidents of ill-health and demands on the Health Service and a wider range of problems of social isolation and poor outcomes for young people.
- 3.4 Not only is the energy inefficiency of the homes of those living in fuel poverty a direct concern in terms of reducing carbon emissions, but fuel poverty also acts as a barrier to the implementation of other policies to mitigate climate change, since those on low incomes are least able to afford any increase in prices that may result from them.
- 3.5 The core problem is one of the overlap between low income and the energy inefficiency of the homes people live in, and therefore the precise problem and effects of fuel poverty is “living on a lower income in a home that cannot be kept warm at reasonable cost.”
- 3.6 According to government statistics (Department of Energy and Climate Change) on the 10 per cent measure methodology, London Borough of Tower Hamlets has a fuel poverty percentage rate of 6.0% (in 2011) compared to 11.2% in 2008). Tower Hamlets also has a number of lower super output areas (LSOA) which are identified as Carbon Savings Community Obligation (CSCo) areas and attract extra funding under the Energy Company Obligation.

4. TOWER HAMLETS ENERGY (T.H.E) COMMUNITY POWER

- 4.1 Retail energy prices have risen sharply over the last ten years. Fuel costs are now one of the biggest financial outlays for households and increased prices disproportionately hit poorer families. In 2004 the annual average dual fuel bill for a household stood at roughly £600. By April 2013 the average annual dual fuel bill was a staggering £1,400.
- 4.2 These shifts in fuel prices are largely driven by forces beyond the control of ordinary households, but people can make a difference to their energy bills by switching suppliers. The problem is that very few households do switch, and poorer families are least likely to do so. Most consumers, both vulnerable and non-vulnerable, lack knowledge or confidence to source the best deals.
- 4.3 A collective energy switching scheme is where a group of consumers’ band together to negotiate a better deal with gas and electricity suppliers. Schemes are facilitated by a third party (e.g. a local authority) with the help of a specialist switching partner. Typically, a local authority will take the lead and procure a specialist switching partner who negotiates a tariff on behalf of the consumers they represent. The offer is then presented back to the group for the householder to decide whether they want to switch or not. In the UK this is termed ‘collective switching’. The main objective of such schemes is to increase public awareness of the potential for reducing energy bills through switching.

- 4.4 Tower Hamlets Energy Community Power, council's energy co-operative was the first local authority led collective energy switching scheme in the country, since the launch of the scheme in June 2012, many other local authorities and community groups started similar schemes. To capitalise on consumer power and numbers of interested households, a consortium of London Local Authorities established the Big London Energy Switch, where boroughs work together to hold joint energy switching auctions.
- 4.5 The Big London Energy Switch has secured £680,000 from the Department of Energy and Climate Change to promote the scheme; in addition THE Community Power has secured £37,351 to promote the scheme in Tower Hamlets. Auctions were held in April and June 2013 where we achieved an average household savings of £122 on fuel bills. Two further auctions are planned for November 2013 and January 2014.
- 4.6 THE Community Power brings cheaper energy to the residents which makes it more affordable and allows those households who normally ration their heating to keep warm and comfortable for longer. Providing access to cheaper energy tackles one of the three main factors causing fuel poverty.

5. ENERGY EFFICIENCY FUNDING

- 5.1 The purpose of the Energy Company Obligation is to reduce the UK's energy consumption and support people living in fuel poverty. It does this by funding energy efficiency improvements worth around £1.3 billion every year. Parliament passed the Electricity and Gas (Energy Companies Obligation) Order 2012 on 4 December 2012 and it is now in effect. The ECO will run until March 2015, supporting the installation of energy efficiency measures in low-income households and areas, and in properties that are harder to treat. It works alongside the Green Deal to give consumers support and funding for energy efficiency improvements in their homes.
- 5.2 There are 3 obligations under the ECO.
- **Carbon Saving Community Obligation (CSCo)** - This provides insulation measures to households in specified areas of low income. It also makes sure that 15% of each supplier's obligation is used to upgrade more hard-to-reach low-income households in rural areas.
 - **Affordable Warmth Obligation (AWO)** - This provides heating and insulation measures to consumers living in private tenure properties that receive particular means-tested benefits. This obligation supports low-income consumers that are vulnerable to the impact of living in cold homes, including the elderly, disabled and families.
 - **Carbon Saving Obligation (CSO)** - This covers the installation of measures like solid wall and hard-to-treat cavity wall insulation, which ordinarily cannot be financed solely through the Green Deal.
- 5.3 In the last couple of years, Tower Hamlets council has been successful in securing energy efficiency funding to deliver projects.

- Secured £2.1m from the Social Housing Energy Savings (SHESP) programme to deliver insulation measures in hard to treat properties.
- Managed two RE:NEW projects funded by the GLA, where homes in the borough received one to one energy advice, easy measures and referrals for other measures such as loft and cavity wall insulation.
- Secured £238,500 from the Olympic Delivery Authority and delivered an energy efficiency retrofitting and advice programme which reached more than 1,200 homes.
- Recently secured £2.254m from DECC which will lever in an additional £1.86m from ECO to deliver a home energy efficiency improvement programme for Tower Hamlets Homes housing stock.

5.4 The Green Deal Plan is an innovative financing mechanism that lets households pay for energy-efficiency improvements through savings on their energy bills. Green Deal was launched in January 2013 and applies to both the domestic and non-domestic sector. It replaces previous policies such as the Carbon Emissions Reduction Target (CERT) and the Community Energy Saving Programme (CESP).

5.5 There are 45 measures or areas of home improvement approved to receive funding under the Green Deal, covering:

- Insulation
- Heating and hot water
- Glazing
- Micro-generation (generating energy onsite).

Homeowners or home occupiers (with the permission of the landlord) can have a Green Deal assessment carried out on their property; the assessment will identify suitable energy efficiency measures and energy cost savings, the Green Deal Provider will finance the installation of the measures and the loan will be repaid through a fixed instalment on the property electricity bill which will equal to the calculated energy cost savings made through installed energy measures.

5.6 The Green Deal Plan is accessible to all and is most suitable for households who do not qualify for energy efficiency grants and wish to invest and improve on the energy efficiency of their homes. The Green Deal is also suitable for gap funding projects which are not 100% grant funded through schemes such as ECO.

5.7 Tower Hamlets has huge potential to attract funding and investment in to the borough to improve the energy efficiency of the housing stock. This Fuel Poverty Strategy allows for a co-ordinated approach between partners (THH, Registered Partners and Community Groups) to work together to secure funding.

- 5.8 ECO funding can assist the THH Decent Homes programme in carrying out energy efficiency improvement to the housing stock and refurbishment and renewal of communal heating systems, which will lead to improved thermal comfort for the residents and reduction in energy bills.
- 5.9 Tower Hamlets has well defined planning policies requiring energy and sustainability measures to be incorporated in to new build developments. The borough builds the highest number of housing in the country which are Code for Sustainable Homes certified and the council has recently won a national award for that awarded by the Building Research Establishment (BRE).
- 5.10 The UK Government has set out an ambitious plan for all new homes to be zero carbon from 2016. Currently Tower Hamlets planning policies requires developments to achieve 50% carbon reduction. Where a development is not able to meet the carbon reduction target onsite, allowable solutions policy lets the development offset the carbon shortfall through other projects by making a cash contribution, a set fee per tonne of carbon missed in to a carbon mitigation fund. The carbon mitigation fund could be used to pay for domestic home energy efficiency projects, which could help alleviate fuel poverty. With the high volumes of development going through in Tower Hamlets, this funding could provide a good source of funding to deliver energy efficiency projects and supplement other forms of available funding.

6. HOME ENERGY ADVICE AND INCOME MAXIMISATION

- 6.1 Any installation of a significant energy efficiency measure should be accompanied by a substantial behavioural advice and support programme, including follow-up in-home visits to check heating is being used appropriately. The council employs officers who are qualified energy advisors and Green Deal assessors who are able to provide free and impartial advice to households as well as provide free energy monitoring devices for those households who are experiencing very high energy bills.
- 6.2 Renewable energy generation (micro generation) is a good way of reducing carbon emissions, reducing energy costs and generating a financial income. Feed-in-Tariffs (FiTs) are available for electricity generation and Renewable Heat Incentive (RHI) are available for renewable heat generation. This strategy assists households in installing renewable energy technologies.
- 6.3 There is a clear link between fuel poverty and financial exclusion, it is important to explore household's experience of fuel poverty and examine the circumstances in which fuel rationing, fuel debt, feeling cold and condensation occur. This strategy works with the Financial Inclusion Strategy in helping households maximise their household income through interventions such as benefit entitlement checks.
- 6.4 There are specific government grants available to households to help with heating costs.

- Winter Fuel Payment is a tax free payment to help older people keep warm during winter. It is provided by the government to those who are eligible.
- Cold Weather Payment is intended to help towards extra heating costs during very cold weather. A payment of £25.00 is paid automatically for each seven day period of very cold weather from 1st November to 31st March. Cold Weather Payments help people, who get certain income-related benefits, with their increased heating costs caused by periods of very cold weather during winter.
- Warm Home Discount scheme is a four-year scheme that runs from April 2011 to March 2015 to help low-income and vulnerable households with energy costs. The scheme is worth up to £1.1bn assisting around 2 million low-income and vulnerable households annually.

It is recognised that many households do not know about these grants, this fuel poverty strategy publicises these grants and assists household in applying for eligibility.

- 6.5 This fuel poverty strategy and action plan provides a holistic approach to alleviating fuel poverty; it demonstrates the council's leadership in tackling fuel poverty. The strategy provides a shared vision and allows for detailed scheme and interventions to be developed to help households out of fuel poverty and working towards the government target of totally alleviating fuel poverty by 2016. It also meets the requirements of the Home Energy Conservation Act 1995.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 This report asks Members to consider the Fuel Poverty Strategy and Action Plan for adoption by Cabinet.
- 7.2 The objectives contained within the Strategy set out a range of activities and priorities for the Council and key partners that will provide a clear focus for ensuring that available resources are targeted to and in line with need.
- 7.3 The Council has been successful in securing financing from Government funding sources – these are outlined in paragraphs 4.5 to 5.3 – and initiatives are in place to utilise these resources in line with both grant conditions and external partnership requirements.
- 7.4 The financial consequences of the strategy and action plan will be subject to the availability of funding, and further reports will assess the financial impact of individual proposals. Delivery of the statement will be extremely challenging in the current economic climate, and will require a co-ordinated approach and the alignment 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 strategy are limited.

- 7.5 The costs of preparation of the 'Fuel Poverty Strategy and Action Plan' have been met from within existing revenue resources.

8. LEGAL COMMENTS

- 8.1 This report updates members on the progress made on several streams of work to address fuel poverty.
- 8.2 The Home Energy Conservation Act 1995 (HECA) recognises the ability of local authorities to use their position within the community to significantly improve the energy efficiency of all residential accommodation in their areas - this includes owner-occupied, privately rented and social housing.
- 8.3 In July 2012 the Department for Energy and Climate Change (DECC) published a requirement under HECA for all local authorities in England to report on the measures they propose to take to achieve this aim. This reflects the legal requirements embodied within the Climate Change Act 2008 requiring significant improvements in the energy efficiency of residential dwellings across the country by 2050. The Government has subsequently set challenging targets for reductions in carbon emissions, which are set out in its Carbon Plan, which was published in 2011.
- 8.4 The report has to be updated every two years and sent to the Secretary of State.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 An Equality Assessment has been carried out on the Fuel Poverty Strategy and Action Plan and is attached at Appendix 2. Fuel Poverty impacts on all sections of the community and the strategy provides an opportunity to take forward a number of initiatives to meet this need and assist in community cohesion between groups across the Council.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 The Fuel Poverty Strategy and Action Plan includes a focus on action for a greener environment. Improving the energy efficiency of the housing stock reduces the carbon dioxide emissions emitted from homes in the borough

11. RISK ASSESSMENT

- 11.1 There are no specific risk management implications in the final version of the Fuel Puberty Strategy and Action Plan.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 12.1 There are no specific crime and disorder reduction implications.

13. EFFICIENCY STATEMENT

13.1 There are no efficiency implications in the Fuel Poverty Strategy and Action Plan.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Fuel Poverty Strategy and Action Plan
- Appendix 2 - Equality Impact Assessment

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

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Fuel Poverty Strategy & Action Plan

2013 - 2016

Providing Energy Efficiency and Affordable Warmth for All

www.towerhamlets.gov.uk/energy

0800 5088364

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2. Executive Summary

For many years, energy prices have continued to increase whilst the income for most residents in this borough has remained static or has fallen. Residents have indicated that they are concerned about paying their fuel bills. In the 2012/13 Annual Resident Survey residents listed increasing prices / interest rates as an area of concern for them.

The council sees the devastating effects fuel poverty has on our communities and how it undermines our effort to improve the health and quality of life for our residents. Local Authorities have a duty to lead on initiatives to tackle fuel poverty in its area working with local partners and voluntary and community agencies combining local intelligence with practical projects that make a real difference to people's lives.

Under the amendments of the Home Energy Conservation Act 1995 the council is required to develop and publish a plan that works towards improving the energy efficiency of the housing stock in the borough. Furthermore this strategy will allow the council to work with Tower Hamlets Homes and other Registered Providers in the borough and delivery agents to bring in much energy investments as possible through the Energy Company Obligation (ECO) funds and promoting the new Green Deal Plan.

This fuel poverty strategy brings together and promotes a number of initiatives and projects aimed at tackling fuel poverty in the borough. The purpose of this strategy is to provide a framework for a partnership approach to addressing the causes of fuel poverty.

Tower Hamlets Council has developed a unique and innovative way of tackling fuel poverty in the borough. The councils Energy Co-operative; Tower Hamlets Energy Community Power will be the delivery mechanism for promoting and implementing the initiatives and projects.

This Strategy has five key aims to tackle fuel poverty in the borough;

Key Aim One

To establish the Energy Co-operative to provide cheap energy to residents and to progress the Fuel Poverty Strategy as a Community Strategy, ensuring its development and implementation is a corporate priority.

Key Aim Two

Provide access to cheap energy for council tenants and residents living in the borough and ensure that homes in the borough are affordable to heat for all including those reliant on state benefits.

Key Aim Three

To Empower, Educate and Inform the resident about how to achieve Affordable Warmth

Key Aim Four

Actively seek and access funding to deliver energy efficiency projects

Key Aim Five

Promote Good practice demonstrations and deliver innovative pilot projects

3.0 Introduction

The Council continues to be committed to tackling fuel poverty, recognising that many residents on low incomes face living in cold and inefficient properties. Many households are facing real dilemmas about how to pay for energy bills that have risen faster than inflation since 2009 pushing even more households into fuel poverty.

London Borough of Tower Hamlets is unique compared to most of the other London Boroughs, the boroughs population is growing rapidly and so is the boroughs new build development sector, however Tower Hamlets still has some of the most deprived wards in the country.

The council has made good progress in reducing the number of fuel poverty households in the borough through new build, regeneration, refurbishment and decent homes works, the council was also successful in leveraging in many million pounds of external funding to carry out home energy efficiency works.

T Tower Hamlets was also the first local authority in the country to set up an energy co-operative collective energy switching scheme to bring a cheaper energy to the residents.

A This fuel poverty strategy aims to build on this success to continue its work and further develop the energy co-operative and look for ways to further reduce the household's energy bills and maximise the amount of Energy Company Obligation (ECO) funding coming in to the borough. This fuel poverty strategy also meets the obligation of the Local Authority under the Home Energy Conservation Act 1995 to develop and publish a plan that improves the energy efficiency of the dwellings within the local authority.

3.1 What is Fuel Poverty?

Households are considered by the Government to be in 'fuel poverty' if they would have to spend more than 10% of their household income on fuel to keep their home in a 'satisfactory' condition.

Fuel poverty is caused by a convergence of three factors:

- Low income, which is often linked to absolute poverty
- High fuel prices, including the use of relatively expensive fuel sources
- Poor energy efficiency of a home.

Fuel poverty is almost unique in the UK - a result of the high proportion of older housing stock, built to very low energy efficiency standards.

This standard definition is based on the heating regime required by the average working household to stay warm and healthy. The national standard is:-

An internal temperature of 21° C in the main living room and 18° C elsewhere over a period of:-

- 9 hours each weekday (2 hours in the morning and 7 hours in the evening) and
- 16 hours a day each Saturday and Sunday.

Economically inactive people who spend longer periods at home during the week will need a longer heating period - of nearer to 16 hours every day of the week. These people are at risk of fuel poverty since their energy costs need to be higher than the average and their incomes are likely to be lower.

3.2 Fuel Poverty Perspectives

Tackling fuel poverty offers a multiple payoff: better living standards and conditions for people with low incomes, an improved and more energy efficient housing stock, fewer winter deaths and reduced costs for the Health Services.

Fuel poverty is a distinct and serious problem from several perspectives.

- **From a poverty perspective:** the households with high energy costs living in poverty or on its margins face extra costs to keep warm above those for typical households with much higher income. These costs are largely outside the control of those households – given the capital investment that would be required to reduce them – except through trading off the temperatures at which they live against other necessities, exacerbating the difficulties faced by all on such low incomes.
- **From a health and well-being perspective:** living at low temperatures as a result of fuel poverty is likely to be a significant contributor not just to the excess winter deaths that occur each year (a total of 27,000 each year over the last decade in England and Wales), but to a much larger number of incidents of ill-health and demands on the National Health Service and a wider range of problems of social isolation and poor outcomes for young people.
- **From a carbon reduction perspective:** not only is the energy inefficiency of the homes of those living in fuel poverty a direct concern in terms of reducing carbon emissions, but fuel poverty also acts as a barrier to the implementation of other policies to mitigate climate change, since those on low incomes are least able to afford any increase in prices that may result from them.

The core problem from all three perspectives is one of the overlap between low income and the energy inefficiency of the homes people live in, and therefore the precise problem and effects of fuel poverty is “living on a lower income in a home that cannot be kept warm at reasonable cost.”

3.3 Government Responsibilities

The UK government has a legal duty to eradicate fuel poverty in England by 2016. Under the Home Energy Conservation Act 1995; Local Authorities are required to take action and monitor its progress in improving the energy efficiency of the housing stock in the borough. The 2012 amendment of the act requires the local authority to develop an action plan and make it publically available; the act also requires the local authority to report its progress on an annual basis to the secretary of state for Energy and Climate Change.

The Hills Fuel Poverty Review published in March 2012 investigated;

- Whether 'fuel poverty' is, in fact, a distinct problem, or simply a manifestation of more general problems of poverty.
- If it is distinct, how it is best measured and whether the current approach to doing this captures the problems most effectively.
- The implications of measurement for the way we understand the effectiveness of the range of policy approaches to reducing it.

Key findings;

Fuel poverty is a serious problem from three main perspectives (poverty, health and well-being and carbon). The evidence confirms that as set out by the Warm Homes and Energy Conservation Act 2000, the heart of the problem is the overlap of facing unreasonable energy costs and having a low income.

This overlap is not what the current official indicator of fuel poverty captures. While it has some strength, this indicator also has serious weaknesses. It can misrepresent trends and encompass households that are clearly not poor. Although a single indicator, it attempts to reflect both the extent and the depth of the problem.

An alternative measurement framework focused directly on the overlap of high costs and low income. This contains twin indicators: a Low Income High Costs indicator (which measures the extent of the problem) and the fuel poverty gap (which measures its depth).

This framework is designed to help identify the people at risk of fuel poverty and those with the greatest difficulties, and to compare the effectiveness of different policies.

Using this framework, projected future trends in fuel poverty are profoundly disappointing. In our central projections, the key fuel poverty gap indicator will rise by more than 50per cent between 2009 and 2016. There is no sensible way of measuring fuel poverty which shows the problem will be eliminated on current trends by 2016.

However, the framework shows that interventions targeted at the core of the problem –especially energy efficiency policies focused on low income households –can make a substantial difference.

The Government should set out a renewed and ambitious strategy for tackling fuel poverty reflecting the challenges we lay out and the framework we propose for understanding them.

3.4 Poverty in Tower Hamlets

The high levels of poverty and deprivation in Tower Hamlets mean that many residents experience, or are at risk of experiencing, financial exclusion. The Indices of Multiple Deprivation score shows Tower Hamlets as the 7th most deprived borough in the country. 44% of households are in income poverty, the highest rate nationally.

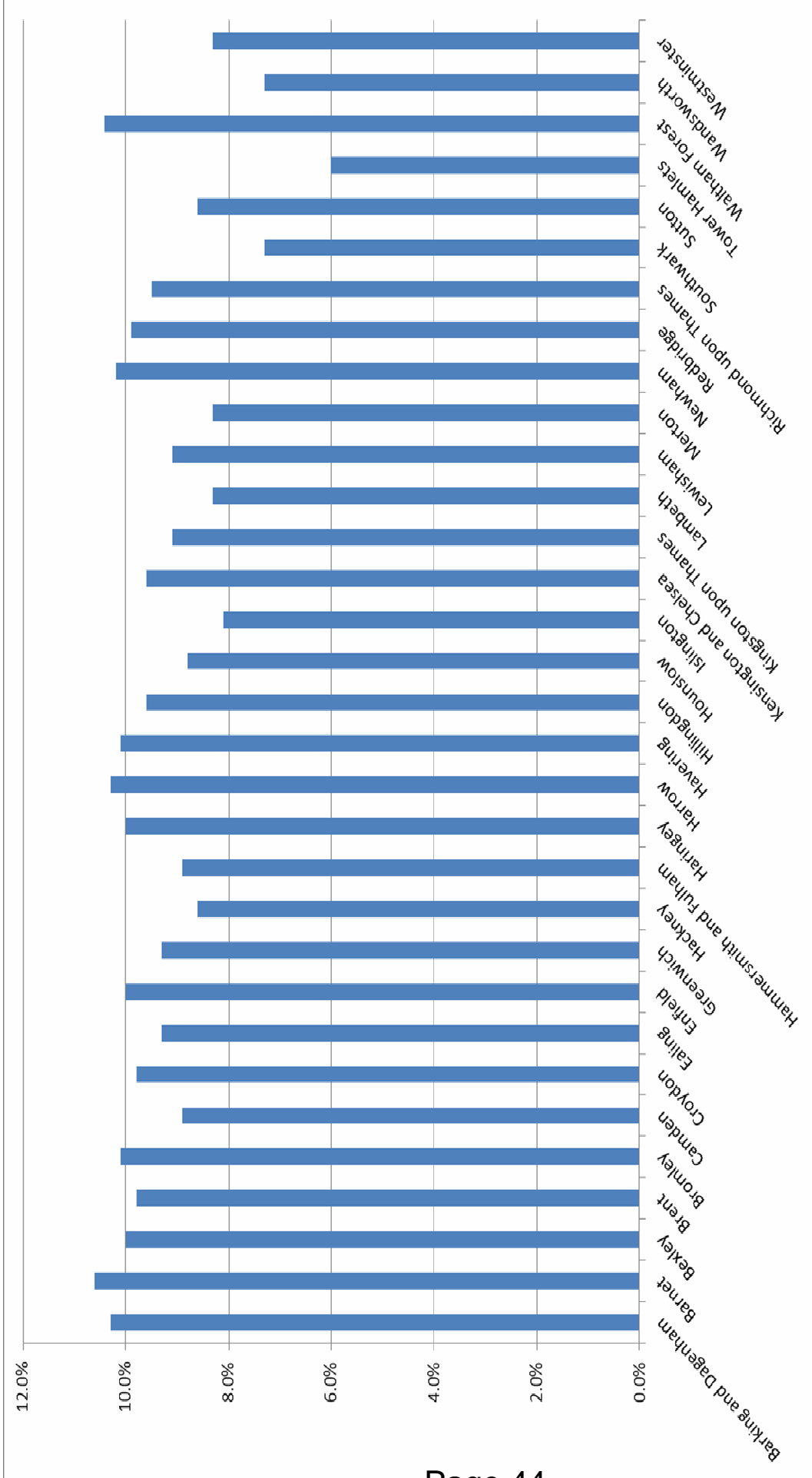
Income poverty: In Tower Hamlets, it is estimated that 44 per cent of households are in income poverty – defined as those living below 60 per cent of the median (or ‘middle’) UK household income, after housing costs. This is the highest rate of income poverty across all local authorities in England and Wales and double the national average (22 per cent).

Pensioner poverty: Tower Hamlets has a relatively small pensioner population compared with other areas: nine per cent of the borough’s population are aged 60 and over compared with 22 per cent across England. Despite the fact that proportionately fewer pensioners live in the borough, those that do, are likely to face high levels of income poverty.

Child poverty: The latest HMRC data (for August 2009) show that 29,680 children in Tower Hamlets live in poverty this represents 53 per cent of all children in the borough and is the highest child poverty rate in the UK. All wards in Tower Hamlets have child poverty rates well above the national average; the rate ranges from 38 per cent in St Katharine’s & Wapping ward up to 59 per cent in East India & Lansbury Ward.

3.5 Fuel Poverty in London and Tower Hamlets

The sub regional fuel poverty levels, England 2011 is a data set published by the Department of Energy and Climate Change, which shows the level of fuel poverty at a local authority level. The graph below shows London Borough of Tower Hamlets has the lowest percentage of fuel poverty compared to any other local authorities in Greater London region.



Although Tower Hamlets may have the lowest levels of fuel poverty despite being the 7th most deprived borough in the country, it must still be recognised that fuel poverty still exists. The data also indicates that the borough is doing well in delivering initiatives and projects to tackle fuel poverty and it must continue to do so to ensure there is a year on year decrease in the levels of fuel poverty in the borough.

3.6 Making Fuel Poverty a Corporate Strategy

The Community Plan is an ambitious strategy for an aspirational borough. It outlines how borough will continue to reduce inequality and poverty, particularly among the most disadvantaged in the borough, to ensure that everyone has the opportunity to achieve their full potential.

The Community Plan aims to make Tower Hamlets a better place to work, live or visit and has four Themes;

- A Great Place to Live
- A Healthy and Supportive Community
- A Prosperous Community
- A Safe and Cohesive Community

The Tower Hamlet Partnership gives residents more powerful input in the way services are provided and ensures that all aspects of the community work together to achieve the objectives of our Community Plan.

The Theme 'A Great Place to Live' includes an Objective 'Improving and maintaining the quality of housing, including maximising energy efficiency'. This Objective should be reworded or a new Objective should be added (e.g. 'Providing Affordable Warmth for All and Maximising Energy Efficiency')

4.1 Energy Markets

Retail energy prices have risen sharply over the last ten years. Fuel costs are now one of the biggest financial outlays for households and increased prices disproportionately hit poorer families. In 2004 the annual average dual fuel bill for a household stood at roughly £600. By April 2013 the average annual dual fuel bill was a staggering £1,400.

These shifts in fuel prices are largely driven by forces beyond the control of ordinary households, but people can make a difference to their energy bills by switching suppliers. The problem is that very few of us do switch, and poorer families are least likely to do so. In a 2008 Ofgem-commissioned study it was found that those who are confident consumers in the energy market (sourcing the best deals, trusting information, confident that switching will cause little to no problems) are in the minority, whilst most consumers, both vulnerable and non-vulnerable, lack knowledge or confidence. Specific barriers to switching supplier noted by the report were 'fear that something may go wrong' and 'loyalty to existing provider'. A high level of passivity or laziness was noted as a barrier, meaning even a small degree of effort in sourcing a better deal would be seen as too much. Combining the likelihood of rising prices with citizens' sometimes limited ability to acquire the best deal, fuel poverty will become a more acute problem. Government responses to rising fuel prices in the past have been simple: give citizens money to cover the cost, for example through the winter fuel allowance. But the pressures of deficit reduction mean that the state will struggle to find this additional money. This problem creates an opportunity for local government to step in and support households in confronting rising energy prices. By stepping up to support citizens in new ways, local government can start to show how the public sector can embrace radically different approaches to tackling public policy problems.

4.2 European Co-operative models

An initiative from The Netherlands, known as Met de Stroom Mee – roughly translatable as 'go with the flow' - has saved consumers significant sums of money on energy bills by bringing them together to bulk purchase energy.

Met de Stroom Mee sought the registration of 10,000 households who agree to let Met de Stroom Mee negotiate on their behalf, directly with the energy companies. Using the bulk purchasing power of so many households, Met de Stroom Mee then went about securing bids from energy companies at much lower than the average cost of bills that households were paying. Once Met de Stroom Mee had decided on the most favourable bid, it was then sent to those who had registered for their approval. There was no legal requirement for the individually registered households to accept the bid and they could still choose to continue with their own arrangements. However, out of the 10,000 registered households, a total of 6,630 decided to take up the bid and saved an average of 300 Euro per annum on their household energy bills.

When one considers the average annual dual fuel bill in the Netherlands is 1520 Euro per annum, the saving delivered by *Met de Stroom Mee* represents a reduction in the average annual fuel bill of approximately 20%. It is estimated that even if local authorities in the UK were able to achieve a 10% reduction on average annual dual fuel bills this would result in a saving of £125 per household per annum.

4.3 Tower Hamlets Energy Co-operative Model

In the United Nations Year of the Co-operatives 2012 it was desire of the council to establish an Energy Co-operative to bring cheaper energy to the residents. The Council established the Tower Hamlets Community Power Energy co-operative and developed a model for collective energy switching.

A collective energy switching scheme is where a group of consumers' band together to negotiate a better deal with gas and electricity suppliers. Schemes are facilitated by a third party (e.g. a local authority) with the help of a specialist switching partner. Typically, a local authority will take the lead and procure a specialist switching partner who negotiates a tariff on behalf of the consumers they represent. The offer is then presented back to the group for the householder to decide whether they want to switch or not. In the UK this is termed 'collective switching'. The main objective of such schemes is to increase public awareness of the potential for reducing energy bills through switching.

A collective switching scheme involves 4 parties;

- A local authority as lead,
- An expert switching negotiator,
- Energy suppliers,
- Consumers.

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Local authorities play an important role as they are in a position to promote the scheme with local residents and can be viewed as trusted and independent.

The specialist switching partner works with the council to run marketing/communication campaign to collate details of interested residents. The switching partner then negotiates the best price through an energy auction. It then supports the resident to switch to the new provider.

Residents / consumers need to provide details of their fuel bill including current tariff and annual expenditure and consumption via a switching website. In the case of vulnerable, hard to reach consumers, the council can complete this task through drop in sessions or via telephone.

The negotiator analyses all consumer data and undertakes an auction with pre-registered energy suppliers. The suppliers then present a set of tariff prices for different groups e.g. direct debit group, dual fuel group. This is then analysed and the offer with the greatest saving for the majority of the residents will win the auction.

The negotiator then presents a one year energy tariff to each customer (resident) via email or letter which highlights their individual savings that would be achieved through the switch. It is important to note there is no guarantee the offer made to the customer would be the best on the market. There would also be no guarantee of tariff reduction as it depends on the consumers starting point.

If the resident accepts the offer the switch is initiated and the consumer assisted in establishing the contract with the energy supplier. After the one year contract the resident will be put onto a flexi price tariff; there is no guarantee this will be the best tariff for the resident. It is the responsibility of the resident to switch if desired.

This supported journey is suited for 'sticky customers' (those who do not regularly switch providers). It empowers the consumer with all the support and information they need to understand their bills, energy consumption and tariffs. It could be argued that it is less attractive to those who regularly switch providers because they already search out the best deal.

4.4 Tower Hamlets Progress so far

London Borough of Tower Hamlets was one of the first local authorities in the country to set up a collective energy switching scheme in the country. Since Tower Hamlets launch of the scheme many local authorities and community organisations have set up similar schemes. In November 2012 the Department of Energy and Climate Change recognised the need to bring competition in to the domestic energy markets through consumer power and acknowledged collective energy switching was a mechanism to do this. It made available a fund of £5m to help local authorities and voluntary organisations to set up schemes.

A consortium of 21 London Local Authorities set up the Big London Energy Switch and managed to secure £680,000 to develop a London wide scheme, in addition to this Tower Hamlets managed to secure a further £37,000 for the borough.

The first collective energy switching auction took place in April where more than 166,000 households participated around the country including 25,000 households from London. The average household's energy savings were £122 per annum a further auction took place in June 2012 with further auction planned for October 2013 and January 2014.

5.1 To Empowering, Educating and Informing the people about how to achieve Affordable Warmth

It is understood that there is a clear link between fuel poverty and financial exclusion, it is important to explore household's experience of fuel poverty and examine the circumstances in which fuel rationing, fuel debt, feeling cold and condensation occur. Looking at the energy efficiency of people's homes alongside the impact of their beliefs, behaviour in relation to their fuel use, and their financial behaviour.

There was little correlation between a property's level of energy efficiency and levels of satisfactory heating; many residents in energy efficient properties still rationed their heating, and experienced cold rooms, mould and condensation. People's heating-related behaviour, such as how households used their heating system, or their preference for higher or lower heating levels, showed a stronger correlation with indicators of fuel poverty than the energy efficiency of the property. Many households could have made significant savings by switching energy supplier, they generally had a negative perception towards switching and a low propensity to switch. Discord between a household's financial cycle and their fuel bill cycle often result in greater fuel rationing or an increased likelihood of fuel debt. For example, fuel debt is likely more common in households who paid their bills quarterly but received their income weekly or fortnightly.

Structural interventions, such as energy efficiency measures and income maximisation, are unlikely to significantly reduce the number of households rationing their heating or experiencing fuel debt. Fuel rationing is more closely linked to underlying behavioural traits and the method of payment. Fuel debt is more closely connected to the length of the billing cycle, budgeting and problems with estimated bills than to the annualised fuel cost.

It is therefore important for policy and interventions to also focus on heating behaviour, financial capability and financial behaviour, in order to tackle the underlying problems of households living in cold properties or struggling to pay their bills.

Fuel poverty policy must closely link into financial capability policy in order to engage households in their finances and ensure appropriate payment methods and billing cycles are being used. Simply focusing on energy efficiency measures is unlikely to significantly reduce the occurrence of fuel debt and fuel rationing.

Any installation of a significant energy efficiency measure should be accompanied by a substantial behavioural advice and support programme, including follow-up in-home visits to check heating is being used appropriately. Repayments due to debt caused as a result of an underestimated meter reading or an underestimated direct debit amount should be calculated, communicated and scheduled sensitively by suppliers.


Fuel poverty is recognised as an important public health issue. Many fuel-poor households are particularly vulnerable to cold-related ill health, including older people, families with young children and those who are disabled or have a long-term illness. There is strong evidence

suggesting a strong link between health, fuel poverty and cold homes and an estimated 2,700 people die each year in the UK because of health conditions, such as respiratory infections or cardiovascular problems, linked to fuel poverty (about one tenth of all excess winter deaths)

It was recognised that community service providers such as GPs, social workers, housing managers, meals on wheels/Home Care workers probably see the effects of fuel poverty on a daily basis. But perhaps they don't have the time or the awareness to properly identify the cause of the problems they deal with? So a doctor will carry on prescribing medication to a patient with circulatory/coronary disease without being able to find anyone to deal with the fact that the patient's home is cold and contributing to their ill-health. A hospital will carry on re-admitting patients whose recovery is hampered by living in fuel poverty for the same reason.

Aside from changing the way community services are planned, it should be recognised that people needed better information about how to stay warm and healthy. The Council and other key service providers are well-placed to include information about energy efficiency and affordable warmth to the public within their existing information services.

Front line staff, such as social workers, meals on wheels workers, health visitors, GPs, environmental health and housing officers need a way to refer clients at risk of fuel poverty to someone who can make sure that the help needed is provided. This facility exists already, but needs to be better resourced to include a wider range of skilled persons ready and willing to solve each client's individual problem.

The  A Fuel Poverty Referral Mechanism and Affordable Warmth surgeries were piloted last winter by the Energy Efficiency Unit. Take-up was relatively low, but the comments made by the people who used the service and whose homes were made more energy efficient show that offering access to quality, tailored, energy advice in the main community languages is an effective way of helping people to get better value from their fuel budgets.

It is important to provide good information and advice on getting the best value out of people's expenditure on fuel. People often have misconceptions about how much appliances cost to run and there are fears associated with the cost of running individual central heating systems. Householders need to be provided with quality, tailored, energy advice in the main community languages which is an effective way of helping people to get better value from their fuel budgets.

There needs to be a clear desire to ensure that services to the community are planned jointly and staff awareness increased to avoid 'blind spots' in dealing with fuel poverty in the borough. Actions to increase access to good energy efficiency advice and make it easier to claim energy grants through an income maximisation service also needs to be considered.

The sub-regionally funded Affordable Warmth Project facilitates joint working on the emerging public health, localism and 'Big Society' agendas delivering a major outreach programme to identify and mitigate risks due to cold weather. The Affordable Warmth project is a training and marketing programme designed to support volunteers and front line workers to be Affordable Warmth Champions.

5.2 Health & Well-Being

The main effects of fuel poverty are health-related: Those who necessarily spend a good deal of time in the home (such as the elderly, children, people with disabilities or the sick) are worst affected. In colder temperatures blood pressure increases and the risk of heart attacks and strokes rises dramatically. Aside from the tragedy to individual lives, the cost of fuel poverty to the local health service is alarming:-

Damp, under-heated homes are common in Tower Hamlets. Low incomes and the fear of the cost of running central heating systems together with the lack of adequate insulation, heat recovery ventilation and good energy habits are the causes. When insufficient heat is put into a home the risk of condensation from normal habitation is increased. Condensation also occurs through inadequate ventilation, creating ideal conditions for the dust mite – a direct trigger of asthma. Condensation features strongly in the many Disrepair claims received by the Council each year, causing property decay and making estates unpopular.

6.1 Energy Companies Obligation (ECO)

The ECO was introduced in January 2013 to reduce the UK's energy consumption and support people living in fuel poverty. It does this by funding energy efficiency improvements worth around £1.3 billion every year.

Parliament passed the Electricity and Gas (Energy Companies Obligation) Order 2012 on 4 December 2012 and it is now in effect. The ECO will run until March 2015, supporting the installation of energy efficiency measures in low-income households and areas, and in properties that are harder to treat. It works alongside the Green Deal to give consumers support and funding for energy efficiency improvements in their homes.

The Green Deal and the ECO will help reduce carbon emissions from the UK's domestic building stock, which is an essential part of the UK's plan to meet its statutory domestic carbon emission reduction targets by 2050.

There are 3 obligations under the ECO.

Carbon Saving Community Obligation - This provides insulation measures to households in specified areas of low income. It also makes sure that 15% of each supplier's obligation is used to upgrade more hard-to-reach low-income households in rural areas.

Affordable Warmth Obligation - This provides heating and insulation measures to consumers living in private tenure properties that receive particular means-tested benefits. This obligation supports low-income consumers that are vulnerable to the impact of living in cold homes, including the elderly, disabled and families.

Carbon Saving Obligation - This covers the installation of measures like solid wall and hard-to-treat cavity wall insulation, which ordinarily can't be financed solely through the Green Deal.

The ECO will be funded by energy suppliers. Energy suppliers obligated under the scheme will determine how much subsidy they provide to each consumer. This may depend on consumers' individual circumstances and the amount of Green Deal finance being used.

The ECO is worth around £1.3 billion every year. The ECO Affordable Warmth and Carbon Saving Community obligations will provide support worth around £540 million per year to low-income households. The ECO Carbon Saving Obligation is worth around £760 million per year.

Energy suppliers will provide the ECO directly to customers, or it will be provided by organisations working together through pre-approved arrangements, such as Green Deal providers.

6.2 Winter Fuel Payments

Winter Fuel Payment helps older people keep warm in winter. The Winter Fuel Payment is a tax free payment to help older people keep warm during winter. It is provided by the government to those who are eligible. Most payments are made between mid-November and December every year where over twelve million payments are made each year.

6.3 Cold Weather Payment

A Cold Weather Payment is intended to help towards extra heating costs during very cold weather. A payment of £25.00 is paid automatically for each seven day period of very cold weather between 1 November to 31 March.

Cold Weather Payments help people, who get certain income-related benefits, with their increased heating costs caused by periods of very cold weather during winter.

6.4 Warm Homes Discount

The Warm Home Discount scheme is a four-year scheme that runs from April 2011 to March 2015 to help low-income and vulnerable households with energy costs. The scheme is worth up to £1.1bn and expects around 2 million low-income and vulnerable households to be assisted annually.

6.5 RE:NEW

RE:NEW is a London wide homes retrofitting scheme aimed at reducing carbon dioxide (CO₂) emissions from the residential sector. This is an area-based, whole house approach that includes a range of free-of-charge, easy-to-do measures, from changing to low energy light bulbs to installing stand-by switches and giving energy saving advice.

The aim is that more substantial steps such as loft and cavity wall insulation will involve no upfront costs, be free for those on qualifying benefits and subsidised for those who are able to pay. RE: NEW is a collaborative programme between the Mayor of London, the London Development Agency (LDA), London Councils, the Energy Saving Trust (EST) and London's boroughs. On-the-ground delivery is led by the boroughs

6.6 Feed In Tariffs

Feed-In Tariffs were introduced on 1 April 2010 and replaced UK government grants as the main financial incentive to encourage uptake of renewable electricity-generating technologies. Most domestic technologies qualify for the scheme, including:

- solar electricity (PV) (roof mounted or stand alone)
- wind turbines (building mounted or free standing)
- hydroelectricity
- anaerobic digesters
- micro combined heat and power (CHP).

6.7 Renewable Heat Incentives (RHI)

The Renewable Heat Incentive (RHI) is a UK Government scheme set up to encourage uptake of renewable heat technologies among householders, communities and businesses through the provision of financial incentives. The UK Government expects the RHI to make a significant contribution towards their 2020 ambition of having 12 per cent of heating coming from renewable sources. The Renewable Heat Incentive is the first of its kind in the world.

There are two phases to the introduction of the RHI:

Phase 1: the introduction of the RHI for non-domestic installations in the industrial, business and public sectors.

Phase 2: the domestic element of the RHI, is expected to be introduced in spring 2014 following the consultation published in September 2012 and more recently the UK Government Heat Strategy

6.8 Tower Hamlets success so far

In 2011 the council ran the first RENEW pilot project in the Bow West ward assisting over 1200 households, from the success of the pilot the scheme has now been rolled out borough wide.

In 2012 the council secured £240,000 from the ODA to deliver an energy efficiency programme providing energy efficiency measures to households in the Bethnal Green Wards, the project reached over 1,000 households achieving a cumulative household energy saving of £45k per annum.

In November 2012 the council secured £2.25m from DECC, this money will be added to £1.86m of ECO money to deliver energy efficiency projects in two Tower Hamlets Homes Estates.

6.9 Carbon Mitigation Fund

The new build domestic sector plays a key role in tackling fuel poverty by developing new housing at the current high standards of environmental sustainability. The council requires all new build housing to be built at code level 4 Code for sustainable homes with step increases to code level 6 by 2016 to meet the government aspirations of zero carbon homes. Tower Hamlets is leading the way in this sector and currently builds the highest number of code rated homes in the country and has recently won a national award.

The UK government has high aspirations to reduce carbon emissions and this is translated in to local planning policies where developments are required to achieve carbon savings better than that is required by current Building Regulations. Carbon Offsetting is a mechanism where a development is not able to achieve its carbon reduction target on site, it can make a financial contribution in to a carbon mitigation fund to cover the carbon shortfall. The financial contribution is calculated per tonne of carbon shortfall.

The carbon mitigation fund which is estimated to be worth £750k to £1.0m per annum could be used to fund energy efficiency projects to tackle fuel poverty and reduce carbon emissions.

7.1 Total Community Retrofit

The Total community Retrofit project is a partnership approach to delivering range of activities that will support people and allow them to benefit from the transition to a low carbon community. The partnership is implementing a number of projects including;

- **Closed Loop Community** – Project steering group is shaping the business case and developing detailed project plans. Food waste pilot will be the first activity to be trialled for Poplar HARCA and Tower Hamlets Homes. Bulky waste pilot projects are being explored working with Emmaus for use of underground garages owned by THH. The team is working with Veolia to determine new ways of subcontracting and/or developing a local social enterprise model to employ local people. Veolia is planning focus group sessions over the summer around barriers, incentives, motivations for waste reduction.
- **Retrofit research project with WHISCERS pilot** – WHISCER (Whole House In-Situ Carbon and Energy Reduction Solution) is a process for Internal Wall Insulation (IWI) of hard-to-treat housing that uses laser technology, enabling residents to continue to live in their homes throughout the refurbishment works.
- **HEMS trials** – 16 home energy management systems were trialled in Poplar to engage occupants in managing their home energy use a further 80 installations is now planned with a focus on pre-paid meter customers who typically pay more for their energy than those who are on traditional systems.
- **3D visualisation & investment support tools** – a tool in real world applications (e.g. community engagement, asset mapping, and “what-if scenarios” linking different types of data to inform investments) with the local partners, including investment options for the Community Energy Co-operative.
- **Jobs and Skills Programme** – The Institute and local partners had begun discussing a borough-wide co-ordinated jobs and skills programme primarily building on the low carbon construction and retrofit projects.
- **Connected Community** – An expression of interest focussing on vulnerable customers related to the energy aspect of this project concept has been approved by OFGEM and the Institute will be helping UKPN develop a full proposal.
- **Optimised Energy District** – TSB Better Buildings Connected feasibility study on waste heat from the Telehouse data centres was submitted on 1 May.

7.2 Barkantine Heat and Power Company

The Barkantine **combined heat and power (CHP)** scheme began operating in 2001 providing heat and electricity to around 600 dwellings as well as to other buildings including a school, community hall and swimming pool. The scheme generates electricity on site and uses the waste heat generated to provide heating to customers making the system much more efficient than traditional power stations. The scheme provides heating and hot water to customers at a competitive rate and electricity at 20% lower in comparison to the six big suppliers in that area. The scheme is a private finance initiative between Barkantine Heat and Power Company and the London Borough of Tower Hamlets.

FUEL POVERTY STRATEGY – ACTION PLAN

Key Aim One		
To establish an Energy Co-operative to provide cheap energy to residents, to progress the Fuel Poverty Strategy as a Community Strategy, ensuring its development and implementation as a corporate priority		
	Key Actions	Timing
<p>1.1 Establish the Tower Hamlets Energy Co-operative</p>	<ul style="list-style-type: none"> • Set up the 'T.H.E Community Power' management board. • Establish 'T.H.E Community Power' as a legal entity. • Agree Implementation of the borough Fuel poverty Strategy. 	<p>Completed April 2013 March 2014 October 2013</p>
<p>1.1.2 Make 'Providing Affordable Warmth for All and Maximising Energy Efficiency' a corporate priority.</p>	<ul style="list-style-type: none"> • Sign up to Climate Local – Climate Local is the Local Government Association's initiative to help inspire action on climate change and share best practice. • Agree that the next revision of the Community Plan includes the revised Objective. • Integrate the Fuel Poverty Strategy with other strategic plans. • Ensure the progress of the Fuel Poverty Strategy - Action Plan is monitored by the Corporate Management Team and the Energy Co-operative Management Board. • Ensure adequate resources in place to deliver Energy Efficiency and Affordable Warmth activities. 	<p>December 2013 December 2013 December 2013 April 2014 and on-going</p>
<p>1.3 Ensure all Housing Providers in Tower Hamlets adopt a strategic approach to Providing Affordable Warmth for All and Maximising Energy Efficiency.</p>	<ul style="list-style-type: none"> • Ensure all social housing providers (including Registered Providers) prioritise providing Affordable Warmth and Maximising Energy Efficiency in all of their relevant strategies. 	<p>September 2013 September 2013 March 2014</p>
<p>1.4 Work with Regional Bodies and neighbouring Local</p>	<ul style="list-style-type: none"> • Ensure all future GLA programmes such as Re:New deliver the aim of this Boroughs Fuel Poverty Strategy. 	<p>September and on going</p>

Authorities to develop campaigns in partnership.	<ul style="list-style-type: none"> Work with the sub region to develop campaigns in partnership. Identify opportunities for mutually-supportive actions and promotions. 	April 2013 and on going
<p>1.5 Ensure that a robust system is in place for gathering data relating to household fuel poverty (including energy use and SAP data in THH stock, Registered Provider stock and the Private Sector). Establish a common method to track progress and activity.</p>	<ul style="list-style-type: none"> Investigate the use of UNO energy efficiency database to monitor RdSAP data. Agree a method for tracking energy efficiency activity across Registered Provider housing stock. Agree a cycle of housing stock condition surveys. Agree a strategy for sharing Energy Performance Certificate (EPC) data. 	<p>Completed May 2013</p> <p>March 2014 March 2014</p>

Key Aim Two

Provide access to cheap energy for council tenants and residents living in the borough and ensure that homes in the borough are affordable to heat for all including those reliant on state benefits.

Objective	Key Actions	Timings
<p>2.1 T.H.E Community Power</p>	<ul style="list-style-type: none"> Set up the collective energy switching scheme. Hold 3 to 4 collective energy switching auctions per annum. Establish a scheme for switching void properties to a preferred energy supplier. Encourage developers to use the borough preferred supplier as the property initial supplier. 	<p>Completed April 2013 April 2013 and on going March 2014</p> <p>March 2014</p>
<p>2.2 Ensure all council policies, strategies and statutory powers contribute to providing access to affordable warmth.</p>	<ul style="list-style-type: none"> Consider revising the Housing Allocations Policy to take in to account the energy efficiency of the property. Consider a policy that takes in to account the energy efficiency of a dwelling before approving rent increases, with the aim of linking higher rents with lower energy running costs. Use enforcement powers to remove damp and mould growth, excess cold and excess heat hazards recognised in the HHSRS. 	<p>March 2014</p> <p>March 2014</p> <p>March 2014</p>
<p>2.3 Ensure all housing providers improve the energy efficiency of their properties.</p>	<ul style="list-style-type: none"> Produce regular promotional leaflet containing information about the landlord benefits of energy efficiency, with guidance on grants, loans and relevant Council services. 	<p>September 2013</p>

	<ul style="list-style-type: none"> • Include a basic energy efficiency check-list as entry criteria to the Council's Landlord Accreditation Scheme. • Adopt a policy to ensure no property in the borough has a SAP rating of less than 40. 	September 2013 March 2014
2.4 Reduce the number of pre-payment meters in the borough.	<ul style="list-style-type: none"> • Identify the number of pre-payment meters in the borough. • Provide support to those who are on pre-payment meters as result of fuel debt. • Provide energy monitors to those who prefer to be on the pre-payment meters to better manage their energy budget. 	March 2014 April 2013 and on going September 2013

Key Aim Three

To Empower, Educate and Inform the people about how to achieve Affordable Warmth

Objective	Key Actions	Timings
3.1 Establish Affordable Warmth champions and a Referral Mechanism.	<ul style="list-style-type: none"> • Establish a network of affordable Warmth champions. • Provide refresher training to existing champions and train new champions. • Revisit and refresh the existing Referral Mechanism. 	October 2013 October 2013 July 2013
3.2 Providing tailored energy efficiency advice.	<ul style="list-style-type: none"> • Establish an Energy Doctor's Scheme providing tailored energy efficiency advice in peoples home. • Provide free thermal surveys of homes to demonstrate the benefits of insulation. • Hold regular energy efficiency surgeries in idea stores and community centres. 	October 2013 and on going October 2013 and on going April 2013 and on going
3.3 Better promotion of the Energy Efficiency and Affordable Warmth Service.	<ul style="list-style-type: none"> • Ensure that every resident is aware of the Fuel Poverty Strategy and what it means to them. • Ensure that the council has clear signposting to, or provision of energy efficiency advice to householders. • Provide energy efficiency guidance and energy packs to households. • Deliver short energy efficiency courses for households through idea stores learning programmes. 	April 2013 and on going April 2013 and on going April 2013 and on going January 2014
3.4 Provide an income maximisation service.	<ul style="list-style-type: none"> • Provide energy budgeting advice and household energy plans to pay off energy debts. 	September 2013 and on going April 2013 and on going March 2014 and on going

	<ul style="list-style-type: none"> • Provide benefit entitlement check service. • Use the Energy Co-op to provide access to green jobs and apprenticeships. 	
3.5 Ensure households are claiming their entitlement.	<ul style="list-style-type: none"> • Run campaigns to publicise winter fuel payments entitlements, Cold weather payments and warm homes discount schemes. • Sign posting to other grants for home improvements. 	October 2013 and on going September 2013 and on going

Key Aim Four

Access to funding to deliver energy efficiency projects

Objective	Key Actions	Timings
4.1 Identify a range of energy efficiency projects.	<ul style="list-style-type: none"> • Identify a number of energy projects ready to be funded. • Identify groups and co-ordinators for the projects. • Identify projects by wards. 	January 2014 March 2014 March 2014
4.2 Actively apply for external funding	<ul style="list-style-type: none"> • European Funding – IEE, Life+, ERDF, ELENA • Regional Funding – DECC, LEAF, RENEW 	April 2013 and on going April 2013 and on going
4.3 Energy Company Obligations (ECO)	<ul style="list-style-type: none"> • Identify and implement projects to be funded through ECO • Maximise the boroughs access to ECO Affordable Warmth 	April 2013 and on going April 2013 and on going
4.4 Green Deal Plan	<ul style="list-style-type: none"> • Develop a strategy for the local authority to act as a facilitator for the Green Deal Plan • Marketing campaigns to make tenants aware of the Green Deal Plan opportunities. • Work closely with the private sector landlords. 	October 2013 October 2013 October 2013
4.5 Local Authority Carbon Mitigation Fund	<ul style="list-style-type: none"> • Complete the Planning Obligations charging schedule strategy • Deliver projects through this fund. 	March 2014 March 2016
4.6 Maximising Renewable Energy	<ul style="list-style-type: none"> • Publicise Feed in Tariffs • Publicise Renewable Heat Incentives 	October 2013 October 2013

Key Aim Five

Good practice demonstrations and pilot projects

Objective	Key Actions	When

5.1 Total community Retrofit Project	<ul style="list-style-type: none"> • Implement the total community retrofit project showcasing community based approach to energy efficiency. 	March 2016
5.2 Area based approach	<ul style="list-style-type: none"> • Build up on the ReNew project and deliver further projects. 	March 2014
5.3 Undertake a review of the opportunities for the implementation of Combined Heat and Power (CHP) and district heating for existing and dwellings.	<ul style="list-style-type: none"> • Promote Barkantine Heat and Power as a good practice case study • Map out existing heat networks • Identify new district heating schemes 	March 2014
5.4 Zero carbon Homes	<ul style="list-style-type: none"> • Require new build domestic developments to be zero carbon by 2016 in accordance with government targets. 	March 2014
		March 2016

Summary - Equality Analysis

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)

Fuel Poverty Strategy

Who is expected to benefit from the proposal?

Residents of Tower Hamlets

Service area: Strategy Regeneration & Sustainability

Team name: Sustainable Development

Service manager: Jackie Odunoye

Name and role of the officer completing the EA: Abdul J Khan

Target Groups	Impact – Positive or Adverse	Reason(s)
	What impact will the proposal have on specific groups of service users or staff?	<ul style="list-style-type: none"> • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making Please also how the proposal will promote the three One Tower Hamlets objectives? <ul style="list-style-type: none"> -Reducing inequalities -Ensuring strong community cohesion -Strengthening community leadership
Race	Positive	Will the strategy have an adverse impact on specific ethnic groups?

		<p>No. Fuel poverty affects all sections of the community and the service provided is accessible by all sections of the community, language and communication barrier exists mostly in the Bengali community, the sustainable development team employ Bengali speaking energy advisors where any advice is available in the Bengali language.</p>
Disability	Positive	<p>Will the change in your policy/service have an adverse impact on disabled people?</p> <p>No. those who have a disability tend to spend a lot of time at home and during the winter months this would result in requiring the home to be heated for longer periods and thus result in higher energy bills, households with a disability have a higher likelihood of being in fuel poverty.</p> <p>A lot of the government funding is means tested and therefore households on a disability related benefit could receive extra funding towards making their home more energy efficient.</p>
Gender	Positive	<p>Will the change in your policy/service have an adverse impact on men or women?</p> <p>No. The fuel poverty strategy provides residents a home energy assessment and advice carried out in the home of the resident. Some female households prefer visits to be carried out by women officers; the sustainable development team employs women energy advisors who are able to carry out these visits when required.</p>
Sexual Orientation	Neutral	<p>Will the change in your policy/service have an adverse impact on lesbian, gay or bisexual people?</p> <p>No. the fuel poverty service provided does not have any impacts on sexual orientation.</p>
Religion or Belief	Neutral	<p>Will the change in your policy/service have an adverse impact on people who practice a religion or belief?</p> <p>No. the fuel poverty service provided does not have any impacts on religion or belief.</p>
Age	Positive	<p>Will the change in your policy/service have an adverse impact on specific age groups?</p> <p>No. Elderly households represent the highest portion of households in fuel poverty, this group is the most vulnerable group who are also most affected by the health impacts related of fuel poverty. Means tested government grants are available to elderly households such as pensioners which could be used</p>

		to improve the energy efficiency of their homes.
Other Socio-economic	Positive	<p>Will the change in your policy/service have an adverse impact on people with low incomes?</p> <p>No. households with a low income will qualify for grants to improve the energy efficiency of their homes. This strategy also provides income maximisation advice and will benefit low income households the most.</p>

'Full equality impact assessment available upon request

<p>Cabinet 6 November 2013</p>	
<p>Report of: Aman Dalvi, Corporate Director Development and Renewal</p>	<p>Classification: Unrestricted</p>
<p>Review of and Additions to the Local List</p>	

Lead Member	Cllr Rabina Khan, Cabinet Member for Culture
Originating Officer(s)	Andrew Hargreaves, Borough Conservation Officer
Wards Affected	All wards
Community Plan Theme	A Great Place To Live
Key Decision	Yes

1. INTRODUCTION/SUMMARY

- 1.1 Tower Hamlets is a Borough which is particularly rich in heritage assets. It is a diverse Borough with historical assets that fully reflect that diversity.
- 1.2 The Local list is a list of buildings considered to be of local interest. It is largely composed of those buildings considered for statutory listing in 1973, but felt to be of less than national importance. Since this time a number of buildings have been added but the list has not been comprehensively reviewed.
- 1.3 The report recommends, in light of the forthcoming Centenary of the outbreak of World War I, that the Council goes out to public consultation with a view to adding the War Memorials contained within Appendix 1 to its Local List. As part of that consultation process, the Council would request information with regard to any monuments that have been omitted from Appendix 1.
- 1.4 The report further recommends that the existing local list is reviewed with a view to removing a limited number of buildings where they no longer exist or have been added to the statutory list. The buildings proposed to be removed from the List are contained in Appendix 2.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree to proceed with public consultation with regard to the addition of War Memorials to the Local List as set out in Appendix 1.
2. Agree to proceed with public consultation on the removal of selected existing entries on the local list as set out in Appendix 2.

3. Authorise the Corporate Director of Development and Renewal, after consultation with the Lead Member for Housing, Development and Renewal, to make the necessary and appropriate minor amendments to the draft lists, prior to public consultation.

1. REASONS FOR THE DECISIONS

- 1.1 The selected course is considered to be a sensible and achievable means of (i) contributing towards the aims of the Council's Community Plan by helping the Borough achieve its aim of being a great place to live, (ii) move forward the Council's Conservation Strategy which seeks to 'Increase the protection available to locally important heritage resources' and (iii) be a positive step towards complying with the National Planning Policy Framework which advises Local Planning Authorities to set out a 'positive strategy for the conservation and enjoyment of the historic environment.'

2. ALTERNATIVE OPTIONS

- 2.1 Several alternative courses of action have been considered ranging from keeping the existing local list to a full survey of the Borough.
- 2.2 Relying on the existing local list is not considered an appropriate option as there are a number of buildings which may no longer exist or which may have been added to the statutory list. Not updating the list would therefore create uncertainty for the local community, building owners and applicants for planning permission.
- 2.3 A full survey of the borough is not considered necessary at this stage given the strength of the Council's Conservation Strategy, the extent of the borough's Conservation Areas and the detailed records of statutory heritage assets. War Memorials are a notable omission from the local list and therefore are being proposed for inclusion.
- 2.4 The proposed course of action is considered to a sensible and achievable means of the Borough meeting national, regional and local policy objectives.

3. DETAILS OF REPORT

- 3.1 The Local List is a list of buildings considered to be of special local interest; buildings which contribute to locally distinctive character and add value to the townscape.

Policy Context

- 3.2 The contents of this report are consistent with the Council's policy framework and relevant national and regional policy:

National Planning Policy Framework (NPPF) and Heritage Assets

- 3.3 The NPPF advises Local Planning Authorities (LPAs) to set out 'a positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Emphasis is placed on 'sustaining and enhancing the significance of heritage assets' and recognising that heritage assets are an 'irreplaceable resource' and should be conserved 'in a manner appropriate to their significance'.

- 3.4 Heritage assets are defined in the NPPF as buildings, monuments, and sites “having a degree of significance meriting consideration in planning decisions, because of its heritage interest”. This definition includes undesignated assets identified by the local planning authority (including locally listed buildings). It notes that they merit consideration in planning matters and notes that the LPA should take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset concerned.

Local Policy

- 3.5 Relevant Council Policy includes:

- Policy SP12 (b) of Council’s Core Strategy states that the Council will ‘Improve, enhance and develop a network of sustainable, connected and well designed spaces through: (b) Retaining and respecting the features that contribute to each places’ heritage, character and local distinctiveness.’
- Policy SP10 of the Council’s Core Strategy (Creating distinct and durable places): Part 2 seeks to protect and enhance the boroughs heritage assets and their setting and Part 3 seeks to enable the creation of locally distinctive neighbourhoods.
- Policy DM27 of the Council’s Managing Development Document (Heritage and the historic environment) provides further detail to ensure that the borough’s historic assets are protected and enhanced and ensures their setting contributes to a sense of place.
- The Conservation Strategy, the Councils Strategic Vision for the Boroughs heritage, takes a proactive approach to protect and enhance Tower Hamlets’ heritage to ensure that it can be appreciated and enjoyed by current and future generations. Specifically Objective 6.3 of the Council’s adopted Conservation Strategy aims to increase the protection available to locally important heritage resources. Objective 6.3 of the Conservation Strategy aims to increase the protection available to locally important heritage resources.

National Guidance with regards to Local Lists

- 3.6 The English Heritage Good Practice Guide for Local Heritage Listing states that local listing is “a means for a community and a local authority to jointly identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, guaranteeing that strategic local planning properly takes account of the desirability of their conservation.”

The effects of Local Listing

- 3.7 With regard to the level of protection afforded by local listing, the English Heritage Good Practice Guide states that “Locally listing a heritage asset does not bring additional consent requirements over and above those

required for planning permission. It can, however, help to influence planning decisions in a way that conserves and enhances local character. Under the NPPF the conservation and contribution of locally listed heritage assets will be a material consideration in planning decisions that directly affect them or their setting. Local heritage assets within conservation areas also benefit from the general control over demolition afforded by the Planning (Listed Buildings and Conservation Areas) Act 1990.”

- 3.8 Placing a building on the Local List places no statutory responsibility on the property owner, in terms of maintenance, repair or re-instatement of features.

War Memorials

- 3.9 Next year will be the centenary of the start of World War I and will focus public interest on the ‘War to end all wars’. It is a good opportunity for the Borough to assess, catalogue and where necessary protect its war related heritage. The Borough contains many War Memorials within its open spaces, public buildings, churches, schools and other buildings. They range in size from the magnificent Mercantile Marine Memorial at Tower Hill (Grade II listed) to the surviving street corner war memorial plaques which were once an evocative feature of the East End. Some of the memorials are very well known, others within private buildings are much less well known. Most were built to commemorate the fallen of World War I, many subsequently altered to incorporate inscriptions relating to World War II but there are monuments to other wars including that to the Falklands War at Tower Hill. There are also monuments to specific events such as that to The Last V2 Attack, the Bethnal Green Underground Station Disaster along with those to individual war heroes such as that to Private SF Godley VC at Godley VC House.
- 3.10 Several War Memorials within the Borough are protected by their statutorily listed status including that within the graveyard of St Anne’s Limehouse and the monument in Poplar Recreation Ground to the Children of North Street School killed when a bomb fell on the school in WWI. Freestanding memorials within Conservation Areas are also protected against demolition. Many significant memorials however have no statutory designation in the planning system and there is a risk they could be lost.
- 3.11 The list of War Memorials omits those fixed to listed buildings which are part of the listed fabric of the building concerned. These are not recommended for local listing as they are already afforded protection by virtue of the listed status of the host building.
- 3.12 It should be noted that local listing would, in the case of War Memorials fixed to buildings or other structures, apply only to the monument and not the host building. The aim being to ensure that, should the host building be demolished the plaque or monument would be accommodated within the new building or be moved to a replacement facility should that be considered a more suitable option.

The Existing Local List and the Need for Review

- 3.13 The Council's existing Local List is comprised largely of buildings which were considered for listing in 1973, when the Borough's Statutory List was prepared. This has been added to over the years but no comprehensive review has been undertaken since adoption and it contains a limited number of buildings which have been demolished or added to the statutory list. The existing Local List entries proposed for removal are set out in Appendix 2.

Consultation

- 3.14 In considering the inclusion of war memorials and the review of the existing local list a wide and inclusive consultation to gain the views of Tower Hamlets' many communities will be undertaken. This will include details of the consultation on the website and notices within East End Life. Care will also be taken to consult owners of those buildings and structures to be locally listed.

Next Steps

- 3.15 Pending approval at Cabinet on 6 November, the draft list of War Memorials and review of the existing local list would go out to public consultation for six weeks in December/January. Cabinet would be asked to approve the additions to the list in March 2014.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1. This report notes the intention to review the Local List of buildings considered to be of specific local interest with a view to adding or removing buildings as necessary. It also specifically requests approval for the addition of the War Memorials detailed in Appendix 1, and the removal of a limited number of buildings from the existing list which have either been demolished or added to the statutory list, detailed in Appendix 2.
- 4.2 There are no specific financial implications arising directly from this report. All officer time involved in reviewing and updating the Local List is being financed from within existing budgetary provision, as will be the costs of consultation.
- 4.3 Placing a building on the Local List does not place any statutory responsibility on the property owner in terms of maintenance, repair or reinstatement of features (paragraph 3.8). The listing does ensure however that the plaque or monument be accommodated or moved to a replacement location if redevelopment of the existing site takes place (paragraph 3.12). This will apply equally to monuments and memorials located on council owned sites or buildings and therefore plans for the retention of these memorials will need to be included within any future development proposals for these council sites.

5. LEGAL COMMENTS

- 5.1 The NPPF advises Local Authorities to set out a 'positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Local Heritage listing is one of the mechanisms to deliver this requirement.
- 5.2 This report seeks approval to consult on the addition of war memorials to the Council's Local List. Any changes and consultation on the Local List should be informed by the recent English Heritage Good Practice Guide for Local Heritage Listing and the report makes it clear that a full and inclusive consultation will be carried out. The report further notes that a review of the current Local List has been undertaken and this should follow the same process of consultation and approval.
- 5.3 The Local List forms informs the Council's Local Plan and its planning decision making, and to this extent it is considered appropriate to follow the same decision making process in respect of Supplementary Planning Documents, which is to seek approval from Cabinet for consultation and adoption.
- 5.4 Before approving the Local List, 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.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 In considering the review of the local list a wide and inclusive consultation to gain the views of Tower Hamlets' many communities will be undertaken. This will include details of the consultation on the website, notices within East End Life, the offer of a translation service, and the consultation of Tower Hamlets Equalities Forums. Care will also be taken to consult owners of those buildings and structures to be locally listed.
- 6.2 The consultation process will also allow residents to consider the War Memorials proposed for local listing and possibly identify other Memorials which are not presently known about. The process will seek the views of people from a wide range of groups.
- 6.3 Locally listed status is dependent upon the character of the historic environment rather than upon the communities that inhabit it. It is dependent upon whether the structure or building identified is locally distinctive and of special local townscape interest.
- 6.4 The Council's Conservation Strategy notes that Tower Hamlets' heritage is an irreplaceable legacy and that it is the foundation of Tower Hamlets' distinctive character. It makes a significant contribution to the Borough's sense of place and contributes to economic regeneration and sustainability, social inclusion and community development, recreation and quality of life. The overall aim of the Conservation Strategy is to protect and enhance

Tower Hamlets' heritage, and to ensure it can be appreciated and enjoyed by everyone, current and future generations.

- 6.5 The proposed review of the local list offers the potential to ensure the borough heritage is protected for all to enjoy, and would be in line with the aims of this Strategy.
- 6.6 Protecting and enhancing the borough's heritage contributes to building a sense of place and history which can be shared by the borough's diverse communities, therefore strengthening good relations between people from different backgrounds.
- 6.7 The review of the local list is consistent with the Council's Core Strategy which which was subject to a full Equalities Analysis.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The proposal to amend the Local List aligns with the Core Strategy Strategic Objective 22 that seeks to protect, celebrate and improve access to our historical and heritage assets by placing these at the heart of the Big Spatial Vision of 'reinventing the hamlets'. This is one of a number of objectives under the 'Designing a high quality city' chapter which together seek to improve the built and natural environment of the borough.
- 7.2 The Core Strategy Spatial Policies have been informed and shaped by a Sustainability Appraisal and Strategic Environmental Assessment.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The review of the Local List is included within the Planning & Building Control Service Plan. This sets out the work programme of the Planning & Building Control service and is subject to the Council's risk management procedures.

9. CRIME AND DISORDER REDUCTION IMPLICATION

- 9.1 The review of the Local List complements the Core Strategy Strategic Objective of 'Creating safe and attractive streets and places'.

10. EFFICIENCY STATEMENT

- 10.1 The review of the Local List will provide greater certainty for the local community, building owners and applicants for planning permission. It will contribute to the efficiency of the planning application process.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- 1. Draft List of War Memorials.
- 2. List of existing entries proposed to be removed.

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- Officer Contact: Andrew Hargreaves, Borough Conservation Officer
- Background Documents: None.

Officer contact details for documents:

- Not relevant.

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APPENDIX 1

1. World War I Memorial fixed to exterior of St Luke's Church, Havannah Street, Isle of Dogs, London E14 8NA



This monument survives from the former church which was destroyed in World War II. It is fixed to the exterior of the replacement church, facing on to Alpha Grove. The monument is comprised of a carved stone Calvary located above stone plaques which, on either side of a central inscription, record the names of forty military personnel who died in WWI.

The central inscription reads:

TO THE GLORY OF GOD

IN COMMEMORATION / OF THE READY AND NOBLE / RESPONSE MADE BY THE / MEN OF THIS PARISH TO / THEIR COUNTRY'S CALL

TO THE HONOURED MEMORY / OF ALL WHO DIED FOR / KING AND COUNTRY IN / THE GREAT WAR 1914 – 1919

WE DEDICATE THIS CROSS

2. Cubitt Town War World War I Memorial allocated within churchyard of Christ Church, Manchester Road, Isle of Dogs, London E14 3BN



The war memorial stands at the junction of Manchester Road and Glenaffric Avenue within the churchyard of Christ Church. It takes the form of a figure of Christ upon a timber cross which stands on a Portland stone plinth.

The plinth is inscribed with the almost one hundred names.

**3. World War I Plaque attached to the exterior of The Mission Building,
747 Commercial Road, London E14 7LE**



Stone plaque bearing the dates of the start and end of World War I. The dates are enclosed by a decorative wreath. The plaque is located above the main entrance to the building. (The building was designed by Thomas Brammall Daniel and Horace W Parnacott and dates from 1924).

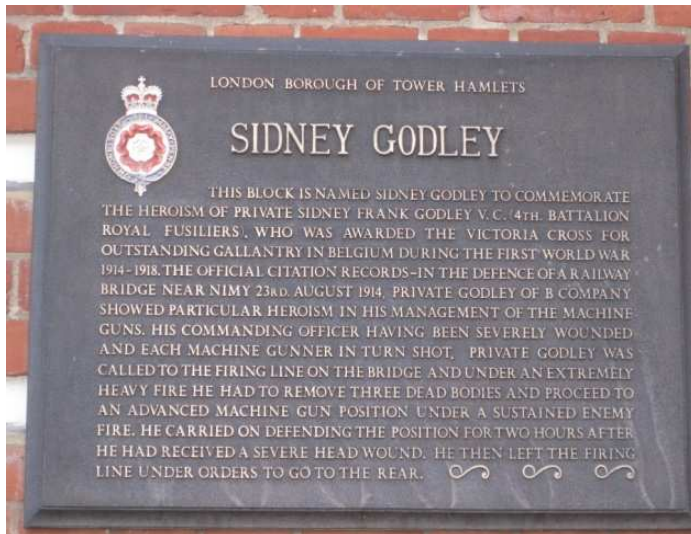
4. World War I Memorial located within Christ Church Gardens, Commercial Street, London E1



This distinctive World War I memorial comprises a stone cross situated on top of a cairn type structure. The cross is inscribed 'Greater Love Hath No Man Than This That A Man Lay Down His Life For His Friends'.

The names and ranks of eighty two military personnel lost in the war are marked in very small leaded letters upon individual stones forming the cairn. The name of the company who built the memorial is also recorded on the base as 'Haile & Son Ltd, Boston Rd NW'.

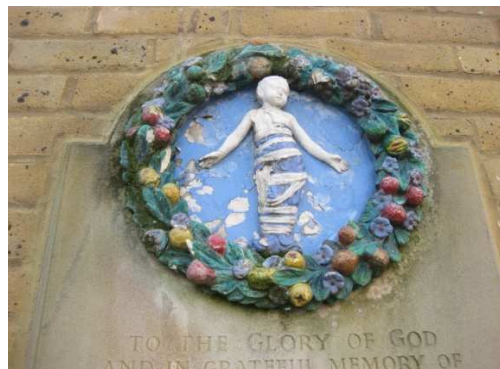
5. Sidney Frank Godley VC Memorial Plaque fixed to exterior of Godley VC House, Digby Street, London E2 0LP



In 1992 the Council renamed one of its housing blocks Godley VC House to commemorate the heroism of Sidney Frank Godley who was awarded the Victoria Cross for coolness and gallantry in management of the machine guns under heavy fire after he had been wounded in August 1914.

Sidney Godley subsequently worked for thirty years as a caretaker at Cranbrook School in Tower Hamlets.

6. Mace Street & Tagg Street WWI Memorial fixed to the wall (forming part of the boundary of Bonner Street Primary School) at junction of Bonner Street and Hartley Street, London E2 0NA



With its beautiful plaque and poignant inscription, this rare neighbourhood WWI war memorial is an evocative reminder of the extent of the sacrifice on two streets within Bethnal Green. The plaque was re-sited, close to its original position, following redevelopment.

The inscription above the names of twenty six reads:

TO THE GLORY OF GOD / AND IN GRATEFUL MEMORY OF / THE MEN
OF MACE ST AND TAGG ST. / WHO GAVE THEIR LIVES / IN THE GREAT
WAR 1914-1918 /

Below the names is the following inscription:

"LOVE SHALL TREAD OUT THE BALEFUL FIRES OF ANGER / AND IN ITS
ASHES PLANT THE TREE OF PEACE"

7. World War I Memorial cross located within the churchyard of St John on Bethnal Green, 200 Cambridge Heath Road, London E2 9PA



Located within the churchyard, close to the south west corner of the church, the memorial comprises a granite cross bearing a figure of Christ. The cross is located on a cairn type base. A stone forming part of the base is inscribed with the single word: 'REMEMBER'.

7. Memorial Plaque fixed above entrance steps to Bethnal Green Underground Station, southeast corner of Roman Road and Cambridge Heath Road E2



Bronze plaque bearing the following inscription below an enamelled coat of arms:

'SITE OF THE WORST CIVILIAN DISASTER / OF THE SECOND WORLD WAR

IN MEMORY OF / 173 MEN, WOMEN AND CHILDREN / WHO LOST THEIR LIVES ON THE / EVENING OF WEDNESDAY 3RD MARCH 1943 / DESCENDING THESE STEPS TO BETHNAL GREEN / UNDERGROUND AIR RAID SHELTER

NOT FORGOTTEN'

8. Merchant Navy Falklands War Memorial located within Trinity Square Gardens, Trinity Square, London EC3



Located within Trinity Square Gardens, the memorial comprises an anchor on a black marble base located on top of a Portland stone plinth. The marble base incorporates a design representing the points of the compass. The sculpture, dated 2005, is entitled 'Time & Distance' and was designed by Gordon W Newton.

A bronze plaque carries the following inscription:

'IN MEMORY / OF / THOSE MERCHANT SEAFARERS / WHO GAVE THEIR LIVES / TO SECURE THE FREEDOM / OF / THE FALKLAND ISLANDS / 1982'.

Two separate bronze plaques record the names of seventeen who died in the conflict along with names of ships – SS Atlantic Conveyor, RFA Sir Galahad, RFA Fort Grange and RFA Sir Tristram.

9. War Memorial located within All Saints Churchyard, Newby Place, London E14 0EY



Located within the churchyard, in front of the church, the memorial comprises a decorated Portland Stone cross on a tapering shaft. The shaft stands on an octagonal plinth.

The memorial which is inscribed 'TO OUR GLORIOUS DEAD, 1914 – 1918' was unveiled in 1922 by the Suffragan Bishop of Stepney.

10. WWII Memorial Plaque fixed to exterior of Poplar Fire Station, 161 East India Dock Road, London E14 0BP



The plaque fixed to the front façade of Poplar Fire Station was unveiled in 2011. It reads:

'In Memory of fifteen members / of the Auxiliary Fire Service / killed by enemy action / in World War II near this site / on the night of 9th/10th September 1940.' The names of the members of the Auxiliary Fire Service who died are listed.

11. World War I and World War II Staff Memorial located within ground floor entrance area of East London Mail Centre, 180 – 206 Whitechapel Road, London E1 1AA

Impressive World War I marble memorial plaque with shaped top element incorporating a decorative wreath inscribed 'PRO PATRIA'. The dates of WWI are also recorded.

The inscription on the main panel of the WWI memorial reads:

'IN MEMORY OF THE MEN OF THIS OFFICE WHO MADE / THE SUPREME SACRIFICE IN THE GREAT WAR'

Belowweighty five names are recorded in five columns.



The World War II memorial is located beneath the World War I memorial.

The inscription on the World War II Memorial Plaque reads as follows:

'IN MEMORIAM / 1939 – 1945 / THE MEN OF THIS OFFICE / WHO GAVE THEIR LIVES IN THE WORLD WAR'

Below, twenty four names are located in two columns.

12. World War I and II Memorial Plaque located within ground floor entrance area of East London Mail Centre, 180 – 206 Whitechapel Road, London E1 1AA



The memorial takes the form of a brass plaque bearing the following inscription:

'East London Mail Centre / War Memorial /

LEST WE FORGET

In grateful memory of our colleagues who gave / their lives for our liberty in
the two World Wars / and other conflicts before and since. /

WE SHALL REMEMBER THEM'

13. Stepney Parish WW I Memorial located within the churchyard of St Dunstan & All Saints Church, Stepney High Street, London E1



The memorial takes the form of a granite Celtic cross which is positioned on a masonry base.

Leaded letters on a the base of the cross read:

'IN / GRATEFUL MEMORY OF / THE MEN OF THIS CHURCH / AND
PARISH / WHO FELL IN THE GREAT WAR / 1914 – 1918/ AND WHOSE
NAMES ARE / RECORDED WITHIN THE CHURCH / RIP'

14. Shadwell Parish WWI Memorial located within churchyard of St Paul's Church, The Highway, Shadwell, London E1 9DH



The monument takes the form of a tall crucifix on a Portland stone base. The base is inscribed as follows:

**'A.M.D.G. / IN LOVING AND HONOURED MEMORY OF/ THE MEN OF
SHADWELL WHO GAVE THEIR LIVES/ FOR KING AND COUNTRY IN THE
WAR 1914-1918/ R.I.P.'**

15. Bethnal Green War Memorial located within Bethnal Green Gardens (adjacent to Bethnal Green Library), Cambridge Heath Road, London E2



The memorial takes the form of simple stone cross on a square plinth located on a base which incorporates a recessed planting bed. A plaque has been removed from the memorial.

16. Memorial Plaque fixed to exterior of Block L, Peabody Buildings, John Fisher Street, London E1 8HB



Black marble plaque fixed to the exterior of the ground floor of Block L, facing John Fisher Street. The plaque records the names and ages of 66 residents and 12 visitors killed by a WWII bomb.

The plaque includes the following inscription:

‘Erected / to the Memory of the Victims of the Air-Raid / on Peabody Estate Whitechapel on the 8th September 1940’

Below, sixty-six names of residents are in three columns and twelve names of visitors and their home addresses are in two columns.

17. 'Stairway to Heaven' Memorial commemorating Civilian Loss of Life at Bethnal Green Tube Station located within Bethnal Green Gardens, Cambridge Heath Road, London E2



The incomplete 'Stairway to Heaven' memorial is located close to an entrance to Bethnal Green Underground Station. The memorial commemorates the one hundred and seventy three men, women and children who died and those who were injured on 3rd March 1943 as they tried to enter the unfinished Bethnal Green Underground Station which was being used as an Air Raid Shelter.

18. World War II Memorial Plaque on 1st Floor of Tower Hamlets, Town Hall, Mulberry Place, 5 Clove Crescent London E14 2BG



Metal plaque inscribed 'In memory of Tower Hamlets Staff / who gave their lives on active service / during the Second World War 1939 – 1945'. The plaque also includes the Tower Hamlets coat of arms, armed forces insignia and the words 'We shall remember them' along with the names and ranks of ten military personnel.

This memorial replaces one in the former Bethnal Green Town Hall in Patriot Square.

19. World War I Memorial Plaque on exterior of St Barnabas Church (Bethnal Green), Grove Road, London E3 5TG



The memorial is located on the Roman Road facade of the church. It takes the form of a Portland Stone panel with a carving featuring St George and the slain dragon. The background is picked out in blue mosaic. Below the figure is the single word 'TRIBUTE'.

The inscription panel beneath bears the words: 'TO THE MEN / OF THIS PARISH WHO / GAVE THEIR LIVES / FOR FREEDOM / 1914 - 1919'

**20. Brass Plaque located within St Barnabas Church (Bethnal Green),
Grove Road, London E3 5TG**



Located inside the church, fixed to the south wall, the memorial comprises a brass plaque fixed to a timber base. The plaque is inscribed 'KILLED IN THE FIGHT FOR FREEDOM' along with 110 names.

21. Bell from H.M.S. Crane located within ground floor reception of Tower Hamlets Town Hall, Mulberry Place, 5 Clove Crescent London E14 2BG



H.M.S. Crane was a 1,490 ton frigate with a crew of 192 that was launched on 9 Nov 1942. It was adopted by the Bethnal Green Borough Council during War Week that year. After scrapping the ship in 1965, the Admiralty presented the bell to Tower Hamlets Council.

The bell was initially displayed in Bethnal Green Town Hall before being moved to a Committee Room in Mulberry Place. It is now displayed within the ground floor reception area of the Town Hall. The bell is positioned within a purpose-built cradle presented to the Borough by the H.M.S. Crane Association, in memory of all those who served on the ship.

22. Memorial to the World Wars located within Tower Hamlets Cemetery, Southern Grove, London E3



This large war memorial is close to the main entrance gate and replaces an earlier memorial which was located near the middle of the cemetery.

The memorial commemorates the fallen of both wars and records names and details of 279 men and women on sixteen panels.

The centrepiece includes a cross motif and the following inscription:

'1914-1918 1939 – 1945 / THOSE HONOURED HERE DIED / IN THE SERVICE OF THEIR COUNTRY / THEIR NAME LIVETH FOR EVERMORE'

23. World War II Memorial located within Hermitage Riverside Memorial Gardens, Wapping High Street, London E1



This sculpture is in memory of the East London civilians who were killed and injured in WWII. It also commemorates the suffering of those who lost relatives, friends and homes.

The sculpture was designed by Wendy Taylor. The symbol of the dove is intended to suggest hope. Its representation as an absence signifies the loved ones who were lost.

The following inscription is located on the Portland stone base: 'MEMORIAL TO THE CIVILIANS OF EAST LONDON / 2nd WORLD WAR 1939 – 45'

24. Memorials (several) located at HMS President London Division, 72 St Katherine's Way, Wapping E1 1UQ

The various memorials are detailed below:

(i) Defensively Equipped Merchant Ships Memorial



A bronze plaque with raised lettering incorporating a blue enamelled badge and blue enamelled letters reading 'D.E.M.S.'

The plaque reads:

'1939 1946 / H.M.S. President / and / H.M.S. Chrysanthemum / Thames Area / Headquarters

In honour / of personnel of the / Royal Navy / who sailed from this area in / defensively / equipped merchant / ships'

Below it is a brass plaque fixed to the wall giving details of the change of location of the memorial.

(ii) HMS Fittleton Memorial Window



HMS Fittleton was sunk in a collision with HMS Mermaid in 1976 whilst on manoeuvres in the North Sea. Twelve volunteer Royal Naval Reserve personnel lost their lives.

The window was moved from the former headquarters at Victoria Embankment. It portrays the ship along with a scroll bearing the date '20 September 1976' under which is recorded the names of the lost sailors.

(iii) HMS President: The London Division Memorial



Brass Plaque located at HMS President.

(iv) Group of War Memorials located in Memorial Corner within HMS President



London Troops Memorial (Memorial Corner: Top level, centre)

The memorial takes the form of a decorative plaque of bronze and copper. The centre panel bears a relief of the London Troops Memorial which stands in front of the Royal Exchange. There are two coats of arms in copper relief in the top corners.

The plaque bears the following inscription:

THE LONDON TROOPS MEMORIAL/ ERECTED IN FRONT OF THE/
ROYAL EXCHANGE/ ROYAL NAVAL VOLUNTEER RESERVE/ LONDON
DIVISION/ TO THE IMMORTAL HONOUR OF THE OFFICERS, NON-

COMMISSIONED OFFICERS AND MEN OF LONDON WHO SERVED THEIR KING AND EMPIRE IN THE GREAT WAR 1914-1919/ THIS MEMORIAL IS DEDICATED IN PROUD AND GRATEFUL RECOGNITION BY THE CITY AND COUNTY OF LONDON/ "THEIR NAME LIVETH FOR EVERMORE"/ (LISTS OF LONDON REGIMENTS AND BATTALIONS)/ UNVEILED ON NOV 12 1920 BY HRH THE DUKE OF YORK ... ON BEHALF OF THE DUKE OF CONNAUGHT/ RAISED BY PUBLIC SUBSCRIPTION AT THE MANSION HOUSE IN THE PEACE YEAR 1919

**Royal Naval Volunteer Reserve London Division WWI Roll of Honour
(Memorial Corner: Top level, left hand side)**



**Royal Naval Volunteer Reserve London Division WWII Roll of Honour
(Memorial Corner: Top level, right hand side)**



London Division RNVR War WWII Memorial – two bronze wall mounted plaques (Memorial Corner: Mid-level, below rolls of honour)



Royal Naval Volunteer Reserve London Division WWI Memorial (Memorial Corner: Lower Level)

Two substantial bronze tablets at base of wall which with lettering which reads: HONOUR AND REMEMBER THESE OFFICERS AND MEN OF THE LONDON DIVISION NAVAL VOLUNTEER RESERVE WHO GAVE THEIR LIVES 1914-1919) One tablet records 90 names and the other 98 names of the fallen.



25. Hackney Wick Great War Memorial, Victoria Park



The memorial takes the form of a stone obelisk on a square plinth which is positioned on a stepped base. It is located at the eastern end of Victoria Park.

The sides of the base are inscribed with names of the fallen.

26. World War I Memorial located on second floor of Gatehouse School, Sewardstone Road, London E2 9JG



This fine timber War Memorial with Gothic details was relocated from the nearby Church of St James the Less following the bombing of the church in World War II. The church community used the present school building as a temporary church until their church was rebuilt.

The memorial bears the dates of the start and end of WWI along with the words 'IN HONOURED MEMORY OF THOSE OF THIS CHURCH AND PARISH WHO FELL IN THE GREAT WAR / THEIR NAME LIVETH FOR EVERMORE'. Two hundred and ninety names are recorded.

27. Poplar Sorting Office World War I and II Memorial allocated within the Sorting Hall of the Docklands Delivery Office, 310 Burdett Road, London E14 7AE



The war memorial takes the form of a marble plaque.

The inscription reads:

'PRO PATRIA/ 1914-1919 /In Grateful Remembrance of/THE OFFICERS OF POPLAR S.O./ WHO MADE THE SUPREME SACRIFICE /IN THE GREAT WAR.'

15 names are listed below this inscription with 'Lest we forget' at the bottom.

An extension of the plaque records victims of WWII and reads:

'-Also- C.V. Bradford./G.H. Pusey./1939 — 1945.'

28. Liverpool and Martins Bank WWI Memorial allocated on Level 2 of Barclays PLC Headquarters, 1 Churchill Place, London E14 5HP



A decorated bronze plaque with the dates of the First World War and the bank's badge surrounded by a wreath at the top followed by the dedication and 126 names in three columns.

The memorial was previously located in Lombard Street within the City of London.

29. Martins Bank World War II memorial located on Level 2 of Barclays PLC Headquarters, 1 Churchill Place, London E14 5HP



A section of wall with an inscribed cross and inscription which was previously located at the City Office of Martins Bank which was located 68 Lombard Street, London EC3.

The tablet records the names of 24 staff members who died in WWII.

30. World War II memorial tablets located on Level 2 of Barclays PLC Headquarters, 1 Churchill Place, London E14 5HP

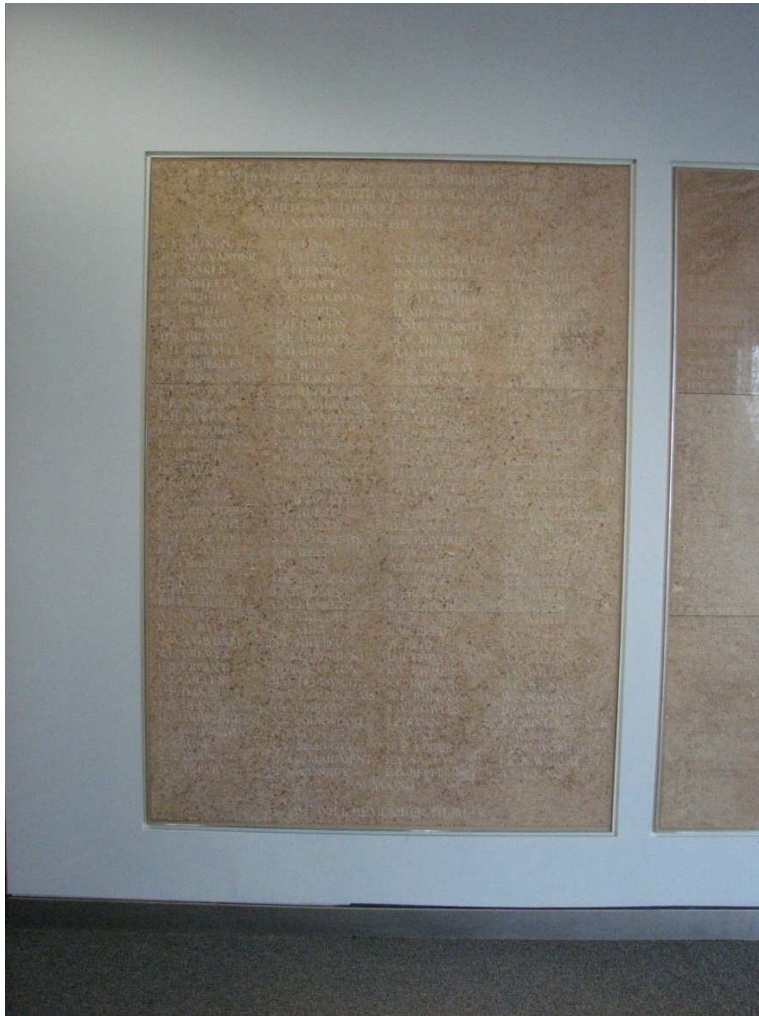


Two limestone polished tablets record the names of 428 who died in WWII.

Incised text at the top of each tablet reads:

'In honoured memory of the men of / Barclays Bank Limited / who gave their lives for King and / Country during the war 1939 – 1945'

31. London and South Western Bank World War I Memorial located on Level 2 of Barclays PLC Headquarters, 1 Churchill Place, London E14 5HP



The polished limestone panel records one hundred and sixty five names of those who died in World War I. 'In honoured memory of the members of London and South Western Bank Limited / who gave their lives for King and / Country during the war 1914-1919' is inscribed at the top of the panel.

This memorial replaces one which was previously located at 54 Lombard Street in the City of London.

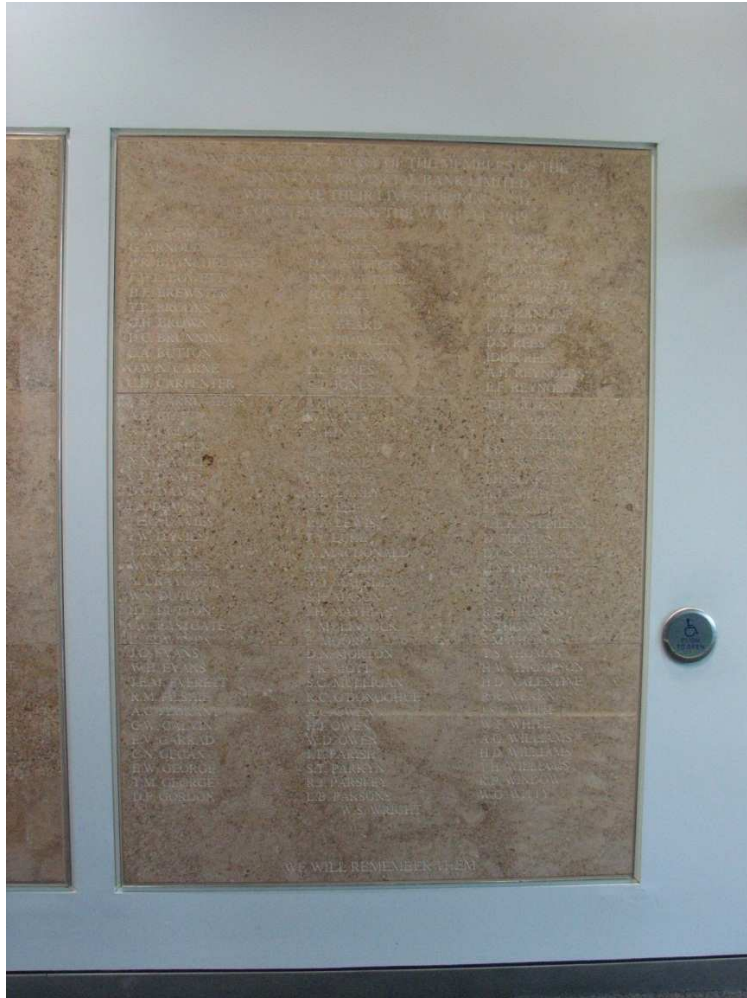
32. Barclays Bank World War I Memorial located on Level 2 of Barclays PLC Headquarters, 1 Churchill Place, London E14 5HP



The polished limestone panel records three hundred and sixty two names of those who died in WWI. Along the top is inscribed 'In honoured memory of the members of Barclays Bank Limited / who gave their lives for King and / Country during the war 1914-1919'. 'We will remember them' is inscribed along the lower edge.

This memorial replaces one which was previously located at 54 Lombard Street in the City of London.

33. London & Provincial Bank World War I Memorial, located on level 2 of Barclay's PLC Headquarters, 1 Churchill Place, London E14 5HP



The polished limestone panel records one hundred and eighteen names of those who died in WWI. At the top is inscribed 'In honoured memory of the members of the / London & Provincial Bank Limited / who gave their lives for King and / Country during the war 1914-1919'. 'We will remember them' is inscribed along the lower edge.

This memorial replaces one which was previously located at 54 Lombard Street in the City of London.

34. World War I Memorial to the Men of the North East Ward, Bromley Recreation Ground, St Leonard's Street, London E3



The memorial takes the form of a Stone obelisk.

The front of the memorial bears leaded letters reading 'LEST WE FORGET' within a carved wreath and lower down 'TO THE MEMORY OF THE MEN OF THE N.E. WARD OF THIS BOROUGH WHO FELL IN THE GREAT WAR 1914-1919' and, beneath, 'ERECTED BY A RESIDENT OF THE NEW ROAD'.

Leaded letters reading 'SACRIFICE' are located on the on north west face; 'HONOUR' on the south west face and 'DEVOTION' on south east face.

35. World War II memorial plaque located on the exterior of Old Palace Primary School, St Leonard's Street, London, E3 3BT



The memorial takes the form of a large blue glazed tile with white text set into the exterior white-tiled eastern wall of the school.

The plaque reads:

'In memory of the 13 London firemen / and women and 21 Beckenham / firemen killed on the night / of 19 April 1941 when a bomb / destroyed the old school being / used as a sub-fire station.

This is the largest single loss of Fire / Brigade personnel in English history.

Details of this tragic incident were recorded in / the wartime diaries of Mr W. Somerville, / an off duty member of the Homerton crew.

It is to him and the many thousands of men / and women that made up the A.F.S. & N.F.S / 1939 - 1945 that this plaque is also dedicated.'

36. World War II Memorial Plaque fixed to exterior of St Luke's C of E Primary School, Saunders Ness Road, London E14 3EB



The plaque, unveiled on 8th December 2008, and mounted on the outside wall to the right of the school entrance reads:

'In Memory of /Auxiliary Firewomen/ Joan Fanny Bartlett/and/Violet Irene Pengelly/ who died on this site as a result of enemy action on the night/ of 18th/19th September 1940 when the school then in use as sub fire station 35U received a direct hit from/ a high-explosive bomb.'

In memory also of 24 members of the ARP/Civil Defence Services/ who died with them.' Their names and roles are recorded in a list below.

37. Upper North Street School Children Plaque (World War I) located within Mayflower School, Upper North Street, London, E14 6DU



A brass plaque affixed to a wooden base on the wall in the main corridor at the ground floor that reads:

'IN MEMORY OF / EIGHTEEN LITTLE CHILDREN / KILLED IN THIS SCHOOL / - BY - / ENEMY AIRCRAFT / - ON - / WEDNESDAY 13TH JUNE 1917.'


This plaque was unveiled on 23rd June 1919 by Major General EB Ashmore.

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**Appendix 2 – List of Existing Entries Proposed to be Removed from Local List
(Where these have been added to the National Statutory List they can be
removed from the Local List)**

Address:	Reason:
14 Wilkes Street	Statutorily Listed at Grade II
234 Old Ford Road	Demolished 1980s
Marion Richardson Primary School, Commercial Road	Statutorily Listed at Grade II
1 Flamborough Street	Statutorily Listed at Grade II
157-159 Bow Road	Statutorily Listed at Grade II
97-99 Tredegar House, Bow Road	Statutorily Listed at Grade II
Bow Police Station, Bow Road	Statutorily Listed at Grade II
15 Cold Harbour	Statutorily Listed at Grade II
44—48 Commercial Street	Statutorily Listed at Grade II
40 Cyprus Street	Statutorily Listed at Grade II
46-48 Ashfield Street	Statutorily Listed at Grade II
Bromley Public Hall, Bow Road	Statutorily Listed at Grade II
St Mary and St Michael, Commercial Road	Statutorily Listed at Grade II

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<p>Cabinet Decision 6 November 2013</p>	 TOWER HAMLETS
<p>Report of: Stephen Halsey, Corporate Director, Communities, Localities & Culture</p>	<p>Classification: Unrestricted</p>
<p>Bartlett Park Improvement Plan</p>	

Lead Member	Cllr Rania Khan, Cabinet Member for Culture
Originating Officer	Edmund Wildish, Senior Strategy, Policy and Performance Officer
Wards affected	Limehouse and East India & Lansbury
Community Plan Theme	A Great Place To Live
Key Decision?	Yes

Executive Summary

Bartlett Park is a key piece of large open space in Poplar, spanning both Limehouse and East India & Lansbury wards. Whilst the park is well used for football league games it does not cater for other types of users due to a combination of lack of facilities, fractured layout and poor accessibility.

The Bartlett Park Landscape Improvement Plan proposes a number of interventions and improvement works (to be delivered in a phased approach) in and around the park to improve the facilities and the quality, accessibility and connectivity of the park. The comprehensive enhancements proposed for the park – including a new children’s play area, improved sports facilities, and other recreation areas – will provide a high quality open space which will cater to additional sections of the community. This will support and complement the regeneration taking place in the surrounding area.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the Bartlett Park Landscape Improvement Plan derived from the public consultation process
2. Adopt a capital estimate of £3.71m for Phase 1 works

1. REASONS FOR THE DECISIONS

- 1.1 Bartlett Park is the single largest piece of green open space within the local area, serving many residents in the Limehouse and East India & Lansbury wards. Recently there have been numerous large scale new housing developments around the locality (including the New Festival Quarter), increasing the population density and therefore the pressure on open space. It is therefore considered crucial that facilities be upgraded to support a more intensive use.
- 1.2 The drive for improving Bartlett Park also derives from the Council's Local Development Framework (LDF). The LDF seeks to improve the quality, usability, and accessibility of existing publicly accessible open spaces across the borough. The evidence base for the LDF was informed by a qualitative and quantitative assessment of all open spaces in the borough; this assessment rated Bartlett Park as a 'poor' quality open space and identified it as a priority for improvement.
- 1.3 The Landscape Improvement Plan takes a phased approach to Park improvement to enable staged improvements to the Park to be made as funding comes on line, rather than be delayed whilst funds for the entire project are accumulated.

2. ALTERNATIVE OPTIONS

- 2.1 Undertake no improvements to Bartlett Park. Rejecting the Improving Plan and capital estimate will undermine Council policy (through the Local Development Framework) in improving local open spaces. There are a number of housing developments taking place in and around Bartlett Park; this will bring a growing local community for whom the current provision will not be suitable or adequate. In the consultation that has taken place residents have already raised their concerns about the lack of family provision and the desire to see a park which caters for all communities and compliments the regeneration taking place in and around the area. On these bases this course of action is not recommended.
- 2.2 Approve the Improvement Plan in moderated form, with fewer elements. The Plan has been developed via consultation with residents and park users, and is designed to encourage as many different parts of the community as possible to use the park. If any element is removed it will risk alienating a section of potential park users and therefore may not meet the diverse needs of a growing local population. This course of action is not recommended.

3. DETAILS OF REPORT

Developing the Landscape Improvement Plan

- 3.1 Officers commissioned Ringway Jacobs to develop a Landscape Improvement Plan for Bartlett Park. The process has been managed by a Steering Group, with membership across services in Communities, Localities & Culture (Parks, Transportation & Highways, and Sports & Physical Activity), Development & Renewal (Housing & Regeneration and Major Projects) and also by the Friends of Bartlett Park.
- 3.2 The Steering Group oversaw the development of a Highways Feasibility Study examining potential highways improvements, and, following engagement with the Mayor proceeded to produce a draft plan for public consultation.
- 3.3 The consultation activity was carried out by officers in the summer of 2012, during which residents, park users, community groups and local organisations were given the opportunity to view the draft plans and provide feedback. Officers sought the views and suggestions of Ward Members and the Mayor's Office in terms of individuals and groups to consult with.
- 3.4 A number of activities and events were held throughout the consultation period:
- Administering a questionnaire survey online and in hard copy
 - Three drop in sessions at Idea Store Chrisp Street.
 - Exhibitions in Bartlett Park over two weekends
 - Workshops for community groups and local organisations to meet and discuss proposals
 - Presentations to residents associations
 - Separate drop-in sessions for Members

Following the consultation period, which included input from ward Members and executive Lead Members, the draft plan was finalised.

- 3.5 The key themes to emerge from the consultation were that:
- Residents wanted to
 - see improvements made to reduce ASB
 - restrict or manage access for dogs
 - improve access to the park
 - There was a strong demand to provide areas to relax and engage in quiet activities like reading
 - There was a strong demand to retain both football pitches

Full details can be found in the Consultation Summary Report in Appendix 1.

- 3.6 Some suggestions were raised during consultation that were not incorporated into the final Improvement Plan, notably:

- *Floodlights*. Due to the high revenue costs of maintaining floodlights, and advice from the contractor that however positioned, they would interfere with some residents' properties, floodlights therefore were not included.
- *Public toilets*. Due to concerns about vandalism and ASB, and maintenance and upkeep, public toilets have not been included. However, as part of phase 2 improvements to the changing rooms every effort will be made to explore the possibility of opening up such facilities for public use.
- *Tennis courts*. Given the space already provided in the park for sporting activity, the strong demand for open space to relax and engage in quiet activities, and advice that a minimum of four courts would be required to facility community and school use, tennis courts were not included.

Detailed proposals

3.7 The proposals within the final plan consist of:

- a) Realigning and re-landscaping a section of Upper North Street, including installing traffic calming measures to improve general safety, accessibility and connectivity between the main park and the adventure playground.
- b) Relocating the existing football pitches in order to free up areas within the park for other facilities
- c) Providing purpose built changing rooms.
- d) Closing Cottall St to vehicular traffic and extending the park northwards and improve connectivity with Limehouse Cut canal and create a waterside area.
- e) Replacing existing fencing around the perimeter of the park with a mixed boundary consisting of unobtrusive walls and fencing.
- f) Creating a new 'celebratory' entrance at the south east corner of the park with additional secondary entrances.
- g) Creating new footways and cycle paths within the park.
- h) Creating a new play area for young children at the northern section of the park.
- i) Re-landscaping the park with new seating, tree and shrubbery planting.
- j) Creating a fenced-in 'dog-walking' area within the park
- k) Providing an outdoor exercise area with gym equipment.

For details of the plan, please see Appendix 2.

Funding and capital estimate for Phase 1 works

3.8 The funding for Phase 1 has been identified and secured through the Council's Planning Contributions Overview Panel (PCOP) with additional funding for the highways work secured from the Local Implementation Plan. This equates to £3.71m for the works that will be delivered in Phase 1. Delivery of the rest of the works will take place in Phases 2 and 3, once future S106 and Community Infrastructure Levy (CIL) contributions have been

identified and secured.

- 3.9 Ringway Jacobs have provided initial outline estimates of costs for all elements within the plan. On the basis of these estimates and taking into consideration what will have the biggest impact for all residents and park users, the following elements are to be delivered in Phase 1: (a) highways improvements, (b) relocation of the football pitches, (g) new footways and cycle paths, (h) new play area, (j) dog-walking area, and (k) the outdoor gym.
- 3.10 The capital estimate for the works is £3,710,888 of which £3,360,888 has been secured from s106 funding and a further £350,000 from LIP funding (Cabinet has already approved a capital estimate for all LIP funding). All Phase 1 works are anticipated to commence in January 2014 and to be completed by early 2015.
- 3.11 Whilst (d) improving connectivity with the canal, (e) boundary replacements, (f) celebratory entrance and (i) re-landscaping the park are scheduled for Phase 2 it may be possible to bring one or more of these elements in to Phase 1 depending on the results of market testing at the start of the procurement process. The remainder of elements (d), (e), (f) and (i), together with (b) the changing room will be delivered as part of Phases 2 and 3, when further funding has been identified and secured.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report sets out the Landscape Improvement Plan for Bartlett Park. The detailed proposals within the final plan are outlined in Paragraph 3.7. The report further sets out that the plan will need to be implemented in a phased approach, as funding becomes available. Once future S106 and Community Infrastructure Levy (CIL) contributions are identified and secured, the other Phases will then be delivered.
- 4.2 The estimate for the Phase One element of works detailed in Paragraph 3.10 is £3,710,888. Funding has been secured to match the cost, of £3,360,888 from s106 resources and £350,000 from the TfL LIP which has already been approved within the capital programme. A capital estimate will need to be approved for £3,360,888 to deliver Phase One which is due to commence in January 2014.
- 4.3 The outline procurement route for implementing the Improvement Plan proposes a two stage, 'design and build' procurement process as the most cost effective. Although the project cost is over £1m, this will be wholly funded by S106 contributions, secured via appropriate planning agreements and other external funding (TfL grant funding).
- 4.4 The S106 funding has been agreed based on contributions fully received of £530,883; fully triggered of £487,547 and part triggered of £1,693,950. The remaining contribution of £648,507 from the Cottal Street development is in

negotiations. Approval of the project by Cabinet will be subject to all funds being in place at the start of the scheme.

- 4.5 Revenue implications arising from the new elements, to be delivered in Phase One will need to be contained within existing budgets,

5. LEGAL COMMENTS

- 5.1 The report details the consultation work which has been done in formulating the proposals for the improvement works. This is consistent with section 3(2) of the Local Government Act 1999 which requires Councils to consult where there are to be changes to services. Once the improvement works are agreed a procurement plan will be presented to ensure suitable contracts are in place to undertake the work. These contracts cannot be entered into until sufficient resources have been identified to meet the contract sums.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. An Equality Analysis found that the Improvement Plan will have positive impacts in relation to seven target groups (race, disability, gender, gender reassignment, sexual orientation, age, and pregnancy and maternity), with the remaining groups neither positively or adversely affected.
- 6.2. Developing Bartlett Park's facilities so they cater to a wider range of users than at present will help bring different parts of the community together into the park, thus contributing towards One Tower Hamlets.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The Improvement Plan proposes a range of greening activities within Bartlett Park, whilst retaining existing green space and trees within the park. This includes the planting of new trees, creation of a habitat enhancement corridor, and development of a flower garden.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. Intensification of uses within the park are likely to result in some conflict between different types of park users and the activities they wish to undertake and between park users and those living adjacent and within the park (Bartlett Close).
- 8.2. A concern amongst a few residents living within Bartlett Close is the on-going issue of footballs being kicked into gardens. For this reason the relocation of football pitches has been carefully considered to minimise this risk. In addition removable fencing and/or netting is also being proposed to further mitigate the issue.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 The plan has been developed with careful attention paid to designing out crime. For example, the changing room is at the side of the park rather than in the middle, and the entrance will be visible from different locations, discouraging ASB.
- 9.2 The functional relationship between the different elements of the park and between the park and surrounding environment has also been carefully considered and informed by the consultation, for example ensuring that lighting, boundary treatments and seating areas reduce the possibility of ASB or other problem behaviours highlighted by local residents.

10. EFFICIENCY STATEMENT

Delivery of the works

- 10.1 The cost of Phase 1 works is below the EU Threshold (£4.3m for construction), so procurement will be undertaken via the Council's Level Four Quotations process – suppliers will be selected from a standing list of approved companies.
- 10.2 Although the Council has existing Highways and Maintenance Term Contracts, Procurement has advised that the Council will not get value for money if it contracts out delivery of different elements of the Improvement Plan to different suppliers.
- 10.3 Procurement has advised that the most efficient, risk-free and cost effective route for implementing the Improvement Plan will be a two stage, 'design and build' procurement process. In this process the Council will tender to a single supplier to coordinate all works. The procurement policy will be followed to ensure that local providers are considered as part of the tendering process.
- 10.4 Officers will begin the procurement process as soon as Cabinet approves the Improvement Plan and capital estimate for Phase 1. It is anticipated that through the design and build process a supplier will be appointed by January 2014.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1: Consultation Summary Report
- Appendix 2: Improvement Plan

- Appendix 3: Equalities Analysis
- Appendix 4: Equalities Assurance Checklist

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

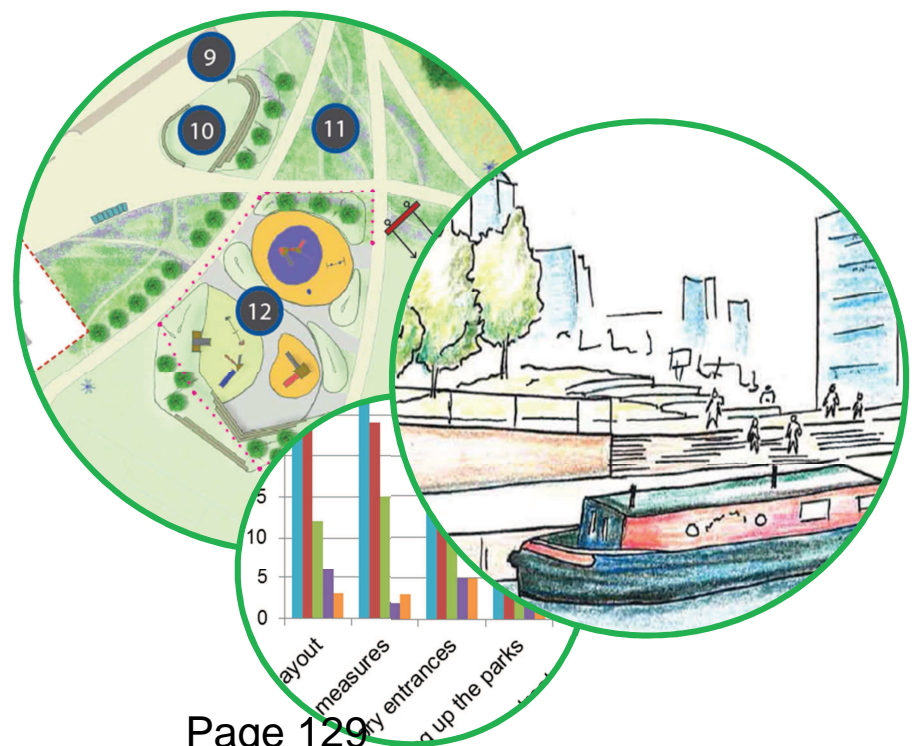
- NONE

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Consultation Summary Report

Bartlett Park Landscape Masterplan





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Introduction

Tower Hamlets Council is currently preparing a Masterplan to improve Bartlett Park in Poplar. The draft version of the plan suggests a number of small and large improvements to many elements of the park as well as to the road network bordering the park.

To help us understand what park users, local residents and local organisations would like to see in the park, we carried out a six week consultation to gather feedback.

The consultation ran from 21st May to 1st July 2012 and was carried out by Council officers from the Strategy & Resources team in the Communities, Localities & Culture Directorate (which includes the Parks & Open Spaces team). The intention was to gather feedback on what people liked, what they didn't like, and to ask for suggestions on anything else that might have been missed.

Throughout the six weeks of consultation officers put on a range of activities and events to gather feedback, including:

- Administering a questionnaire survey (online and hard copies);
- Holding a number of drop in sessions at Chrisp Street Idea Store where people could drop by without appointment;
- Holding weekend exhibitions at Bartlett Park for park users and residents
- Arranging a stakeholder workshop for key local organisations to meet and discuss the plans.

A summary of the findings of the events and activities that were carried out is presented in this report. The report is presented in three parts:

- The first section provides the context to the Masterplan, setting out why we consulted, who we consulted with and how the consultation will help us in preparing the final Masterplan;
- The second section presents findings from the consultation, including an analysis of the questionnaire survey and summaries of the discussions we had at the drops in sessions at the Idea Store and Bartlett Park and from the stakeholder workshop we arranged;
- The third section sets out what we will do next and provides a simple timeline for the preparation of the Masterplan.

Context

What did we consult on?

The draft Masterplan identified a range of proposals such as the closure of Cottall Street, the extension of the park to the canal, removal of fencing and realignment of the road network. The questionnaire survey asked for broad feedback and also specific comments on some of these individual proposals. In our discussions with people we encouraged people to comment on any aspect of the park they felt was important.

Whilst the draft Masterplan showed the footprint of the proposed development by Poplar HARCA and East Thames Housing at Stainsby Road and Cottall Street, we did not seek any comments, nor included any in this report, on any aspect of these developments as they are not part of the Council's Masterplan. Poplar HARCA are one of many consultees on the Masterplan and the footprint was included because we wanted to show residents and local groups that the plans were being drawn up with recognition of potential local developments. Poplar HARCA will be holding a separate consultation exercise on their proposals.

How did we publicise the consultation?

We wanted to talk to as many people as possible to get a clear picture of local aspirations for the park. Therefore we worked in partnership with Poplar HARCA, who used their knowledge of the area, contacts and facilities to ensure the message was publicised as much as possible.

Officers worked with limited resources and used a range of methods, including some which were suggested by local people, to publicise the consultation.

- Two articles were published in East End Life, one at the beginning of the consultation and the other as a reminder towards the end.
- East London Advertiser were persuaded to run two additional brief articles
- Electronic slides were placed on the TV screen at Idea Store Chrisp Street for the entire duration of the consultation, advertising the questionnaire and drop-in sessions
- Poplar HARCA undertook a leaflet drop to their properties around the park.
- Leaflets were also available at Poplar HARCA's housing offices
- The consultation was advertised on Tower Hamlets Council's website – on the front page, the 'consultation' page, and the Parks homepage.
- Posters were put up around Bartlett Park, and in local shops and cafes
- Local organisations and other interested parties were contacted directly

What activities took place?

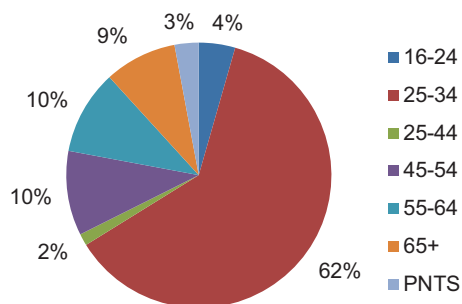
To try and engage with as many groups of people as possible, we held a number of activities and events throughout the six weeks of consultation.

- A questionnaire survey was administered. The survey was available online or as a hard copy.
- Three drop in sessions were held at Idea Store Crisp Street, on three separate days and at different times of the day.
- Two exhibitions were held in Bartlett Park over two different weekends to specifically target those people that use the park. Initially only one session was proposed, but due to the interest and the numbers of people who attended, a second session was organised.
- A workshop was held which provided local organisations and other interested parties (such as the Canal and River Trust) to meet and discuss the plans
- The plans were presented to two residents associations: Lansbury West and Lansbury South
- A separate drop-in session was held for Members

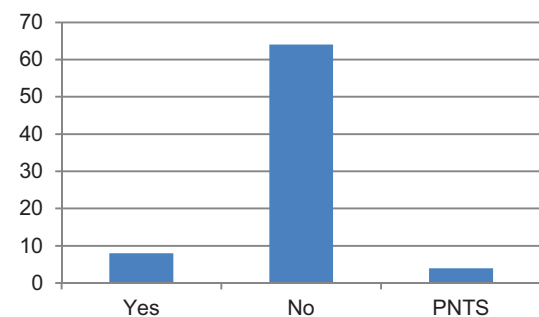
Who did we speak to?

The graphs and charts below provide a snapshot of the residents and park users who took part in the questionnaire survey. The results do not include those people we spoke with at various drop in sessions who chose not to complete the questionnaire.

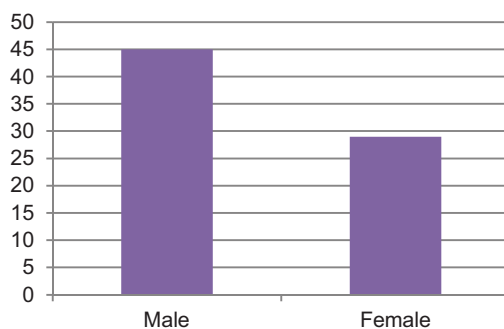
Age groups



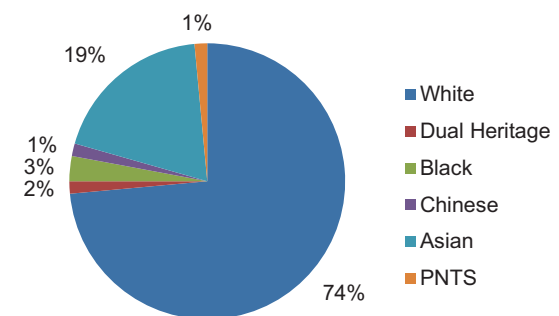
Disability



Gender



Ethnic origin



*PNTS: Prefer not to say

Whilst we have spoken to a large number of residents and park users, below we have only provided a list of the voluntary and non-voluntary organisations that we have engaged with.

Colmans Wharf TA
Abbots Wharf TA
Poplar HARCA
Bromley By Bow Football Club
East Thames Housing
Lansbury South TA
Lansbury West TA
Bangladesh Football Association UK
Silver Gardeners
Friends of Bartlett Park
Canal & River Trust
Lansbury Gardeners
Greater London Authority
Play Association of Tower Hamlets

How will the consultation help us?

The purpose of the consultation is to help officers to understand the views and preferences of local residents and park users. This will help us to decide what parts of the Masterplan are taken forward to the final stages, what is left behind, and what needs to be adapted.

Whilst the findings of the consultation are a key element in helping us to determine which parts of the Masterplan we take forward, it is important to remember that the decision to take something forward or discard it will need to include a number of other factors including costs.

Consultation and engagement findings

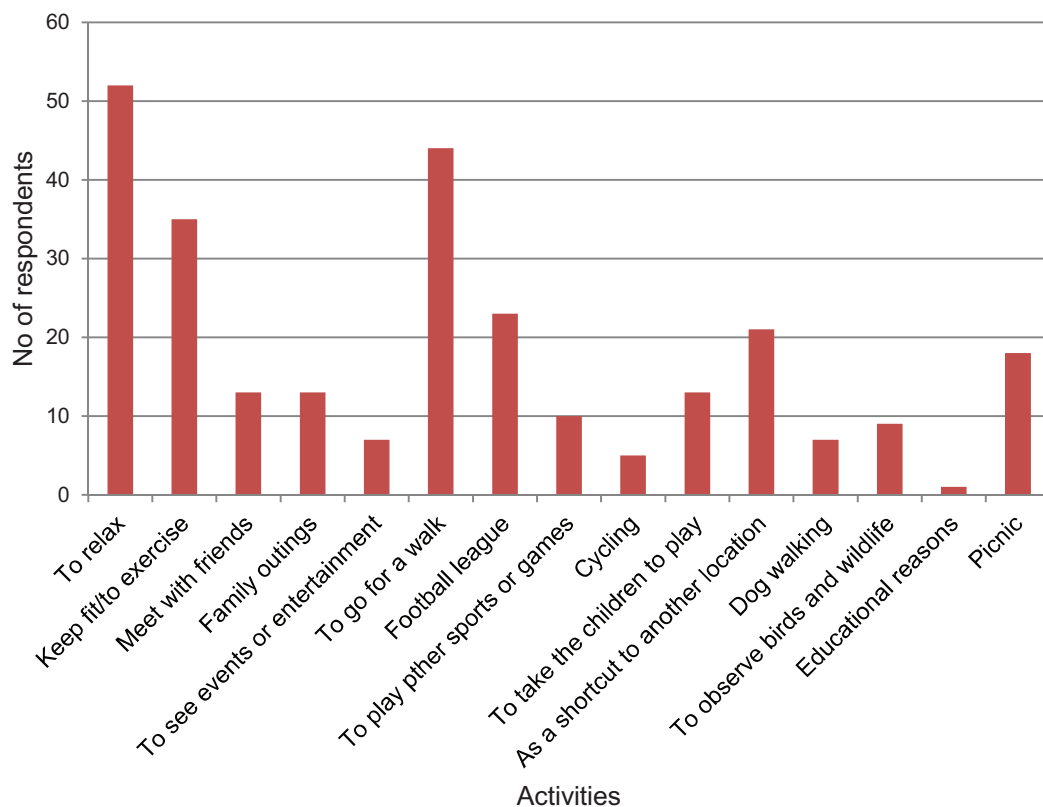
Questionnaire Survey

The Council has a responsibility to ensure that the borough’s parks and open spaces are utilised as much as possible, and cater to everyone’s needs. The survey was intended to help us understand why people visited the park, as well as what was holding them back from using it.

Most importantly, the survey provided us with specific feedback on the draft proposals that we presented in the Masterplan. Some questions were included so as to obtain feedback on certain, more sensitive proposals, such as whether we should fence children’s play areas or not.

In total, 84 people completed the questionnaire. We do understand that the number of people who completed the questionnaire are relatively low and are therefore not completely representative. Nevertheless, when considered together with direct feedback we received from the drop-in sessions and exhibitions, the responses do give us some indication on which proposals people like and which they don’t.

Question 1: Why do you visit or use Bartlett Park?

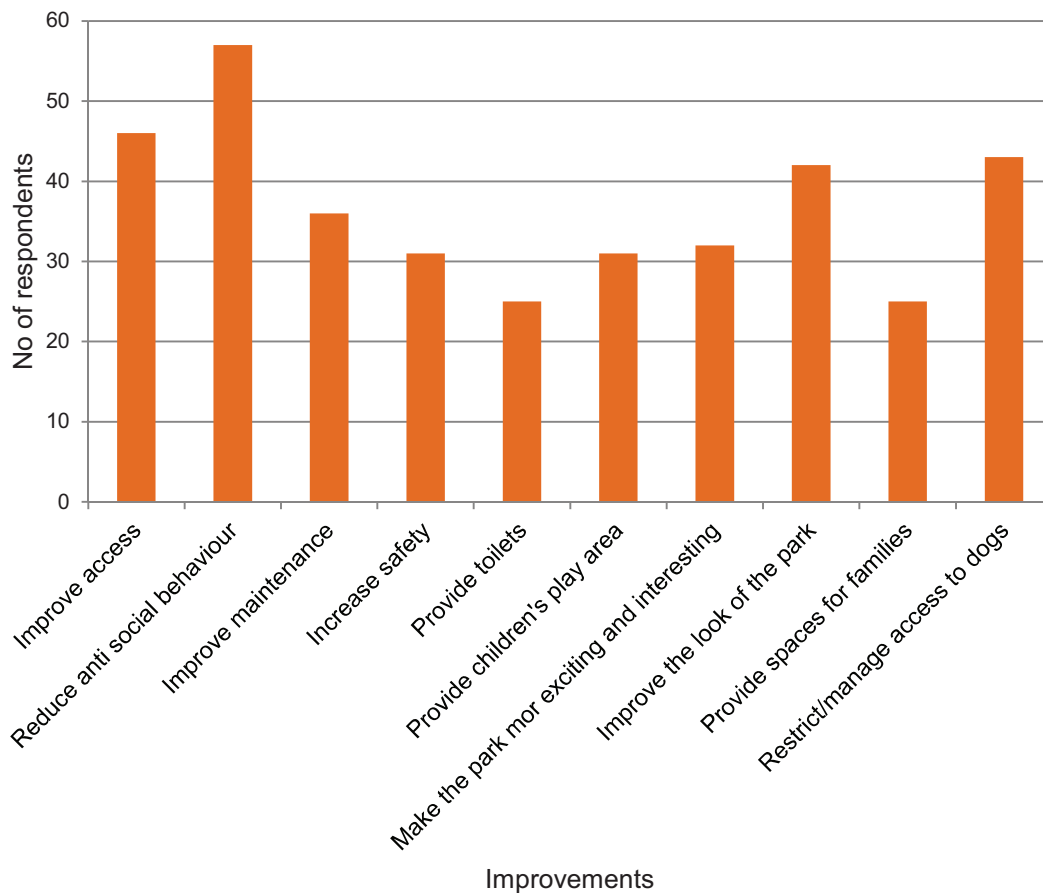


This question was asked to help us understand why people visit or use Bartlett Park. The responses we have received will ensure we not only provide suitable facilities within the park but also design the park in a way which will allow existing users to continue doing popular activities whilst encouraging new activities and new people into the park.

As the chart shows, from the responses received, a large number of people who use the park use it to either relax, go for a walk or to keep fit/to exercise.

Usage of the park for family and friends orientated activities is low, with only a small number of people saying they use or visit the park for family outings, taking the children to play or meeting with friends or to play other sports or games.

Question 2: What improvements can we make to Bartlett Park that would make you visit or use it more often or increase your enjoyment of it?

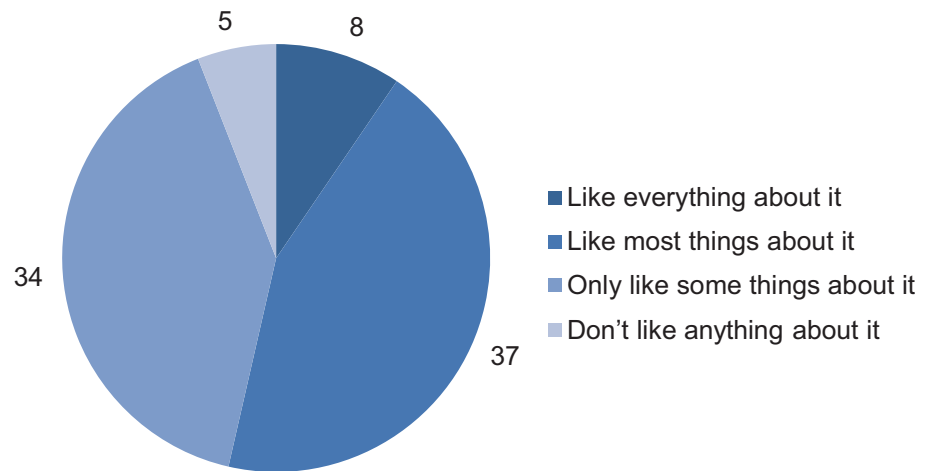


This question was asked to help us understand what improvements people would like to see implemented in the park that would encourage them and other people to visit or use the park.

The question listed a number of improvements that could be made to the park as part of the Masterplan.

The responses we received indicates there is a there is a strong desire to carry out a wide range of improvements to the park, including providing spaces for families, improving the look of the park and providing children’s play areas. However, the main priorities are the need to reduce anti-social behaviour, improve access to the park and restrict/manage access to dogs.

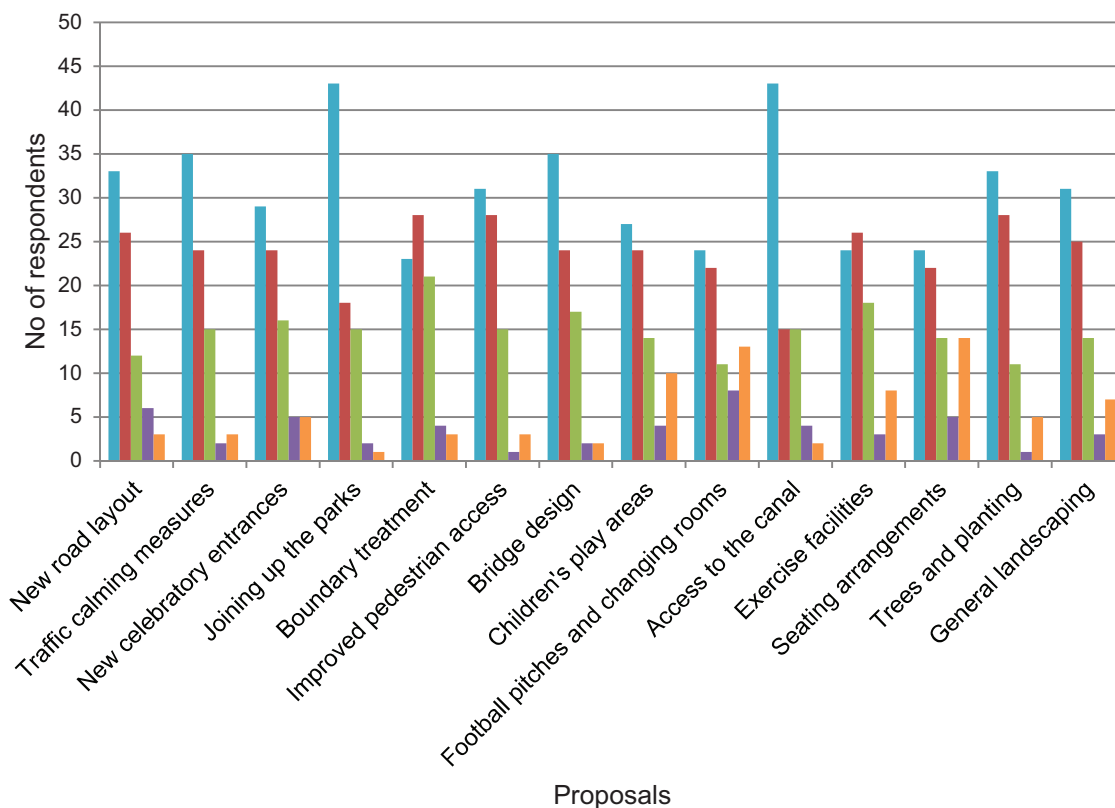
Question 3: What are your overall impressions of the proposed plans?



This question was asked to gauge what people's overall impression were of the draft masterplan.

As the chart shows, the majority of people, 71 out of 84 (85%), liked most or some things about the plans. A very small number of people, 5 out of 84 (6%), did not like anything about them, and a small number, 8 out of 84 (9%) liked everything about them.

Question 4: Can you tell us how much you like each of the proposals?



■ Like it a lot ■ Like it a little ■ Neither like it nor dislike it ■ Dislike it a little ■ Dislike it a lot

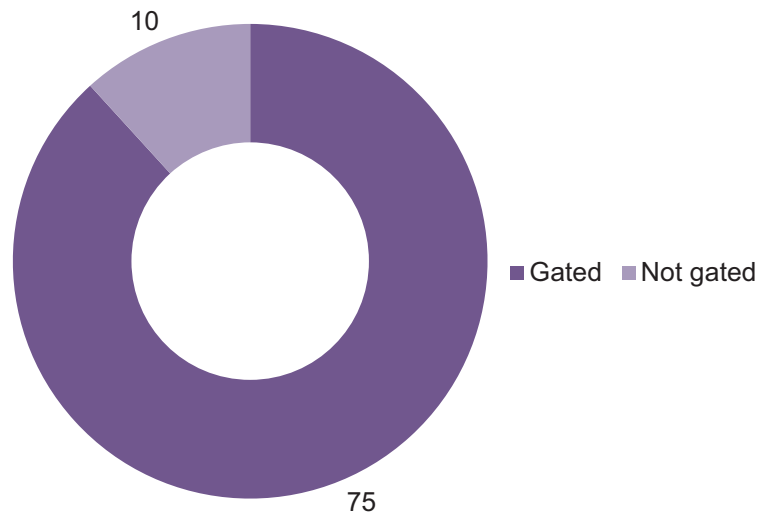
This question was asked to gather specific feedback on the individual proposals presented in the Masterplan.

As the responses show, nearly all of the proposals were very well received by the people who took part in the survey, with the majority of people saying they liked them either a lot or a little.

Across almost all the proposals, only a small number had a significant proportion (more than 10%) of responses that disliked them a little or a lot. The most prominent of these were the football pitches and changing rooms, and the seating arrangement. Even in these cases, it is worth noting that an overall majority still liked both proposals a lot or a little.

The proposals that people seem to like the most are the traffic calming measures, joining up the parks, the bridge design and improving access to the canal.

Question 5: Do you prefer younger children's (0-5 years) play spaces to be gated or not gated?

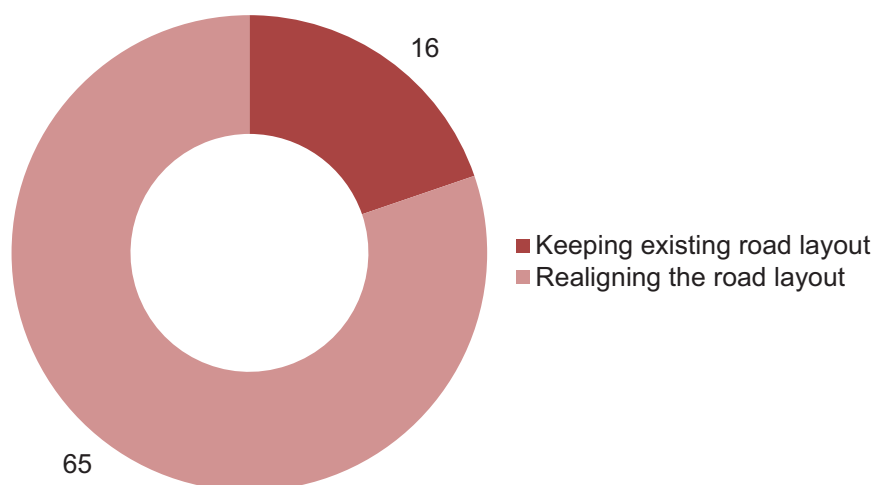


Delivering high quality and safe children's play spaces is crucial to ensure the spaces we provide are well used and encourage more children and families to use the spaces.

Whilst there are numerous arguments for and against keeping play spaces gated from a design, safety and usability point of view, the question was asked to specifically to help us understand what the people who will use the park prefer.

As the chart shows, the overwhelming majority of people who responded, 75 out of 85 (88%), prefer children's play spaces to be gated.

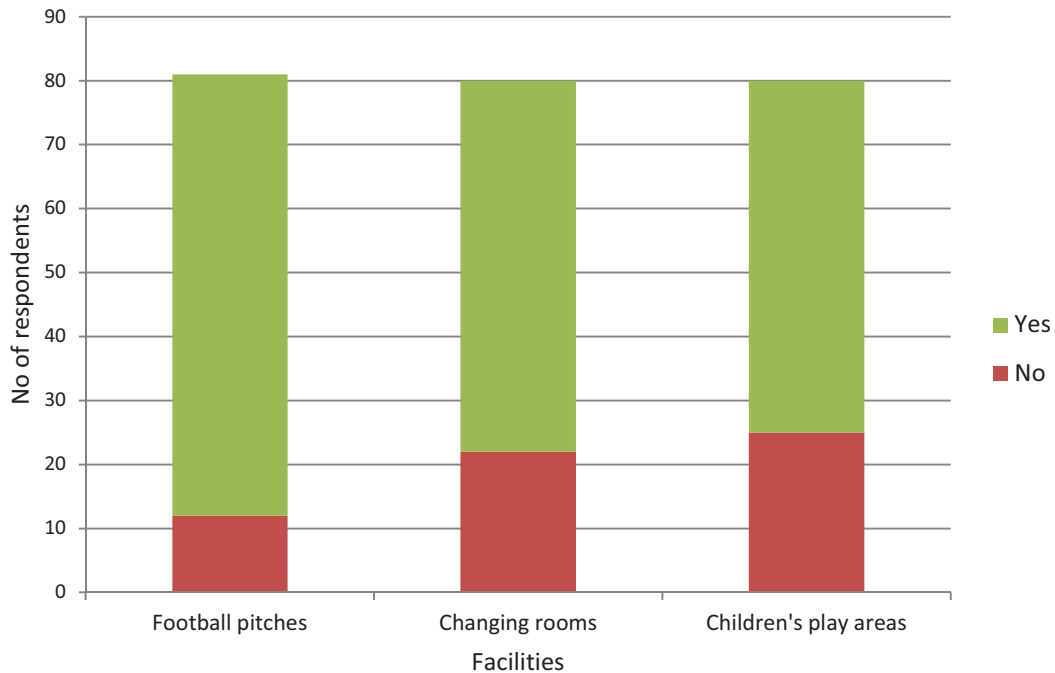
Question 6: Which option do you prefer for integrating the space on which the adventure playground is currently situated into the main body of the park?



As one of the key major proposals put forward in the Masterplan, it was crucial to ensure we understand which option people preferred.

As highlighted by the chart, a clear majority of people who responded, 65 out of 85 (76%), prefer the option of realigning the road network and physically incorporating parcel of land on which the adventure playground is located in to the park.

Question 7: Do you agree that the following facilities have been located in the right place?



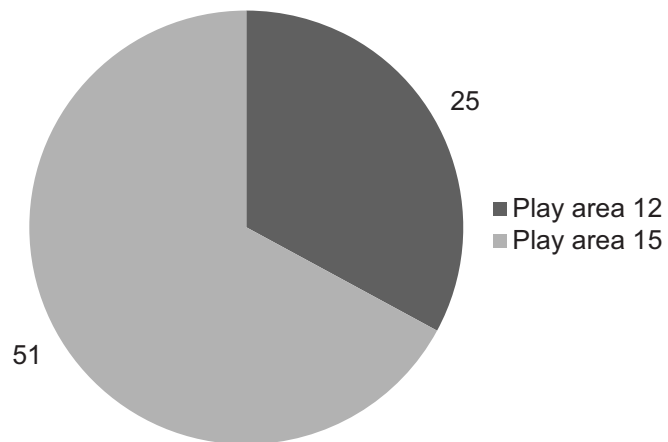
Ensuring facilities are located in the right places is important to make sure everyone can enjoy the park without disturbing others too much.

The question was asked to gauge people’s opinion as to whether the three main facilities in the park, the football pitches, changing rooms and children’s play areas, were located in the right places.

As the chart shows, an overwhelming majority of people agreed that all three facilities were located in the right places.

We also received a number of comments suggesting a third option for children’s play areas, which is to keep the adventure playground where it is and to locate the younger children’s play area next to the adventure playground. This is a viable option and one which will be considered.

Question 8: In which play area would you prefer to see the adventure playground relocated?



The questions was asked to help identify which of the two potential play areas identified in the Masterplan people would prefer to see the existing adventure playground relocated to.

As the chart shows, majority of people would prefer the adventure playground relocated to play area at the north/south of the park.

As with Question 7, a number of people commented that the adventure playground should remain where it is. This is a viable option and will be considered.

Feedback from discussions

The majority of feedback that was received at the drop in sessions and exhibitions was positive, with people having a favourable opinion on the initial proposals in the draft Masterplan. There were some concerns, including from local residents on implications of some parts of the Masterplan. However, the clear message we received from a large number of residents and park users was that the park definitely needs improvement works and new facilities to encourage more people to visit and use the park for different activities.

We have provided below a summary of the main comments, ideas and concerns put forward during the discussions. What is apparent is that it will be a difficult balancing act to keep all groups and people happy. Often, the preferences of one group were in direct contradiction to the preferences of other individuals.

Concrete seating

We received a number of mixed messages regarding the concrete seating that was proposed around the football pitches for spectators. The majority of the people we spoke to liked the idea of the concrete seating, saying it was tiring having to stand to watch the football games. However, some of the people that we spoke to were concerned that the seating will attract anti-social behaviour and therefore did not want the seating at all. Other people said that the seating should be relocated so it is not so close to homes in and around the park.

Grass mounds

As part of the landscaping, the Masterplan proposed a number of low level grass mounds. The concrete seating would also be incorporated into the mounds, as would the changing room. Some local residents expressed concerns that the mounds will attract more anti-social behaviour, particularly youths on motorbikes and quad bikes late in the evening.

Floodlights

Whilst floodlights for the football pitches are not part of the Masterplan proposals, some users of the park did suggest installing floodlights on one or both of the pitches to extend the usability of the pitches into the evening during the winter season. However, residents living in and around the park were unsupportive of this suggestion due to the impact it would have on them.

Removal of fencing

The proposal to remove all of the fencing from around the perimeter of the park was received well by some people. However, a large number of people we spoke to were concerned of the safety implications of removing the fencing, such as children wandering off on to the roads. The preference amongst this group of people is to maintain the fencing around the entire perimeter of the park.

Growing area / Community garden

A number of local residents and community groups suggested that a small portion of the park should be allocated as a growing area (for example a vegetable garden) for local people and community groups to maintain. The area would not necessarily be fenced and would be accessible to all park users.

Quiet areas

A number of people we spoke to also wanted there to be dedicated quiet areas where people can relax. They were concerned that the park was providing too many activities, which would mean there wouldn't be sufficient space for people to engage in quiet activities like reading.

Public toilets

Some people suggested the need to provide public toilets in the park, saying that a lack of provision can stop some people, especially those with young children, from visiting parks. People felt that the toilets would be more appropriate as part of a café or other facility rather than on their own, as they can easily become vandalised and this encourages anti-social behaviour.

Fenced off area for dogs

A number of dog owners who currently use the park to walk their dogs suggested a fenced off area for dogs. This would provide them with a space to let the dogs of the lease so they can run around without interfering with other park users.

Access for emergency vehicles

There was concern amongst some residents that the closure of Cottall Street will create a bottleneck at Lindfield Street. Residents asked that any impact is mitigated by rethinking parking arrangement around the park and speaking to the emergency services to ensure appropriate access is maintained for emergency vehicles to access all developments, existing and new ones, around the park.

Stinkhouse Bridge (over the Limehouse Cut)

Whilst the design of the bridge was received well, there was some concern amongst people and organisations that we spoke to that it may not be well suited to this location and may in fact become a destination for anti-social behaviour.

Furthermore, we were asked that if improvement works were to take place on the bridge then we consider both sides of the bridge rather than just the side facing the canal. Also, if the bridge is to be widened as proposed, it should include better pedestrian access alongside the road and provide improved lighting for towpath users below.

A large number of residents we presented the plans to also said that they would like to see the name 'Stinkhouse Bridge', as the bridge is known as to local residents, be somehow commemorated on the bridge.

Keep everything as it is

A couple of residents we spoke to wanted the park to remain as it is. They felt that any changes to the park to encourage greater levels of use would attract anti-social behaviour.

What next?

The next stage in the Masterplan preparation is to draft the final version of the plan which will form the basis of the improvement works to the park.

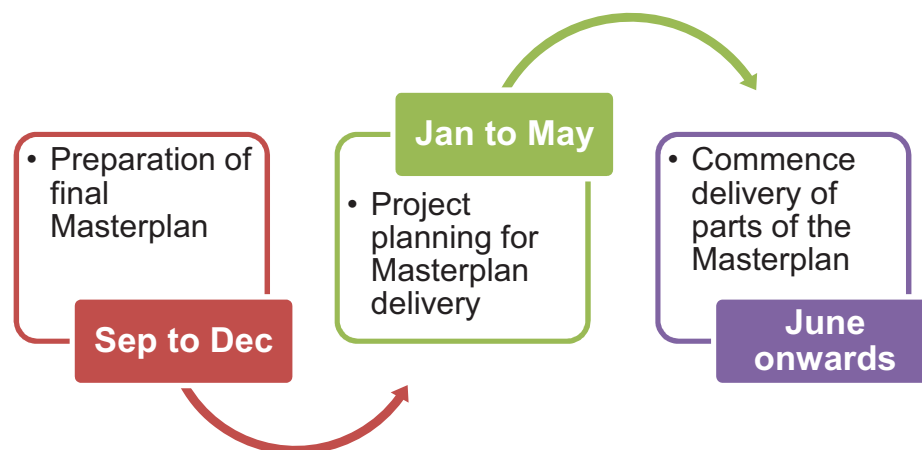
Prior to preparing the final draft, we will present and discuss the findings from the consultation at a Steering Group meeting. The Steering Group is made up of representatives from different services (including Parks & Open Spaces) across the Council. Taking into consideration factors such as delivery costs and overall benefits, the Steering Group will decide which elements of the Masterplan should be delivered and which elements should be discarded.

Following this, we will have further discussions with the landscape architects to determine how best to take forward the proposals which have been selected. We will also meet with Poplar HARCA and East Thames Housing to discuss how to design the boundaries between the park and the proposed developments at Cottall Street and Stainsby Road.

Once the details are agreed we will prepare the final Masterplan. This final version of the Masterplan will set out the design and improvement works for the park as well as provide detailed costs and other information needed to deliver the projects.

Delivering the proposals will commence once the Masterplan has been adopted by the Council. Due to the nature of how the improvements are being funded, the works will be packaged into smaller projects and delivered as and when funding becomes available. The Masterplan will contain details on the order that projects will be delivered. It is important to remember that the complete Masterplan may take several years to implement, subject to funding.

Masterplan preparation timeline



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KEY

- Proposed cycle paths
- Proposed small unit concrete block paving
- Impact paving of road / baroque spaces
- Existing trees to be retained
- Existing trees to be retained
- Existing trees to be retained subject to BS5837:2012 arboricultural report
- Proposed tree planting
- Proposed medium to low groundcover shrub planting
- Proposed medium to tall shrub planting
- Open mown grass
- Managed grassland with spring bulbs and other mown plants cut through in the summer
- 600x600mm large unit concrete paving blocks suitable for pedestrian access only
- Concrete walls
- Concrete wall with ornamental framework steel fencing
- Gallium walls with maximum road side height drop height of 0.5m
- Concrete block wall with tubular stainless steel fence
- Wheelchair safety surface
- Design element for further discussion & agreement
- Park entrance (1.4m width)
- Gate access (4m width)
- Pedestrian (only) gate access (1.4m width)
- Concrete fence seating with silver dot tops
- Proposed cartilage construction to have 50mm kerb upstand to adjacent footways with 20mg zone
- Proposed cartilage construction to have 50mm kerb upstand to adjacent footways and connecting surfaces
- Proposed concrete slabs to footways and grass verges
- Proposed ramp
- Proposed tactile paving
- Existing of highway works
- Existing buildings associated with adventure play area to be retained
- Existing open space area between Upper Ham St and Augustia St
- 9m high green performance steel mesh ball stop fence. Full extent of ball stop fencing to be agreed further to regular works in place to enable access to outdoor playing
- 1.5m high steel bowstop fence
- Lighting column

Notes:

- Proposed access improvements to the waterfront require further detailed discussion with stakeholders and tower owners. Due to the complexity of the waterfront, the proposed access improvements will be restricted to the design. Potential outdoor would be to build out existing physical restrictions.
- The layout of all retention gateways are subject to detailed design and consultation with the relevant stakeholders. The layout of the retention gateways will be agreed further to regular works in place to enable access to outdoor playing.
- The proposed access improvements to the waterfront require further detailed discussion with stakeholders and tower owners. Due to the complexity of the waterfront, the proposed access improvements will be restricted to the design. Potential outdoor would be to build out existing physical restrictions.

Legend:

Code	Description	Scale	Symbol / Color
1	Proposed access improvements	1:500	Blue line
2	Proposed access improvements	1:500	Red line
3	Proposed access improvements	1:500	Green line
4	Proposed access improvements	1:500	Yellow line
5	Proposed access improvements	1:500	Purple line
6	Proposed access improvements	1:500	Orange line
7	Proposed access improvements	1:500	Light blue line
8	Proposed access improvements	1:500	Light green line
9	Proposed access improvements	1:500	Light yellow line
10	Proposed access improvements	1:500	Light purple line
11	Proposed access improvements	1:500	Light orange line
12	Proposed access improvements	1:500	Light blue line
13	Proposed access improvements	1:500	Light green line
14	Proposed access improvements	1:500	Light yellow line
15	Proposed access improvements	1:500	Light purple line
16	Proposed access improvements	1:500	Light orange line
17	Proposed access improvements	1:500	Light blue line
18	Proposed access improvements	1:500	Light green line
19	Proposed access improvements	1:500	Light yellow line
20	Proposed access improvements	1:500	Light purple line
21	Proposed access improvements	1:500	Light orange line
22	Proposed access improvements	1:500	Light blue line
23	Proposed access improvements	1:500	Light green line
24	Proposed access improvements	1:500	Light yellow line
25	Proposed access improvements	1:500	Light purple line
26	Proposed access improvements	1:500	Light orange line
27	Proposed access improvements	1:500	Light blue line
28	Proposed access improvements	1:500	Light green line
29	Proposed access improvements	1:500	Light yellow line
30	Proposed access improvements	1:500	Light purple line

Scale: 1:500 @ A0

North Arrow: [Symbol]

Scale Bar: 0 10 20 30 40 50 m

Client: Tower Hamlets

Project: General Arrangement Design Intent

Drawn by: Bartlett Park Masterplan

Checked by: Final Draft

Scale: Do not scale

Revision: D

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Equality Analysis (EA)

Section 1 – General Information

Bartlett Park Landscape Improvement Plan

Bartlett Park is a key piece of large open space in Poplar, spanning both Limehouse and East India & Lansbury wards. Whilst the park is well used for football league games, containing two full size football pitches, the park caters little for other types of users due to combination of lack of facilities, fractured layout and poor accessibility.

It is the single largest piece of green open space within the local area, serving many residents in the Limehouse and East India & Lansbury wards. Recently there have been numerous large scale new housing developments around the locality (including the New Festival Quarter), increasing the population density and therefore the pressure on open space.

The drive for improving Bartlett Park also derives from the Council's Local Development Framework (LDF). The LDF seeks to improve the quality, usability, and accessibility of existing publicly accessible open spaces across the borough. The evidence base for the LDF was informed by a qualitative and quantitative assessment of all open spaces in the borough; this assessment rated Bartlett Park as a 'poor' quality open space and identified it as a priority for improvement.

The Bartlett Park Landscape Improvement Plan was commissioned to identify and propose intervention and improvement works to improve and enhance the quality, accessibility and facilities available in the park. The improvement plan proposes a number of improvements to the park and to surrounding road network including:

- Realigning and re-landscaping a section of Upper North Street, including installing traffic calming measures to improve general safety, accessibility and connectivity between the main park and the adventure playground.
- Relocating the existing football pitches in order to free up areas within the park for other facilities
- Providing purpose built changing rooms.
- Closing Cottall St to vehicular traffic and extending the park northwards and improve connectivity with Limehouse Cut canal and create a waterside area.
- Replacing existing fencing around the perimeter of the park with a mixed boundary consisting of unobtrusive walls and fencing.
- Creating a new 'celebratory' entrance at the south east corner of the park with additional secondary entrances.
- Creating new footways and cycle paths within the park.
- Creating a new play area for young children at the northern section of the park.
- Re-landscaping the park with new seating, tree and shrubbery planting.
- Creating a fenced-in 'dog-walking' area within the park
- Providing an outdoor exercise area with gym equipment

Who is expected to benefit from the proposal?

The improvements to the park will benefit all different types of users of the park as well as those living in and around the park.

Service area:
Strategy & Programmes

Team name:
Strategy & Resources

Service manager:
Thorsten Dreyer

Name and role of the officer completing the EA:
Mifta Ahmed – Strategy, Policy and Performance Officer

Section 2 - Evidence

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

Bartlett Park Consultation Summary Report
Tower Hamlets Open Space Strategy

Section 3 – Impacts

How will what you're proposing 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?**
- **What qualitative or quantitative data do we have?**
- **Equalities profile of staff?**
- **Barriers?**
- **Recent consultation exercises carried out?**
- **Additional factors which may influence disproportionate or adverse impact?**
- **The Process of Service Delivery?**

Please also consider how the proposal will impact upon the 3 One Tower Hamlets objectives:-

- Reduce inequalities
- Ensure strong community cohesion
- Strengthen community leadership.

Please Note -

Reports/stats/data can be added as Appendix – Please send any reports/consultation findings/data and stats to the One Tower Hamlets team

Target Groups	Impact – Positive or Adverse	Reason(s) <ul style="list-style-type: none"> • Please add a narrative to justify your claims around impacts and, • Please describe the analysis and interpretation of evidence to support your conclusion as this will inform decision making
Race	Positive	<p>Feedback received during public consultation (for more information, see Bartlett Park Consultation Summary Report) showed significant support for the creation of a fenced off dog walking area to help address the fear of dogs amongst both children and adults within certain, particularly the Bangladeshi, communities.</p>
Disability	Positive	<p>Accessibility Feedback in the Bartlett Park Consultation Summary Report identifies accessibility as a key feature people would like to see improved within the park and one that would encourage more people to use the park. Increasing accessibility is also identified in the London Plan, which requires local authorities to ensure residents have access to a local park within 400m of their front door.</p> <p>Opening up the park and creating new access points into the park will ensure a greater number of people in the surrounding area fall within the 400m catchment area. This will also significantly benefit disable park users by reducing the distance of travel required to access the park.</p> <p>Entrance Whilst there are a number of existing step free entrances to the park, these are poorly located and do not relate well with surrounding pedestrian routes and natural access points and can increase the distance people have to travel to access the park. The entrances are also obscure and difficult to identify resulting, at times, in having to walk around the perimeter of the park to locate an entrance. The impact of this is significantly greater on disabled park users than able bodied users.</p> <p>New proposed entrances have been designed to be easily identifiable and will be located in prominent, natural entry points that tie in with the surrounding pedestrian routes and desire lines. Entrances have also been designed to ensure they provide step free entrance to the park and are wide enough to accommodate wheelchairs.</p> <p>Footpath As with entrances, existing footpaths are poorly laid out, limited and to a certain extent dictated by the orientation of football pitches, baring little to no relation to natural desire lines. This not only restricts access by wheelchair to a large portion of the park, but also requires having to travel greater distance to reach the desired location. The creation of new paths and improvements to the existing path network</p>

	<p>will increase the coverage of the park by footpath, meaning that a greater portion of the park is accessible by wheelchair. Creating footpaths along desire lines will facilitate easy navigation within the park without having to take detours.</p> <p>Extending the park New proposals include extending the park northwards to meet with the canal. As part of the proposal step free access will be provided from the park to the canal towpath opening up access to disabled and wheelchair users.</p> <p>Seating Formal seating, some incorporating armrests to facilitate use by disabled and less mobile users, will be provided across the park. Informal seating will also be provided by the low level boundary walls around the perimeter of the park and by the steps leading down to the canal towpath.</p> <p>Children's play area Children's play areas have been designed to ensure they accommodate and cater for disabled children and those in wheelchairs.</p> <p>Paths into and around the play areas will be wide enough accommodate wheelchairs and with ramped access to the children's slide and viewing point. Access path will be no greater than a 1:20 gradient to ensure that the whole space is inclusive. The play area will be surfaced with coloured wet pour, to allow wheelchair access.</p> <p>Swings provided in the play area will provide supported seats with a back rest to ensure it can be used by disabled children.</p>
Gender	<p>Lighting Muted lighting will be provided along the pathways, which will provide greater visibility and security for women moving through the park in the evenings.</p>
Gender Reassignment	<p>Safety Anecdotal evidence suggests that people who have undergone or are currently undergoing gender reassignment feel less safe in parks and open spaces in general.</p> <p>The improvement plan seeks to improve overall safety and security in the park through various approaches, key ones being by increasing activity in and usage of the park, opening up the park and improving lighting within the park. Combined, these improvements will increase safety and security in the park during the day and in the evening.</p>

Sexual Orientation	Positive	<p>Safety As with people who have undergone or are currently undergoing gender reassignment, anecdotal evidence also suggests that people from the LGBT communities feel less safe in parks and open spaces.</p> <p>Once again increasing activity in and usage of the park, opening up the park and improving lighting within the park will increase safety and security in during the day and in the evening</p> <p>There is no adverse impact to this target group.</p>
Religion or Belief	n/a	
Age	Positive	<p>Activities Proposed improvements to the existing facilities and introduction of new facilities in the park have been proposed and designed to ensure the park caters for a range of age groups. This includes providing:</p> <ul style="list-style-type: none"> • Play space for younger children (0-5years) in addition to the existing older children's adventure playground. This was identified in the Consultation Summary Report as something that would make people use the park more often and increase their enjoyment of it. • Different informal and formal seating and relaxing areas design to appeal to different age groups. • A community garden/growing area for the older age groups. <p>Legibility Improvement to legibility and wayfinding to and within the park and the creation of new entrances and pathways will also benefit the younger and older age groups by making it easier for them to find their way around the park.</p> <p>There is no adverse impact to this target group.</p>
Marriage and Civil Partnerships.	n/a	
Pregnancy and Maternity	Positive	<p>Accessibility Evidence suggests that parents and carers with young children, particularly those with push chairs, find it difficult to access certain parks, open spaces and play areas due to poor accessibility.</p> <p>The proposals to improve accessibility for disabled and wheelchair users will also improve accessibility for parents and carers with pushchairs.</p> <p>There is no adverse impact to this target group.</p>
Other Socio-economic Carers	n/a	

Section 4 – Mitigation and Improvement Action Plan

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 target groups (inc' staff) could have a disproportionately high/low take up of the new proposal?

Yes?

No?

If yes, please detail below how evidence influenced and formed the proposal? For example, why things 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.)

The improvement plan has been produced with potential negative impacts in mind, and these have already been mitigated through the development and consultation phases. The implementation of the improvement plan is not likely to result in a negative impact on any target groups.

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
Directly engage with disability groups / LGBT groups in the borough.	Invite groups to drop in sessions and stakeholder workshops during the detailed design stages.	Start consultation process in late 2013/early 2014.	MA	N/A

Section 5 – Quality Assurance and Monitoring

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

Yes? No? X

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

Monitoring systems will be devised and implemented for the phased delivery, once agreed, of individual elements of the improvement plan.

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

Yes? X No?

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?

This Equality Analysis does not identify further strands of work that need to be undertaken or reviewed for purposes of the performance planning process.

Section 6 – Sign Off and Publication

Name: (signed off by)	EDMUND WILDISH
Position:	SENIOR STRATEGY, POLICY + PERFORMANCE OFFICER
Date signed off: (approved)	31/07/13


EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Bartlett Park Improvement Plan
Directorate / Service	CLC / Strategy & Resources
Lead Officer	Edmund Wildish
Signed Off By	Edmund Wildish


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)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	The Improvement Plan and the accompanying documents clearly set out the proposed improvement works to the park and its surroundings.
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?	Yes	All park users will be affected.
c	If there a narrative in the proposal where NO impact has been identified? Please note – if a Full EA is not 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	Yes	There are positive impacts on 7 of the protective characteristics. No impacts were identified for religion/belief, marriage and civil partnerships, or other socio-economic carers.

Monitoring / Collecting Evidence / Data and Consultation		
2	Monitoring / Collecting Evidence / Data and Consultation	Yes – data taken from the Bartlett Park Consultation Summary Report and evidence base for the LDF. The Landscape Consultants who drew up the Improvement Plan made reference to national best practice in their designs.
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	The Consultation Summary contains details of the groups, individuals, and organisations consulted.
3	Assessing Impact and Analysis	
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Yes See detailed Equalities Analysis.
	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	Yes
b	Has the assessment sufficiently considered the three aims of the Public Sector Equality Duty (PSED) and OTH objectives?	Yes
4	Mitigation and Improvement Action Plan	
a	Is there an agreed action plan?	No There is no action plan as the Improvement Plan was developed and amended following consultation, in order to minimise any potential impacts.
b	Are all actions SMART (Specific, Measurable, Achievable, Relevant and Time Bounded)	n/a See above
c	Are the outcomes clear?	n/a See above
d	Have alternative options been explored	n/a See above
6	Quality Assurance and Monitoring	
a	Are there arrangements in place to review or audit the implementation of the proposal?	n/a

b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	n/a
7	Reporting Outcomes and Action Plan	
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes
8	Sign Off and Publication	
a	Has the Lead Officer signed off the EA? Please note – completed and signed off EA and Quality Assurance checklists to be sent to the One Tower Hamlets team	Yes

Any other comments	
Signature	
	Date
	15/08/13

Please keep this document for your records and forward an electronic version to the One Tower Hamlets Team

Cabinet 6 November 2013	 TOWER HAMLETS
Report of: Robert McCulloch-Graham, Corporate Director, Education, Social Care & Wellbeing	Classification: Unrestricted
Grouped Schools & Mulberry School PFI Contracts – Review	

Lead Member	Cllr Oliur Rahman, Cabinet Member for Children’s Services
Originating Officer(s)	Pat Watson, Head of Building Development
Wards affected	All Wards
Community Plan Theme	A Prosperous Community
Key Decision?	Yes

Executive Summary

This report provides an update on the performance and financial positions of the Grouped Schools and Mulberry School PFI contracts.

Following a financial review of the contracts which showed action was needed to ensure the financial position on the contracts remained positive, negotiations with the relevant schools took place which reached agreement on adjustment to schools’ charges and the DSG contribution from April 2012.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the contents of this report;
2. Authorise the Corporate Director Education, Social Care and Wellbeing to agree revised Governors’ Agreements with the 24 schools in the Grouped Schools PFI Contract and with Mulberry School to reflect the current position regarding the contributions made by the schools to the costs of those contracts;
3. Authorise the Head of Legal Services (Environment) to execute all necessary documents to implement paragraph 2 above.

1. REASONS FOR THE DECISIONS

- 1.1 The Council entered into the two PFI contracts in 2002 for periods of 25 years. The financial position has to be kept under review and corrective action taken where necessary in order that the liabilities under the contract can be met.

2. ALTERNATIVE OPTIONS

- 2.1 Action was agreed and taken last year to mitigate financial risks to the Council. This report provides an update on the present position and so there are no alternative options at this stage.

3. DETAILS OF REPORT

Background

- 3.1 In 2002 the Council entered into the Grouped Schools PFI Contract and the Mulberry School PFI Contract for terms of 25 and 26 years respectively. In both cases the contracts provided initial capital investment to improve the schools and then facilities management services and life cycle programmes for the remaining term. Initial capital investment was completed some time ago at all the schools and delivery of the long term services continues.
- 3.2 During 2011, officers began consultation with the 24 schools in the Grouped Schools PFI contract to consider how the contract could avoid a forecast £34m deficit by contract end. This led to options being considered by Schools Forum in January 2012 and Cabinet agreed a package of proposals in March 2012 to avoid such a deficit.
- 3.3 This included a formulaic method of calculating the annual contributions from each of the 24 schools, based on the Retail Price Index (RPI) plus 1.2%. It also included a stepped increase in the DSG subsidy (to £2.360m in 2013/14) which would also increase by RPI +1.2%.
- 3.4 The Mulberry PFI contract is much smaller, includes only one school and is much less sensitive to factors such as the change in indexation. It was expected to break-even by contract end.
- 3.5 These new arrangements were backdated to April 2011, so they have been operating for two financial years. In the meantime, at the request of the Grouped School PFI schools, Deloitte LLP completed an exercise to review the accounts for that contract.
- 3.6 Finally, Schools Forum agreed at its meeting in January 2013 that the DSG subsidy for PFI should be excluded from the Minimum Funding Guarantee. The Department for Education were not persuaded that this was appropriate, even after appeal, so the £2.360m provided by all schools is, for the primary and secondary schools amongst the 24 in the Grouped Schools PFI, part of

their protected budget. While this will produce little more than marginal discrepancies if circumstances stay the same, if at some point in the future the DSG subsidy were to be reduced (or at contract end, ceased), continued protection for participating schools would be difficult to argue.

Grouped Schools PFI Contract – current position

- 3.7 The services continue to be delivered at the 24 sites and these are monitored by the LA.
- 3.8 BSF investment schemes are agreed at 4 secondary schools in the contract (Langdon Park, Stepney Green, Phoenix and Central Foundation). The major works are being carried out by the LEP (Local Education Partnership) but THSL (Tower Hamlets Schools Ltd) remains responsible for all facilities management and other contract responsibilities at the sites in the meantime and to the new areas on completion. These schemes are progressing well and the first is now completed at Phoenix School.
- 3.9 One school (Old Ford Primary School) included in the contract has converted to academy status from 1 September 2013. The school will remain part of the contract and continue to receive the contract services. The DfE has established a framework to ensure that schools in such circumstances continue to pay the charges as if they remained within the LA in order that the LA's financial position in relation to contract charges and payments to the contractor is not affected. LA officers and the school's advisers worked together on the legal documents to complete the necessary agreements.
- 3.10 In 2012 a benchmarking review of the defined soft FM services (cleaning, premises management, horticulture, etc) was undertaken. Officers scrutinised the information on services and costs put forward by THSL. An increase of 3.26% on the defined services element has been agreed which has been distributed amongst all the schools pro rata on their 2013/14 bills.
- 3.11 In 2011 an insurance benchmarking review was undertaken but not concluded until later in 2012. This review resulted in a reduction in insurance costs which has been credited to LBTH in accordance with the contract provisions and this has been passed on to the schools in full.
- 3.12 The regular monitoring of the services provided by the contractor shows that on average 89% of tasks reported to the helpdesk are completed on time. Where service deductions are applied for failure to meet the service response standards these are credited to the individual school concerned.

Mulberry School PFI Contract – current position

- 3.13 The delivery of services and performance under the contract continues to be satisfactory. The contractor has good communication links with the school and services are generally performed well.

- 3.14 Under the contract terms, a benchmarking review was carried out in 2012 – the contract requires this to be done every five years. The previous benchmarking review in 2007 resulted in no payment adjustment. The 2012 review was carried out and showed that an adjustment was applicable. An agreed adjustment of 4.9% of the relevant element of the charge was agreed which amounts to an increase of £31,000 pa (indexed) to the school. The governing body accepted this increase.

Grouped Schools PFI Contract – financial position

- 3.15 The Grouped Schools PFI Contract has forecast expenditure in 2013/14 of £13.999m. There are 24 participating schools and 3 other stakeholders. The financial arrangements for this contract were overhauled in March 2012 with involvement of all stakeholders, including Schools Forum. This resulted in a stepped increase in the DSG subsidy to the contract and a commitment for all stakeholder contributions to be subject to indexation of the Retail Price Index plus 1.2%.
- 3.16 During 2012/13 the PFI contract was subject to quarterly RPI indexation that equated to 3.1% year-on-year and there were benchmarking adjustments to the indexation that have been reflected in changes to school contributions for 2013/14.
- 3.17 This contract had accumulated a deficit at its peak of £11.3m, but that had reduced to £9.518m by April 2012 because of the actions agreed in March 2012. By the end of 2012/13 financial year, the deficit had reduced further to £8.407m. The details of this are in Appendix 1.
- 3.18 The net elements of this contract that are subject to indexation / inflationary pressures include a specific element of the unitary charge, plus monitoring costs, school and DSG contributions. The net cost of this in 2013/14 is estimated to be £1.663m; the larger this element is the greater the sensitivity of the account to inflationary pressures.
- 3.19 Deloitte LLP reviewed the accounts for 2011/12 and commented on the financial planning model that was prepared for a meeting with the 24 heads and chairs of governors in February 2013. The outcomes of that technical review have been shared with the stakeholder schools. In summary, there were no material issues in the 2011/12 accounts and Deloitte shared the view that the stated assumptions would suggest a surplus by contract end in the region of £10m. The previous assumptions included a long-term RPI of 2.5% and they suggested that 3%-3.5% might be more prudent. They also indicated that the level of surplus forecast would be sufficient (all other things being equal) to absorb inflationary pressures up to 6.8% without going into deficit.
- 3.20 The financial model has been updated since Deloitte report, refreshing for:
- the actual financial position in 2012/13,
 - bills for schools in 2013/14
 - DSG subsidy for 2013/14

- Increasing the long-term inflation rate from 2.5% to 3.5%
- Removing the expected £2m from capital receipts from the sale of school keepers houses (without changing the policy presumption that any such sales will benefit the PFI account).

3.21 The updated forecast suggests a surplus of £10.373m by contract end in 2027. Clearly, this gives the account scope for absorbing inflationary and other pressures. Given the experience of the first 10 years of this contract, it can only be a sensible approach to have such a financial buffer. Indeed, the current position with the contract is that it is in deficit by £8.407m, so until that deficit turns into a surplus itself, the current financial strategy would appear to be the most appropriate.

Mulberry School PFI Contract – financial position

- 3.22 The Mulberry PFI contract is a much smaller one than the Grouped Schools one and it is structured differently. There is only one participating school, inflation on the contract itself is calculated annually in December and the gross forecast expenditure for 2013/14 is £2.3m (17% of the level of the Grouped Schools contract). Utilities continue to be a feature of this contract, whereas it has ceased to be part of the arrangements for the Grouped Schools PFI contract.
- 3.23 There was a £0.141m deficit on this account at the start of 2012/13 which reduced to an £8k deficit by the end of 2012/13.
- 3.24 In the Deloitte's review of the Grouped Schools PFI contract they advised that 2.5% may be a low estimate of inflation and they suggested that, for planning purposes 3% - 3.5% may be more appropriate. The financial plan in Appendix 1 has been updated to reflect 3.5% inflation.
- 3.25 45% of the unitary charge is variable, subject to indexation. Utilities and monitoring costs are subject to inflationary pressures. The school contribution is subject to the same indexation as the variable element of the contract. Overall, for 2013/14, this means that a net expenditure of £0.268m is subject to indexation or inflationary pressures.
- 3.26 The forward forecast for this account is that by contract end in 2028/29 financial year, the account would be in surplus by £2.428m. While this provides some comfort that pressures arising from the PFI account may be able to be absorbed by that forecast surplus, there is a key assumption that may not be fully resolved until March 2029. The contract itself ends in May 2028 and costs will cease at that point. The documentation for the PFI Grant from central government, however, indicates that the funding is due to continue until two weeks before the end of March 2029. If the grant were to cease at the same time as the contract, £1.3m of income would not be realised and the surplus would be that much lower.
- 3.27 There is still 15 years to run on this contract, so a prudent approach is imperative, but the overall position is currently sound.

Minimum Funding Guarantee

- 3.28 In January 2013 Schools Forum confirmed that it wished to have the PFI Subsidy Factor in the main primary / secondary funding formula excluded from the Minimum Funding Guarantee calculations. This would ensure that there was no ambiguity about whether individual schools had received the whole of their subsidy intact and, even although they are obliged to repay the whole of the DSG subsidy in accordance with the Scheme for Financing Schools.
- 3.29 Where schools are subject to the Minimum Funding Guarantee, if the DSG Subsidy factor were within the MFG calculation, there could be some very minor impacts if 6th form pupil numbers or nursery numbers were changing at a different rate to pupils of statutory schooling age.
- 3.30 The DfE were not persuaded by the need to exclude this factor from the MFG. They believed that the maximum amount of funding should be distributed on pupil factors within the MFG. They considered the impact of the factor inside and outside the MFG and concluded that the variations amounted to no more than the equivalent of a single age-weighted pupil unit for any individual school. Officers appealed against this decision, but the Secretary of State did not change his view.
- 3.31 Other authorities have reported that their requests, too, were turned down.
- 3.32 Officers continue to be concerned about this situation for the longer term. While subsidy levels are rising, this is at the margins, so the current arrangement may not produce any material difficulties for any individual school (ie subsidy factor being inside or outside the MFG may not make any difference while it rises by RPI+1.2%). The difficulties will emerge, however, in two scenarios, both of which may be some time off:
- Where the level of subsidy has a stepped change either up or down where Schools Forum agrees that the balance of risks, the time remaining on the contract and the forecast surplus/deficit on the PFI accounts all justify a change in the DSG subsidy level.
 - Where the contract ends and the need for a subsidy ceases.
- 3.33 If a school is subject to the Minimum Funding Guarantee and there is a stepped rise in the DSG Subsidy, the school could find itself with an unavoidable increase in the contribution it had to make for PFI subsidy, but no commensurate increase in the school's overall budget to pay for it.
- 3.34 If the DSG subsidy has a stepped decrease or ceases, an individual school could find that its budget is protected for this loss of funding, possibly for some years. This is in spite of the fact that the school would have a corresponding reduction in its spending commitments.

- 3.35 The easiest way of avoiding these issues is to exclude the PFI Subsidy Factor from the Minimum Funding Guarantee. Given that the DfE has been very reluctant to exclude it, the key principle we would want DfE to agree is that, if there were a stepped change, up or down, in the level of the DfE subsidy that the factor be somehow suspended / excluded for that year.
- 3.36 Schools Forum agreed at its meeting on 26th June 2013 that officers should approach the DfE again to seek a concession on this matter.
- 3.37 In September 2013, DfE officials confirmed that the Secretary of State intended to allow an amendment to the Tower Hamlets local formula to exclude the PFI factor for Bow School in the 2014/15 calculation of the Minimum Funding Guarantee. This would set the principle that the MFG may be amended where individual schools are likely to experience material changes in their PFI circumstances, so this ought to represent a resolution to this particular issue.
- 3.38 The Governors' Agreements (GAs) which were entered into when the PFI Contracts were let have not been revised since 2002 although the schools have been paying increased contributions for the last two years. It is therefore recommended that this position is regularised and the Gas are revised to reflect the current position regarding payments. The decision of one of the schools in the Grouped Schools contract to become an Academy has illustrated the risk to the Council of not updating these documents. A school wishing to convert to an Academy does so subject to the legal agreements already in place and the current GAs do not contain the revised increased payments the schools have agreed to pay. Whilst this has not been an issue with Old Ford School, the conversion to an Academy has highlighted a potential risk to the Council's finances

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. This is substantially a financial report and the financial implications have been included in the main text.
- 4.2. The key points are that there was a cumulative, combined deficit on these PFI contracts of £8.415m at the end of March 2013. The stated assumptions for the future financial performance of the two contracts would point to a surplus of £12.801m by the end of both contracts in 2027/2028; this would appear to be sufficient to cover any risk, particularly inflation risk, that might reasonably be expected to occur over the next 15 years.
- 4.3. Until the existing deficits have been removed there is no scope for changing the existing basis for school and DSG contributions.

5. LEGAL COMMENTS

- 5.1. This report deals with a PFI contract which was entered into by London Borough of Tower Hamlets in 2002 for a 25 year term. In PFI projects, the private sector

consortium raises money to meet the cost of the works initially, and then the Council provides both capital and revenue funding. Grant support for the capital element of the Council's PFI is given by central government. Once a PFI contract is signed, the project receives financial support from the Government to assist with the cost of building and maintaining the premises.

- 5.2. The private sector consortium receives a Unitary Charge in return for the availability of the school building, rather like a mortgage. However, the school's governing body is also required to agree to pay the Council an annual amount, usually the part of the Unitary Charge that relates to the facilities management content of the contract.
- 5.3. The PFI contract has the first call on the school's budget and so the Council must have written approval from a governing body to use its delegated budget in any way. This is done through a Governing Body Agreement which all of the schools have signed. These agreements provide for the schools to make payments each month from their delegated budget to contribute to the payments to the private sector consortium. The amount of these contributions is recorded in the schedule of each school's agreement. Whilst there is no specific provisions providing for the treatment of inflation the schools have through the annual reviews agreed to meet the additional costs.
- 5.4. Under the School Standards and Framework Act 1998 (SSFA) school governing bodies have the power to enter into legally binding contracts although there is a legal view that one part of an organisation cannot enter into a binding legal contract with another part. This commitment is then reflected in a revised delegated budget for the length of the contract period.
- 5.5. The opinion of the Department for Education is: "Arrangements between LEAs and governing bodies relating to the funding of PFI contracts, although they can be binding, are not contractual. They are simply part of the arrangements for the funding of the school by the LEA."
- 5.6. The funding arrangements are set out in the School Finance (England) Regulations 2012. Regulation 12 allows the local authority to redetermine individual school budget share "at any time or during the funding period" However it cannot reduce the individual school budgets unless it has obtained authorisation from the schools forum or the Secretary of State (Reg. 12 (2)(b)). If differential funding is to be adopted under regulation 18 the factors which can be taken into account are listed in Schedule 3 to the Regulations and one of these criteria (para 14) is "Payments in relation to a private finance initiative (including actual or estimated cost)"
- 5.7. This report sets out the circumstances under which the funding could be put at risk and the consultation with the schools. A further approach to the DfE is to be made to resolve the issue

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1. Sustaining the provision of safe and suitable education establishments remains an important element of improving achievement in schools. The continuation of services under the PFI contracts enables schools to maintain effective education environments.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no specific implications arising from matters included in this report.

8. RISK MANAGEMENT IMPLICATIONS

8.1. Actions taken to address financial risks have been and will continue to be kept under review to ensure that financial risks are identified and mitigated where necessary.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 There are no specific implications arising.

10. EFFICIENCY STATEMENT

13.1 There are no specific implications arising.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 – Summary Position on PFI Contracts as at June 2013

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

- N/A

Summary Position on PFI Contracts as at June 2013

	Mulberry			Grouped Schools		
	2012/13 actual	2013/14 forecast	2014/15 to contract end	2012/13 actual	2013/14 forecast	2014/15 to contract end ¹
Payments to the contractor	2,310	2,292	36,833	14,601	13,884	221,516
Monitoring costs	11	18	297	103	115	1,995
Total expenditure	2,321	2,310	37,130	14,704	13,999	223,511
School contributions	-713	-718	-13,001	-5,777	-5,050	-92,293
Other contributions	0	0	0	-105	-113	-2,110
DSG subsidy	-104	-104	-1,932	-2,161	-2,256	-42,840
PFI Grant	-1,637	-1,637	-24,484	-7,772	-7,743	-103,885
Total income	-2,454	-2,459	-39,417	-15,815	-15,162	-241,128
Net expenditure / income	-133	-149	-2,287	-1,111	-1,163	-17,617
balance b/f	-141	-8	141	-9,518	-8,407	-7,244
balance c/f	-8	141	2,428	-8,407	-7,244	10,373

NB Needs to be seen in conjunction with stated assumptions on the following page

Key Assumptions in forward forecasts


Mulberry

1. Outstanding deficit on the PFI account was -£0.141m at 31st March 2012
2. 2012/13 figures based on provisional outturn position suggesting a balance of -£8k at 31st March 2013
2. Actual RPI forecasts are used to 2013/14, then 3.5% RPI to the end of the contract.
3. DSG and school contributions continue to the end of the contract, adjusted annually for RPI.
4. PFI grant is now fixed.
5. Unitary charges are 45% variable and 55% fixed)
6. Utilities costs are included on both sides.
7. No account taken of performance, 3rd party income, additional hours.

Grouped Schools

1. Outstanding deficit on the PFI account was -£9.518m at 31st March 2012.
2. 2012/13 figures based on provisional outturn position, suggesting a balance of -£8.407m at 31st March 2013.
3. Unitary Charge payments based on net fixed annual elements of £4.917m, with the balance being inflated quarterly by RPI.
4. PFI grant is now fixed at £7.743m each year, the one-off adj for 2012/13 relates to a small balance brought into the account.
5. £2m of capital receipts for sale of school keepers houses has been removed from the financial forecast, but remains a policy presumption.
6. School and other stakeholder contributions to be adjusted by pupil numbers then uprated by RPI plus 1.2%, using the previous November figures each year.
7. DSG subsidy to be distributed to PFI schools for automatic repayment. This was increased for 2012/13 and will increase by the previous November's RPI plus 1.2% each year, but this element is the one that will vary to balance the overall account in the long term.
8. School ACRs for capital are paid in-year; on-going ACRs are paid on estimates / adjusted for actuals the following year.
9. Performance Deductions reduce the Unitary Charge, but also reduce the school contribution.
10. Benchmarking operates periodically to calibrate the RPI and this would result in an adjustment up or down to school contributions.
11. Contributions from Bow School would cease when they move to their new building in September 2014. (ie there is currently no assumption about a successor occupant making a contribution, or the Unitary Charge being abated, both of which scenarios would produce a positive financial outcome for the account).

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<p>Cabinet Decision</p> <p>6 November 2013</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Stephen Halsey, Head of Paid Service, Corporate Director – Communities, Localities and Culture</p>	<p>Classification: Unrestricted</p>
<p>Food Law Enforcement Service Plan 2013/14</p>	

Lead Member	Cllr Ohid Ahmed, Deputy Mayor
Originating Officer(s)	Andy Bamber, Service Head, Community Safety David Tolley, Head of Consumer and Business Regulations
Wards affected	All Wards
Community Plan Theme	A Healthy and Supportive Community
Key Decision?	No

Executive Summary

- 1.1 This report sets out the Council's twelfth annual plan for effective enforcement of food safety legislation. The objective of the plan is to ensure that food, in the Borough, is produced and sold under hygienic conditions, is without risk to health and is of the quality expected by consumers.
- 1.2 The Food Standards Agency requires local authorities to have in place a Food Law Enforcement Service Plan. The plan will form a significant part of the criteria against which local authorities will be audited by the Agency to assess their effectiveness in ensuring food safety.
- 1.3 Changes to the implementation of the National Food Hygiene Rating Scheme have been highlighted, which may mean that the percentage of broadly complaint of food premises in the Borough will drop initially before improvements being sustained.
- 1.4 The food safety service is a statutory function and the activities of the Service are monitored by the Food Standards Agency (FSA). If the FSA are not satisfied with the performance of the Service, then they are empowered to take the function away and request that a neighbouring Authority take on the functions. This will result in no control over the provision of the Service, reputation risk and loss of budget.
- 1.5 Cabinet are requested to consider the Food Law Enforcement Service Plan 2013/14 and Food Sampling Policy 2013/14 and make recommendations as appropriate and approve this plan.

Recommendations:

The Mayor in Cabinet is recommended to:-

- 2.1 Approve the Tower Hamlets Food Law Enforcement Plan 2013/2014 and Food Sampling Policy attached at the Appendix of the report.

1. REASONS FOR THE DECISIONS

- 1.1 Under the powers given to it by the Food Standards Act 1999 The Food Standards Agency (FSA) oversees and monitors how Local Authorities enforce food safety legislation. The FSA require all Local Authorities to produce and approve an annual plan that sets out how it is going to discharge its responsibilities.

2. ALTERNATIVE OPTIONS

- 2.1 If the Council take no action the FSA have the power to remove food safety responsibilities and engage another authority to deliver the service. The likely scenario would be for a neighbouring Local Authority to be seconded to provide this service. If this did happen the Council would still have to fund the service but would lose Member and management control of it.

3. DETAILS OF REPORT

- 3.1 The Plan incorporates the Council's objectives as set out in the Community Plan and the Consumer and Business Regulations Service Plan. It is particularly relevant to the quality of life and health and wellbeing of residents and visitors to the Borough. The Plan is there to encourage businesses to maintain high standards and help protect customers. It is particularly important in maintaining the reputation of the Borough as a safe place to eat and buy produce. The standard format of the plan will allow easier comparisons with other authorities.
- 3.2 In delivering the Plan, the Food Safety Team is reliant on the Services of other key Teams such as Legal Services, communications and Public Health to provide support to meet the objectives of the Plan.
- 3.3 The plan is divided between reactive and proactive work. Reactive work includes consumer complaints and requests for advice or information from the business community, residents, employees in the Borough and tourists. Proactive work comprises mainly the achievement of routine inspection targets. Tower Hamlets has 2683 food premises, requiring inspection. The frequency of such inspections is determined by a nationally agreed risk based inspection rating scheme.
- 3.4 Last year the Food Safety team achieved 83% of all food premises being broadly compliant with the food safety legislation.
- 3.5 The plan also covers the wider remit of food safety work including complaints and enquiries, sampling, food hazard warnings, outbreak control, health promotion, training and publicity. These tasks remain relatively constant year on year.

- 3.6 During the course of 2012/13 along with all services in the Directorate of Communities, Localities and Culture the Food Safety Service was subject to an efficiency review.
- 3.7 The plan also highlights some of the major successes during 2012/13. Some notable examples are:-
- § Helping create a safer Borough during the Olympic period.
 - § 100% of all A rated high risk premises inspected for food Hygiene/standards.
 - § 99.3% of all B rated Food Hygiene premises inspected.
 - § Offering Training to several organisations in the Borough.
 - § Promotion of the Food for Health Award to start-up businesses in the Portas Markets.
 - § Reacting to national scares such as the 'horsemeat scandal' to protect the local food chain.
 - § Supporting the growth for food businesses in the Borough.
- 3.8 The main indicator used to assess the Council's performance is the proportion of food establishments in the Borough which are broadly compliant with food hygiene law. The performance trend over the last five years for compliance shows substantial and rapid improvement in the Borough. The performance for the last five years is as follows:-
- | | |
|---------|-------|
| 2008/09 | 74% |
| 2009/10 | 81% |
| 2010/11 | 86% |
| 2011/12 | 86.5% |
| 2012/13 | 83% |
- 3.9 A range of interventions has been developed aimed at increasing and sustaining this compliance rate. Rate of improvement should also be seen within the context of the high turnover rate of food businesses in the Borough and the advanced age of much of the commercial premises. As the rates of compliance become higher the rate of year on year improvement has tapered off as the residual businesses will present the biggest challenges either from a premises age /condition perspective, or from a business engagement and proficiency perspective.
- 3.10 From 2009-13 funding was received from the Healthy Cities initiative and the Primary Care Trust Obesity Strategy to develop a Healthy Eating Award, which aims to create a culture of healthy food choices for residents/workers in the Borough. A separate Team has been developed to deliver this initiative within the Environmental Health Commercial Team, we have issued 54 Awards. This work will continue into this year and is part of the Portas Markets initiative.
- 3.11 The national "Food Hygiene Rating Scheme" announced by the Food Standards Agency has now been implemented. This scheme will allow Local Authorities to publish an assessment of the hygiene standards of food

premises. The Food Hygiene Rating Scheme has a direct link to the Broadly Compliant indicator. A rating of three or above indicates that the food premises are broadly compliant.

- 3.12 The Food Hygiene Rating Scheme has recently been benchmarked with other local authorities in London, in readiness for the scheme to become mandatory for the display of the premises rating score in the 'shop window'. The opportunity for re-rating to occur during a re-inspection will be limited. This will only occur at the request of the business, it is therefore expected that our broadly compliant rate will reduce. We will be notifying the food businesses of this slight change to the system.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. The service will need to ensure that the annual plan is delivered within the budgeted resources to ensure that performance levels are maintained at a level as prescribed by the Foods Standards Agency.
- 4.2. A funding contribution of £60,000 has been made available from the Public Health grant budget. This will enable the continuation of the Healthy Eating Awards secured for the financial year. If activities are to continue in future years the service will need to identify alternative funding sources.

5. LEGAL COMMENTS

- 5.1 The Council is the food authority for Tower Hamlets and is responsible for enforcing and executing the provisions of the Food Safety Act 1990 within the borough.
- 5.2 The Food Standards Agency ("FSA") is responsible under the Food Standards Act 1999 for monitoring the performance of enforcement authorities in enforcing specified legislation (including the Food Safety Act). The FSA is empowered to request information from the Council relating to its enforcement action. A Framework Agreement has been developed (the 5th amendment of which having been issued in 2010) which sets out what the FSA expects from local authorities and sets out an audit scheme under which the FSA monitors the activities of local authorities. The FSA requires local authorities to maintain a food law enforcement plan and to report on performance against the plan.
- 5.3 The Food Law Enforcement Plan is based on a template recommended by the FSA and looks at both pro-active work (e.g. routine food hygiene inspections) and re-active work (e.g. responses to consumer complaints). By auditing the Plan, the FSA will be able to provide a report to the European Commission in accordance with obligations under Article 14 of the Official Control of Foodstuffs Directive 89/397.

- 5.4 The Secretary of State has issued the Food Law Code of Practice (England) under section 40 of the Food Safety Act 1990, which makes reference to an authority's service plan. The FSA is empowered to direct authorities to comply with the code of practice and this potentially provides another basis on which the Council may be required to produce a food law enforcement plan.
- 5.5 Before adopting the Plan, 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. Information is provided in the report relevant to these considerations.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The Equalities Impact Assessment has been reviewed in respect of this plan and no adverse issues have been identified.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 There are no environmental impacts with regards to this plan.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The Council as a Food Authority is required to carry out statutory functions in relation to food safety. The annual plan sets out how the Council will fulfil its obligations under this legislation.
- 8.2 Failure to ensure that the council discharges its responsibilities can have serious consequences for the Council and these are set out below.
- 8.3 Should the Council not exercise its duties and provide a food safety service there is the potential that both unsafe and unscrupulous activities would go unchecked and un-enforced, which may lead to serious food borne illness or disadvantage to the residents, consumers and businesses within the borough.
- 8.4 The Food Standards Agency are charged with overseeing the activities of Food Authorities and may carry out audits of the authority to ensure it is meeting the requirements of The Standard for Food Services set out in the Framework Agreement and its statutory functions.
- 8.5 Should the Council not fulfil its obligations as specified above, the Food Standards Agency may use its powers to take away the functions of the authority and place them with another authority to exercise them on its behalf.
- 8.6 In delivering the Plan, the Food Safety Team is reliant on the Services of other key Teams such as Legal Services, Communications and Public Health to provide support to meet the objectives of the Plan.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 There are no crime and disorder reduction implications

10. EFFICIENCY STATEMENT

10.1 There are no efficiency issues relating to this report.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

Appendix One: Food Law Enforcement Plan 2013-14
Appendix Two – Equalities Impact Assessment

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None

Officer contact details for documents:

David Tolley, Head of Consumer and Business Regulations, 0207 364 6724

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Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

FOOD LAW ENFORCEMENT SERVICE PLAN

2013/2014

CONTENTS

1.0	Executive Summary
2.0	Service Aims and Objectives
3.0	Background
4.0	Service Delivery
5.0	Resources
6.0	Quality Assessment
7.0	Review
	Annexes

Executive Summary

Council Obligations

This report follows the national template as directed by the Food Safety Agency (FSA) within the framework agreement agreed with Local Authorities. This is the Council's mandatory annual plan for the effective enforcement of food safety legislation. If the Council fails in its obligation to carry out an effective food safety function, the FSA is empowered to remove the function and place it with another provider. The Council would then lose all control over the function.

Effective enforcement supports business growth in the main commercial areas of the Borough, effective control of food safety makes economic sense for the Borough.

The objective of this plan is to ensure that a programme of food enforcement activity is carried out, providing public confidence that food is produced without risk and sold under hygienic and safe conditions in Tower Hamlets. This plan is a public document and will be publicised on the Council's website.

The plan sets out the aims and objectives of the Consumer and Business Regulations (CBR) Service's Food Team and links team priorities to the Council's core themes. The action of the Food Safety Team is governed by a national Code of Practice. The Team is responsible for inspections/approval of manufacturers, investigation of public complaints into allegations about food premises. The plan also gives an up to date profile of the Borough, a review of our activities in 20012/13 and our programme of work for 2013/14.

There are two specific activity areas for the Food Team, food hygiene that deals with issues of cleanliness and risks of contamination of food in predominately catering/manufacturing settings and Food Standards that relates to labelling, ingredients and allergen warnings of food packaging including the recent horsemeat scandal. All premises in the Borough are risk rated against the national code, where A band premises are the highest risk. The rating is A-E for food hygiene premises and A-C for Food Standard premises.

Performance

In 2012/13 the Food Team carried out 81.4% of all Food Hygiene inspections due in the higher bands of A-C (100% A, 99.3% B and 79% C) and 44% of all food standards inspections due in the higher bands of A-B. Food Standards inspections are seen as a second priority to that of food hygiene as this area of work crosses local authority boundaries. The inspection programme for both inspection types are led by food hygiene, as the risks are under local control and deemed to be greater. Food Standards inspection are undertaken if the next inspection date from the risk rating assessment score falls due the same year that the food hygiene inspection is due. This therefore results in a lower percentage of food standards inspection being undertaken. However, we have undertaken 100% of all high risk, A band, food standards inspections.

The National Performance Indicator – 184- which measures food establishments in the Borough which are broadly compliant with food hygiene law. We currently have 83% of food premises broadly compliant. This has dropped from last year; this was due to the work that we performed with the FSA before and after the Olympics.

Olympics

At the end of the financial year in 2012 we were successful in obtaining grant funding from the FSA for Olympic interventions. This permitted a third party organisation, appointed by the FSA, to coach our higher risk businesses in personal hygiene and general food safety – including pest management; 67 coaching visits were carried out by CMI in the lead up to the Olympics to help drive up compliance. We were also successful in obtaining grant monies to enable us to prepare businesses for the Olympic Games. We used this to employ two contractors to carry out lower risk inspections, whilst staff concentrated on the higher risk establishments, by bringing forward all high risk inspections due for the year so that they were inspected by July 2012. Working with the FSA on the run up to the Olympics, enforcement activity was far greater in 12/13.

Grant Funding

CBR has continued to receive external funding to continue with the Healthy Eating Award which aims to create a culture of healthy food choices for residents/workers in the Borough. Whilst a separate Team has been tasked with delivering this initiative the Food Team still drives awareness of the scheme by briefing businesses during inspections. In 12/13 329 briefing sessions were carried out. As businesses are only allowed to partake in the scheme if they are broadly compliant the Food Team has a direct impact on who can and who cannot be included. Briefing work will continue into this year as we have secured funding until April 2014. In 12/13 the Healthy Eating Award Scheme resulted in 17 unique premises awards and 37 renewals/upgrades.

Food Hygiene Rating Scheme

The National Food Hygiene Rating Scheme (FHRS) has been running alongside our inspection programme. The profile of the scheme has been growing throughout the year across the country with more Local Authorities adopting the voluntary scheme. During the year we benchmarked the operational implementation of the scheme against other London Boroughs. There was variance in the way that the Food Hygiene Rating Scheme was used when undertaking re-inspections. We are proposing not to automatically rescore the National Food Hygiene Rating on a re-inspection as was carried out previously. See Appendix E.

Support for Local Businesses

We have reviewed our services to determine if the inspection burden can be lifted on local businesses but ensuring that risks are controlled to ensure public health is not at risk. We have done this where the risk rating indicates that the business is broadly compliant. We have met business groups and offered training on site to enable them to comply with food safety requirements.

Challenges

The Team has been subject to a small reduction in staffing levels. Whilst every effort will be made to maintain existing levels of inspections we may not be able to inspect all those premises that fall due in 2013/14. Those premises that may not be inspected will be selected due to their low risk nature. This may be because of the foods sold or because there are other monitoring regimes that are in place for the premises.

SERVICE AIMS AND OBJECTIVES

Aims and objectives

1.1.1 To promote and regulate food safety, food standards, health and safety in food premises.

1.1.2 To provide advice and education to all sectors of the community on food safety matters. Promotion of Healthy Eating Award in conjunction with what was the Primary Care Trust in the fast food outlets with the aim to reduce obesity in children.

1.1.3 To prevent the spread of infectious disease and food poisoning and investigate outbreaks.

1.1.4 Health and Safety including smoke free enforcement and advice and accident investigation.

1.1.5 Animal welfare and the control of zoonotic diseases.

Links to Corporate objectives and plans

1.2.1 The Food Law Enforcement Service Plan is designed by the Food Standards Agency (FSA) to meet customer needs and our services are provided with reference to the:

- Community Plan
- Council's Strategic Plan
- Council's Enforcement Policy
- Directorate's Annual Plan
- Divisional Service Plan

1.2.2 The activities of the CBR Food Team are linked where possible to these strategies, policies and objectives. These are set out in the Team Plan which details amongst other issues, the Food Enforcement objectives for the year and defines the performance that has been set to meet these targets. The Team also has a statutory function and is linked through to the Food Standards Agency, Health and Safety Executive, Department of Food and Rural Affairs, Animal Health Agency and Public Health England.

1.2.3 The aim of the 2020 Community Plan is to:

Improve the lives for all those living and working in the Borough

1.2.4 The Council will realise its overall Vision for the Borough through four core themes, underpinning these themes is the commitment to One Tower Hamlets:

- A great place to live
- A Prosperous Community
- A Safe and Cohesive Community
- A Healthy and Supportive Community

1.2.5 The aim of the CBR Food Team is to protect residents, visitors and businesses by:

- *Advising consumers on the resolution of civil disputes with traders.*
- *Promoting and regulating food hygiene/safety and standards of health and safety both in the workplace and at public events in the Borough*
- *Preventing the spread of infectious disease and food poisoning, and the investigation of outbreaks*
- *Developing partnerships with businesses, regeneration initiatives and other organisations in the Borough*
- *Involving ourselves in national strategies i.e. Obesity Strategy, fast food outlets around schools.*
- *Promotion of business awards for smoke free and healthy eating in conjunction with local National Health services*
- *Animal welfare and the control of zoonotic infections*
- *Allowing members of the public to make an informed decision on which establishments they eat in/buy food from by informing them of the general hygiene standard of premises via the FHRS and the affiliated website, window stickers and certificates.*
- *The regulation of consumer legislation by way of inspection, audit, complaint investigation, awards, training/advice and enforcement.*
- *Issue and enforcement of “approvals” covering a range of activities concerning products of animal origin (POAO) in manufacturing premises.*

1.2.6 The Food Law Enforcement Plan links in with the detailed activities that have been developed as part of the Team Plan and individual officer performance, development and review plans.

2.0 **BACKGROUND**

2.1 Profile of Tower Hamlets

- 2.1.2 Tower Hamlets has a wide range of commercial food businesses located across different parts of the borough. Some of the key businesses include:
- § Major supermarkets (Tesco, Asda, Sainsbury, Lidl, Marks and Spencer & Waitrose)
 - § Office developments occupied by blue chip companies, newspaper publishers, with large scale catering
 - § Several major hotels, including Britannia, Four Seasons, Gourman, Holiday Inn, Hilton, Radisson and Marriott
 - § There is a diverse range of restaurants and cafes in the borough, including Italian, French, Greek, Turkish, Somali, Spanish, Chinese, Japanese, Thai and those from the Indian sub-continent (India, Bangladesh, and Pakistan).
 - § 94 schools
 - § Billingsgate – London’s major Wholesale Fish Market
 - § World famous street markets at Petticoat Lane, Whitechapel, Brick Lane and Roman Road.
 - § London Guildhall University, Queen Mary University of London and The Royal London Hospital Medical Schools
 - § The Royal London, St Andrews, Mile End, London Chest and London Independent Hospitals
 - § 2 poultry slaughterhouses
 - § 3 City Farms
 - § numerous night clubs & other venues
 - § Many community events such as concerts in Victoria Park and festivals in Brick Lane.
- 2.2 Organisational Structure
- 2.2.1 The Team is located within the Consumer and Business Regulations service (CBR). CBR is part of the Safer Communities Division which is part of the Directorate of Communities Localities and Culture. The Council’s administrative committee structure is set out in Annexe B and structure showing where the service sits in the overall council organisation is in Annexe C.
- 2.2.2 Food Safety falls within the portfolio of the Deputy Mayor.
- 2.3 Scope of the Food Service
- 2.3.1 The CBR Food Team is responsible for the following functions in all commercial premises.
- food hygiene
 - food standards
 - health and safety
 - infectious disease control
 - public health activities
 - Smoke Free enforcement

- 2.3.2 Nuisance and Pollution control issues related to commercial premises are dealt with by the Environmental Protection service. The Trading Standards Team deals with animal feeding-stuffs and fraudulent activities covered by the Food Safety Act.
- 2.3.3 A proactive and reactive service in relation to food hygiene and food standards is provided primarily through the programmed inspection of food businesses and by responding to public complaints including comments on planning and licensing applications. We are a responsible authority under the Licensing Act.
- 2.4 Demands on the Food Service
- 2.4.1 Premises Profile
- 2.4.2 The tables below show the number of food businesses in each risk category classified by type of activity and risk rating. Some premises, where the risk is negligible are discounted from the inspection programme.
- 2.4.3 Food Standards legislation sets out specific requirements for the labelling, composition and safety parameters of food stuffs which are potentially at risk of being misleadingly substituted with lower quality alternatives. The legislation makes sure consumers are not misled as to the nature of food products when it is sold to them. Premises that are inspected included importers and exporters who may not even hold food on their premises – this accounts for the difference in total numbers in Table 1 and Table 2 below.
- 2.4.4 Food Hygiene is vital to prevent food poisoning. Our inspections cover food safety management procedures, cleaning, storing of food, pest control, preparation, cooking, the delivery and supplying of food, training of staff and the physical structure of the food premises.

Table 1: Hygiene

Food businesses 13/14 and their inspection category for food hygiene (17.05.13)

Usage	A	B	C	D	E	OUTSID	UNRATE	Grand Total
E02 Child Minder			2	13	60			75
F01 Bakery/cakes		2	17	10	6		3	38
F02 Butcher		3	4	8	4			19
F03 Canteen/kitchen	3	18	79	20	27	1	5	153
F04 Cash and Carry/Food Wholesaler	1		8	9	13		1	32
F07 Delicatessen/ Cooked Meats		1	4				1	6
F08 Fishmonger/Wet Fish/Seafood		1	13	20	10	1	1	46
F10 Manu/packer - non meat/fish products	1	2	3		1			7
F11 Fish Products Manufacturer		2	3	3	1			6
F12 Fruit/veg/greengrocer			1	14	24		1	40
F15 Mini-Market/Grocer	1	3	88	134	76		12	314
F16 Newsagent/Sweet Shop/Tobacconist		2	11	45	40		7	105
F17 Off Licence/Wine Merchants			8	23	14		4	49
F20 Public House/Wine Bar-catering		4	76	49	45		5	179
F22 Restaurant/Cafe	5	70	501	78	31	1	71	757
F24 Fish products/cooked shellfish		1	9	6				16
F26 Supermarket / Hypermarket			9	13	16		8	46
F27 Takeaway Food	2	22	182	29	29	2	29	295
F29 Vehicle - Sale of hot food			3	2	1		5	11
F40 Home caterer			8	10	6		41	65
F50 Staff Restaurant/Canteen/Bar		1	50	19	3		12	85
F52 Sandwiches/snacks/confectionery	1		3	2	5		3	14
F57 Luncheon Club	1	1	6		1		1	10
FAA School kitchen		17	69	3	3		2	94
M01 Chemist/Pharmacy/Drug Store				1	38			39

The frequency of inspection is:

- A: every 6 months
- B: every 12 months
- C: every 18 months
- D: every 2 years
- E: every 3 years

The Category for premises classed as unrated is determined at the first visit and can be A-E.

Category E premises may be dealt with using an alternative enforcement strategy (AES).

Premised in the "outside" category are premises for Food Standards only as there is i) no hygiene involved (i.e. it is an importers office or ii) hygiene is the responsibility of the FSA (i.e. FSA approved slaughterhouses).

Other	1	41	27	77	15	16
Grand Total	15	152	1198	538	21	228
						2683

Table 2 : Standards.

Food businesses 13/14 and their inspection category for food standards (17.05.13)

Row Labels	A	B	C	UNRATE	(blank)	Grand Total
X02 Slaughterhouses	2	1	1			2
X03 Manufacturers	1	25	10	37	2	76
X04 Packers						1
X06 Importers (3rd)		3	1	3		7
X07 Distributors/Transporters	2	63	7	4	1	77
X08 Retailers		16	60	4		80
X09 Restaurants Etc		16	12	1		29
X11 Manufacturer Selling by Retail		14	14	2		30
X12 Supermarket/Hypermarket		10	25	3	7	45
X13 Small retailer	2	259	240	40	24	565
X15 Restaurant/cafe/canteen	2	426	353	87	49	917
X16 Pub/club		61	136	8	4	209
X17 Takeaway	1	156	69	63	7	296
X18 Caring premises		11	44	46	12	113
X19 School/college		27	76			105
X20 Mobile food unit		1	4	6	1	12
X21 Restaurant & caterers - other		6	6	4	2	18
X22 Hotel/Guest house		3	6			9
Y01 Retail Shops		3	11	5	1	20
Y02 Wholesale shops	1					1
Y03 Offices			1	1		2
Y04 Catering Services		3	4	3		10
Y06 Leisure etc.			2	1	2	5
Y07 Consumer Services			1	2		3
Y09 Hotel			1		1	2
Y10 Liable for inspection by HSE		2	2	3		7

The frequency of inspection is:

A: every 12 months
B: every 2 years
C: every 5 years.

The Category for premises classed as unrated is determined at the first visit and can be A-C.

Category C premises may be dealt with using an alternative enforcement strategy (AES).

Other		2	4	5	4	15
Grand Total	11	1108	1090	328	117	2654

2.4.5 As of May 2013 the following establishments were approved by the Council to produce and manufacture food incorporating Products of Animal Origin (POAO) for wholesale purposes: -

- § 12 fishery product manufacturers
- § 43 fishery products and live shellfish wholesalers
- § 6 dairy product producers
- § 3 meat product processors (inspected as part of the action into the horsemeat scandal)
- § 1 sandwich manufacturer

2.4.6 Tower Hamlets' food businesses are primarily caterers and retailers.

2.4.7 There is an unfailingly high level of imported foods (from non EC Countries) entering the Borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements). This area of work is continually high due to low costs of cheap imports and high consumer demand. This food however gives rise to a risk to human health and we remove it from sale/enforce as necessary and offer advice to importers.

2.4.8 When carrying out a food hygiene or food standards inspection, officers may also carry out a health & safety inspection where the council is the enforcing authority for the relevant legislation.

2.4.9 One third of the population is of Bangladeshi origin and over half the population are from ethnic minorities. The make up of food businesses reflects this profile, although demand for translation and materials in other languages is not high. Ethnic minority food business proprietors generally prefer written information to be provided in English. A translation and interpreting service is available if required and a number of our staff is multilingual.

2.4.10 Reception and Information Service

2.4.11 The reception and information point for the CBR Food Team is located at:

Mulberry Place
5 Clove Crescent
London E14

- 2.4.12 We operate an out-of-hours emergency call-out service, which operates from 5pm to 8am on a weekday and 24hrs at weekends and Bank Holidays. This service operates only for food poisoning outbreaks or major food safety incidents and other non-food safety related emergencies.
- 2.4.13 Tower Hamlets also has a website at www.towerhamlets.gov.uk and the CBR Food Team have an E-mail address, namely: foodsafety@towerhamlets.gov.uk. This address is also used for the national electronic communication system for Environmental Health Departments, known as EHCNet.
- 3.0 **Service Delivery**
- 3.1 Inspection Programmes
- 3.1.1 Food establishments in the Borough are risk rated. A risk score of 10 points or below in the compliance of premises i) structure ii) hygiene and iii) confidence in management determine if the premise is broadly compliant. This measure of broadly compliant with food hygiene law is used internally and by the Food Standards Agency. This indicator covers all the food premises in the Borough, not just those that are due for inspection this year.
- 3.1.2 The Food Standard Agency code of practice (that guides our inspection programme) permits shorter inspections on those businesses that are deemed broadly compliant i.e. in the lower risk categories of C and D for food hygiene. It also permits the use of posted questionnaires for those premises in category E.
- 3.1.3 We use a hazard spotting approach for those premises that are deemed to be broadly compliant. This reduces the burden on business and concentrates our resources on the non compliant businesses. However, a full inspection will be carried out if these compliant businesses are not in control of the risks or a public health risk is identified.
- 3.1.4 A significant number of businesses will continually move between broadly compliant and not broadly compliant. A significant number of re-inspections will be undertaken to ensure that we begin moving towards an upward trend of broadly compliant percentage.
- 3.1.5 We have determined that we have 83% of all food premises currently broadly compliant.
- 3.1.6 The Food Safety Officers carry out programmed food hygiene/standards inspections at frequencies determined by the Food Standards Agency. A programmed food safety inspection will therefore cover food hygiene and food standards, where this falls due (although some premises will fall due for food standards inspection only) and we will also deal with issues relating to enforcement and advice under health and safety law, either in very broad terms or as part of a focused health & safety project. The inspection programme is dictated by the food hygiene inspection rating allocated to a business because this generally leads

to more frequent inspections. This therefore builds in efficiency into the inspection programme by only inspecting for food standards in the year that food hygiene is due. However, Category A – high risk food standards inspection due dates are checked to ensure that these are inspected in the current year. Some premises such as importers who do not actually handle or store food are subject only to food standards inspections.

3.1.7 Category E food hygiene and Category C food standards inspections will be addressed by using alternative enforcement strategies (AES), such as a self audit questionnaire. These questionnaires will be sent to all Category E and C rated premises. Verification follow up will be carried out on 5% of these premises.

3.1.8 For 2013/14 the number of food hygiene inspections due is shown in Table 3 and the number of food standards inspections due is shown in Table 4:

Table 3

The number of food hygiene inspections due to be carried out in 2013/14.

Inspection Rating	Number of food hygiene inspections due
A	12 x 2 = 24
B Broadly compliant	42
B not Broadly compliant	110
C Broadly compliant	854
C not Broadly compliant	88
D Broadly compliant	414
D not broadly compliant	10
E (verification)	254 (5% = 13)
Unrated	190
Total Inspections	477
Total Surveillance inspections	1268
Total Interventions	1745

Table 4

The number of food standards inspections due in 2013/14 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	11
B	555
C (verification)	441
Unrated	268
Total	1275

- 3.1.9 Most food standards inspections will be carried out at the same time as a food hygiene inspection. It is the teams' target to achieve 100% of all A standards inspections due.
- 3.1.10 Where possible new premises identified will be added to the work programme to be inspected during the year. These 'unrated' businesses will count against the broadly compliant score and hence resources will be allocated to carry out inspections on the unrated businesses.
- 3.1.11 Food hygiene and food standards inspection procedures detail the steps to be followed by officers. They take account of relevant Codes of Practice, Local Government Regulation and FSA guidance and relevant Industry Guides.
- 3.1.12 Hygiene re-inspections will be carried out where enforcement notices have been issued, where there is a significant public health risk or the premises not broadly compliant.
- 3.1.13 Food Standards re-inspections are of a lower priority and not required as often as for food hygiene.
- 3.1.14 The resource estimated for programmed inspections, including alternative enforcement strategies (AES) for lower risk premises is **3.7 Full Time Equivalent (FTE)**. Re-inspections allocation to be **2 FTE**. **Annex A** gives details of the assessment of resources for all functions within the plan. Any shortfall in year, will be dealt with by not inspecting all the premises that fall due where low risk pre packed food is offered or other inspection regimes which deliver a similar inspection function, namely schools, off licences, newsagents and chemists.
- 3.1.15 Additional inspection priorities have been identified for action in 2013/14 including: -
 - § Inspections will be carried out at major festivals.

§ Sampling plan involving microbiological sampling, mis leading claims and personal hygiene
§ Routine attendance at Billingsgate Market.

§ All premises subject to approval will require additional attention and inspection time due to the risk they present.

§ Food Standards will be combined with Food Hygiene inspections.

§ Illegal importation of food will be targeted as priority

§ Health & Safety inspections will be on a themed basis.

§ We will specifically target A risk premises and Higher B's with advice and enforcement

§ We will use alternative enforcement strategies in low risk premises and may not inspect some if reactive demands are increased.

3.2 Food Complaints/Requests for Service

3.2.1 The Environmental Health Commercial Team will record, assess, prioritise and deal appropriately with all requests for service. Requests for service will be classed as higher risk issues or lower risk issues. The target response time for service requests are:

- *To give a 1st response to 99% of service requests within 3 working days*
- *To respond to 100% of higher risk issue service requests within 24 hours.*
- *To register all new operating premises within 28 days of receipt of application form.*

3.2.2 The number of service requests for 2012/13 was 955.

3.2.3 The resource estimated for dealing with service requests is **1.9 FTE.**

3.3 Home Authority Principle

3.3.1 In response to public complaints and service request the Council formally adopted the Home Authority Principle at the Planning and Environmental Services Committee meeting of 13th June 1995. A Home Authority is the local authority where the decision making base of an enterprise is situated. The local authority provides advice to the enterprise and deals with enquiries from other councils in relation to the business. An Originating Authority premises is one where the food is manufactured, stored or first imported to, but to which the definition of Home Authority does not apply. The new concept of Primary Authority Partnerships that has recently been introduced by the Government may affect work plans for companies where the company trades across two or more Local Authority areas. This will enable one Authority to be a Primary Authority that will guide the business on compliance issues.

- 3.3.2 Approximately 200 businesses have been identified as probable Home or Originating Authority premises. Enquiries for advice from local businesses or other enforcement authorities will be treated as requests for service and will be prioritised accordingly.
- 3.3.3 The resource estimated for this area of work is **0.25 FTE**.
- 3.4 Advice to business
- 3.4.1 Advice is freely available to food businesses and is provided during visits and upon request. Business information packs have been produced for people considering setting up a food business and are sent to relevant applicants for planning permission. A variety of information leaflets, in community languages, are also available. Training has been offered to businesses, but it is not always taken up, we will endeavour to do more work with all sections of the community in this regard.
- 3.5 Food Inspection and Sampling
- 3.5.1 Food is inspected in accordance with UK and EU legislation. A documented sampling programme is produced each financial year covering planned microbiological and chemical sampling. Our sampling policy is at Annex D
- 3.5.2 The programme includes participation in co-ordinated projects organised by the Food Standards Agency, Public Health England (PHE), EU, London Food Co-ordinating Group and North East London Food Liaison Group. Planned local projects and Home Authority sampling are also included.
- 3.5.3 The target for 2013/14 is approximately 180 (Proactive sampling: 82 from FSA grant samples, 65 from NE sector, planned internal and HPA; Reactive Sampling: a contingency sampling quota of 27 is set aside for internal samples from closures, seizures, outbreaks etc.). All samples to be taken by the end of the financial year. The budget for sampling is £12,000.
- 3.5.4 The total number of samples taken for 2012/13 was 199 of which 31 were unsatisfactory and follow up action was required.
- 3.5.5 The Laboratories to which samples are sent are subject to the appropriate accreditation. Analysis is undertaken by the Council's nominated Public Analysts:-
- Duncan Arthur
 Jeremy Wooten
 Eurofins Scientific Laboratories, 445 New Cross Road, London, SE14
- Microbiological examination is undertaken by:-

Susan Surman (Food Examiner)
Public Health England, Food, Water & Environmental Microbiology Unit (London), Food Safety Microbiology Laboratory, Central
Public Health Laboratory, 61, Colindale Avenue, London, NW9 5HT.

On occasions, samples for microbiological examination will be sent to Eurofins Scientific Laboratories.

3.5.6 The resource required for food sampling is estimated to be **0.5FTE**

3.6 Outbreak Control and Infectious Disease Control

3.6.1 We will investigate all suspected and confirmed outbreaks of food poisoning and the Outbreak Control Plan will be implemented in the case of a major outbreak (i.e. 4 or more cases).

3.6.2 Individual allegations of food poisoning caused from consumption of food within the borough, but which are not supported by medical evidence will be treated as service requests. The level of resource is estimated at **0.02 FTE**

3.7 Response to Food Safety Incidents

3.7.1 We deal with Food Alerts in accordance with the Code of Practice and guidance issued by the Food Standards Agency. Alerts requiring action by the department will take priority over all other work. The out-of-hours emergency service will notify the duty officer in the event that the Food Standards Agency notifies them of a major incident of food contamination which occurs outside normal office hours.

3.7.2 There is a policy document and procedure note on dealing with Food Hazard Warnings.

3.7.3 Resources for this work are dependent on the demand. In 2012/13 there were 46 Food Hazard Warnings and 59 Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.05 FTE**. (Included in Service Requests above)

3.8 Enforcement Policy

3.8.1 The current enforcement procedure is documented and outlines all enforcement action carried out by officers, it reflects the Corporate Enforcement Policy. It seeks to ensure that formal enforcement is focused where there is a real risk to public health and that officers carry out action in a fair, practical and consistent manner.

3.8.2 The Corporate Enforcement Policy is followed by the Team during all Enforcement matters as is specifically referenced to when commencing a prosecution by the Council Legal Services.

- 3.9 Liaison with Other Organisations
- 3.9.1 Liaison arrangements are in place to ensure that enforcement action in Tower Hamlets is consistent with neighbouring authorities and in particular: -
- § Tower Hamlets is a member of the North East London Food Liaison Group which meets every eight weeks.
 - § A PEHO attends regular sub-group meetings to discuss and arrange co-ordinated Approval processes.
 - § Planned liaison meetings take place with Public Health England.
- 3.9.2 The resource required for these activities is estimated at **0.03 FTE**.
- 3.10 Food Safety Promotion
- 3.10.1 The Food Safety Officers will, subject to available resources, carry out food safety promotional work through participation in certain national campaigns and local projects, more specifically:
- § It is intended to examine opportunities to participate in appropriate schemes, deliver talks, and provide displays for suitable groups or at events or locations throughout the year.
 - § National Obesity Strategy working with Public Health.
 - § Seeking small grants from the Food Standards Agency to carry out bespoke projects
- 3.10.2 The resource required for these activities is estimated at **0.03 FTE**.
- 3.11 Administration
- 3.11.1 The Service's central Admin team provides administration support.
- 3.12 Management
- 3.12.1 The Head of Consumer and Business Regulations Service provides overall management of all services in CBR. The Food Team is managed by the Food Team Leader with support from 1 PEHO who also has fieldwork duties. Management accounts for approximately **0.8 FTE**.

4.0 Resources

- 4.1 Financial Allocation
- 4.1.1 The Food Safety financial allocation is part of the CBR Food Team cost centre.
- 4.1.2 Training costs are included in the Employee related expenses and a number of free courses are run by the Food Standards Agency.
- 4.1.3 Provision of other central, directorate support services which includes legal services is added at the end of the financial year to service costs. This recharge is on a divisional basis and not broken down into individual teams.
- 4.2 Staffing Allocation
- 4.2.1 The staffing for food safety work, is as follows:
 - 0.2 x Head of Consumer and Business Regulations Service
 - 1x Food Team Leader
 - 1 x Principal Environmental Health Officer (PEHO)
 - 2 x Senior Environmental Health Officer (SEHO)
 - 3.5 x Environmental Health Officer (EHO)
 - 2 x Food Safety Officer (FSO)
 - 1x Healthy Eating Project Lead – funded until April 2014
- 4.2.3 Additional resources located outside of the CBR Food Team are as follows:
 - TSO/CSO –Animal Feeding-stuffs – resources allocated as required
 - CBR Food & Trading Standards Teams share administration resources:
 - Food Safety allocation is approximately:
 - 1 x Senior Support Services Manager (0.1 FTE)
 - 1 x Support Services Manager (0.25 FTE)
 - 4.5 x Administration Officers (1.125 FTE)
- 4.2.5 Authorisation and competencies

Head of Consumer and Business Regulations Service /PEHOs/EHOs:

- Fully qualified to Diploma/Degree level
- Authorised to inspect all categories (with the exception of any officers who have not been qualified for 6 months or have insufficient experience)
- Take all levels of enforcement action (with the exception of any officers who have not been qualified for 2 years or are Food Safety Officers)

4.3 Staff Development Plan

4.3.1 The Council uses its Performance Development and Review Scheme (PDR) to:

- Set individual aims and objectives for staff.
- Monitor and appraise performance.
- Assess the development needs of all staff.

At the start of the performance year all staff will have their own Personal Plan, which will comprise of their main objectives with targets and their own development plan.

4.3.2 Individual and Team training plans reflect the following

- Common training issues for the service
- Training issues linked to Corporate and Directorate priorities
- Training linked to new legislation, professional developments
- Training relating to organisational matters (IT, systems and procedures)

4.3.3 Training for the financial year 2013/14 is prioritised as follows:-

Food Issues

Update Seminars – providing technical information on food safety topics
Consistency of scoring for the Food Hygiene Rating Scheme
Use of the new Enforcement powers to stop business activities (RAN)

General Issues

Investigation techniques – general training for successful investigations, due to the increase in enforcement

Interviewing under caution – aimed at newly qualified staff to enable they feel confident in undertaking such legal processes Working with the third sector

4.4 Allocation of Resources

4.4.1 **Table 5 in Annex A** sets out the total resources available and how the resources identified to complete the plan in 2012/13 were allocated. . .

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2012/13

4.4.3 The areas of work which were not completed were:

- § Primary Authority Partnerships – no formal agreements were established. There was no demand from businesses to sign up to a formal agreement. However we have continued to provide informal agreements and advice to businesses.
- § Programmed inspections were 81.4% of those planned for hygiene (and 44% for standards. Excluding the D and E and C surveys. The Team concentrated on the higher risk premises to ensure food safety, These inspections will be carried forward into 2013/14. The Standards inspections were lead by the due date of the hygiene inspections. In some cases Standards inspections fall due when hygiene is not due hence they are carried forward to the next inspection date.

5.0 Quality Assessment

5.1 The measures to be taken by the CBR Food Team Management to assess quality and promote consistency include: -

- Desktop reviews of proactive and reactive case paperwork and files will be undertaken by the Food Team Leader or PEHO.
- New or Agency staff will be inducted into the departments procedures and shadowed on inspections to ensure competency and consistency.
- All staff will have a 6-8 weekly 1 to 1 with their immediate supervisor to discuss casework.
- Accompanied inspections will be carried out with each member of staff.
- Documented procedures
- Bi -monthly documented team meeting
- Occasional training sessions and other exercises which are organised to aid consistency, staff appraisals and 6 month reviews.
- Monthly monitoring reports will be produced using the CIVICA software system.

6.0 Review of 2012/13

- 6.1 Review against the Service Plan
- 6.1.1 The Head of Consumer and Business Regulations Service presents reports to the Service Management Team on performance of the food safety inspections against performance targets detailed in the Service Plan.
- 6.1.2 At the end of the financial year, a performance review is carried out by the Food Team Leader with input from team members, which will include information on the past year's performance and progress on any specified performance targets, service improvements and targeted outcomes. It will also identify service priorities for the coming year. The review of 2012/13 is set out in 6.4 below.
- 6.2 Identification of any variance from the Service Plan.
- 6.2.1 Any variance in meeting the Food Law Enforcement Service Plan is identified in the review in 6.4 together with any reasons for the variance. Where necessary any variance will be addressed in this years plan.
- 6.3 Areas of Improvement
- 6.3.1 Where a service improvement or a service development is identified as part of the review process or through quality assessments, it will be incorporated into this years plan. Key areas for improvement identified from the review are detailed in paragraph 6.17.
- 6.4 Inspection Programmes
- 6.4.1 81.4% of all food hygiene premises (Bands A-C) that were due for inspection had a food hygiene intervention. For the higher risk premises this was 100% A risk and 99.3% B risk. All overdue premises have been carried forward to the 2013/14 programme.
- 6.4.2 422 re-inspections were carried out. This is a decrease from the previous year. Taking into account that 1118 inspections were carried out this equates 37% of premises receiving a re-inspection.
- 6.4.3 44% of the food standards programme was carried out, food standards inspections that fall due along side food hygiene inspections. The remaining were not carried as hygiene inspections were not due or the premises had been assessed as low risk.
- 6.5 Enforcement

- 6.5.1 22 (11 in the previous year) businesses or individuals were prosecuted as a result of either programmed inspections or complaint inspections. This resulted in total fines and costs awarded of £152,471 (£34,235 previous year)
- 6.5.2 72 (123 in the previous year) formal improvement notices were issued.
- 6.5.3 35 (21 in the previous year) premises were closed by Emergency Prohibition Notices or voluntary closure, mainly for uncontrolled pest infestation, this is of course a large increase on the previous year. This may be a result of concentrating resources on the higher risk premises, but may be a symptom of a shortfall in FTE resources – i.e. less interventions may cause some businesses to worsen over time in the absence of EH advice. Of the 34 businesses closed (number taken as 34 and not 35 as one premises was closed twice) 17 were B/C before inspection and 11 closures came about through Service Requests.
- 6.6 Additional Priorities
- 6.6.1 Regular early morning inspections were carried out at Billingsgate Market. Programmed inspections were carried out as well as general supervision of the market. All Traders have now received their approval to trade at the market.
- 6.7 Food Complaints/Requests for Service
- 6.7.1 A total of 955 service requests were received.
- 6.7.2 The main types of complaints received were: 94 were with regards to food poisoning complaints concerning food premises in the Borough (an increase from 89 last year), 85 about pest infestations (a decrease from 93 last year), 74 for poor hygiene practices (75 last year), 16 for cleanliness of premises (a decrease from 23 last year), and 95 complaints were received about food standards issues, such as food labelling (Use by dates)(same as last year).
- 6.8 Home Authority Principle
- 6.8.1 No formal Home Authority Partnerships were established during the year due to the demands of other areas of work. However a number of the contacts from outside bodies were Home Authority enquiries from other authorities. Each of these was dealt with as appropriate and in line with the Home Authority Principle.
- 6.9 Advice to Business
- 6.9.1 Business packs for new businesses continued to be issued, along with a booklet giving advice on carrying out a hazard analysis.

- 6.10 Food Inspection & Sampling
- 6.10.1 199 Food samples were taken, of which there were 31 failures (a decrease from 41 last year). All of these failures were subsequently followed up.
- 6.10.2 A full Sampling Plan has been produced for 2013/14. The Sampling Policy is detailed in Annex D and is a required to be approved as part of the Food Law Plan.
- 6.11 Outbreak Control & Infectious Disease Control
- 6.11.1 Some 94 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough. No large outbreaks were identified/confirmed during the year however there was 1 outbreak alleged. There are still a number of Typhoid and Paratyphoid infections that are reported via Public Health England and contact tracing is undertaken to avoid outbreaks.
- 6.12 Food Alerts
- 6.12.1 46 Food Alerts were received from the Food Standards Agency, most of these did not require any action, however a number did result in the issue of Press Releases to notify the public, some required a large number of businesses to be notified in writing, and some required officer visits/sampling.
- 6.12.2 Food Alerts attract a high priority and immediate response. When they happen resources have to be diverted from other food enforcement functions to facilitate the necessary action. This can impact on the target outputs of the Plan. The horse meat scandal pulled team resources into tracking down traceability of meat across the Borough, throughout the country, and throughout Europe. A sampling programme was also undertaken in liaison with the FSA.
- 6.13 Liaison with Other Organisations
- 6.13.1 The food safety unit fulfilled all of its liaison activities in the 2012/13 Plan.
- 6.14 Food Safety Promotion
- 6.14.1 Promotional activities on food hygiene for school children were delivered.

- 6.14.2 The service worked with the FSA to provide an external contractor to carry out food hygiene coaching on our higher risk premises.
- 6.15 Staffing
- 6.15.1 The team was fully staffed during the year.
- 6.16 Training
- 6.16.1 The food safety officers undertook a wide range of training activities during the year, these included:
- Sampling
 - Personal Safety
 - Interviewing techniques
 - Legal updates
 - Auditing food premises
 - Microbiology
 - Contamination
- 6.16.2 Quality Assessment
- 6.16.3 Documented team meetings took place.
- 6.16.4 Monthly monitoring reports are produced on a regular basis
- 6.17 Key areas for Improvement/Development
- 6.17.1 Professional Development of Food Safety Officers and newly qualified Environmental Health Officers.
- 6.17.2 Working with the private markets to control the hazards produced by stall holders and to obtain up to date trading details.
- 6.17.3 Procedures are systematically reviewed and completed and kept up to date.
- 6.17.4 Quality monitoring is continuing and staff have been requested to undertake a training needs analysis.
- 6.17.5 Development of alternative enforcement strategies for low risk premises, now to consider using with D rated food safety premises and broadly compliant C premises.

- 6.17.6 Consistency training for staff in relation to the Food Hygiene Rating Schemes
- 6.17.7 Development of our database with regards to Sampling data, UKFSS, a central shared database
- 6.17.8 Development of hand held/tablet computer IT systems
- 6.17.9 To recognise the Primary Authority Partnership scheme from the Better Regulation Executive
- 6.17.10 Revisits are to continue as this has resulted in enforcement action being taken when advice has not been followed.

Annexes

- Annex A: Assessment of resources
- Annex B: Current Council Decision Making Structure
- Annex C: Current Council Corporate Structure
- Annex D: Food Sampling Policy 2013/2014
- Annex E: Food Hygiene Rating Scheme: re-rating

Annex A

Assessment of Resources

Resources for 2013/2014

Table 5
Estimation of Full Time Equivalent (FTE)

1 year	365 days
Annual Leave	31 days
Training / team meetings	24 days
Bank Holidays/Statutory leave	12 days
Sick leave/dependency/Special leave etc	5 days
Weekends	104 days
Downtime – reading, research etc.	18 days
Officer Administration	10 days
Number of working days	161 days
1 FTE	161 days (1127 hours)

Programmed Inspections

High risk premises (Cat A, B and not broadly compliant premises) = 477 inspections due (Table 3 as Total Inspections), at 3 ½ hours per inspection (this is in line with the average London authority – LFGG bench marking exercise carried out in September 1999), therefore 1670 hours to inspect 100%.

Broadly compliant premises = 1268 inspections (Table 3 as Surveillance Inspections) due at 1.5 hours per inspection, therefore 1902 hours to inspect 100%.

Total for inspections/surveillance therefore = 3572 hours (510 days)

Low risk (D, E hygiene and C standards) premises are likely to be subject to alternative enforcement strategies:

Allow 10 hrs for management of scheme. Allow 0.25 hrs per premises (1109) for implementation of scheme = 278 hours

Allow 5% will require inspection, i.e. 56 premises at 1.5 hrs each = 83 hrs

Total for Alternative Enforcement Strategies = 361 hrs (52 days)

Food Standards Inspections A rated: 11 premises due for food standards only @ 2 ½ hrs each = 27.5 hrs (4 days) Efficiency is gained as medium to low risk food standard inspections are undertaken in the year that the food hygiene is due.

Approval inspection on processes of HACCP 20 premises @ 14 hours = 280 hrs (40 days)

Resource required to achieve 100% inspection rate = **3.7 FTE**.

Re inspections following programmed inspections

All Category A premises will require a revisit as will premises that fall out of the broadly compliant range.

A = 24 @ 3.5hrs = 84 hrs (12 days)

Premises falling out of broadly compliant category 660@ 3.5 hours = 2310 hours (330 days) (Number based on mid-point between RVs carried out last year (422) v projected number of non B/C inspections from 13/14 inspections (477))

Resource required for re inspections = 330 days = **2 FTE**

Food standards inspections revisits 11 @ 2hrs = 22hrs (3days)

Resources required for food standard revisits = **0.02 FTE**

Service requests

It is expected that some 1000 food safety related service requests will be received during the year. It is estimated that each will take an average of 1.5 hrs, therefore 1500 hrs will be required to deal with these.

Total for Service Requests 1500 hours (214 days)

In addition:

50 Planning Applications @ 1 hr each = 50 hrs

Total time for Planning Applications = 50 hrs (7 days)

40 Premises Licence Applications @ 0.5 hr each = 20 hrs

Total time for Premises Licence Applications = 20 hrs (3 days)

39 food alerts @ 0.5 hr each = 19 hrs

10% approx will require extensive investigations etc.4 @ approx. 3.5 hrs each = 14 hrs

Total time for Food Alerts = 32 hrs (4.5 days)

Approximately 150 new premises to open during year @ 3 ½ hrs each = 525 hrs

Total time for New Premises = 525 hrs (75 days)

Total for Service Requests = 303 days = **1.9 FTE**

Home Authority Premises

There are approximately 200 premises considered to be either Home or Originating Authority. Most of these will simply be dealt with during routine inspections. However it is estimated that approximately 15 premises will require greater attention.

15 premises @ 7 hrs each = 105 hrs

185 premises @ 1 hr each = 185 hrs

Total time for Home Authority = 290 hrs (41.4 days) = **0.25 FTE**

Advice to Businesses

Throughout the year advice to business forums etc will be given on an ad-hoc basis

Ad-hoc support & advice = 250 hrs

Total for Business Advice & Support = 250 hrs (35 days) = **0.2 FTE**

Food Sampling

Sampling will be based on the Sampling Plan - which consists of a number of projects co-ordinated, by either: EU, PHE or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

180 samples @ average of 3 hrs per sample = 540 hours

Follow up to adverse results 20% = 36 @ 4 hours per sample = 144 hours

Total for Sampling = 684 hrs (97 days) = **0.6 FTE**

Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. Estimated **0.02 FTE**.

Liaison

Attendance at Sector Group meetings, study groups etc and follow-up work = 5 days

Total resource required is = **0.03 FTE**

Food Safety Promotion

A number of initiatives are planned, as follows:

- Miscellaneous press releases and events @ 35 hrs (5 days)

Total time for Health Promotion = 35 hrs (5 days) = **0.03 FTE**

Other Activities

Inspections will be carried out at major festivals and outside events such as the Brick Lane Festival and events in Victoria Park.

Total for festivals 200hrs (28 days)

Billingsgate Market:

Allow 4 hrs per week for Proactive visits, including dealing with service requests.

Allow 125 hours for auditing approval standards

Total for Billingsgate Market = 333 hrs (47 days)

Imported Food Projects/Surveillance allow 300 hrs

Total for Imported Food Control = 300 hrs (43 days)

Approved Premises:

Allow 70 hrs for processing additional premises identified during year

Total for approved = 70 hrs (10 days)

Food Standards Projects:

Allow 140 hrs for Food Standards Projects

Total for Food Standards Projects = 140 hrs (20 days)

Approximately 20 closures @ up to 50 hrs each (inc of legal action) = 1000 hrs

Total time for Closures = 1000hrs (142 days)

Total for other activities = 290 days= **1.8 FTE**

Healthy Eating Funding

The Tower Hamlets Public Health grant funded the Food Service to the sum of £60,000 to deliver a Healthy Food Choices Award with the aim to reduce obesity within the Borough. This funding has enabled us to employ 1 FTE to work on this project until March 2014.

Technical Support

The Food Safety Officers are responsible for supporting officers in their activities and for maintaining back-up systems and equipment and other resources. Along with their own inspection targets **0.25 FTE**

Admin Support

Admin support is provided by a generic admin function sitting within the Strategy and Resources Division of CLLC.

Management

The Head of Consumer and Business Regulations Service is responsible management functions across CBR (0.1 FTE). The Food Team Leader is responsible for management functions in the Food Team (0.5 FTE). Also, approximately 0.2 FTE of the PEHO's time is accounted for in management functions. Total for management is therefore **0.8 FTE**

A summary of resources required to meet the requirements of the service plan for 2013/14, allowing Tower Hamlets to obtain a position in the top quartile of high performing councils in relation to the number of high risk inspections carried out that are due to be carried out is shown below in Table 6:

Table 6

Activity	Time identified to complete work in Service Plan (2012/2013)	Time identified to complete work in Service Plan (2013/2014)
Programmed Inspections	3.2	3.7
Re-inspection	2	2
Food standards	0.01	0.02
Service Requests	1.9	1.9
Home Authority	0.25	0.25
Advice to businesses	0.2	0.2
Food sampling	0.5	0.6
Liaison	0.03	0.03

Food Safety Promotion	0.03	0.03
Food Poisoning outbreaks	0.02	0.02
Other Activities	1.8	1.8
Management	0.8	0.8
Technical Officer Support	0.25	0.25
Healthy Eating Award	1	1

Annex B ; Decision Making Structure:

Cabinet

Mayors Executive Decision Making

Council

Overview and Scrutiny

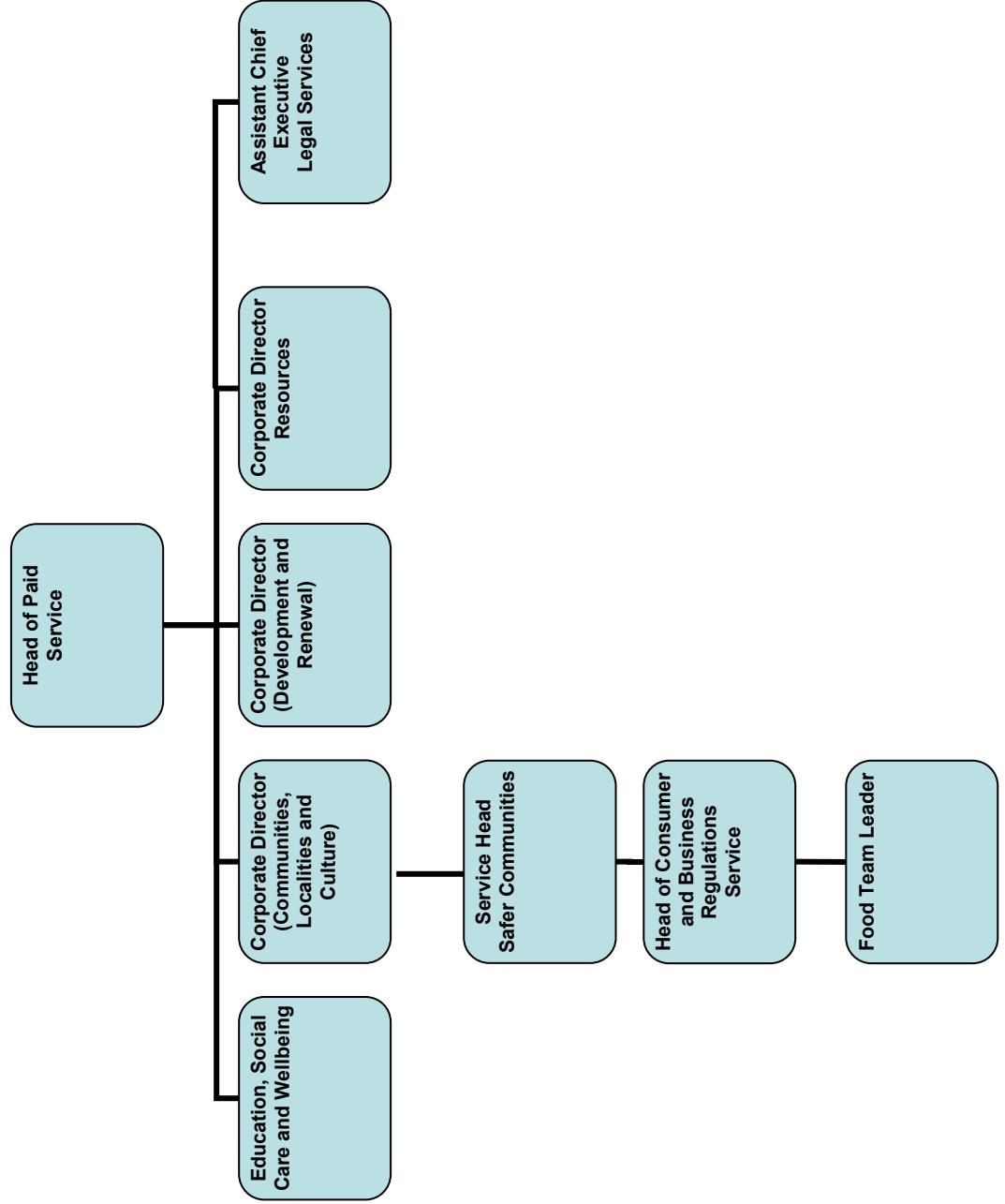
**Health Scrutiny Panel
Inner North East London Joint Health Overview & Scrutiny Committee
Overview and Scrutiny Committee**

Committees and Panels of Council

**Appointments Sub Committee
Audit Committee
Development Committee
General Purposes Committee
Human Resources Committee
Investigation and Disciplinary Sub-Committee
King Georges Field Charity Board
Licensing Committee
Licensing Sub Committee
Pensions Committee
Standards (Advisory) Committee**

Annex C

Corporate Structure



Annex D

LONDON BOROUGH OF TOWER HAMLETS

FOOD SAMPLING POLICY 2013/14

It is a requirement of the Code of Practice, which outlines procedures for sampling made under the Food Safety Act 1990 and Food Hygiene (England) Regs 2006 that local authorities publish a sampling policy and outline programmes for each financial year.

In common with all London boroughs, Tower Hamlets is part of the London Food Co-ordinating Group (LFCG). This has been set up by ALEHM (Association of London Environmental Health Officers), previously the London Chief Environmental Health Officers' Association to co-ordinate the food enforcement function of London Boroughs.

Membership of the Group includes Environmental Health Officers, Public Analysts and a representative of the Health Protection Agency. One of the key functions of the Group is the co-ordination of food sampling in London – this is achieved by dividing the 33 London Boroughs into 4 regional sectors, with each sector arranging sampling programmes in its own area only after proper liaison with the other 3 sectors. Tower Hamlets is in the NE sector.

FOOD SAMPLING OBJECTIVES AND PRIORITIES

The main objective of food sampling should be the protection of the consumer through the enforcement of food legislation and the encouragement of fair trading. In attempting to achieve this objective it is important that the Council considers the most effective use of limited resources. Therefore, the Council has identified its food sampling programmes in the following priority order:

- (i) Investigation of food poisoning outbreaks and food contamination incidents
- (ii) Complaints where sampling is necessary
- (iii) Imported food responsibilities
- (iv) Home authority responsibilities
- (v) EU co-ordinated sampling programme
- (vi) PHE sampling programme
- (vii) Co-ordinated programmed sampling – with other London Boroughs
- (viii) Local projects in individual boroughs

TYPES OF SAMPLES

There is a need for a common approach to sampling in the Borough, and this is set out as follows:

Random informal samples

- (i) These should be avoided for both chemical and microbiological samples.
- (ii) There is, however, a place for informal samples but principally within a programmed sampling project concentrating on a particular food issue.
- (iii) There will also be occasions when informal samples will be justified when testing a new product or process on the market.

Microbiological samples

- (i) Formal samples being taken in accordance with the Regulations should be the normal procedure.
- (ii) There are no advantages in taking informal microbiological samples – the procedures laid down in the Regulations are in any case good sampling practice and the additional information gathering required is minimal. However, only samples taken with the intention of legal proceedings in the event of adverse results should be submitted to the HPA as Formal samples. In these cases the relevant HPA Formal Sample form should be used.

Chemical samples

- (i) In view of the resource and time implications of taking formal chemical samples it is accepted that a significant amount of chemical sampling will be informal – this is especially the case when project or programmed sampling is being carried out as a monitoring or fact finding exercise.
- (ii) Formal samples should, however, be taken when:
 - Problems and contraventions of legislation are suspected
 - Results are not thought repeatable, e.g. pesticide residues or aflatoxins in food
 - In response to food complaints
 - Repeat sampling following a previous unsatisfactory informal sample

Sampling in manufacturing premises

- (i) The level and type of samples taken at individual manufacturing premises will depend on a number of factors including:
- The nature of the raw materials, intermediate and finished products
 - The existence or absence of Hazard Analysis Critical Control Points (HACCP) type procedures
 - The existence of in-house quality control systems
 - The level of in-house sampling and the quality of procedures and documentation
- (ii) It is important, however, to ensure that food sampling forms an integral part of routine inspections within the risk assessment system laid down in the relevant Code of Practice and LACORS guidance. Ad hoc samples taken without regard to the above and without set objectives and protocols should be avoided.

SAMPLING PROCEDURE

It is wasteful of resources to carry out sampling without first considering and agreeing the objectives – this is especially the case for any sampling project or programme carried out in conjunction with other London Boroughs.

A sampling and analytical protocol should be prepared in conjunction with the selected laboratory in order to ensure an agreed procedure and to encourage a uniform approach. Clearly the subsequent status of the sampling will depend upon the objectives and protocol agreed.

The results and conclusions from the sampling exercise should be collated and circulated through sector groups. It is recognised that on occasions individual local authorities, sectors or the LFCG will want to consider wider publication.

LEVEL OF SAMPLING

Local authority sampling levels are closely monitored by the Food Standards Agency through returns. This data will be aggregated and returned to Brussels in accordance with the Official Control of Foodstuffs Directive.

CO-ORDINATION

In order to achieve maximum effectiveness and the best use of scarce resources, the Council should ensure that food sampling, other than for reactive duties such as complaints, food poisoning and port health and home authority duties, is carried out in conjunction with the LFCG.

Proposed sampling projects should be cleared initially through the relevant sectors. Sector co-ordinators will be in a position to ensure that other sectors are not proposing to carry out similar surveys – this will avoid duplication.

Reports of surveys should be passed through sectors and ultimately through the LFCG in order to ensure a wide distribution and a sharing of information. UKFSS implementation will aid with information sharing.

SUMMARY

The aim of this Policy is to ensure that the Council protects the consumer, and in so doing follows good practice and uses scarce resources in the most effective way.

The Policy is intended only as a guide. It is flexible enough to allow initiative, but points the way forward to a more locally based approach to food sampling.

Nothing in the Food Sampling Policy is intended to preclude initiative on the part of individual enforcement officers – there will be occasion, in circumstances of constant market change, when ad hoc sampling will be necessary.

Annex E:

Food Hygiene Rating Scheme: rescoring.

The issues:

The National Food Hygiene Rating Scheme (FHRS) has run alongside our inspection programme since April 2011.

Benchmarking against other London Boroughs has taken place to increase consistency across Boroughs¹. Further research into the FHRS brand standard, the Food Law Code of Practice and Tower Hamlets Procedures indicated that we may be able to utilise the “compliance driving” nature of the scheme in a more effective way. This is of particular concern for three reasons i) the FHRS has now become a national scheme and ii) there is a potential future steer towards compulsory displaying of ratings; therefore it is important that we are consistent and fair with both local businesses and multi-site, national establishments to ensure that they are not treated differently in Tower Hamlets to their benefit or detriment iii) Food Business will keep a consistent standard from one visit to the next.

At the moment premises are inspected and scored; if there are outstanding works, the Officer will go back to re-inspect; the premises is then rescored on the FHRS. Regionally, other Local Authorities, as a rule do not re-rate at this re-inspection. It is claimed there is no incentive to comply before the next inspection and we cannot ensure that there has been a prolonged culture change in the business.

The Food Business Operator (FBO) may have carried out the works simply to placate the Officer in the short term in the knowledge that after the works are done the FBO will be made broadly compliant and due to the nature of the scoring system the Food Business Operator (FBO) will not then be inspected for 18 months to 2 years. In this time, where the FBO will receive no intervention/education/advice from Officers, standards can drop and by the time the next primary inspection becomes due (or a Service request is received) there are often problems requiring enforcement.

This can create a see-saw of scoring and enforcement rather than a consistently performing broadly compliant business. In the year 12/13 there were 35 closures. Of these 34 premises (one premises was closed twice) 17 were broadly compliant at the time of the inspection. This has prompted the Service to review the current practise and to ensure that the scheme remains credible. 11 of the closures came about from service requests. The 35 closures due to pests in 2012/13 is set against 21 closures 11/12, 17 closures 10/11, 17 closures 09/10 and 13 closures 08/09. There has been a steady incline in numbers of closures. It is clear that we at the Food Team have to take a new approach to

¹ Borough benchmarking: x 20 Boroughs questioned at NE London Food Coordinating Group & at London Food Coordinating Group Approvals Sub-Group regarding re-rating policy. All 20 Boroughs did not re-rate at revisit.

Havering; Lambeth; Greenwich; Camden; Merton; B&D; RBKC; Hillingdon; Hackney; Haringey; Barnet; Brent; Enfield; Bexley; Kingston; Tendring; Ealing; Waltham Forest; Redbridge

drive up compliance. Currently we cannot use the FHRS as a sanction as well as a food safety promotional opportunity. A change to the system will enable us to do this.

We will still carry out re inspections which will remove the risks to public health and allow the original rating to stand from the primary inspection. This will not only incentivise businesses to comply with the law, but it will also allow us to target our resources to the higher risk premises since lower rated premises will be inspected less often.

Impacts on the service:

At the moment 83% of the premises in the Borough are broadly compliant. This may decrease as fewer businesses will be re-rated up to broadly compliant within the financial year. A study of premises rated after a primary inspection and a subsequent revisit 12/13 shows that if the changes had been implemented last year the percentage of broadly compliance would have dropped to 72.7%. We hope however that the new procedure will drive up compliance. This will bring down the level of reactive work there is i.e. closures/ number of complaints (955 in 2012/13) /outbreaks. It is also expected that the new procedure will inform the public better on poorly performing businesses as the scheme is set up to do – thereby driving up compliance without spending time and money on interventions. In the year 12/13 there was only 7 formal re inspection requests. It is envisaged that this number will go up, but this will be aligned with the number of revisits being currently undertaken to achieve broadly compliant status.

Proposed changes:

Under the new procedure Officers will not re-score businesses on revisits unless i) it is formally requested and it is after the 3 month stand still period or ii) the revisit is within the three month stand still period but the works required are structural only. There will be a new distinction between types of revisits.

Future outcomes:

This will have a small detrimental effect on the broadly compliant percentage however it is foreseen that this reduction will only be a temporary drop as the FHRS utilised will drive compliance itself over time.

EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Food Law Enforcement Service Plan 2013/2014
Directorate / Service	CLC, Community Safety, Consumer and Business Regulations
Lead Officer	David Tolley
Signed Off By	

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)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	This proposal sets out the Council's twelfth annual plan for effective enforcement of food safety legislation. It aims to ensure that food in the Borough is produced and sold under hygienic conditions, without risk to health and is of the quality expected by consumers.
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?	Partial	A service in relation to food hygiene and food standards is provided primarily through the programmed inspection of food businesses and by responding to service requests including comments on planning and licensing applications. All residents in the Borough and visitors to the Borough will be positively affected by this proposal through securing food safety in the Borough. All food related businesses in the

			<p>Borough benefit as reputations are maintained and potential Business risks are minimised by engagement with the service.</p> <p>Whilst the profile of food law enforcement or compliance against equality strands is not known the service is configured to engage effectively with businesses reflective of the Boroughs diverse population. Over half of Tower Hamlets' population are from non-white British ethnic groups.</p> <p>The data picture is further complicated by the fact that the service engages with companies who may be owned by people in different equality strands from those who operate the business premises in the Borough.</p> <p>The Development and Renewal (D&R) directorate have corporate lead responsibility for Business related data capture and are currently reviewing the technical implications in developing an equalities strand of their business data base.</p> <p>In 2012/13, along with all services in the CLC the Food Safety Service was subject to an efficiency review. The shortfall (2 FTE for 2013/14) will be dealt with by not inspecting all the premises that fall due where low risk pre-packed food is offered or other inspection regimes which deliver a similar inspection function.</p>
c	<p>Is there a narrative in the proposal where NO impact has been identified? Please note – if a Full EA is not to be undertaken based on the screen or the 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</p>	N/A	<p>The Service has considerable experience developed over many years of engaging effectively with diverse operators and owners of food businesses. The relative impact between protected groups is not one that can be accurately determined at a local level due to the difficulties of securing access to information for individual businesses specific to the protected groups.</p>

			<p>The Food Standard Agency, who oversees and monitors how Local Authorities enforce food safety legislation, requires local authorities to produce and approve an annual Food Law Enforcement Service Plan.</p> <p>This annual plan is proposed to discharge the Council's responsibilities under the Food Standards Act 1999. The plan is neither new nor significantly amended from the previous annual plan.</p>
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	NA	There is reliable data regarding the profile of residents who live and work in the Borough. There are basic assumptions made regarding equalities engagement based on this data. However, as explained above there is currently no data available to the Council on protected characteristics specific to borough businesses and no clear way of securing this accurately. This is a problem faced by all Local Authorities. D&R are reviewing this issue.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	No	See above.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	NA	This is a Technical Plan the format of which is guided by the FSA.
3	Assessing Impact and Analysis		
a	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	Yes	The key issues specific to this service relate to communication and education. Depending on protected


	impact on different groups?		<p>characteristics of any specific business operative or owner the balance of effort specific to each varies. A range of targeted initiatives outlined in the plan address these issues within their design and application in the field.</p> <p>The Plan identifies the importance of consistency of scoring for the national Food Hygiene Rating Scheme, which has been running alongside our inspection programme. The benchmarking exercise of the Scheme against other London Boroughs conducted by the service showed that there was variance in the way that the Scheme was used when undertaking inspections. The service proposes that a business is not re-rated on a revisit after a primary inspection. Their original rating will stand unless the Food Safety Officer receives a written request for a re-inspection by the Food Business Operator, as required by the Scheme.</p>
b	Has the assessment sufficiently considered the three aims of the Public Sector Equality Duty (PSED) and OTH objectives?	Yes	See above.
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	NA	There is no action plan to mitigate the impact on a particular group by the enforcement. However, the service undertakes a wide range of advice/training activities and food safety promotion for businesses in the Borough, which have helped them understand food safety and regulations and act accordingly.
b	Are all actions SMART (Specific, Measurable, Achievable, Relevant and Time Bounded)	NA	
c	Are the outcomes clear?	NA	
d	Have alternative options been explored	NA	
6	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the	Yes	The service, including the numbers of inspection ratings for

	implementation of the proposal?		food hygiene and food standards, has been monitored. Some of the monitoring results are included in a following year's annual Food Law Enforcement Service Plan.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	NA	
7	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	The summary includes a recommendation that the Council develop a business equality data collection system, following the research study on the ownership and management characteristics of Tower Hamlets businesses.
8	Sign Off and Publication		
a	Has the Lead Officer signed off the EA? Please note – completed and signed off EA and Quality Assurance checklists to be sent to the One Tower Hamlets team	Yes	

Any other comments	
Signature	Date

Please keep this document for your records and forward an electronic version to the One Tower Hamlets Team

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<p>Cabinet Decision 6 November 2013</p>	
<p>Report of: Robert McCulloch-Graham, Corporate Director, Education, Social Care and Wellbeing</p>	<p>Classification: Unrestricted</p>
<p>Day Services for Older People</p>	

Lead Member	Cllr Abdul Asad, Cabinet Member for Health and Wellbeing
Originating Officer(s)	Barbara Disney, Service Manager, Strategic Commissioning
Wards affected	All Wards
Community Plan Theme	A Safe and Supportive Community, A Healthy Community
Key Decision?	Yes

Executive Summary

The Council currently spends a total of £2,033,100 on the provision of Day Care Services for older people who meet FACS¹ eligibility. These services are delivered through two in-house provisions (costing £978,000), three externally commissioned block contracts (costing £1,824,100) and additional spot purchased provisions to meet specific needs or user choice (costing £209,000). An initial review of these services indicates that the block contracts are underutilised.

These block contracts are due to expire on the 31st March 2014 and this report recommends that the authority enter into spot purchased arrangements with current providers, for a duration of 12 months starting 1st April 2014, to ensure continuity of service for users and allow for a comprehensive review of day care provision which will take account of potential changes that are likely to be introduced by the Care Bill.

The Care Bill, published on 10th May 2013 and currently going through Parliament, establishes a new legal framework which puts the wellbeing of individuals at the heart of care and support services. It seeks a system that enables people to remain as independent as possible for as long as possible, by connecting people to their local communities, increasing partnership working and collaboration across local authorities, providers, the voluntary and community sector, financial services organisations and individuals and carers playing a vital role. There will be a strengthened focus on the local authority and its universal responsibilities towards its residents not just those with higher need, who meet FACS eligibility and will

¹ FACS = Fair Access to Care Services

provide an opportunity to redesign services that better meets user needs and aspirations.

Recommendations:

The Mayor in Cabinet is recommended to:

- § Agree to offer new 12 month, spot contractual arrangements from 1st April 2014 to 31st March 2015, with three current day service providers for older people which are currently block contracted. These providers are:
 - § Sonali Gardens (St Hildas) in Tarling Street, E1 (focusses on Bangladeshi elders)
 - § Sundial Centre (Peabody Trust) in Shipton Street, E2
 - § St Hilda's Weekend Day Centre, E2

All provide borough wide services to older residents who meet FACS² eligibility criteria.

- § Agree that extensive consultation with current day service users and other stakeholders, and outcomes from the review and vision of *The Care Bill* should inform the model for a potential service redesign.
- § Agree a further paper to Cabinet in September 2014 with recommendations to be discussed and permission sought to go to the Market with clear outcomes for future Older Peoples Day Opportunities

² FACS = Fair Access to Care Services

1. **REASONS FOR THE DECISIONS**

- 1.1 To provide consistency and continuity of care services for vulnerable older people in Tower Hamlets whilst extensive consultation and an in-depth, strategic review of both in-house and externally commissioned day services is undertaken in light of outcomes from *The Care Bill*, currently going through Parliament and any demographic change brought to light by the review of the Joint Strategic Needs Assessment.

2. **ALTERNATIVE OPTIONS**

- 2.1 The Mayor in Cabinet may decide not to award new, twelve month spot contracts with the current providers. This option is not recommended as it may leave vulnerable older people without access to the support they need to maintain their wellbeing and maximise their independence.

3. **DETAILS OF REPORT**

- 3.1 There are three externally commissioned day services for older people in Tower Hamlets which have block contract arrangements and which are due to expire at the end of March 2014:

- § Sonali Gardens (St Hilda's) in Tarling Street (E1) focusses on Bangladeshi elders
- § St Hilda's East Weekend Day Centre (E2)
- § Sundial Centre (Peabody Trust) in Shipton Street (E2)

3.2 *Sonali Gardens*

Based in Shadwell, Sonali Gardens is managed by St Hilda's East and offers care and support to primarily Bangladeshi service users who live in Tower Hamlets. The service offers a bilingual Bengali speaking staff team within a building designed to meet the religious needs of the community. This includes separate, well-appointed prayer, ablution and recreation facilities for men and women. The annual contract value of the service is £392,000, which also includes costs for a lunch and transport service.

3.3 *Sundial Centre*

Peabody Trust provides the day care service at the Sundial Centre, Shipton Street, which is also part of the LinkAge Plus partnership and next door to the new Extra Care Sheltered Housing provision for people with Dementia.

The service is contracted on a block arrangement for 30 places. The value of the contract is £380,000 including lunch and transport.

3.4 *St Hilda's (Weekend Day Centre)*

This is the only weekend, FACS eligible day service offered over the weekend in the Borough. The service takes place at St Hilda's Community East in Club

Row. The service has an annual block contract value of £74,000 which includes lunch and transport, and a capacity to serve 12 people per day.

- 3.5 LBTH spends an average of £406 per person per week compared to LB Southwark at £357, City of Westminster at £344 and LB Richmond at £238 (Personal Social Services Expenditure Return. 2011-12). This is the highest in London and represents very poor value for money. By offering spot contracts during the consultation and review period, an efficiency saving will be achieved.
- 3.5 Access to day services is through an assessment of need undertaken with a social worker. Social care needs arise where an individual needs support to be able to achieve a level of independence that without a disability or impairment enjoy. Assessments are done collaboratively with the person exploring their own resources, strengths and networks, and their carer(s). For those who meet 'Fair Access to Care' eligibility criteria Day Service provision may be an appropriate option to meeting their needs. The Council currently provides services to those who meeting Critical and Substantial categories of risk.
- 3.6 With the expected increase in the older population over the next few decades, the demand for health and social care services is likely to rise and effective planning and interventions need to be in place. The Joint Strategic Needs Assessment (2010-11) indicates an increase in people aged over 65 from 4,800 in 2010 to 6,600 by 2025 and it is this cohort of residents that are more likely to need social care and support. An updated version of the Joint Strategic Needs Assessment will be available at the end of this year (2013) and will include the findings of the 2010 Census. This may also identify any changing patterns of demand.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. The authority has five day centre provisions throughout the borough which cater for older people. Two are internally provided (costing £978,100 per annum) and three are externally provided (costing £846,000 per annum). In addition, the authority spot purchases a small number of placements costing £209,000 to deliver specific need and personal choice.
- 4.2. This report recommends the Mayor at Cabinet approve award of 12 month spot contract arrangements with the three current providers of externally commissioned day care services as detailed in sections 3.1 to 3.4 above.
- 4.3. Current budget for these externally commissioned block contracts is £846,000 per annum. However, the current block contracts are underutilised and while the wider review of day service provision progressed, the proposed spot arrangements will enable the service to address the inefficiencies associated with underutilisation and allow the service to deliver the £40k savings target approved by members as part of the directorate savings programme.

5. LEGAL COMMENTS

- 5.1 Under Section 29 National Assistance Act 1948 and Section 2 of the Chronically Sick and Disabled Persons Act 1970, the Council has a duty to provide disabled and chronically ill people in its area with services such as social and recreational activities (including through the provision of day centres), and help with travel costs.
- 5.2 The Council has a duty under S47 of the NHS & Community Care Act 1990 to assess people with chronic ill health and/or disabilities who appear to need community care services, and to decide on the basis of that assessment whether it is necessary for the Council to arrange or provide services to meet any identified need.
- 5.3 The decision about whether someone is eligible for help from the Council is to be based on an evaluation of the risk to a person's independence posed by their needs and circumstances, following a community care assessment. Currently this is governed by the Fair Access to Care Guidance 2010.
- 5.4 Direct payments were brought in under the Health and Social Care Act 2001 and the relevant directions presently are the Community Care, Services for Carers and Children Services (Direct Payments) Regulations 2009. The Care Bill, which will come into effect in April 2015 includes plans to make personal budgets a mandatory part of all care plans, meaning they would apply to all council-funded users. Personal budgets can be a mixture of direct payments and in-house services. This may impact on the number of service users choosing to access day centres.
- 5.5 Additionally, the Care Bill proposes to place a duty on local authorities to assess the carers of disabled persons, and provide them with services to support them in caring for the service user if the carer is assessed as having an eligible need.
- 5.6 The local authority has a duty to provide services to meet people's eligible assessed needs, either through directly providing or commissioning a service or through a direct payment or a combination of both. Before an individual's support plan can be changed, for example because it is proposed that a day centre closes, a review of their needs should be carried out. The local authority, in consultation with the service user, must ensure that the new support plan makes provision for services to meet the service user's eligible need for involvement in wider community life and involvement in work, education and learning.

Consultation

- 5.7 As a matter of public law the Council is required to put out to consultation, the proposals for changes to the groups affected by those changes, including carers. The consultation must be undertaken at a time whilst the proposals are in a formative stage and give sufficient reasons for the proposals and sufficient time for consultation to allow those consulted to be able to give a

considered response. The results of that consultation must be taken into account when the final decision is made.

- 5.8 The public sector equalities duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.
- 5.9 The equality duty arises where the Council is deciding how to exercise its statutory powers and duties under the 1948 and 1970 Acts, as well as the proposals contained within the Care Bill. The Council's duty under Section 149 of the Equality Act is to have 'due regard' to the matters set out in relation to equalities when considering and making decisions in relation to its statutory duties to provide services. Accordingly due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the consultation and decision making process.
- 5.10 An Equalities Impact Assessment must be carried out to consider in detail what impact the proposals could have on the protected characteristics (age, disability, gender re-assignment, pregnancy, maternity, race, religion or belief, gender and sexual orientation) of the service users as well as carers and action that will be taken to mitigate the risk of disproportionate impacts upon protected characteristics.
- 5.11 Section 3 of the Local Government Act 1999 requires best value authorities, including the Council, 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".
- 5.12 The Public Services (Social Values) Act 2013 came into force on 31st January 2013. This requires the Council to consider how the services it commissions and procures might improve the economic, social and environmental well being of the area.
- 5.13 The planned procurement described above complies with the those statutory duties and the Council's procurement procedures and should be open for Cabinet to conclude that the proposed contracts will result in best value having regard to the duty outlined above.
- 5.14 The plan has a long lead in time to allow the services to be redesigned and to take into account the views of service users and their carers and the current providers who provide the premises as well as the staff.
- 5.15 The contracts are for Part B Services and so the full provisions of the Public Contract Regulations 2006 do not apply. However they are still expressly subject to the equality and transparency obligations under the Regulations

and there is a requirement to have a fair and transparent process. This report explains how that will be achieved.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The current configuration offers specific day services to specific communities. The proposal to consult extensively, and await updated information through the Joint Strategic Needs Assessment will ensure that any future provision will meet the needs of local residents. An Equality Analysis will ensure that any potential advice implications are mitigated appropriately.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 There are no adverse environmental impacts generated through the proposals in this report.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The contracts for Older People's Day Services come to an end on 31st March 2014. If the Council goes to the market now for the re-commissioning of longer term block contracts for these Services to start on 1st April 2014, there is a risk that the opportunity is missed to really understand changing needs in the community and create innovative ways of improving the health and wellbeing of our older residents.
- 8.2 *The Care Bill* is likely to necessitate change in the way we deliver services. To offer sustainability to our providers and consistency to our service users for the interim period will enable mitigate any disruption for individual service users and their families

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no crime and disorder reduction implications identified.

10. EFFICIENCY STATEMENT

- 10.1 By offering spot contracts rather than block contracts there may be some contribution to the Directorate Savings targets. This cannot be confirmed at the time of writing as individual negotiations will need to take place with providers.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None.

Officer contact details for documents:

- N/A

<p>Cabinet Decision 6 November 2013</p>	
<p>Report of: Robert McCulloch-Graham; Corporate Director: Education, Social Care and Wellbeing</p>	<p>Classification: Unrestricted</p>
<p>Mental health day opportunities and support services contracts</p>	

Lead Member	Cllr Abdul Asad, Cabinet Member for Health and Wellbeing
Originating Officer(s)	Deborah Cohen, Service Head Commissioning and Health
Wards affected	All wards
Community Plan Theme	A Healthy and Supportive Community
Key Decision?	Yes

Executive Summary

1. The Council currently holds 13 contracts for day opportunities and support services for people with mental health problems of working age. Total spend on the 13 contracts amounts to £999,425 including a £106,869 contribution from NHS Tower Hamlets Clinical Commissioning Group.

2. In partnership with NHS Tower Hamlets Clinical Commissioning Group, the Council undertook a strategic review of mental health day opportunities and support services in early 2013/14. This work has contributed to the development of the draft Health and Wellbeing Board Mental Health Strategy, which was the subject of consultation in September / October 2013. Further work will be required, following the adoption of the Health and Wellbeing Board Mental Health Strategy, to determine the optimum configuration of day opportunities and support services so that competitive tenders can be advertised and new contracts awarded.

3. Given the timescales required to complete this further work, and in order to ensure service continuity for mental health service users, it is recommended that new short-term contracts are issued to the existing providers of mental health day opportunities and support services from current contract expiry until 31 March 2015.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note that further work will be required to determine the optimum configuration

for mental health day opportunities and support services following the adoption of the Health and Wellbeing Board Mental Health Strategy;

2. Agree that new short-term contracts be let to existing providers of mental health day opportunities and support services, for the period from current contract expiry to 31 March 2015, in order to ensure continuity of support for mental health service users.

1. **REASONS FOR THE DECISIONS**

- 1.1 To provide continuity of provision for mental health service users while a strategic direction for the future shape of service is determined, and subsequent competitive tender exercises completed.

2. **ALTERNATIVE OPTIONS**

- 2.1 The Mayor in Cabinet could decide not to award new short-term contracts to cover the period until 31 March 2015. This option is not recommended as it would potentially leave vulnerable mental health service users without access to services which they rely on for support in maintaining their mental health and wellbeing.

3. **DETAILS OF REPORT**

- 3.1 The Council currently holds 13 contracts for day opportunities and support services for people with mental health problems of working age. These contracts are detailed in the table below. Two contracts, Working Well Trust Employment Service and Mind in Tower Hamlets and Newham Inclusive Mental Health Support Service, expire before 31/3/14, whilst the remaining 11 expire on 31/3/14.

Provider	Service	Current contract term	Length of requested contract	2013/14 annual contract value	2013/14 LA funding	2013/14 NHS funding
Beside	Beside	31/3/14	12 months	£58,654	£58,654	
Community Options	Voluntary Sector Network	31/3/14	12 months	£8,318		£8,318
Community Options	Service User Involvement Project	31/3/14	12 months	£84,034	£45,596	£38,438
Mind in Tower Hamlets & Newham	Evening Service	31/3/14	12 months	£68,201	£12,088	£56,113
Mind in Tower Hamlets & Newham	Inclusive Mental Health Support Service	31/1/14	14 months	£234,427	£234,427	
Mind in Tower Hamlets & Newham	Welfare Rights	31/3/14	12 months	£69,962	£69,962	
Mind in Tower Hamlets & Newham	Complementary therapies	31/3/14	12 months	£28,815	£28,815	

Praxis	Support Project	31/3/14	12 months	£43,805	£43,805	
St. Hilda's	Bondhon Project	31/3/14	12 months	£42,819	£42,819	
Social Action for Health	Mellow Project African Caribbean Support Group	31/3/14	12 months	£13,992	£13,992	
Vietnamese Mental Health Organisation	Support Group	31/3/14	12 months	£42,024	£42,024	
Working Well Trust	Employment Project	30/11/13	16 months	£299,874	£299,874	
Bangladeshi Mental Health Forum	Forum	31/3/14	12 months	£4,500	£500	£4,000
Total				£999,425	£892,556	£106,869

- 3.2 In partnership with NHS Tower Hamlets Clinical Commissioning Group, the Council has undertaken a strategic review of mental health day opportunities and support services during 2013/14. This work has contributed to the development of the draft Health and Wellbeing Board Mental Health Strategy, which was the subject of public consultation from 03 September 2013 to 11 October 2013. Following analysis of consultation responses, it is anticipated that a final draft Strategy will be ready for consideration by the Health and Wellbeing Board, Clinical Commissioning Group and Council in the latter part of 2013/14. Further work will then be required to determine the optimum configuration of day opportunities and support services before competitive tenders can be planned, undertaken and new contracts subsequently awarded.
- 3.3 In view of this timescale, and in order to ensure continuity of service provision for mental health service users, it is recommended that new short-term contracts are issued to the existing suppliers of mental health day opportunities contracts from current contract expiry until 31 March 2015. This will allow time for full consideration of options for the reconfiguration of mental health day opportunities services in light of the finalised Health and Wellbeing Board Mental Health Strategy, and for officers to manage the resulting competitive tender processes with a view to new contracts being in place for 1 April 2015.
- 3.4 NHS Tower Hamlets Clinical Commissioning Group has indicated that it will enter into an agreement with the Council to transfer funds identified in paragraph 3.1 above to the Council for 2014/15.
- 3.5 The Council's Strategic Competition Board has considered the proposal detailed in this paper and supports the recommendation that the Mayor in Cabinet approve the letting of new short-term contracts for mental health day opportunities and support services from current contract expiry until 31/3/15.
- 3.6 A brief description of the services provided within the contracts above is detailed below:

Contract	Description of services
Beside	Group based support for people with mental health problems.
Community Options Voluntary Sector Network	Organises mental health voluntary sector network.
Community Options Service User Involvement Project	Provides support to service user led groups who have been successful in their application for the Mayors programme of user led grants. Organises quarterly Your Say Your Day user involvement events and the Community Options Involvement Network.
Mind in Tower Hamlets & Newham Evening Service	Evening drop-ins for people with mental health problems, twice a week.
Mind in Tower Hamlets & Newham Inclusive Mental Health Support Service	A large range of day opportunities and 1:1 support for people with mental health problems.
Mind in Tower Hamlets & Newham Welfare Rights	Benefits advice and support for people with mental health problems.
Mind in Tower Hamlets & Newham Complementary Therapy Service	A range of complementary therapies for people using MIND services.
Praxis Support Project	Support groups and 1:1 support for people of Somali origin.
St. Hilda's Bondhon Project	Support groups and 1:1 support for Bangladeshi women.
Social Action for Health Mellow Project	Support group and 1:1 support for people of African-Caribbean origin.
Vietnamese Mental Health Organisation Support Group	Support groups and 1:1 support for people of Vietnamese origin.
Working Well Trust Employment Project	Practical employment related support for people with a serious mental illness, including a sewing project and print shop, with a focus on supporting people of south Asian origin.
Bangladeshi Mental Health Forum	Annual conference event for people of Bangladeshi origin and people with an interest in mental health.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The council has a total of 13 contracts in place for the provision of day services for Mental Health Clients. These contracts cost £999,425 per annum, £892,556 funded through council budgets and the remaining £106,869 through NHS contributions.
- 4.2 These contracts are all due to expire by 31/03/2014. However the Health and Wellbeing Board Mental Health Strategy, currently being developed, is likely to have some impact on the services provided through these contracts and thus the retendering process has been rescheduled to take place after the Health and Wellbeing Board Mental Health Strategy is finalised. This means re-procurement of these services is unlikely to be completed before the current contract expiry date and as a result it is necessary to put in place interim arrangements to ensure continuity of service for service users.
- 4.3 This report recommends current contracts be extended until 31/03/2015. The cost of doing this will be met through existing budgets and as there are no specific savings attached to these services, there will however, be no impact on the delivery of directorate savings targets.

5. LEGAL COMMENTS

- 5.1 The Council is required by section 47 of the National Health Service and Community Care Act to carry out needs assessments of people to whom it may provide community care services and who appear to be in need of such services. After assessment, the Council must decide whether the identified needs call for the provision of community care services. Such services may include day opportunities and support services of the kind covered by the proposed contracts.
- 5.2 The Public Contracts Regulations 2006 apply in circumstances where the value of the contract exceeds the relevant threshold, which is currently £173,954 for present purposes. Two of the proposed contracts have values exceeding the threshold, which means the Council must comply with the requirements of the Public Contracts Regulations.
- 5.3 Contracts for the provision of day opportunities and support services are Part B services contracts within the meaning of the Public Contracts Regulations 2006. Whenever the Council seeks offers in relation to such contracts, it is subject to specified provisions of the Public Contracts Regulations. Part 1 of the Regulations applies and, specifically, Regulation 4(3) provides that the Council (as the contracting authority) shall –
- (a) treat contractors, suppliers and services providers equally and in a non-discriminatory way; and
 - (b) act in a transparent way.

- 5.4 Even though the Public Contracts Regulations do not apply to eleven of the proposed contracts, the Council will still have to comply with general principles of EU law if the contracts have potential cross-border interest (which is considered to be the case here). The requirement to comply with general EU principles arises because some of the provisions of the Treaty on the Functioning of the European Union have direct effect in the UK. The general provisions include the requirement for equal treatment and transparency.
- 5.5 In relation to the requirements to treat contractors, suppliers and services providers equally and to act in a transparent way, the Council is effectively in the same position in relation to all thirteen of these contracts. The requirements of equal treatment and transparency have been the subject of comment by the European Court of Justice and by the European Commission in its interpretative communication (2006/C 179/02) on the Community law applicable to contract awards which are not or are not fully subject to the provisions of the Public Procurement Directives.
- 5.6 In 2006 the Commission issued guidance on the requirement to advertise contracts for Part B services (and below threshold contracts) which can be summarised as requiring an assessment of the following facts to determine if the procurement opportunity should be advertised in the Official Journal of the European Union :-
1. The value of the contract
 2. The nature of the market for these services (how international is the provision of these services?)
 3. If any providers in other member states are currently offering similar services to other authorities or private buyers in our region.
 4. If other authorities have tendered similar services and received expressions of interest from providers based in other EU member states
 5. Whether or not a local presence is necessary and if the contract is of sufficient value to make it worthwhile for an outside organisation to establish such a presence
 6. Whether or not the contract is for services which are highly prestigious or specialised .
- 5.7 As under the Localism Act 2011, local authorities can now be liable for fines resulting from breaches of EU law, these provisions are assuming a higher priority and an analysis of the 6 questions should be completed for every procurement of Part B services where the total cost of the contract for its duration is above or approaching the EU threshold , currently £173,934
- 5.8 It is the officers' assessment that as these services need to be delivered in the borough it is unlikely that there would be any expressions of interest from other EU member states nor would an outside organisation be likely to want to establish a presence in the borough it would not be appropriate to advertise in the OJEU, as there is unlikely to be cross border interest and the Council will be advertising these opportunities when these extended contracts expire.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The services that form the subject of this report are delivered to a particularly vulnerable group of borough residents. Additionally, a number of the services are tailored to meet the needs of specific communities within the borough. Prior to finalising the future strategy for commissioning the equivalent services for 2015 and beyond the proposals will be tested via an Equality Analysis to ensure that any potential adverse implications of the proposed configuration and reach of the services to be commissioned are appropriately mitigated.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The proposals set out in this report do not generate any adverse environmental impacts.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. Approval of the proposals will ensure continuity of service for vulnerable individuals for whom the Council has statutory duties under the National Health Service and Community Care Act and associated acts and regulations.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 The services that form the subject of this report are all designed to support the wellbeing of mental health service users. Without these services being in place there is some potential risk that individuals may engage in unlawful activities. Maintaining continuity of provision will continue to mitigate this risk.

10. EFFICIENCY STATEMENT

- 10.1 This report recommends current contracts be extended until 31/03/2015. The cost of doing this will be met through existing budgets and as there are no specific savings attached to these services, there will however, be no impact on the delivery of directorate savings targets.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

- N/A

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Cabinet 6 November 2013	 TOWER HAMLETS
Report of: Robert McCulloch-Graham, Corporate Director Education Social Care and Wellbeing	Classification: Unrestricted
Young Peoples Supported Accommodation Commissioning Plan 2013 – 2016	

Lead Member	Cllr Abdul Asad, Cabinet Member for Health and Wellbeing
Originating Officer(s)	Carrie Kilpatrick, Commissioning Manager Stephanie Graden, Commissioning Manager
Wards affected	All Wards
Community Plan Theme	A Healthy Community
Key Decision?	Yes

Executive Summary

This report provides Cabinet with the draft of the Young Peoples Supported Accommodation Commissioning Plan for 2013-2016. This plan sets out the specific commissioning intentions for the 14 supported housing schemes for young people in the borough that will be tendered immediately following agreement of this plan after a short period of consultation.

Supported housing refers to accommodation for young homeless people who are:

- Aged 16–21 assessed as vulnerable by the Homeless Service;
- Care leavers aged 18–21¹ ;
- Teenage Parents and/or expectant mothers; and
- Young offenders.

In addition there are further services commissioned directly by the Leaving care and youth Offending teams to meet the need of their individual service users, which are not covered by this plan.

Specifically supported accommodation is a key strategic priority ensuring young vulnerable people at risk of homelessness are able to access realistic housing options that promote their safety, wellbeing and access to employment training and education opportunities.

¹ Young people aged 20 – 25 years of age would generally fall under the remit of the hostels commissioning plan. However, there is a statutory duty to assist care leavers in full time education up to the age of 24 years.

Recommendations:

The Mayor in Cabinet is recommended to:

Agree the Young Peoples Supported Accommodation Commissioning Plan for 2013 – 2016 and the specific 11 recommendations listed below which set out the future design of the young people's sector:

- Review the eligibility criteria of young peoples supported accommodation services to better target complex need and align the service with other key services; reducing the access threshold from 23 to 20 years of age.
- Commission an assessment facility and a “crash pad” type facility through the reconfiguration of existing services.
- Reconfigure services to enable a balance of high, medium and low support services that offers young people opportunities to move between high and low support as their needs change.
- Establish an Inclusion Panel to reduce evictions and youth homelessness.
- Increase the amount of high support provision to meet the needs of those with complex support needs.
- Work with Providers to develop the interface with specialist services. So improving outcomes for service users.
- Re-configure or replace the existing Drapers City Foyer service to provide 2 smaller units of high support accommodation based services: the timescale being a 3 year period.
- Re-commission the teenage parents service.
- Maintain access to a move on quota, improve throughput and access.
- Commission personalised services.
- Improve Service User Outcomes.

Agree to maintain the annual revenue budget of £1.7m for these services over the next year three year period

Agree that procurement can commence under the Supporting People Framework Agreement.

1. REASONS FOR THE DECISIONS

- 1.1 The Young People's Supported Accommodation Commissioning Plan will inform the commissioning approach to young people's services, as they are tendered during the next three year period. As current contracts are due to expire during this year, this plan sets out our future requirements for these services. The Plan establishes the continued need for a young people's sector, the size and range of services needed and how they will align with statutory services in supporting some of our most vulnerable residents.

2. ALTERNATIVE OPTIONS

- 2.1 Current contracts are due to expire during this financial year, and therefore a clear strategic framework is required to inform the commissioning activities. This area is recognised as experiencing an intense growth and the need for additional resources will be managed through a major configuration of existing funding. Reconfiguring existing support services will enable costs to be met through efficiencies generated as part of the forthcoming tendering of these services. This means overall funding for these services will need to be ring-fenced from further savings – the total value being £1.7m per annum. Should the commissioning plan not be agreed, in whole or in part, it will not be possible to deliver the services in this way or address the changing need and growth pressures and inherent risks that this plan seeks to address.

3. DETAILS OF REPORT

3.1 Background

Young people living in Tower Hamlets make up 26% of the population. Much higher than the 18% average for the rest of inner London; with over 78% of our young people from a minority ethnic background. This Commissioning Plan will deliver services able to meet the diverse needs of the young Tower Hamlets and support the borough in its delivery of the Community Plan vision by enabling:

- **A safe and supportive community;** Providing quality support services to enable young people to achieve their full potential; protecting the vulnerable from risk, promoting independence and working with parents and families to give children the best possible start in life.
- **A healthy community:** Promoting and supporting healthy choices that enable young people to improve their health, and improving access to high-quality, local health and social care services, from primary care at GP surgeries to maternity care and mental health services.

3.2 What Are Supporting People Services?

Supporting People services support vulnerable people to access and maintain settled accommodation. Supporting People was set up as a national scheme in 2003 by the CLG. Broad spectrums of vulnerable groups are covered by the programme. Services are provided for the homeless and rough sleepers,

young people leaving care or at risk (including teenage parents), older people, people with mental health needs, physical and learning disabilities, people with substance misuse issues, ex-offenders and women fleeing domestic violence.

3.3 Support is provided in supported housing schemes or by outreach support, assisting young people who live in the community to maintain and/or access appropriate accommodation. There are different models of supported housing for young people which have been developed historically, varying in size from small schemes of 4 units up to the 41 bed spaces available at the foyer. The current provision is represented in the following tables, by service, current provider, client group and support arrangements.

3.4 The Individual services considered within this plan are listed below, together with details of the level of support, number of units and current support provider.

Service	Provider	Careleavers	Generic	Units	24 hr Cover
Fidelis House	Kipper Project		8	8	
Mile End Road	Kipper Project		16	16	
Approach Road	Kipper Project		5	5	
Drapers City Foyer	East Potential	5	36	41	Yes
Campbell Rd	Look Ahead	7	13	20	Yes
Whites Row	One Housing		12	12	
LAHC Supported Housing	Look Ahead		35	35	
Commercial Road	Look Ahead		10	10	
Campbell Road	Coram	4		4	
Jeremiah Hse	Kipper Project	9		9	
Old Ford Rd	Outward	7	1	8	
Powland Court	Kipper Project	3		3	
Whitechapel F Centre	Radicle		8	8	
Kipper LCS FS	Kipper Project	11		11	
Total		46	144	190	

Table 1: Young People's provision by Client Group, Provider and Level of support.

Level of support	Hours	Comments
Visiting Support	1 hour or more per week	Weekly visit to service user
Low support	5 – 7 hours	Regular contact up to an hour per day
Medium Support	7 hours plus	Daily contact of an hour plus
High Support	12 hours contact	Intense support with 24 hour cover

Table 2 : Banding by level of hours and contact

3.5 Staff availability is dependent upon the model and can range from visiting staff of an hour per week, through to twenty- four hour supported accommodation. The support traditionally provided is designed to ensure that young people have: -

- support to access appropriate accommodation;
- the life skills they need to live independently;
- positive lifestyles to stay healthy, safe and protected from harm;
- access to employment, education and training opportunities ensuring they achieve their full potential and,
- are active and responsible citizens, emotionally and economically resilient for their future.

3.6 Homelessness prevention is a key priority for the Tower Hamlets Partnership and vital in achieving the Community Plan vision of improving the lives of young people. Supporting people services ensure that young people at risk of homelessness are prevented from being homeless and are able to access appropriate and realistic housing options; particularly for those leaving the care system, teenage parents and young homeless people. Supporting People services deliver lasting outcomes by:

- Reducing the number of 16/17 year olds in bed and breakfast and temporary accommodation;
- Reducing the number of unplanned teenage pregnancies;
- Reducing social exclusion by improving access to employment, education or training;
- Improving access to health services and encouraging healthy lifestyles;
- Providing stable accommodation for young care leavers;
- Reducing criminal activity and anti-social behaviour; and
- Reducing substance misuse and improving access to services.

4. The Commissioning Plan- an Overview

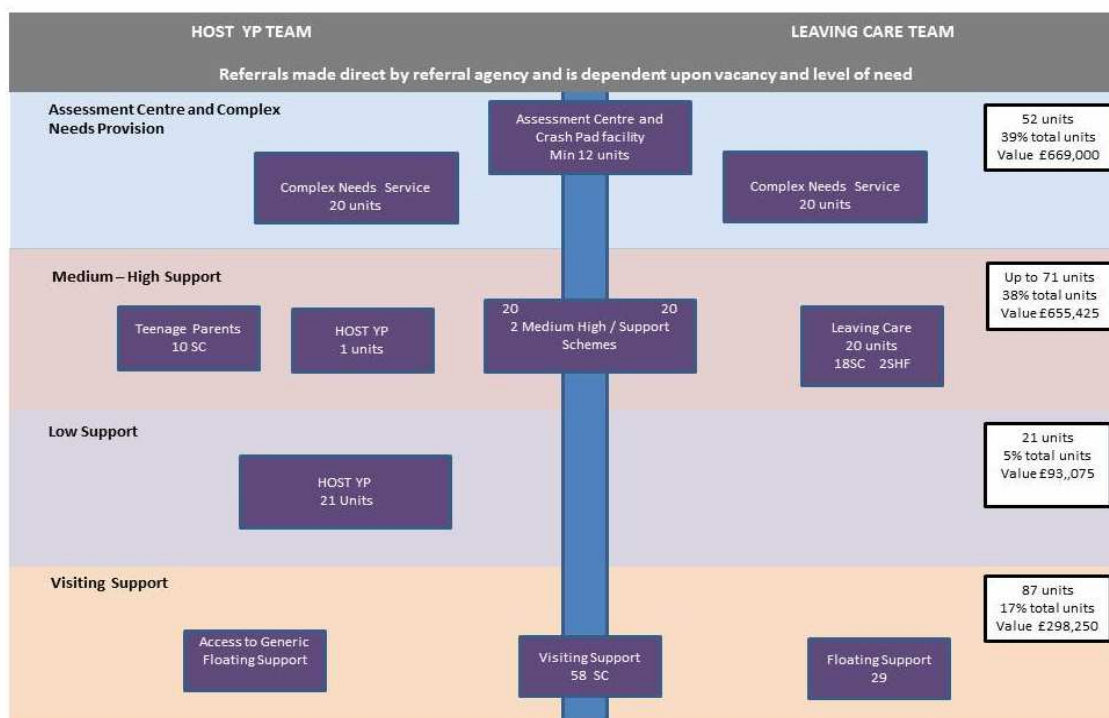
- 4.1 Demand for services remains high; during 2012-2013, 254 young people accessed housing services of which 105 were newly referred; 14 teenage parents, 167 young homeless people and 73 care leavers. It should be noted that this number, whilst broadly similar to that of the previous year, has increased by approximately 10% with an extra 21 young people accessing support. Broadly:
- 29% of all placements were made by the Leaving Care Team where the authority has a statutory duty to assist as a corporate parent.
 - 66% of placements were for young homeless people to prevent homelessness,
 - 6% of placements were into teenage parents accommodation, this is reflective of both the decreasing rates of teenage pregnancy in the borough and the limited number of supported housing available for the client group.

This plan recognises this growth in demand and seeks to reconfigure existing services; to focus on those in greatest need; increasing and developing capacity in high support service provision and align with statutory services in supporting some of our most vulnerable young people. This plan therefore, proposes a review of the eligibility criteria reducing the access threshold from 23 to 20 years of age, the impact is explored within the plan and in the equality assessment at appendix 2.

The plan is written at a time when we anticipate that benefit reform, changes in the social housing sector and economic pressures will have a significant and detrimental impact on local homelessness. All indications are that in the forthcoming period, we are likely to experience considerable and consistent demand pressures.

- 4.2 Access to the majority of services is via the Housing Options: Young Person's Team (HOST YP Team), with the Leaving Care Team having direct referral rights to approximately 30%. The HOST YP Team provide advice, support and placements into supported housing and manage access for other specialist agencies e.g. Youth Offending Team and London Probation Service; ensuring services are accessed by local young people.
- 4.3 This commissioning plan proposes a revised model of provision presented in diagram below. It builds on the existing model of provision which is reconfigured to better meet need and achieve recommendations. The proposed model of provision achieves:
- An assessment centre with crash pad facility and sleeping night cover.
 - Provision of two additional 20 unit complex needs schemes..
 - Increase in units offering medium and high support.
 - Reduction in low support units,
 - An increased focus on visiting support provision.
 - Provision of a self-contained teenage parents unit.

Proposed Model of Young People's Supported Housing Provision



5. The Procurement Plan and Timetable

- 5.1 In March 2012 Cabinet agreed the contract award for the Supporting People Framework Agreement: a type of approved provider's list against which all current Supporting People contracts are being let over a three year period. As these are effectively inherited services, this is the first time most will be subject to a competitive tender of this type.²
- 5.2 The services required to support this Commissioning Plan are those which are covered by the Supporting People Framework. Therefore, the Framework may be easily used to support this plan and speed up the procurement process, rather than running a full tender for each scheme.
- 5.3 The Framework Agreement is divided into a series of categories, and a service specification has been developed for each of these categories which covers the general type of services deliverable under each category. When the Council requires services of the type covered by one of the categories it invites those bidders who have won the right to bid for that category to provide a price. This is described as a 'mini tender'. The bidders for each category were specifically approved by Cabinet in the March 2012 meeting following the initial full tender when the framework was set up. Therefore, the supplier that offers the best value in terms of price and quality following the mini tender is the bidder who will be awarded the provision of the services of the relevant services for that particular scheme.

² Supporting People Services were moved from central Government funding into a locally funded contracted framework in 2003.

- 5.4 The commissioning timetable clearly indicates the majority of this activity will need to take place prior to the end of the financial year for new contracts to be in place for the 31st March 2014. It must be acknowledged that delivering change of this scale within this timetable will be very challenging; however as existing contracts end at this time it is vital we meet this deadline. Letting contracts against the Framework Agreement currently in place will enable us to meet this requirement.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This is a draft 'Young Peoples Supported Accommodation Commissioning Plan' for the period 2013-2016. The Mayor in Cabinet is asked to approve the proposed commissioning plan.
- 6.2 The current cost of providing the range of services covered by this commissioning plan is £1.7m per annum as detailed in section 8.2, page 53 of the plan. The commissioning plan recommends an approach that is designed to ensure future services are contained within existing funding envelopes and some strategic changes can be delivered in key areas through internal efficiencies.
- 6.3 Agreeing the commissioning plan does not commit the council to any specific future spend and any such decisions will need to be subject to the Council's normal decision making process. However, Should the commissioning plan not be agreed, in whole or in part, it will not be possible to deliver the services in this way or address the changing need and growth pressures and inherent risks that this plan seeks to address.
- 6.4 The availability of suitable accommodation is a key element to the delivery of these services. The report highlights some specific risks with regards capital investment requirements and while these are summarised in section 10.4 below, the exact nature, value and impact cannot be determined until we test the market and progress with the commissioning plan.

7. LEGAL COMMENTS

- 7.1 The Council has obligations to accommodate young people, which arise under the Children Act 1989 (children in need), the Housing Act 1996 (homelessness duty) and the National Assistance Act 1948 (adults in need of care and support). The Council is required to provide welfare support to adults in need and to make arrangements for such support for children in need in the borough, in each case where those children and adults meet relevant eligibility requirements. The Council must provide advice and information about homelessness and prevention of homelessness.
- 7.2 The proposed commissioning plan relates to services that are either directly targeted at discharge of the Council's functions, or intended to avoid the future need for such services. It is consistent with good administration for the Council to target its services so as to help young people avoid homelessness.

If any additional source of power were required to support the commissioning it may be found in either the section 111 of the Local Government Act 1972, which empowers the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, or in section 1 of the Localism Act 2011, which enables the Council to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes.

- 7.3 The Council is obligated under the Local Government Act 1999 to achieve best value with the purchases it makes. Also, the Council is legally obligated both through domestic and European legislation to ensure that the services which it purchases are competitively tendered.
- 7.4 Last year the Council procured the Supporting People Framework, under which the Council is entitled to run quicker “mini competition exercises” that comply with the Council’s obligations identified under paragraph 7.3. The framework is split up into various “lots” with each lot correlating to a particular type of supporting people service. When the Council requires the services of one of a particular type it invites a bid from all the members of that particular lot. The services required here are of a type covered by a lot or a number of lots. Where the services do not fall neatly into one particular lot then all the bidders of all the lots that may be relevant are asked to provide a bid.
- 7.5 Under European Law no framework agreement can be for greater than four years. This means that any contract subsequently let under a framework must not have the effect of extending the original framework to a period greater than four years. This means that if the Council were to let a contract where the expiry of the contract is greater than four years from the date of commencement of the framework then the Council could face a small risk of challenge. However, the services themselves are of a type which would not usually attract the full measure of the European regulations which lowers the risk.
- 7.6 The Council has legal duties to provide the services the subject of the commissioning plan, as identified in 7.1 and 7.2 above, which the Council could breach should the procurement not proceed in a timely fashion.
- 7.7 In considering its approach to commissioning, 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. Information is provided in section 8 of the report, relevant to these considerations.

8. ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 The borough has a diverse and young community many of whom will access the supported housing commissioned as part of this plan. The service user diversity profile is explored within this plan and the equality assessment attached as appendix 1.

- 8.2 The overriding aim of this plan is to make Tower Hamlets a better place by ensuring that vulnerable homeless young people are safe, secure and supported to develop the skills to live independently, achieve their potential and contribute to the wider community.
- 8.3 In delivering this commissioning activity we are able to ensure that the existing provision is enhanced, and provides a flexible and responsive service that is targeted to meet the needs of those most vulnerable of young people. By better targeting complex need and aligning the schemes with other key services the plans seeks to deliver more personalised and focussed provision for those up to the age of 20. which will enable them to achieve positive life's as part of the wider community.
- 8.4 Services will be tendered via the Framework Agreement which was established in March 2012, prior to the Procurement Policy Imperatives. Whilst all Supporting People contracts continue to promote workforce diversity and equality of opportunity and are committed to paying the London Living Wage; this commissioning activity will ensure that specific community benefit clauses are delivered to create local employment and training opportunities.
- 8.6 In the tendering of each individual service, bidders will need to demonstrate how they are able to deliver training, apprenticeships and or employment opportunities for local residents. The delivery of this requirement will then be measured throughout the duration of the contract period.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 9.1 The design, construction and running of any new facilities will follow best practice and the Council's Environmental Strategy.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 **A major change programme:**The Commissioning Plan recommends major re-configuration and an intensive programme of change management across these services to deliver both efficiency and quality and improve the service user experience. The majority of this will be delivered through the programme of tendering, which will follow agreement of this Commissioning Plan. Successful Providers will be expected to implement service changes and improvements through the award of updated service specifications and contract requirements. The exception to this will be the longer term Foyer replacement which we aim to implement by March 2016. As stated above current contracts come to an end on 31st March 2014; so it is vital we have completed the tendering process within this timescale to enable successful handed over.

Given the scale of service redesign and the short implementation period capacity to deliver will be carefully managed to successfully implement the

required changes whilst also delivering the procurement activity required. It must be noted that this is a challenging programme.

This is an accelerated programme of commissioning which may significantly impact on the capacity of suppliers to respond to the tendering processes. We are generally working with a small group of suppliers who will need to submit tender documentation and also manage the handovers within a confined period.

- 10.2 **The separation of buildings and support services;** This is the first time these support services have been subject to a competitive tendering process. In the main, the accommodation where people live and are supported has been developed and is owned by the Support Provider. This Commissioning Plan sets out an ambitious programme of separating the support provision from the provision of accommodation; in a great many cases service users will continue to reside in the property managed by their RSL but the support provider may change as a result of the commissioning process.

We are working with Support Providers and Landlords to establish their position regarding this process as there is a risk to the continuation of the service if we are not able to secure agreement to this approach with all partners. This has to be carefully managed to ensure that all inherent risks are recognised and mitigated at the earliest opportunity; adding significant time pressures to the traditional re-tendering process. We must note that until the procurement activity commences we cannot categorically state that this approach will be successful. Where Providers refuse to agree to this approach we may need to explore alternative commissioning approaches.

- 10.3 **Mini Tenders: TUPE and Service Transfers;** whilst a Framework Agreement is in place, we are in the main tendering existing services which we wish to continue. We therefore anticipate TUPE rights will apply to the current staffing teams. However it is important to note that this will have a significant impact on the staffing provision in these services whilst we implement these changes.

- 10.4 **Capital Investments;** Within the context of diminishing capital funding the commissioning plan recommends the use of existing buildings in commissioning future services, with the exception of the Foyer scheme, where we would ideally seek to secure two smaller units able to support those with complexities of need.

Whilst we recognise the limitations of the current environment, our ability to secure this new provision will be dependent on the market being willing and able to secure appropriate provision. As such, we recognise that whilst it may be desirable to secure a purpose built building; that we may have to engage providers in determining innovative and flexible ways of reconfiguring existing buildings to make smaller more manageable units.

There is likely to be a capital cost for these changes and we would expect the housing providers to meet these, whether through their own funds or grant income. However, it should be noted that careful negotiation and discussion will be required with the housing providers to secure the required level of

investment. Inability to secure capital funding, the exact value of which cannot be determined at this stage, may impact on the deliverability of this proposal.

Should this recommendations progress there may also be a need for planning permission to facilitate these changes.

There are no additional revenue costs associated with these proposals as changes to the sector will be delivered by reconfiguring the entire portfolio of services and moving the funding around the system accordingly. It is anticipated that the tendering process will secure greater efficiency within the overall system, which will enable the reinvestment required to meet the significant demands of a complex client group.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 11.1 By promoting and supporting healthy choices, delivering quality support services and investing at an early stage this plan seeks to enable young people to achieve their full potential encouraging participation in meaningful activities and so reducing criminal activity and antisocial behaviour.
- 11.2 This will be underpinned by the collaborative approach to partnership working which is core to the commissioning plan and supported by challenging outcomes targets to encourage young people into employment, training and education.
- 11.3 The Commissioning Plan is fully aligned with local strategic aims as set out in the following documents:
- Council's Community Plan – 2020 Vision
 - Homelessness Strategy 2013 – 2017
 - Children and Families Plan 2012 – 2015
 - Adults Health and Well Being Commissioning Plan 2012 - 2015

12. EFFICIENCY STATEMENT

- 12.1 The plan is written at a time when we anticipate benefit reform, changes in the social housing sector and economic pressures will have a significant and detrimental impact on local homelessness. All indications are that in the forthcoming period, as social housing reform, a difficult economic environment and welfare changes come together, we are likely to experience considerable and consistent demand pressures. Addressing these challenges as public spending is reducing, makes it vital that we secure maximum efficiency and effectiveness in our commissioning activity. The Commissioning Plan recommends reconfiguration, decommissioning and an intensive programme of service redesign to deliver both efficiency and quality and improve the service user experience.
- 12.2 The Commissioning Plan sets the scene for the re-tendering of all young people's supported accommodation services. Re-tendering offers an excellent

opportunity to improve services for some of the most vulnerable young residents in the borough and to drive through a programme of change to deliver personalised support services offering choice and control. The commissioning timetable will deliver:

- Economically advantageous services;
 - An increase in the quality and type of services for vulnerable young people;
 - Outcomes identified by the key strategic drivers; and
 - Identified efficiency targets.
-

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix One – Young People’s Supported Accommodation Commissioning Plan

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

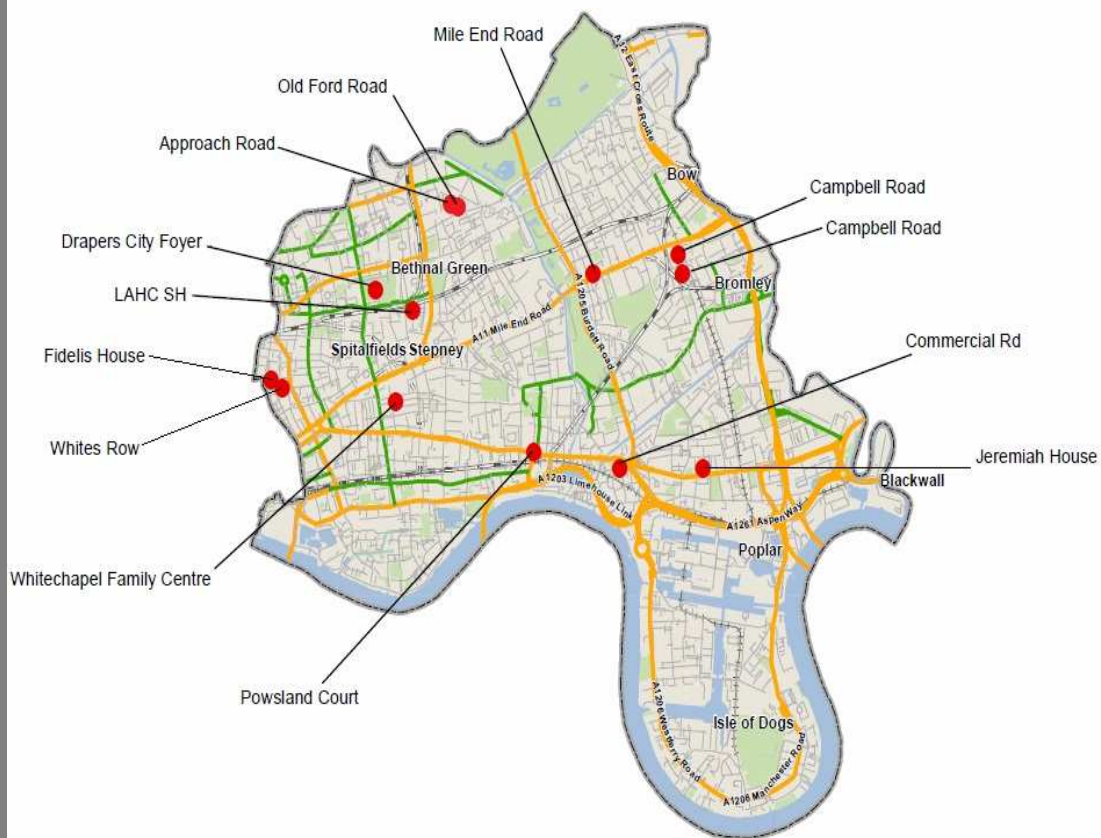
- NONE

London Borough of Tower Hamlets

Young Peoples Supported Accommodation

Commissioning Plan

Supported Housing Schemes for Young People



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1. Executive Summary

- 1.1 Supporting People currently commission 14 distinct services to provide accommodation and support for vulnerable homeless young people between 16-23 years, at an annual cost to the Borough of £1.5m per annum. These services provide a safe and secure environment for young people unable to remain at home; enabling them to develop the independent living skills required to move on to longer term housing and explore life choice options.
- 1.2 The schemes are accessible to young people in contact with homeless services, leaving care and the youth offending service in the Borough; they deliver timely interventions so preventing the need for contact with statutory children's services or further interventions.
- 1.3 With a unique and diverse population, Tower Hamlets has a growing population which has one of the youngest profiles in the country.³ In considering this challenging growth in demand there is an opportunity to review the models of provision we currently commission to ensure we make best use of these services in the future.
- 1.4 The services commissioned under this plan remain broadly as they were when first transferred to the Borough in 2003. Much has changed since this time, and we now require a reconfiguration in the portfolio of services to ensure we are able to :
- Meet the needs and improve outcomes for the Boroughs most complex young people;
 - Respond quickly and successfully to these young homeless people, including those facing eviction from the family home; and
 - Increase capacity in the sector to address the needs of young people in need – in the context of pressing need for services.
- 1.5 This report makes the following recommendations :
- A. Review the eligibility criteria of young peoples supported accommodation services to better target complex need and align the service with other key services; reducing the access threshold from 23 to 20 years of age.
 - B. Commission an assessment facility and a “crash pad” type facility through the reconfiguration of existing services.

³ The Census 2011 projections suggest that the young population in the borough aged 0 -19 years will rise by 7% to 2015 with further growth predicted by 2025.

- C. Reconfigure services to enable a balance of high, medium and low support services that offers young people opportunities to move between high and low support as their needs change.
- D. Establish an Inclusion Panel to reduce evictions and youth homelessness.
- E. Increase the amount of high support provision to meet the needs of those with complex support needs.
- F. Work with Providers to develop the interface with specialist services. So improving outcomes for service users
- G. Re-configure or replace the existing Drapers City Foyer service to provide 2 smaller units of high support accommodation based services: the timescale being a 3 year period.
- H. Re-commission the teenage parents service
- I. Maintain access to a move on quota, improve throughput and access
- J. Commission personalised services
- K. Improve Service User Outcomes

2. Introduction

2.1 This plan sets out future commissioning intentions which align to a number of existing Council strategies and plans including the Supporting People Commissioning Strategy published and endorsed by the Council in April 2011; These will inform the development of all existing services as they are tendered over the coming period:

- **Children and Families Plan 2012–2015** which seeks to ensure all children and young people are safe and healthy, achieve their full potential, are active and responsible citizens and emotionally and economically resilient for their future;
- **Homelessness Strategy 2013–2017** which aims to support families and young people at risk of homelessness and assist homeless families and young people to achieve their full potential;
- **Sexual Health Strategy 2008 – 2013** which aims to reduce the teenage conception rates and to reduce the risk of long-term social exclusion for teenage parents and their children;
- **Youth Justice Annual Plan 2012 2013** focused on the prevention and reduction in re-offending;
- **Munro⁴ and Marmot⁵ Reviews** which focus on early intervention and doing the right thing for young people, so promoting good practice and ensuring the safety and protection of young people;
- **LBTH Health and Wellbeing Strategy** ensuring appropriate care and support will enable more children to reach their potential.

2.2 Key stakeholders have contributed to the development of the plan including the Supporting People Steering Group and Homelessness Commissioning Board; Children's Social Care representatives inclusive of The Youth Offending Team, Commissioning and Leaving Care. Regard has also been given to the recent consultation on the Homelessness Strategy 2013, and prior consultation which

⁴The Munro Review of Child Protection: Final Report *A child-centred system* May 2011

⁵ Marmot Report – 'Fair Society, Healthy Lives' February 2010

informed the development of the Supporting People Commissioning Strategy 2011, which included representatives from young people's schemes and provider's.

2.3 Overall, this plan will establish the continued need for services, by clarifying:

- **Who will access services** -ensuring we target those most in need and develop strategies to break the cycle of homelessness; as well as identifying gaps in existing provision.
- **How we will prevent homelessness** – developing a prevention focussed model that offers space to manage crisis and facilitates safe returns home where possible, through a greater focus on mediation that can be provided in a crash pad and assessment facility.
- **How we will manage access and move on** - developing a pathway to manage the journey to independent accommodation; ensuring young people have realistic expectations regarding accommodation, reducing the overall length of time young people stay in supported accommodation services and challenging the view that social housing is the only option.
- **How we will meet increasing complexities of need**- enhancing provision to meet the needs of the most vulnerable; working in partnership to deliver a co-ordinated service that addresses the needs of homeless young people so ensuring they receive the support they need to achieve positive life outcomes.
- **How we will improve outcomes** - improving accommodation, standards and providing targeted support to enable young people to attain positive outcomes and achieve their personal goals.

2.4 A separate piece of work is being undertaken to produce a commissioning plan for the accommodation of people with learning disabilities. This will include the development of a learning disability accommodation pathway and will meet the needs of young people in transition from children's to adult social care with a learning disability.

3. Delivering National and Local Strategic Objectives

- 3.1 Informed by a detailed needs and equality analysis, commissioning intentions are also closely informed by a number of key local and national strategies.

Pathways into homelessness are varied and complex.

- 3.2 Youth Homelessness in the UK - a study undertaken by the Joseph Rowntree Foundation in 2007 - confirms that for 16/17 year olds the three main reasons for homelessness are relationship breakdown, overstaying their welcome and overcrowding. With 45% of 16 and 17 year olds in the CLG survey (for whom relationship breakdown was a cause of homelessness) stating violence was a feature⁶. In June 2011 Centre Point reported that **the number of homeless young people in England has risen by 15 per cent - the largest year-on-year increase since comparable records began**⁷. Given the young profile of the borough and the acknowledged levels of overcrowding, supported accommodation services for young people are crucial in addressing the needs of the community in relation to youth homelessness.

Supporting the delivery of the Community Plan.

- 3.3 Young people living in Tower Hamlets make up 26% of the population. Much higher than the 18% average for the rest of inner London; with over 78% of our young people from a minority ethnic background. This Commissioning Plan will deliver services able to meet the diverse needs of the young Tower Hamlets and support the borough in its delivery of the Community Plan vision by enabling:

- **A safe and supportive community;** Providing quality support services to enable young people to achieve their full potential; protecting the vulnerable from risk, promoting independence and working with parents and families to give children the best possible start in life.
- **A healthy community;** Promoting and supporting healthy choices that enable young people to improve their health, and improving access to high-quality,

⁶Youth homelessness in the UK A decade of progress? Deborah Quilgars, Sarah Johnsen and Nicholas Pleace

⁷Centre point Report Jun 2011 – Source DOE Homelessness Statistics January – March 2011

local health and social care services, from primary care at GP surgeries to maternity care and mental health services.

Tackling and preventing homelessness

3.4 Homelessness prevention is a key priority for the Tower Hamlets Partnership and vital in achieving the Community Plan vision of improving the lives of young people. Supporting people services ensure that young people at risk of homelessness are prevented from being homeless and are able to access appropriate and realistic housing options; particularly for those leaving the care system, teenage parents and young homeless people. Supporting People services deliver lasting outcomes by:

- Reducing the number of 16/17 year olds in bed and breakfast and temporary accommodation;
- Reducing the number of unplanned teenage pregnancies;
- Reducing social exclusion by improving access to employment, education or training;
- Improving access to health services and encouraging healthy lifestyles;
- Providing stable accommodation for young care leavers;
- Reducing criminal activity and anti-social behaviour; and
- Reducing substance misuse and improving access to services.

Improving the quality of life of vulnerable socially excluded people

3.5 Is a key target of The Supporting People Strategy through the delivery of personalised preventative and early intervention housing support services. This commissioning framework is also aligned to a number of existing Council strategies and plans as noted in section 2.1.

4. Context: Understanding Supporting People Services

4.1 The Supporting People Programme was developed by the Department for Communities and Local Government (CLG) in 2003, and offers vulnerable people the opportunity to improve their quality of life by providing a stable supportive environment to bring about greater independence. In this commissioning plan, supported housing refers to accommodation for young homeless people who are:

- Aged 16–21 assessed as vulnerable by the Homeless Service;
- Care leavers aged 18–21⁸ ;
- Teenage Parents and/or expectant mothers; and
- Young offenders.

4.2 Support is provided in supported housing schemes or by outreach support, assisting young people who live in the community to maintain and/or access appropriate accommodation. There are different models of supported housing for young people which have been developed historically, varying in size from small schemes of 4 units up to the 41 bed spaces available at the foyer. The current provision is represented in the following tables, by service, current provider, client group and support arrangements.

Service	Provider	Care leavers	General	Units	24 hr Cover
Fidelis House	Kipper Project		8	8	
Mile End Road	Kipper Project		16	16	
Approach Road	Kipper Project		5	5	
Drapers City Foyer	East Potential	5	36	41	Yes
Campbell Rd	Look Ahead	7	13	20	Yes
Whites Row	One Housing		12	12	
LAHC Supported Housing	Look Ahead		35	35	
Commercial Road	Look Ahead		10	10	
Campbell Road	Coram	4		4	
Jeremiah Hse	Kipper Project	9		9	
Old Ford Rd	Outward	7	1	8	

⁸ Young people aged 20 – 25 years of age would generally fall under the remit of the hostels commissioning plan. However, there is a statutory duty to assist care leavers in full time education up to the age of 24 years.

Powsland Court	Kipper Project	3		3	
Whitechapel Family Centre	Radicle		8	8	
Kipper LCS FS	Kipper Project	11		11	
Total		46	144	190	

Table 1 :Young People’s provision by Client Group, Provider and Level of support.

Level of support	Hours	Comments
Visiting Support	1 hour or more per week	Weekly visit to service user
Low support	5 – 7 hours	Regular contact up to an hour per day
Medium Support	7 hours plus	Daily contact of an hour plus
High Support	12 hours contact	Intense support with 24 hour cover

Table 2 : Banding by level of hours and contact

4.3 Staff availability is dependent upon the model and can range from visiting staff of an hour per week, through to twenty- four hour supported accommodation. The support traditionally provided is designed to ensure that young people have: -

- support to access appropriate accommodation;
- the life skills they need to live independently;
- positive lifestyles to stay healthy, safe and protected from harm;
- access to employment, education and training opportunities ensuring they achieve their full potential and,
- are active and responsible citizens, emotionally and economically resilient for their future.

Key Achievements

4.4 Since the development of the 2008 Homelessness Strategy a further 46 units of supported housing have been developed to meet the needs of young people, and ensure homeless young people are offered supported accommodation rather than bed and breakfast.

4.5 There has also been a continued focus on developing partnerships with the Youth and Connexions Service and Lifeline the substance misuse service, to target young people who may have been hard to reach due to homelessness and complex needs. This drive has enabled service users to access a broader range of opportunities and

so increased the number of young people gaining entry to university and discretionary grants for equipment. Over fifty young people moved to independence in 2012-2013; with a further 69 supported to gain or maintain employment, education or training.

- 4.6 Partnership work with the Boroughs Child Protection lead, Respect and Protect Project (NSPCC) and Police has ensured young people are safeguarded, with young people having access to specialist support to better make informed choices as to their behaviours.
- 4.7 **Lifeline:**The borough's young person's substance misuse service has worked in Partnership with supported housing providers and delivered training which has reduced the barriers that young people face in accessing such services ensuring early intervention is given to minimise and prevent on-going harm.
- 4.8 Building on the positive outcomes achieved for young people is central to this plan and best demonstrated by the young people themselves. One young man, currently a resident in a supported housing scheme describes his experience.

My Experience in supported accommodation

I came to live at Campbell road when I was 17, the reason I became homeless was because, my dad passed away and I was unable to live with my mother due to my mums health. When I first came to Campbell road I was depressed and had no motivation, did not know how to look after myself, I had never cooked for myself or done any washing and never had to pay any bills.

With the encouragement and support of staff that was available 24hrs I overcame my depression, I was supported in learning how to cook, do washing and how to budget my money and pay bills. I was encouraged to go to college and enrolled onto an Art & Design BTEC at Hackney College. When I relapsed and felt depressed and fell behind with my coursework, staff at Campbell road gave me one-to-one time in the office and supported me through the bad times to complete my coursework. I received an award for Hidden Heroes for sticking to my goals passing my exams and overcoming my personal issues and remaining positive.

I am in my second year of college and feeling positive about my future, I have just been nominated for CG2 priority bidding status and I am looking forward to having my own flat. Without the support from Campbell road staff I believe I would not have been able to gain skills that would enable me to live independently and would definitely not have had the motivation or confidence to go to college and complete work that was needed to gain my BTEC qualification.

5. The Current Model of Young People's Provision – a critique

- 5.1 Supporting People currently commission 14 services specifically for young people, providing up to 190 supported accommodation placements at any one time and 11 specialist floating support options for care leavers. In addition the generic floating support service supported 38 young people up to the age of 25 living in the community during 2012 – 2013. This service is acknowledged to be a key resource in providing a continuum of support to those young people moving on from supported housing schemes.
- 5.2 The model below (diagram 1) charts all current services, demonstrating the balance of provision across high, medium and low support schemes. Both the Leaving Care Service and Homeless Service access those services in the centre. This is recognised as both service user and stakeholders preferred model of provision; i.e. services that support the needs of all young people – rather than being specific to a particular group - young people understandably not wanting to be labelled.

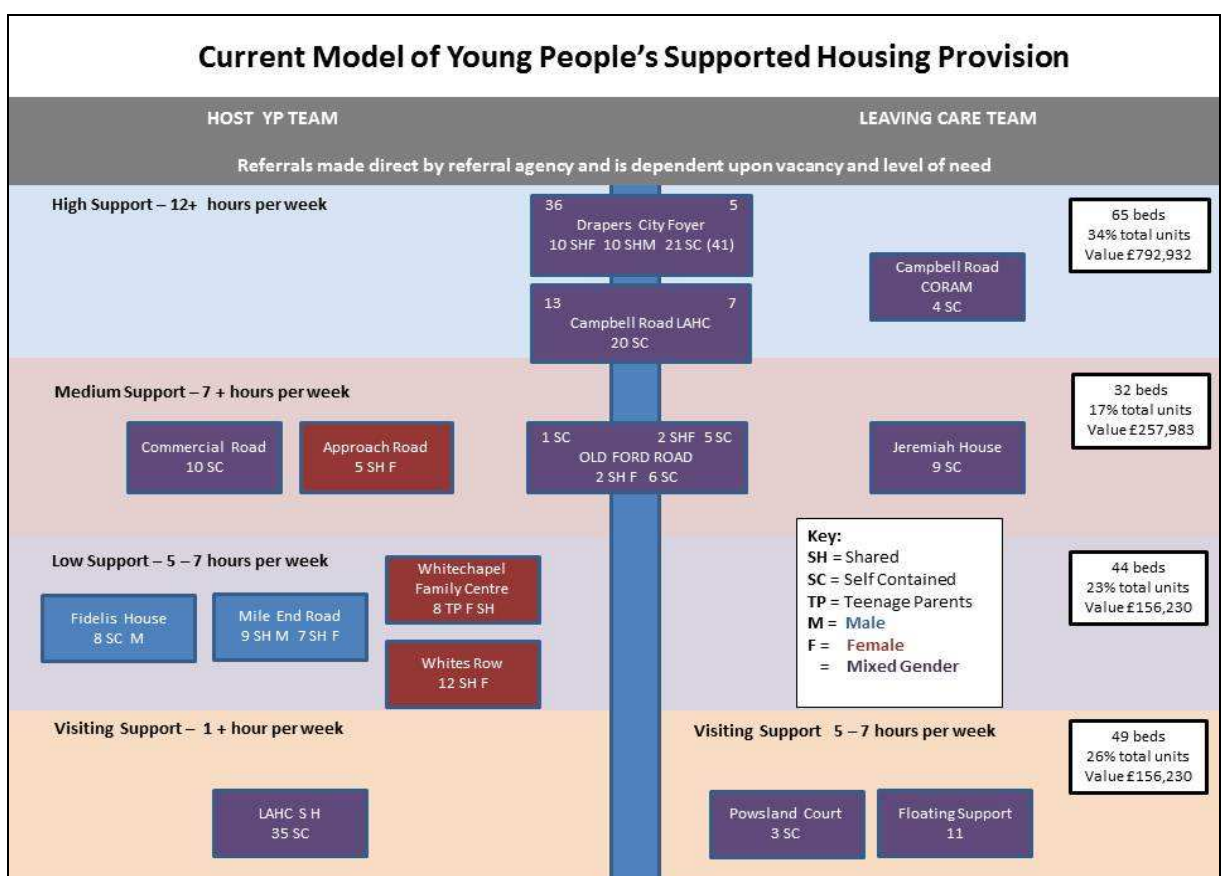


Diagram 1

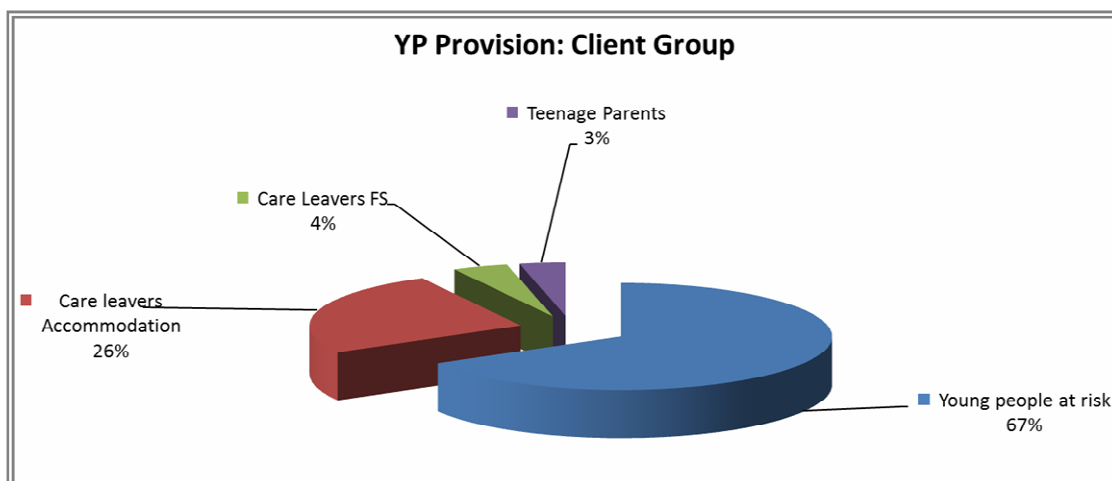


Diagram 2: Supported housing provision by referral agency and client group.

Access to services

5.3 During 2012-2013, 254 young people accessed housing services of which 105 were newly referred; 14 teenage parents, 167 young homeless people and 73 care leavers. It should be noted that this number, whilst broadly similar to that of the previous year, has increased by approximately 10% with an extra 21 young people accessing support. Broadly:

- 29% of all placements were made by the Leaving Care Team where the authority has a statutory duty to assist as a corporate parent.
- 66% of placements were for young homeless people to prevent homelessness,
- 6% of placements were into teenage parents' accommodation; this is reflective of both the decreasing rates of teenage pregnancy in the borough and the limited number of supported housing available for the client group.

5.4 Access to the majority of services is via the Housing Options: Young Person's Team (HOST YP Team), with the Leaving Care Team having direct referral rights to approximately 30%. The HOST YP Team provide advice, support and placements into supported housing and manage access for other specialist agencies e.g. Youth Offending Team and London Probation Service; ensuring services are accessed by local young people.

5.5 The Team includes a social worker funded by Children’s Social Care. If it is not possible to mediate a safe return home, and the young person is homeless and vulnerable they are placed in a supporting housing scheme. If there are no vacancies then placement may be in an emergency bed space i.e. bed and breakfast or a generic hostel for single homeless people.

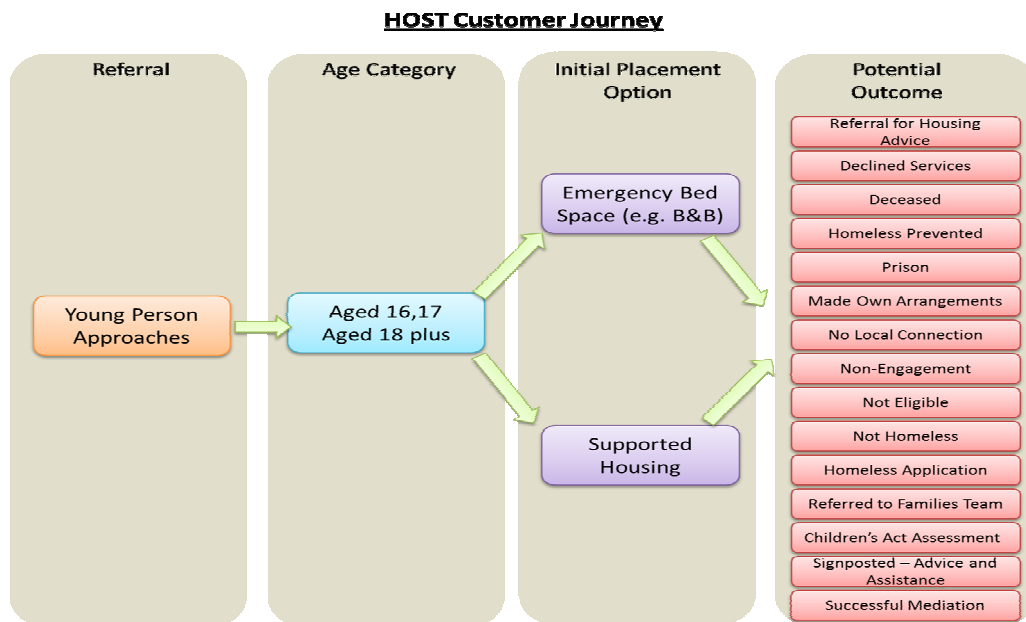


Diagram 3

Key Features and Shortcomings of the Current and Shortcomings

The arguments for self-contained or shared accommodation

5.6 The majority of units 63% are self-contained, with less shared accommodation for young men than women. Self-contained accommodation is a preference for some stakeholders, as it allows for thorough assessment of an individual’s independent living skills, and meets the needs of those young people for whom it may not be appropriate to live in shared accommodation. For other stakeholders there is a preference for shared accommodation, as it affords more flexibility and is much more in line with the type of accommodation young people can realistically expect once they leave the scheme, and therefore supports people to move in a timely fashion. The current mixture of accommodation can therefore be considered a strength.

The balance of high and low support

5.7 To further understand the profile of existing service user needs analysis was made of those young people resident in supported housing in May 2013. This suggested that **76% of service users had a complex need** with 6 key areas of key emerging need were identified:

- Substance misuse
- Mental health
- Learning disability
- Sexualised / harmful behaviours
- Aggression / Anger / Challenging behaviour
- Offending history

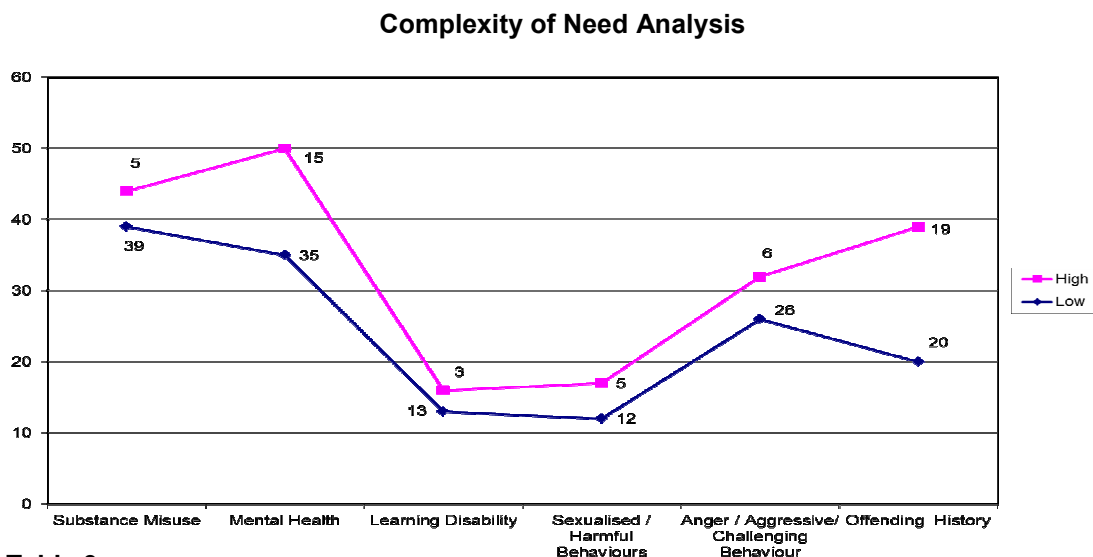


Table 3

NB* High - need diagnosed: service user is linked to a specialist organisation to meet that need.

Low - if there is evidence (not a suspicion) that a service user has a need

5.8 The complexity of need of service users accessing young people’s schemes is clearly demonstrated in table 3. However, under the current model of provision 34% or 65 units is designated high support of which 63% (41 units) are tied into the Foyer Provision which is not able to always meet high needs. Despite an increase in units in recent years, there is still insufficient supported housing for young people who have complex or high needs. Therefore the current model of provision requires reconfiguration to increase the number of high support units able to meet the varied and complex needs of young people.

Services to reflect the community

5.9 Table 4 below, compares the service user and borough profile as at 2011⁹. It demonstrates that the proportion of White British / Irish young people in supported housing schemes are reflective of the community, whilst Bangladeshi, White Other, Asian and Other ethnic groups are underrepresented. In contrast Mixed: White and Black Caribbean, Black African and Black Caribbean young people are over represented.

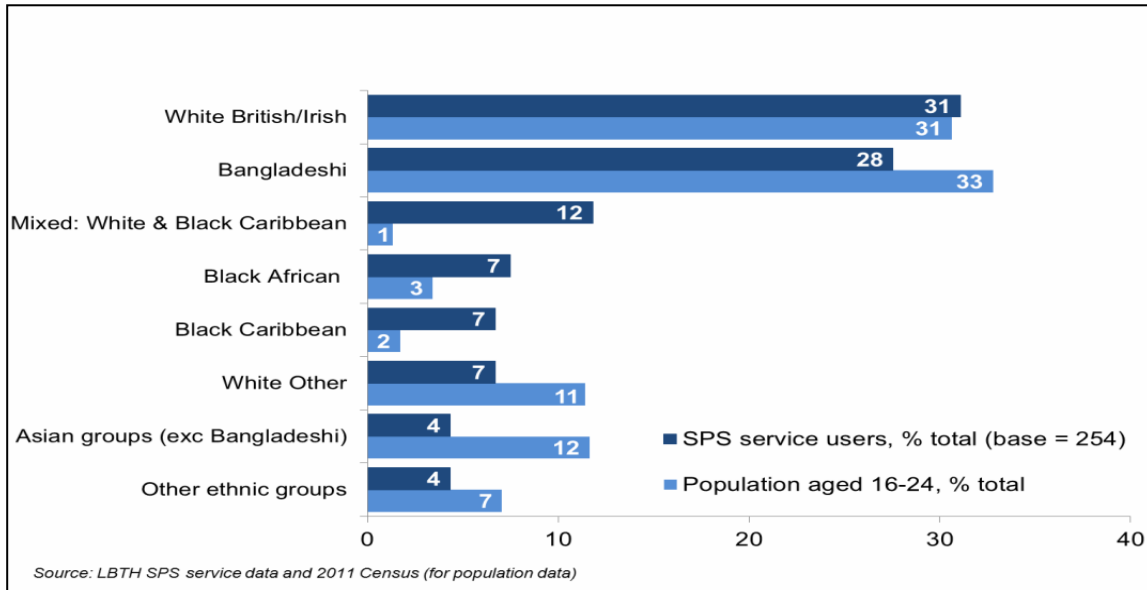


Table 4 Ethnicity of service users compared with Tower Hamlets pop. (16-24yrs)¹⁰

5.10 In comparing the age and gender profiles, the census confirms there are slightly more females aged under 24 than males.

⁹ 2011 Census population data

¹⁰ Ethnicity classifications are based on census categorisations. Those groups which were relatively small in size have been amalgamated to avoid disclosure and to improve comparability of Census and Supporting People service user data.

Profile of the population aged 16-24 by gender, age and ethnicity, Tower Hamlets, 2011		
	Persons aged 16-24	
	Number	% totals
Gender		
Persons	42,781	100.0%
- Males	20,888	48.8%
- Females	21,893	51.2%
Age		
All aged 16-24	42,781	100.0%
- Age 16 to 17	4,953	11.6%
- Age 18 to 19	7,010	16.4%
- Age 20 to 24	30,818	72.0%

¹using the most recently available census data issued in May 2013

Table 5 Age Profile of Service Users

This pattern is not reflected in the use of supported schemes during 2012-13. Of the 406 young people aged 16-25 placed into supported accommodation, (including hostels), the data indicates an even gender split, with 205 males and 201 females. This pattern varies by age; a similar number assisted aged 16 –17, more females assisted at age 18 -19 and more males aged over 20 years.

Client Group	Age group					
	16-17		18-19		20-25	
	Male	Female	Male	Female	Male	Female
Hostels	0	5	13	14	80	43
Young homeless	46	38	21	27	16	16
Teenage Parents	0	3	0	8	0	3
YPLC	7	4	18	34	4	6
Totals	53	50	52	83	100	68

Table 6: Analysis of placements by service type and age group.

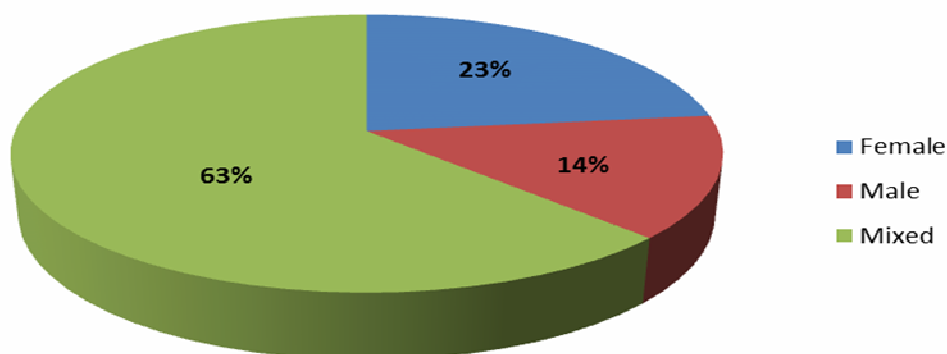


Diagram 5: Supported housing provision by gender profile

5.11 The largest proportion of youth homelessness in the 16–17 year and 20–25 year age ranges are white British young people. Whilst in the 18–19 year age range this is Asian or Asian British – Bangladeshi young people. Given the ethnic profile of the borough this is expected, however, it is not possible to speculate as to the age differences, other than to state that the data suggests that White British young people become homeless at a younger age. The diversity analysis has been explored further in the Equality Assessment attached as appendix 2 which reviews the impact of changing the eligibility criteria from 23 to 20 years of age to access young person’s services which this plan recommends. There is limited impact and this is addressed through the development of targeted provision within the hostel sector.

5.12 This data has been further analysed in respect of age and ethnicity. The top of each column stating the number of young people assisted.

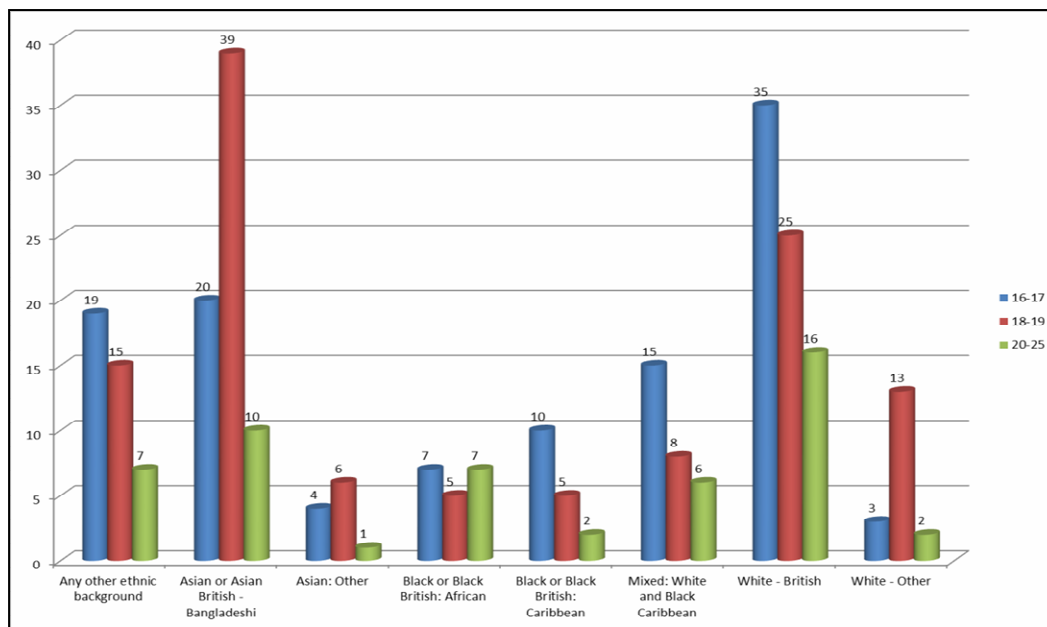


Table 7: Age and ethnicity young peoples supported accommodation 2012 – 2013.

5.13 Consultation with service users confirms a preference for non-culturally specific provision. This approach is reflected in the development of services and the stakeholder preferred model – that services are available to all young people rather than for example an offender or care leaver specific provision. Some young people have also expressed a preference for non-gender specific services, however, for those young most vulnerable young women fleeing domestic abuse, or forced marriage, there is a clear need to retain gender specific accommodation; managed through the provision of gender specific floors within services as well as a number of gender specific services that reflect the needs of young women.

This approach will also underpin the future commissioning approach and is a key strength of existing provision.

The Need for direct access emergency accommodation: “crash pad” facilities, assessment provision and a greater focus on mediation

- 5.14 There is no direct or emergency accommodation which typically means a placement in bed and breakfast if a return home cannot be mediated. A greater focus on mediation could be facilitated through the development of a ‘crash pad’ facility and assessment centre able to respond to young people when they present as homeless. This would allow respite and facilitate a ‘breathing space’ enabling intensive work and mediation to take place and improve the response to increasing pressure on resources. It will help young people and families reflect and allow for interventions and a planned and safe return home which we know is the best option for a young person.
- 5.15 Existing mediation services located in the homeless service are currently available to work with such a facility. For those unable to be mediated safely home, an assessment centre, could provide an opportunity for a thorough assessment of the young person’s independent living skills, their need for accommodation, and facilitate a planned placement into a longer term supported housing option that matches their needs or diversion into independent living.

The lack of an integrated pathway toward independence

- 5.16 Currently services are “stand alone”; once placed in a scheme the expectation is that a young person will stay there until they move to independent accommodation. This approach is driven by vacancies rather than need and requires review to ensure effective move through and that support provided is reflective of need. As young people move through the pathway and their needs reduce, there should be the option to access a lower level of support, or ‘step down’ accommodation to maximise living skills in preparation for independent living.

The length of stay of service users directly impacts on the availability of provision to meet demand pressures.

- 5.17 An analysis has been undertaken of approaches, outcomes, and placements by Host YP team and the Leaving Care Service on a month by month basis and compared to

those who have moved on in during 2012 – 2013. This analysis demonstrates in any given month there are between 40 and 70 young people approach the Host Young People’s team for assistance with accommodation; the majority do not require access to housing.

5.18 This data when compared with those moving on from supported housing schemes, suggests that a further 45 units of accommodation are required to meet the need if the number of those in need remains broadly the same- based on existing patterns of usage.

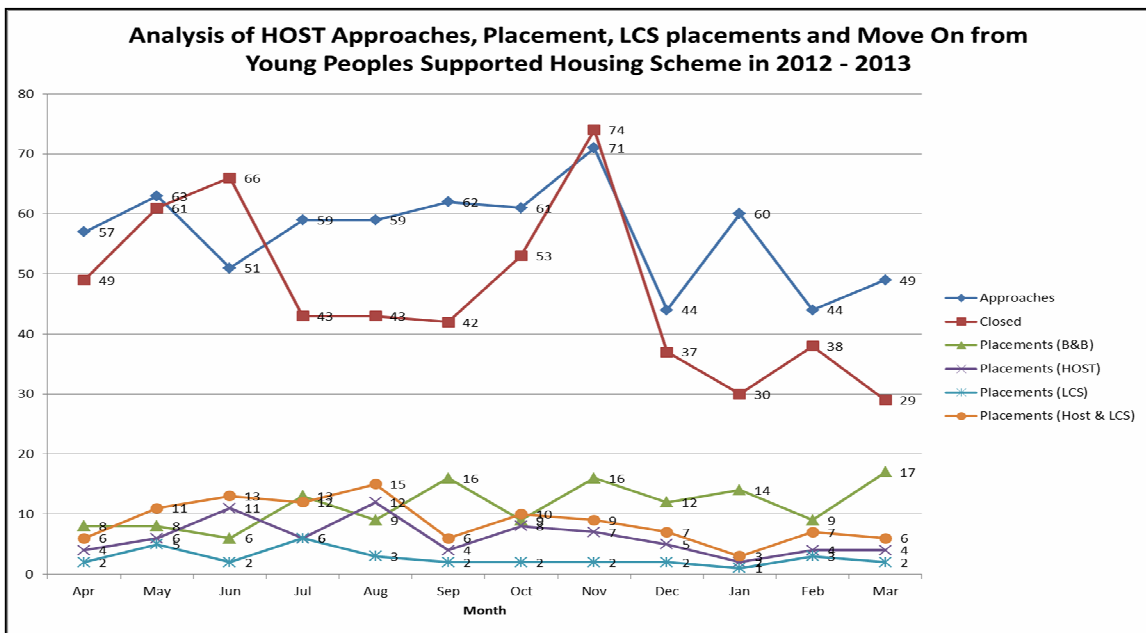


Table 16

5.19 In order to address this potential gap between availability and need it is necessary to review the length of time young people stay in accommodation based schemes prior to moving to independence as this will create vacancies, enable access and enable more effective use of resources.

Some Buildings are not considered future proof.

5.20 The current teenage parents accommodation is not considered appropriate for young families as it is shared and not self-contained as a consequence of which there are inherent risks in managing the provision; which albeit mitigated do not allow for shared parenting a key requirement for child development and wellbeing.

5.21 The existing Foyer Provision has also been identified for some time as in need of urgent physical improvement and investment. As a former school it is not purpose

built to the needs of its users and whilst improvements have been undertaken more recently, as a listed building there is limited scope for development and consideration needs to be given as to whether it is a suitable longer term option.

Universal offer of Support

- 5.22 There is a need to ensure that all young people accessing services receive a universal offer of support with regard to access to education and training opportunities. This element of the provision can be met through existing partnerships with Youth Support Service's and extended to all schemes which is not currently the case. This will enable services to work with vulnerable young people in improving education, training and employment achievements.

The Foyer Provision: The case for and against

- 5.23 Drapers City Foyer provides 41 units of accommodation – this equates to approximately 20% of existing stock. To date one of the most viable options for increasing capacity has been the expansion of the current foyer provision which is managed by East Potential in partnership with Providence Row the landlord. At 41 bed spaces, the existing provision comprises 20 self-contained and 21 shared units. Whilst the preference of service users is for self-contained units given welfare reform this may no longer be a viable option as it could be considered to be creating unrealistic expectations given the demand for social housing in the borough.

5.24 Conclusion

Whilst the current model provides a range of services that are shared, self-contained and gender specific that meet the needs of all young people , as well as offering floating support, there are a number of key gaps that are required to be addressed. There is no direct access or emergency accommodation; a lack of high support provision, and the need for an integrated pathway together with alternative buildings for some services not considered future proof. This means that for some young people there is no alternative but to be placed in bed and breakfast accommodation; private rented accommodation out of borough or more expensive forms of care or offending placements explored in section 6.

6. Establishing the Future Need for Services: the drivers of future demand

6.1 This chapter explores the profile of the borough and of young people accessing services and approaching stakeholders for assistance. The specific drivers of demand which impact on future provision reviewed in this section can be summarised as: -

- population growth,
- The Boroughs young population, and
- welfare benefits reform.

Together with the gaps identified in provision the drivers of demand will inform the development of future services.

6.2 The profile of young people accessing supported housing schemes clearly indicates a continuing need for support services of this type to meet the needs of some of the Boroughs most vulnerable young people who are in contact with our homeless and young people services.

6.3 Analysis explored in this section suggests there is a pressure in current provision which has resulted in increased placements into generic hostels as well as a continuing use of bed and breakfast accommodation, both of which are considered undesirable for many vulnerable young people. The 2013 hostels commissioning plan, confirming that 24% of the hostel population are aged 18–24, although most are aged over 21¹¹. This lack of emergency access accommodation which directly contributes has been identified as a key gap in existing provision.

6.4 We also know that welfare reform will impact on the need for services, and given that some of the changes impact disproportionately on the young it is likely to add further pressures; impacting on young people and their families and leading to increased youth homelessness as a result of the changes to:

- Employment and Support Allowance
- The Bedroom Tax
- The Benefit Cap
- The introduction of local Council Tax Reduction Schemes
- The abolition of working age Disability Living Allowance

¹¹ In 2012 5 bed spaces were identified in a women's hostel to reduce the number of young women aged 16 and 17 years accessing bed and breakfast accommodation.

- The introduction of universal credit – the new rules that apply to those under 18, and those studying full-time and part-time.

The Young Borough

- 6.5 Census data issued in May 2013 demonstrates that, in comparison to both England and London, the borough has a proportionately higher number of young people, aged 16–24. Census data also tells us that 34.8% households are over occupied, and that whilst there is no change in unemployment at 6.7%, there is a shift in the profile (10% students). As a consequence of these levels of overcrowding and youth unemployment we can expect significant demand for supported housing for young people. It is also likely the profile will further increase given the rise in the participation age and the associated pressures on families.
- 6.6 Education reform including the raising of the participation age will impact on access to benefits with pupils having to stay in training for up to two years. For supported housing services this could potentially mean an increased number of young people still at school with benefits restrictions likely to impact on their ability to pay rent and therefore, access housing.

Percentage of population aged 16-24, Tower Hamlets compared with London and England, 2011			
	2011 Census population numbers		% of population who are aged 16-24
	All ages	Ages 16-24	
Tower Hamlets	254,096	42,781	16.8
London	8,173,941	1,008,032	12.3
England	53,012,456	6,284,760	11.9
<i>Source: 2011 Census (table DC2101EW)</i>			

Table 8

Young people aged 16 – 25

- 6.7 For young people aged 16–17 years there is usually a statutory duty to provide emergency accommodation, likely to be supported housing. If the young person has a local connection and is aged 16–17 they may request a Children Act assessment or

a full homelessness assessment in line with legislation i.e. the person is eligible to public funds. The data in the table below confirms the changing profile of young people accessing this type of provision – there being a significant increase in 16–17 year olds and a related decrease in those aged over 20 - approximately 50% more 16-17 year olds accessing supported housing in 2011 than in 2009.

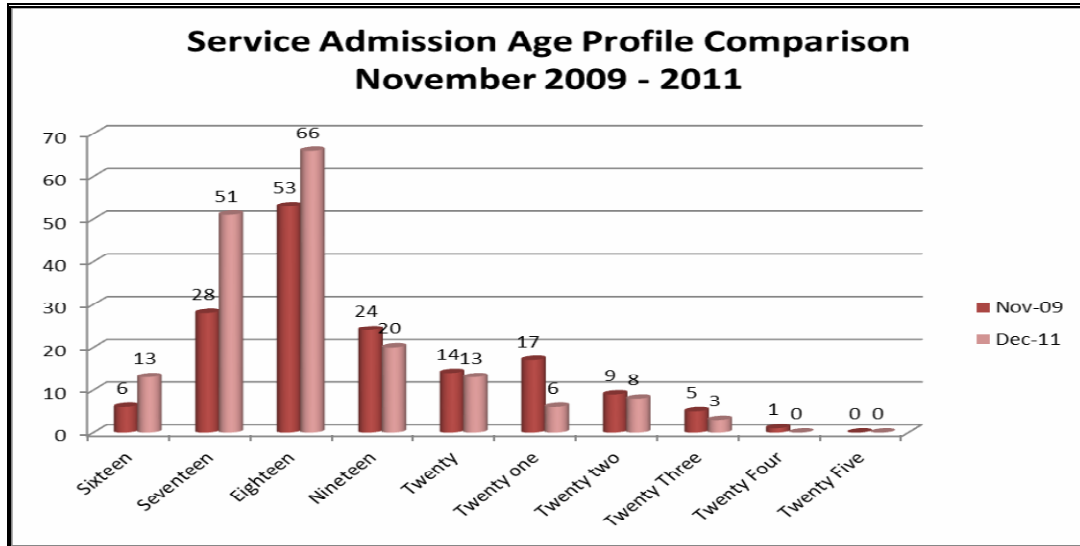


Table 9

6.8 This has increased by a further 12% in a one year period to 2012 – 2013. Of the 223 young people who utilised services in 2011-12, 58 or 26% were aged 16–17. By 2012–13 of the 254 young people 98 or 39% were aged 16-17. At the same time the number of 16 and 17 year olds approaching the homeless service over the last 3 years has remained comparatively static.

Financial Year	16/17 years
2010 - 2011	108
2011 - 2012	111
2012 – 2013	94

6.9 Whilst this demonstrates supported housing is being utilised more effectively to meet the needs of these young people, it also has a significant impact on the ability of the current sector to meet their needs; their level of emotional development and maturity often necessitates a higher level of support or intervention than is currently commissioned.

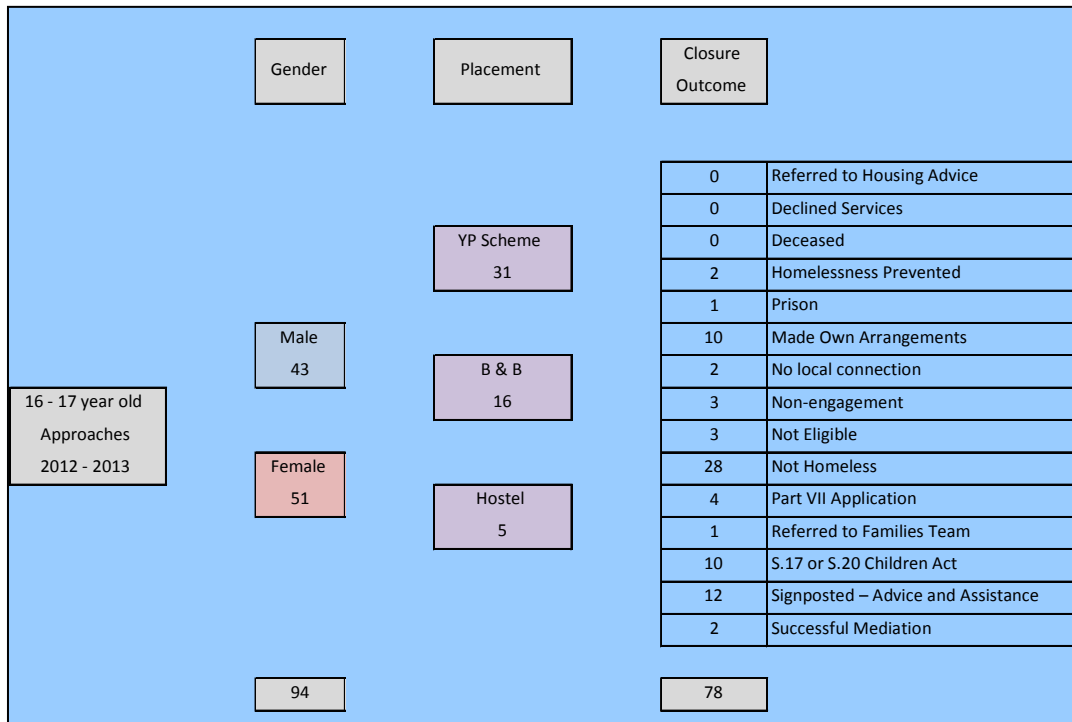


Diagram 6: Approaches, Placements and Outcomes Host YP Team Data 2012 – 2013

6.10 Supporting an increased number of 16 and 17 year olds further impacts on capacity; young people of this age have to stay for longer periods as they are unable to access tenancies until they reach 18; resulting in fewer vacancies becoming available for other young people in need. Due to the lack of availability, during 2012-2013 an increased number of young people aged 16–25 were placed into bed and breakfast accommodation or hostel accommodation. In 2011– 2012, 53 were placed compared to 128 in 2012 – 2013. 5 young women were placed into hostels sector.

Table 10: Host Bed and Breakfast Placements- Age & Duration 2012 -2013

Duration (days)	No.YP placed	Age in years at Placement date									
		16	17	18	19	20	21	22	23	24	25
1 - 28	38	3	3	8	0	6	3	7	8	0	0
29 - 56	36	1	0	2	8	4	5	10	6	0	0
57 - 84	27	2	1	3	2	4	5	8	2	0	0
85 - 112	14	0	4	1	2	2	0	2	3	0	0
113 - 130	3	0	1	0	0	0	1	0	1	0	0
131 - 157	5	0	1	0	0	2	2	0	0	0	0
158+	16	0	1	1	2	4	3	4	0	0	0
Total	136	6	10	15	14	22	19	31	20	0	0

6.11 In 2011–2012 206 people aged 18-24 accessed hostel accommodation. Whilst this figure reduced in 2012–2013, the increase in the 18 and over age range placements in the wider hostel sector is likely to be a consequence of the increased number of 16–17 year olds accessing young people services. In addition during 2012-13 112 people aged 18–23 years were placed in into bed and breakfast accommodation. It is notable that the majority of those people who approached, over 50% were given advice and assistance to make their own arrangements and did not qualify for supported accommodation.

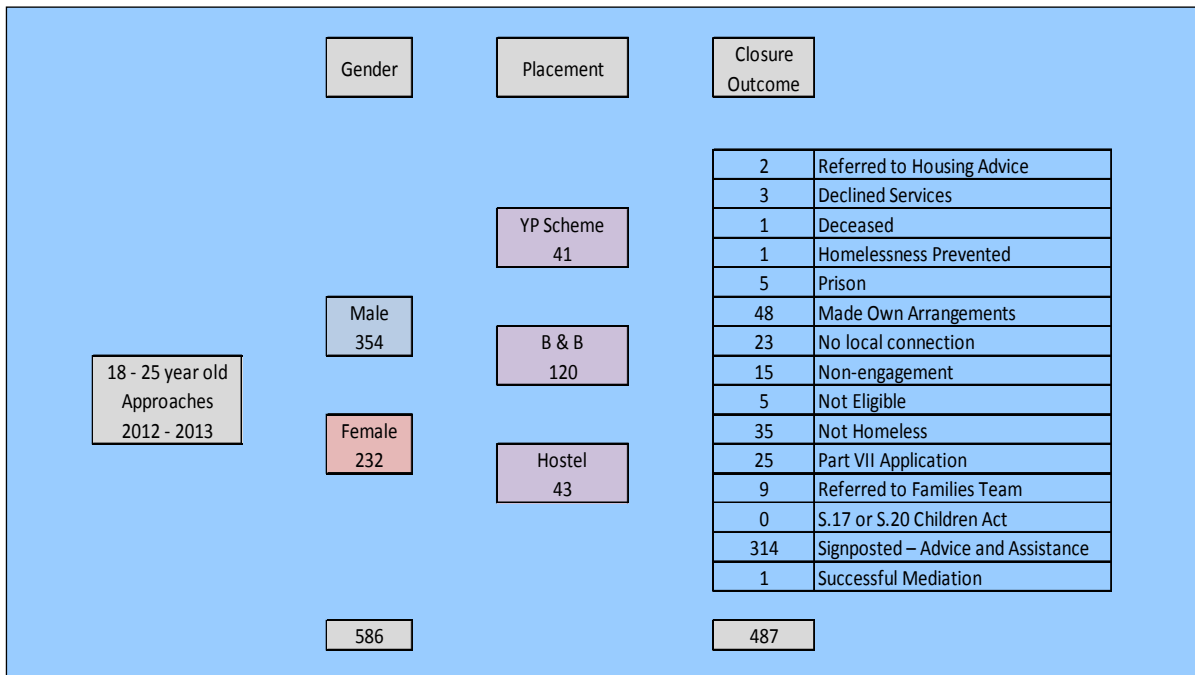


Diagram 7: Approaches, Placements and Outcomes Host Data 2012 – 2013

Young People Leaving Care

6.12 There is a statutory requirement to advise, fund and accommodate young people leaving care. The Leaving care service have direct access to 7 supported housing schemes which vary between high support to visiting support. If there are no vacancies in supported housing for those aged 18 years or over then placement will often be in private rented that is predominantly out of borough.

6.13 As at October 2012, all the leaving care team bed spaces were utilised, 11 care leavers were placed in temporary accommodation, and 9 in bed and breakfast. In the last 12 months the Leaving Care Service advised that 7 young people had to move into private shared accommodation due to a shortage of supported housing. There were 294 looked after children accommodated by Children’s Social Care in a range of residential settings, of whom 80 were approaching 18 and entitled to support from

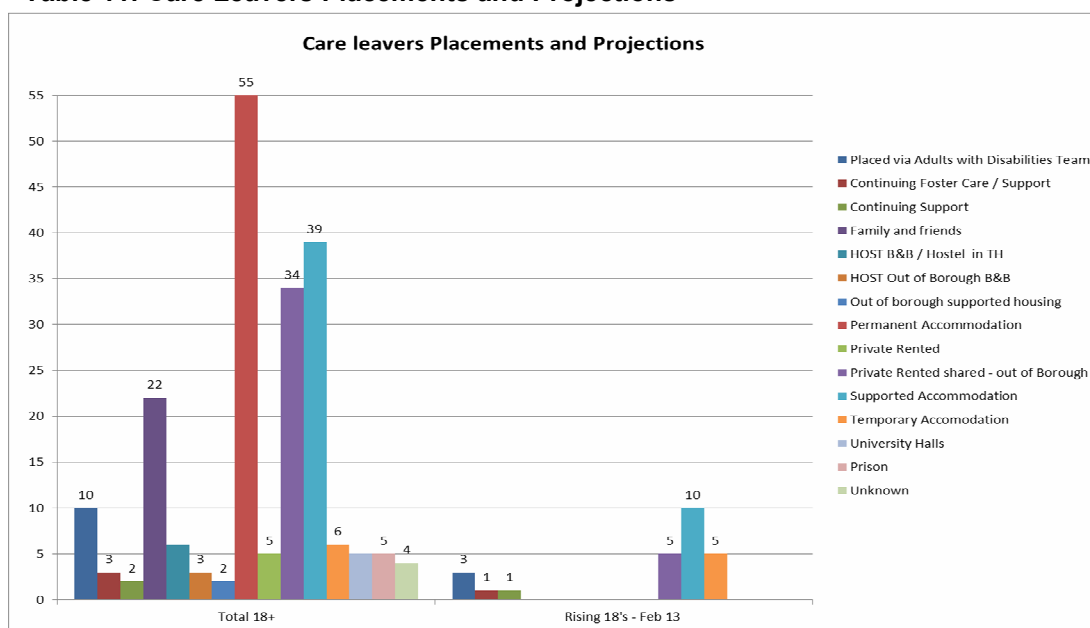
the Leaving care service. The data for care leavers has been relatively static in the last 3 years, although the figures have reduced slightly this year.¹²

2013	282
2012	296
2011	292

6.14 On average at any one time it is estimated by the Leaving Care Service and Children’s Placement Team that a minimum of 10 of these young people would have accessed supported housing were it available for the most vulnerable cohort of leaving care clients, particularly those with emotional, behavioural and mental health needs. In addition they consider 30 units of low to medium support accommodation would significantly reduce the use of bed and breakfast and out of borough private rented placements.

6.15 Additional to Supporting People, The Children’s Placement Team assist young people who are in care and make placements up until they leave care though a separate budget. 48 young people aged under 18 years in 2012–2013 with semi-independent placements which are spot purchased costs ranging up to £1,700 per week. The cost is dependent upon the young person’s behaviour profile and level of support provision. Of the 48 young people, 19 were in longer term placements and 1 was in supported housing, hence there is scope to review the existing arrangements.

Table 11: Care Leavers Placements and Projections



¹²The figures are based on Children’s Social Care data for those young people looked after as of 31 March in each year

- 6.16 Whilst today more young people are placed locally rather than at a distance, it is acknowledged that those placed further afield tend to return - and therefore, require assistance having left care.
- 6.17 During the period April 2012 – March 2013 a total of 62 young people were placed by the leaving care service into shared private rented accommodation out of borough. It is estimated that 50% of these young people would have been placed in supported housing were it available. Data for earlier years is not available but anecdotally this is due to an increase in the number of young people leaving care who require accommodation, as opposed to those leaving care.. As a consequence, those young people resident in supported housing are required to move on within a 15 month period. If they are not ready for independent housing they are placed in shared private rented with floating support. This process ensures that they are not housed into social housing before they are ready and so risk eviction and the opportunity to have settled accommodation.
- 6.18 In summary, there is a clear need to increase in borough supported accommodation options for young people leaving care. However, whilst it is possible to expand access, it is not within the scope of this commissioning plan to and funding envelope to meet the entirety of need in this area. It is recommended, therefore that further work is undertaken with the relevant teams to explore opportunities to commission further supported accommodation needs.
- 6.19 The borough also has to source placements for unaccompanied minors subject to immigration control, although to date very few unaccompanied minors have accessed accommodation based services. This is a complicated area as young people in this position may not be able to access housing benefit to pay rents and so providers will often be reluctant to issue tenancies. Further where their status is unclear they cannot move on and when 'all their rights are exhausted' the young person awaits forced return. As of 31 March 2012, 12 young people aged 16/17 were placed – costs over £71.00 per night having to be met by the borough (NASS fund £71.00 per night).Whilst a number of these young people access floating support, there is the opportunity to consider in borough options for placement through this strategy to assist unaccompanied minors on reaching 18 years of age until their status is determined.

Young Offenders

- 6.20 The Youth Offending Service(YOS) currently has referral rights into one supported housing scheme – 2 bed spaces at LAHC Campbell Road. In general access to placements is made via the HOST YP team, with up to 8–10 placements being made in any one year. 6 people were placed in 2011–2012 and 6 reconciled with family.
- 6.21 The 2010 scrutiny review of youth offending identified that all young offenders who are at risk of becoming homeless are assessed by a housing officer prior to discharge, and recommended increasing emergency supported housing within Tower Hamlets for young people leaving custody, or appearing before the youth court. YOS support provision that will allow for up to a 12 week stay a view to returning to the family home if possible.
- 6.22 The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) which came into effect on 3 December 2012 may significantly increase demand in this area as ‘looked after child’ status has been extended to all 12-17 year olds made subject to a secure remand (and 17 year olds now eligible for a remand to local authority accommodation). This will mean greater financial responsibility for local authorities who are now responsible for funding all remands to custody.
- 6.23 The number of young people remanded into youth detention accommodation in the last three years has increased over the last few years, albeit reduced in 2012 – 2013.

Remand into Custody and Court Ordered Secure Remands	2009/10	2010/11	2011/12
Custodial Remands	43	53	57
Total Bed nights	3107	2549	2865
Average Bed nights per remand episode	72.3	48.1	50.3

Table 12

- 6.24 This has resulted in a corresponding increase in the number of young people known to YOS who are at risk of homelessness and LASPO will bring an increase in the number of young people with ‘looked after child’ status. The data as at 31 January 2012 confirmed that of the 26 young people who have approached in housing need 12 were supported to reconcile with family and 14 required placement ranging from children’s social care placements, to supported housing. 5 young people were known to have accessed bed and breakfast which is not good for positive service user

outcomes and it is estimated that 10% i.e. 5 young people remanded in 2012 – 2013 would have met the threshold for leaving care services, in accordance with LASPO.

6.25 This highlights the requirement for a minimum of five placements to manage demand and the need for emergency, direct access accommodation such as an assessment centre to meet the immediate housing and support needs of young offenders who are likely to require intensive support. This could be complemented by additional support which YOS commission, for example; multi systemic therapy or family support to mediate and facilitate safe return homes.

Teenage Parents

6.26 There is one scheme, Whitechapel Family Centre, which is specifically for young women expecting a child or with a child under three years of age. The service provides support in parenting skills and child care and there are close links with the local children’s centre and the Family Nurse Partnership.

6.27 We know that the borough’s teenage conception rate has reduced by 30% in 2012 in comparison to figures as at 2002 and that the data for Tower hamlets has shown significant improvement in comparison with London averages. We also know that Family Nurse Partnership data provided for the 12 months prior to June 2012 shows that over 54 referrals were made and active during the period, of which 50% of the young women were residing with family. This data confirms the need for the provision and it is recommended that it is provided from an alternative building which is addressed within this report.

6.28 The table below is a summary of young people who were in client group specific service supported housing schemes in 2012- 2013.

Young Parents Data 2012/13	Total
Pregnant at point of referral	15
Pregnant since referral	17
With child at point of referral	10
Males with a child not living with them	5
Females with a child not living with them	7

Table 13

7.0 Commissioning a Model for the future and building an effective pathway to independence

7.1 For many young people, including those with more complex and enduring needs, the pathway to independence is not a straightforward one. The services we commission need to allow for a young person to move through options at a pace that mirrors their growth and allows them to increase or decrease the support they receive until greater levels of independence are achieved. To achieve this, the commissioning plan proposes a pathway model in line with best practice suggested by the National Youth Homelessness Scheme which allows for: -

- Entry via assessment services – prevention assessment and move on
- Progression services – delivering structured support
- Specialist services - assisting young people with high or complex needs
- Move on – move on opportunities which offer access to secure accommodation and floating support.

7.2 This section will look at how better to commission services in a way that manages the system as a whole and brings our system in line with the National Youth Homelessness Scheme; ensuring there is an effective pathway through from access to independence.

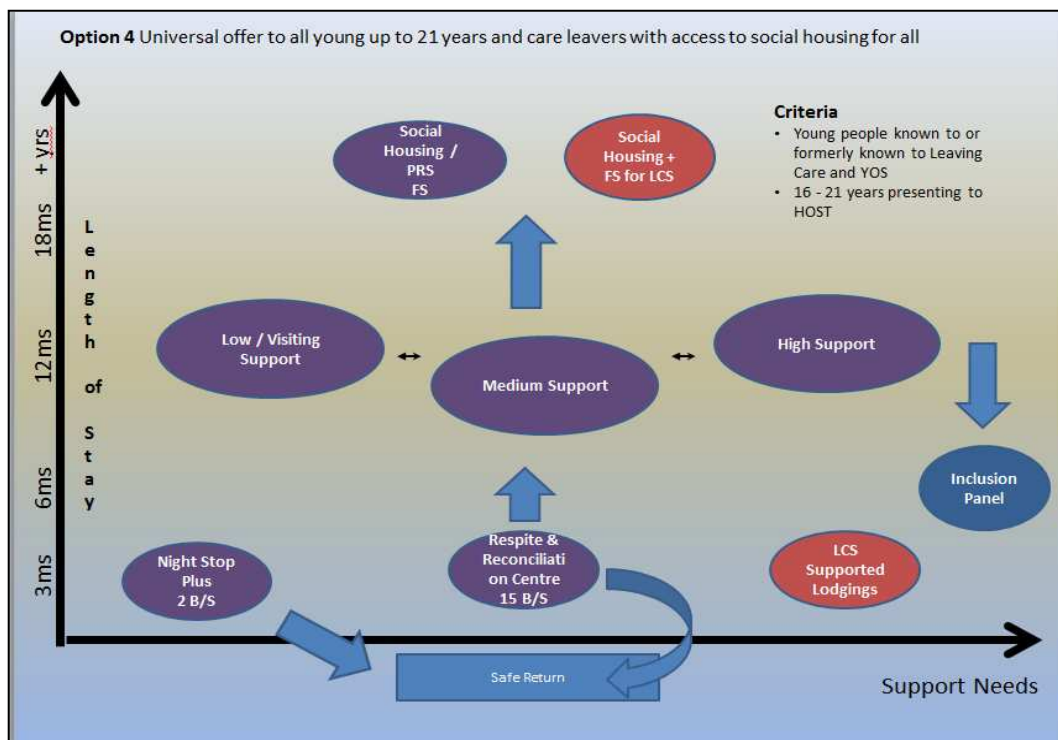
7.3 The model demonstrated in diagram 4 below is the preferred stakeholder option, it has the flexibility to respond quickly and meet a broad spectrum of need. It invests in the young at a time of need, promoting a pathway to independence which encourages young people to achieve and become responsible members of the community. The recommendations detailed in this section detail how this can be delivered in commissioning terms, explaining also the rationale.

7.4 In order to improve outcomes for young people and achieve strategic objectives this plan is underpinned by the following principles which seek to ensure that the services delivered are person centred and prevention focussed, underlying which are the principles that support is:

- Flexible and tailored to meet the diversity and complexity of need;
- Age appropriate, offering positive opportunities for, and positive engagement with young people;

- Allows for early intervention to nurture potential and encourage young people to be responsible citizens,
- Universal and available to all young people who access the pathway.

Diagram 4: Proposed Young Persons Supported Housing Pathway



Recommendation 1: Review the eligibility criteria of young peoples supported accommodation services to better target complex need and align the service with other key services ; reducing the access threshold from 23 to 20 years of age.

7.5 Given the broad age range of the client group and increasing complexity of need, there is a requirement to review the age range of young people eligible to access young people’s services. It is recommended that the upper age limit for access is 20 years of age, aligning services with key stakeholders, for example, the Leaving Care Service who predominantly with young people age up to 21 years. This will facilitate the provision of more focussed and targeted services and formalise current practice. Older young people aged 21 – 25 years, will continue to be assisted through the provision of single homeless accommodation, the need for which has been

recognised within the hostels strategy, already approved by Cabinet; an existing hostel to develop specific accommodation for this client group. This has been explored further in the equality assessment at appendix 2 which assesses the impact for those people aged 21 – 25 years of age who have accessed young person's accommodation.

- 7.6 The proposed model of provision recommends that young people's services are targeted at those up to the age of 20, with those over this age being diverted to hostel accommodation.

Recommendation 2: Commission an assessment facility and a "crash pad" type facility through the reconfiguration of existing services.

- 7.7 We will seek to commission a crash pad and assessment service as two distinct services. A "crash pad" service will provide respite where home relationships have broken down; the maximum stay being in the region of 5 days. This will offer tailored age specific interventions to facilitate the young person's safe return home that will utilise existing mediation resources with the homeless service and enable the authority to meet emergency.
- 7.8 The respite element of the service will also ensure a thorough assessment of those young people who are unable to return home safely and an option for those young people who are having difficulty in living semi- independently to access the service as an alternative to homelessness.
- 7.9 It is recommended that YOS have the option to refer young people direct from offender institutions to ensure that they have an appropriate address to minimise stays within the criminal justice system,

Recommendation 3: Reconfigure services to enable a balance of high, medium and low support services that offers young people opportunities to move between high and low support as their needs change.

- 7.10 Key to this plan is the need to not only identify the number of units required, but ensure the availability of the right type of accommodation delivering appropriate

levels of support and balancing the need to reduce dependencies and over reliance on provision.

- 7.11 We will reconfigure the range of available services to enable greater movement through a range of high, medium and low support accommodation toward independent living. The model provides an option for those young people that have difficulty in managing the transition to independence to go through the pathway at their own pace and where necessary to move from low to higher supported accommodation to enable them to receive the right level of support at the appropriate time.
- 7.12 Enabling timely access to longer term housing options will be vital in maintaining appropriate levels of throughput. Young people will also be offered access to floating support to ensure that the transition to independence is managed seamlessly.

Recommendation 4: Establish an Inclusion Panel to reduce evictions and youth homelessness.

- 7.13 The development of an inclusion panel will maximise the opportunity for young people to achieve positive outcomes by reducing evictions and placement failure. Young people, where there is a threat of placement breakdown, being referred to this panel to ensure that they have been given an opportunity to access the full resources of the borough to support them; providing a safety net to prevent the cycle of homelessness. This could be provided through an existing panel such as the Targeted Youth Support Panel, the development of a housing inclusion panel or consider options for links to safeguarding panels. This would enhance the provision and minimise the risk of homelessness or repeat homelessness to ensure that every young person has the opportunity to move positively through the pathway.

Recommendation 5: Increase the amount of high support provision to meet the needs of those with complex support needs.

- 7.14 The needs of young people requiring assistance are increasingly more complex. An analysis of the 27 refusals out of the 166 referrals in the last year shows that 8 were refused because their support needs, were too high, drug dependency, ASB or safety issues, whilst a further 9 were placed elsewhere. This picture is also reflected in an

analysis of the notifiable incidents in services in the last year which involved the input of both statutory and emergency services.

- 7.15 Analysis of referrals made by Leaving Care suggests the needs profile of young people accessing provision is becoming more challenging; confirming that in the last 12 months 2 young people had support needs considered too high to be placed in supported housing, and that 7 young people's placements broke down through this period.
- 7.16 This data evidences the need for both continued and enhanced partnership working with a range of statutory agencies within the borough and for the provision and the need for increased high support provision within the borough.

Recommendation 6: Work with commissioned Providers to develop the interface with Specialist Services, so improving outcomes for service users

- 7.17 There is a need to optimise both outcomes and quality of provision through improving the interface with specialist services e.g. mediation, mental health, substance misuse, reducing re-offending and education engagement for all service users in all schemes. This is to ensure that young people are supported through transition and are given the right support at the right time to address low level and what may be potentially harmful behaviours and ensure they are supported to address these needs at an early stage to enable them to attain their potential.

Recommendation 7: Reconfigure or replace the existing Drapers City Foyer to provide 2 smaller units of high support accommodation services: the timescale being a 3 year period.

- 7.18 The size of the building creates difficulty in meeting the complexity of needs of young people and too much of current provision is tied into this large building. Consultation with stakeholders has confirmed the preference for smaller units of accommodation that are no larger than 20 bed space.

In the short term it is recommended that the building is re-commissioned for a 2 year period with the option to extend for a further year, whilst a longer term development plan is put in place. This could include reconfiguring the existing site, or alternatively

commissioning new buildings out of which the high support provision could be provided.

Recommendation 8: Re-commission the teenage parents service in an existing service at Commercial Road.

7.19 Whitechapel Family Centre has been identified as not being fit for purpose as a supported housing scheme for teenage parents, as such it is recommended that it is re-provided in an alternative building that offers self-contained accommodation to meet the needs of teenage parents. The current provision to be used to support young people without children who have low to medium support needs.

Recommendation 9: Improve throughput and access to enable more effective management and use of resources.

7.20 This plan recommends that in order to achieve effective throughput that the target length of stay will be 12 months and for Leaving Care clients 15 months. Move on though the pathway will create vacancies, enable access and enable more effective management and use of resources. These targets are aspirational and if achieved would create an extra 36 units per annum in comparison to performance in 2012 – 2013

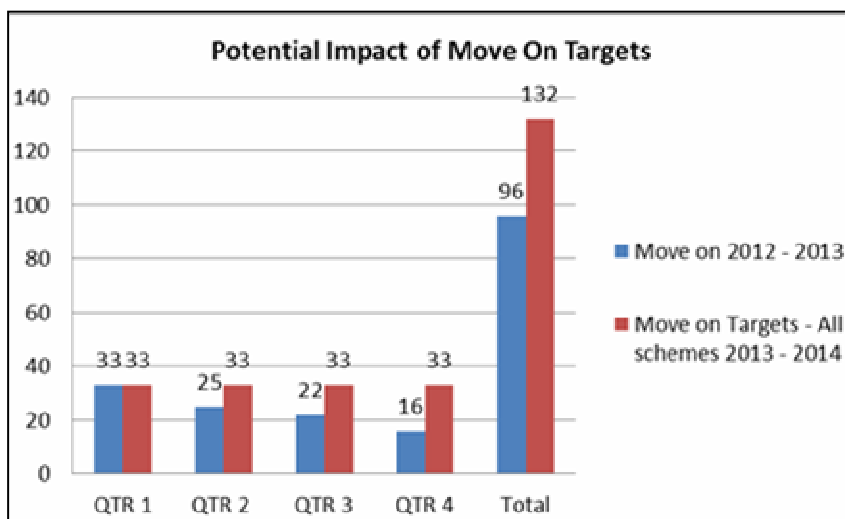


Table 17

7.21 Reducing the length of time that young people stay in services will alleviate some of the pressure on demand but needs to be considered within the context that for some young people including care leavers there is a need for them to be resident for a

longer period given their vulnerability, to ensure that they have completed a comprehensive living skills programme and are ready to live independently. It is also important to acknowledge that young people aged less than 18 years are unable to access the Common Housing Register and may also have difficulty accessing private rented accommodation.

- 7.22 Given there is currently a 7 year wait for a single person to access accommodation through the choice based lettings register. This plan recommends that in order to achieve effective throughput, that a range of longer term housing options are explored. If a young person has no support needs at the point of presentation to HOST or consistently does not engage with the pathway through choice rather than vulnerability it is recommended that the pathway offers access to the private rented sector with the option of floating support.

Recommendation 10: Commission personalised services

- 7.23 Personalisation offers an opportunity to focus on what young people aspire to and want to achieve. This process starts from the commencement of service and can include a choice of worker, time and venue for contact, and a menu of support that the provider can offer, as well as access partner services where specialist interventions are required. To achieve this requirement it is proposed that services are commissioned using the core and flexi model.
- 7.24 This will require providers to deliver services in a more person focussed way. Providers will have to encourage service user input into the development of the service, both on a day to day and longer term basis. Whilst on an individual level young people will be encouraged to take ownership of their support plan to achieve their goals and make the transition to independence in a planned and positive way that achieves their goals. Moving forward there will be a requirement to develop peer support groups and options will be explored to develop more cohesive working across services and providers which will be facilitated by a more integrated pathway.

Recommendation 11: Improve Service User Outcomes

7.25 This plan seeks to improve opportunity and outcomes for young people. Outcomes targets will be set across a range of areas inclusive of mediation, move on, health and wellbeing; and employment.

Education Employment Training (“EET”)

7.26 This plan acknowledges and demonstrates that service’s work with the most vulnerable and socially excluded of young people, which increases the challenge in supporting young people into positive work and training outcomes. However, it also demonstrates in the table below that for many young people supported housing gives the stability they need to sustain activity and for some the opportunity to access. At any one time, providers have varying levels of success in supporting young people into activities, and for the majority of services this means access to EET activities. A challenging target of 100% of service users being involved in meaningful activities will be established.

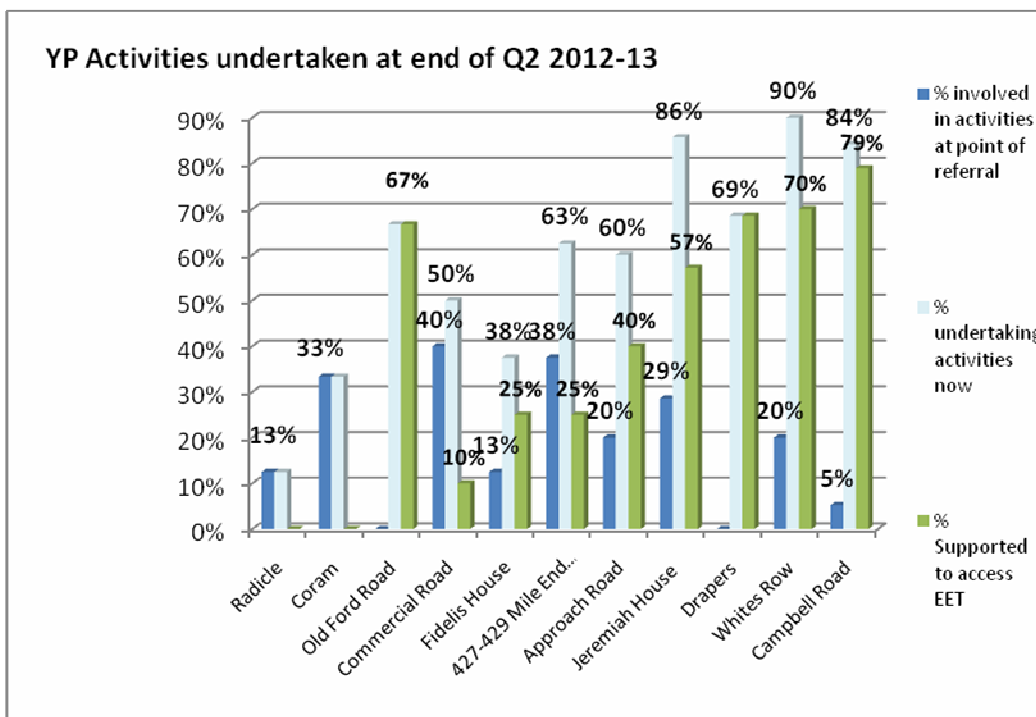


Table 17

8. Financing the Plan

8.1 Given the economic climate there is the need to deliver effective services and work towards better efficiency, by investing in vulnerable young people, preventing homelessness. By encouraging positive life outcomes this plan seeks to invest in young people which will reduce reliance on services at a later date.

8.2 The current model of provision is mainly funded through Adult Social Care, spend for 2012– 2013 being £1,494,451 of which Children's Social Care contribute £60,242 towards the cost of funding a leaving care scheme. In addition the model will be funded by the reconfiguration of a small 20 bed single homeless service; which will be defined as a young person's low support scheme in the forthcoming tendering process. This will enable a contribution of £162,524 to be shifted to young person's provision, and an increased capacity.

Breakdown of expenditure and the costs of current services.

Scheme	Units	Hours per Unit	Contract Value
Approach Road	5	7	£38,220
Campbell Road	4	22.14	£96,697
LACS Campbell Road	7	12.25	£93,639
Commercial Road	10	7	£72,387
Drapers City Foyer	36	12.63	£376,415
Drapers City Foyer	5	12.63	£52,280
Fidelis House	8	5.25	£45,864
Jeremiah House	9	7.44	£84,084
Kipper LC Floating Support	11	5.5	£66,066
LACS Supported Housing	35	1.63	£72,146
LACS Campbell Rd	13	12.25	£173,901
Mile End Road	16	5.47	£95,550
Old Ford Rd	1	7.25	£7,912
Old Ford Road	7	7.25	£55,381
Powland Court	3	5.5	£18,018
Whitechapel Family Centre	8	5.91	£55,801
Whites Row	12	6.42	£90,090
Nacro scheme	20	NA	£162,524
Total Services / Expenditure	210		£1,716,974
SP Expenditure	£1,656,974		

8.3 This commissioning plan proposes a revised model of provision presented in diagram 5 below. It builds on the existing model reviewed in section 5.2; reconfiguring to better meet need and achieve recommendations. The proposed model of provision achieves:

- An assessment centre with crash pad facility and sleeping night cover.
- Provision of two additional 20 unit complex needs schemes.
- Increase in units offering medium and high support.
- Reduction in low support units,
- An increased focus on visiting support provision.
- Provision of a self-contained teenage parents unit.

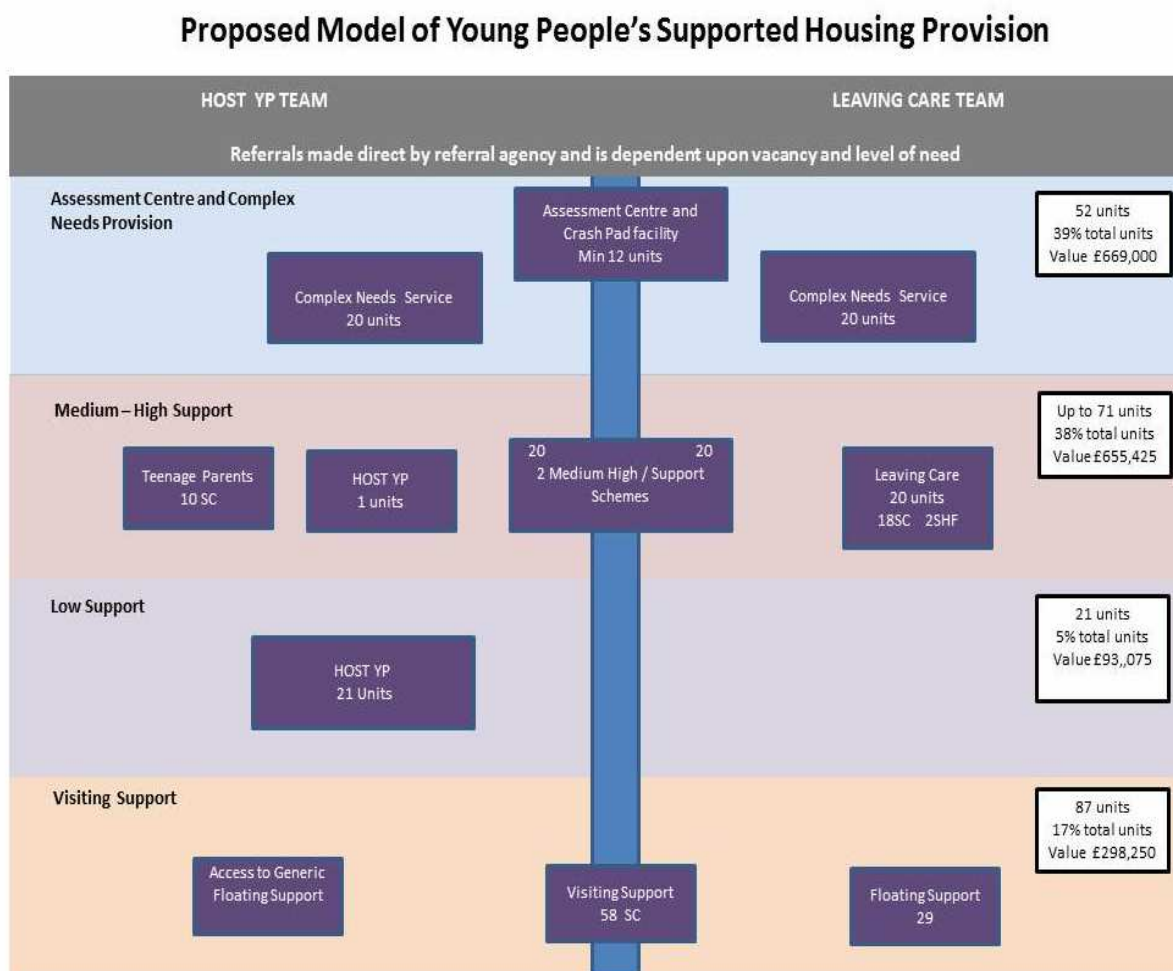


Diagram 5

8.4 This proposed model in diagram 5 assumes that the current funding will be maintained. It also assumes that the funding from the Leaving Care service will be maintained and that there is no further funding available from Children’s Services. The projected costs of the proposed model are £1,715,750, which is in line with

current costs, including the remodelling of a small single homeless hostel to young people. Required investments will be funded by the reinvestment of efficiency savings achieved through the tendering process.

- 8.5 This area is recognised as experiencing an intense growth in demand. Additional revenue can be managed through a major reconfiguration of existing funding and resources. Reconfiguring existing support services will enable costs to be met through efficiencies generated as part of the forthcoming tendering of these services. However, this effectively means this area of provision will need to be ring-fenced from further savings. The Supporting People Funding programme more widely will continue to contribute to savings targets generated through the procurement process.

9 Implementation and Risk Management

9.1 To achieve the strategic objectives, the intention of this plan, there will be the need to phase the implementation to ensure a continuity of service provision. This plan proposes the following timescales, actions and outcomes.

Year	Quarter	Action	Outcome	By date
2013	3 / 4	Remodel an existing service to deliver crash pad and assessment centre	Remodel services to offer crash pad and assessment centre facilities and introduce and assessment and mediation pathway	April 2014
2013	3 / 4	Liaise with HOST YP Team as part of the assessment centre implementation plan to deliver mediation services	Focus on targeted mediation to promote a safe return home.	April 2014
2013	3 / 4	Call off all young people's services to achieve the revised model of service deliver	Commission services that are fit for purpose and deliver an integrated pathway of support	April 2014
2014	1 / 2	Develop SLA's and agreed protocols to deliver integrated services in partnership with specialist services – YOT, CAMHS, Options, Connexions, Lifeline and Targeted Youth Support, SNT and Education, in accordance with service specifications requirements, encouraging early identification and notification of concern.	Embed the recommended delivery model which offers a universal model of support, across the services.	October 2014
2014	2 / 3	Undertake an options appraisal in respect of the foyer provision	Develop specification and model for future commissioning	January 2015
2014	3	Undertake an annual review and consult with service users in	Assess services against targets and the service	January 2015

		exploring the impact of changes	model achieves required outcomes.	
2014	3	Analyse outcome and throughput data to inform the development of an Inclusion Panel – to ensure that those most vulnerable young people are assisted and connected / reconnected to services minimising placement breakdowns and homelessness	Set up and implement inclusion panel / or have access through existing mechanisms	January 2015
2014	3	Review of use quota – aim to meet the needs of the most vulnerable – not encourage homeless presentations	Ensure that the move on quota assists those most vulnerable and that there is effective throughput across the pathway	February 2015
2014	1	Re-commission the foyer provision	New Services in place	March 2016

9.2 The implementation plan will be underpinned by a risk management plan which will seek to mitigate and manage areas of concern.

Risks	Mitigating Actions
The cost model is not achieved at call off.	The process has been undertaken using benchmarking techniques and market knowledge to ensure the model is reflective of the market.
The provision does not reflect changes in demand	This plan has been based on a thorough needs analysis and consultation with referral agencies. It seeks to balance increasing demand with the growing young population, together with a more targeted approach and has based the modelling accordingly.
A temporary reduction in provision through the remodelling process, may impact adversely on young people's homelessness.	Stakeholders will be on the tender panel and have input into the service development and successful bidder implementation and transfer plans. This will enable forward planning to manage such concerns.
Landlords do not consent to change of use of buildings which	Landlords have been notified of the call off timetable and meetings have been planned to discuss the use of both existing and new buildings.

Risks	Mitigating Actions
could delay the remodelling process.	
The needs profile of young people accessing services increases further.	There will continued monitoring to ensure that services are reflective of need, the delivery model will include core service hours and personalised delivery. This will enable referral agencies to spot purchase further additional hours should they be required.
Move On quota is reduced	The current pathway allows for young people to move on to access social housing – should this not be maintained there could be a risk that services ‘silt up’. This plan recommends the maintenance of the quota which is reviewed on an annual basis.
Welfare reform	The impact of welfare reform is being monitored and should be mitigated given that service users stay is longer than 3 months, as a consequence that they are exempt from the single room benefit rate. The SP team is working in partnership with Housing Benefit Department to ensure there are no other impacts on service users.
Raising the Participation Age and other legislative change.	Is being monitored and an approach being developed to best manage the impact in partnership with agencies.

10 Appendices

Appendix 1

Ethnic classification used for this analysis: list of groups included under the 8 summary headings			
Tailored ethnic categorisations (aggregations created for SPS profiling purposes)	2011 census ethnic categories (18 Census categories)	SPS service user categories (16 groups in all - some differences from Census)	Comments
8 categories	18 categories	16 categories	
White British/Irish	White British	White British	Comparable
	White: Irish	White Irish	Comparable
	White: Gypsy or Irish Traveller		No gypsy/traveller category in SPS
White Other	White: Other White	White Other	Comparable
Mixed: White & Black Caribbean	Mixed: White and Black Caribbean	Mixed: White and Black Caribbean	Comparable
Black African	Black or Black British: Black African	Black or Black British: African	Comparable
Black Caribbean	Black or Black British: Black Caribbean	Black or Black British: Caribbean	Comparable
Bangladeshi	Asian/Asian British: Bangladeshi	Asian or Asian British - Bangladeshi	Comparable
Asian groups (excluding Bangladeshi)	Asian/Asian British: Indian	Asian or Asian British - Indian	Comparable
	Asian/Asian British: Pakistani		No 'Pakistani' in SPS categorisation
	Asian/Asian British: Chinese	Asian: Chinese	Comparable
	Asian/Asian British: Other Asian	Asian or Asian British - Other	Comparable
All other ethnic groups		Asian: Vietnamese	Vietnamese was not a Census category
	Mixed: White and Black African	Mixed: White and Black African	Comparable
	Mixed: White and Asian	Mixed: White and Asian	Comparable
	Mixed: Other Mixed	Mixed: Other mixed background	Comparable
	Black: Other Black	Black or Black British - Other	Comparable
	Other: Any other ethnic group	Any other ethnic background	Comparable
	Other ethnic group: Arab		No Arab group in SPS categorisation

Appendix 2: Equality Assessment

Commissioning Young Persons Supported Accommodation EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Commissioning Plan: Young Persons Supported Accommodation
Directorate / Service	Adults Health and Wellbeing / Supporting People
Lead Officer	SG
Signed Off By	One Tower Hamlets

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)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	The commissioning plan proposals have been developed to inform the call off (procurement) of existing supporting people services from the LBTH Supporting People Framework Agreement in line with the 2011-2016 Supporting People Commissioning Strategy This Commissioning Plan is for all Young Peoples Supporting People funded services including accommodation based and floating support provision. The purpose of the plan is to build on the work undertaken as part of the strategy consultation, identify gaps in provision, increase capacity and realign services to meet current and future need, increase quality and enhance existing provision to provide more flexible and efficient services.
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?	Yes	Current and future young people that access the service in the borough will be affected – however, the purpose as noted above is to improve and enhance the quality and flexibility of the provision to meet the needs of young people in the borough.

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

			<p>The commissioning plan identifies the need to review the current model and pathways both on accessing and moving on from services. Given that the plan proposes significant revisions this will have a positive impact for service users in the longer term. Service user's resident at the time of call off will maintain access to accommodation. For staff working in the schemes, this will be managed by the successful bidder and the transfer process is being assessed as part of the tender evaluation. The bidder proposals being evaluated by key stakeholders of the services who represent referral agencies inclusive of representatives from Children's Social Care and Development and Renewal.</p> <p>The commissioning plan spans all young peoples supported accommodation including services for young people at risk, leaving care and teenage parents. The staffing and eligibility requirements are to be retained and are specified in the relevant tender documentation to which the successful bidder will be contractually required to adhere.</p> <p>The Supporting People team collates data on both the staff and service user equality profile of all contracted services. As noted above the purpose of this process is not to change the profile of either, rather to ensure that the services are targeted to meet need.</p>
c	<p>Is there a narrative in the proposal where NO impact has been identified? Please note – if a Full EA is not 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</p>	Yes	<p>A full EqIA for the Supporting People Framework Agreement was completed and approved by the Corporate Equalities Team in November 2011. This commissioning plan is to inform the call off and delivery of young people's services by those bidders who were successful in their tender bid to be on the Framework. Access onto the framework was subject to rigorous assessment inclusive of: -</p> <ul style="list-style-type: none"> • Demonstrate a commitment to the promotion of fair access and inclusion. • Commitment to ensuring service users are free from physical and emotional abuse, harassment and neglect. • Added value to service users and commissioners • Community benefit • Understanding and experience of the client group in relation to the specific vulnerability.

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

			<ul style="list-style-type: none"> An understanding of how to achieve the outcomes specified for the client group. <p>This will also be tested further as appropriate at call off.</p>
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	<p>One of the intentions of the commissioning plan is to better understand the current and emerging needs of young people accessing services. To do so thorough analysis was undertaken to inform proposals for the 'call off'. It is intended that in the longer term there will be a positive impact in that service users will receive an enhanced and more flexible service that will better meet their needs, and that services will be focussed on those most vulnerable of young people.</p> <p>The existing services are monitored on a quarterly basis and this process will continue – this includes a service user equality profile and annual monitoring occurs with regards to staff. In 2012 – 2013 the contract monitoring tool was reviewed to encompass the nine protected characteristics.</p> <p>Please see appendix 1 which provides information on service capacity, and the equality profile of service users that have accessed the provision in the financial year 2012 – 2013. This data has been benchmarked against the most recently produced census data issued in May 2013 and locally available data. This data does not include gender reassignment or marriage and civil partnership given that there were no or very few service users in these categories which is likely to be reflective of their young age.</p> <p>The data demonstrates the diverse group of young people who access the services are broadly reflective of the borough's profile. Where service users are overrepresented this is noted in the plan and is reflective of the referrals to the service.</p>
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	The commissioning plan has been informed through local and national research. It makes reference to best practice documentation and research and findings undertaken by agencies

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

			<p>working in the youth homelessness field.</p> <p>The framework agreement approach to the tendering of Supporting People funded services has been approved by Cabinet and has been adopted at local, regional and national levels to procure services. Research to date has informed the process and demonstrates the effectiveness of the process in managing the successful procurement of best value, quality services.</p>
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	The services report quarterly to the Supporting People team and meet regularly with key stakeholders for example Housing Options and Support Team and Leaving Care Team. The information gathered is used to benchmark performance and access and where appropriate expert partners assist in this process.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	<p>There have a been a number of levels of consultation throughout the development of the Supporting People Commissioning Strategy, the Supporting People Framework Agreement and the commissioning plan which has included: -</p> <p>Existing and potential suppliers – Framework Agreement supplier briefings Stakeholders – Supporting people Commissioning Strategy and Young people Commissioning Plan Stakeholders - Tender documentation and Commissioning Plan Service Users – Supporting People Commissioning Strategy and Framework Agreement, Annual Monitoring and Feedback to inform service reviews and fed into the commissioning plan.</p> <p>The Framework Agreement evaluation panel included representatives from the Supporting People Team, Leaving Care Team, and Homeless Services. Consultation on the commissioning plan has included a key group of stakeholders inclusive of representatives of: - Children’s Commissioning Children’s Placement Team Youth Offending Service Leaving Care Service</p>

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

			Homeless Service including Homeless Commissioning executive Board
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Yes	<p>There are direct links between the data source, provision and analysis of the information. The purpose of this commissioning plan is to maintain, enhance and extend the existing provision to meet the current and future needs of service users. The existing referral and eligibility criteria will be reviewed to improve outcomes for service users and services will be focussed on the younger age range from 16 up to 21 years of age.</p> <p>The 2nd table at appendix 1 confirms that 82% of those service users who accessed young people's services in 2012 – 2013 were aged up to 19 years. This data being comparable to that in table 9, section 6.7 within the report, which reviewed data as at 2011. For the majority of service users there will be no adverse effect and the continued monitoring of the provision will ensure that regular review occurs to ensure that this is the case.</p> <p>For those people aged 21 – 25 years, 18% or 45 people who are reflective of the borough profile and not disproportionately affect any one group. They will continue to be assisted through the provision of single homeless accommodation and it is recommended that a hostel develop specific accommodation for this client, who in the main have been assisted through this provision. This requirement has been met within the Hostel's strategy which has been approved by Cabinet. This will ensure that those aged 20 – 25 years will continue to receive a service and that it will also be targeted and aged specific.</p>
b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	Yes	The Commissioning Plan and Framework Agreement, call off methodology has been developed in accordance with best practice, procurement and legal advice to ensure that robust processes are in place. The documentation underpinning this approach has been widely consulted on as demonstrated above and the continued monitoring of future provision will monitor the impact on the protected groups to ensure there are positive outcomes.

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

c	Has the assessment sufficiently considered the three aims of the Public Sector Equality Duty (PSED) and OTH objectives?	Yes	<p>The Supporting People Commissioning Strategy is directly aligned to the key themes and objectives of One Tower Hamlets, and the quality assessment framework to which all providers have to adhere includes the objectives of Fair Access, Fair Exit, Diversity and Inclusion; and Service User Involvement.</p> <p>Our local vision is: "To ensure supporting people services make a positive contribution by improving the quality of life of vulnerable socially excluded people, living in the borough, through the delivery of personalised preventative and early intervention housing support services." We want to make Tower Hamlets a place where people are able to achieve their potential for independent living.</p>
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	Yes	<p>As noted above it is not anticipated that this process will adversely impact service users, rather it will enhance provision and meeting gaps identified within the current operating models.</p> <p>The Supporting People team will ensure that service users are fully consulted, informed and updated by the successful bidder to minimise the impact of the change process on existing provision and work in partnership to develop and enhance future provision.</p>
b	Are all actions SMART (Specific, Measurable, Achievable, Relevant and Time Bounded)	Yes	<p>The Commissioning Plan will inform the development of service specifications developed as part of the call off process set clear access and eligibility criteria for the provision, as well as outcomes and targets to ensure the quality of provision. These will be monitored through the life of the contract to ensure effective performance.</p>
c	Are the outcomes clear?	Yes	<p>They are client group specific and reflect the needs of young people in line with key borough strategies as noted in the plan.</p> <p>the borough's violence against women and girls strategy and annual plan.</p>
d	Have alternative options been explored	Yes	<p>This option has taken into consideration best practice in the areas of procurement and young people's provision.</p>

Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

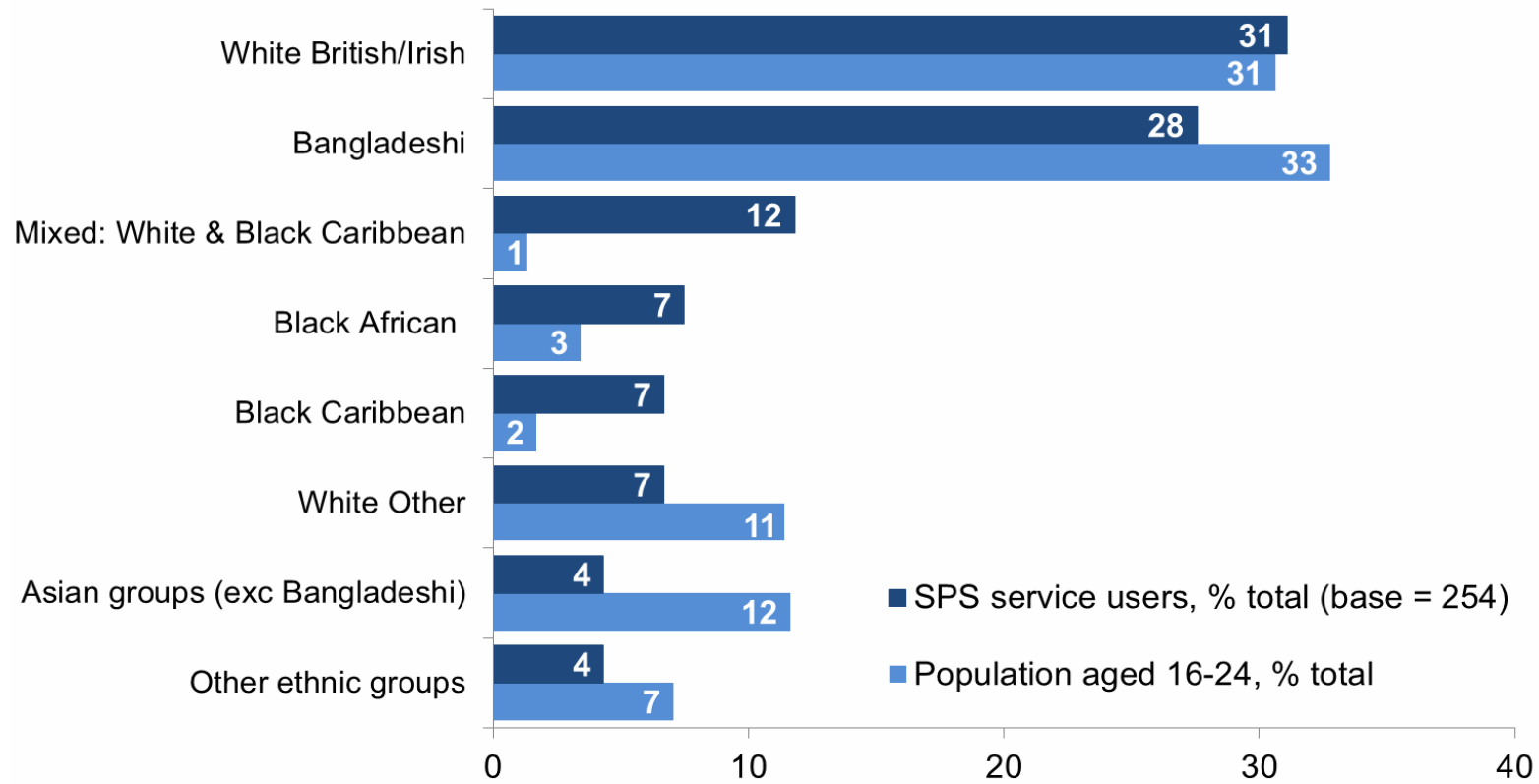
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6	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	Mini competition will be evaluated and new contracts will be monitored in line with SP monitoring framework as noted above.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	The Supporting People team has a robust contract monitoring framework inclusive of quarterly reporting, and annual review which includes service user, stakeholder and staff consultation. Data is collected quarterly that includes the protected characteristics of service users who access the service to ensure fair access and the provision of appropriate services.
7	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	The approach adopted for the delivery of the Supporting People Framework Agreement was approved by Cabinet – 14 March 14 2012.
8	Sign Off and Publication		
a	Has the Lead Officer signed off the EA? Please note – completed and signed off EA and Quality Assurance checklists to be sent to the One Tower Hamlets team		

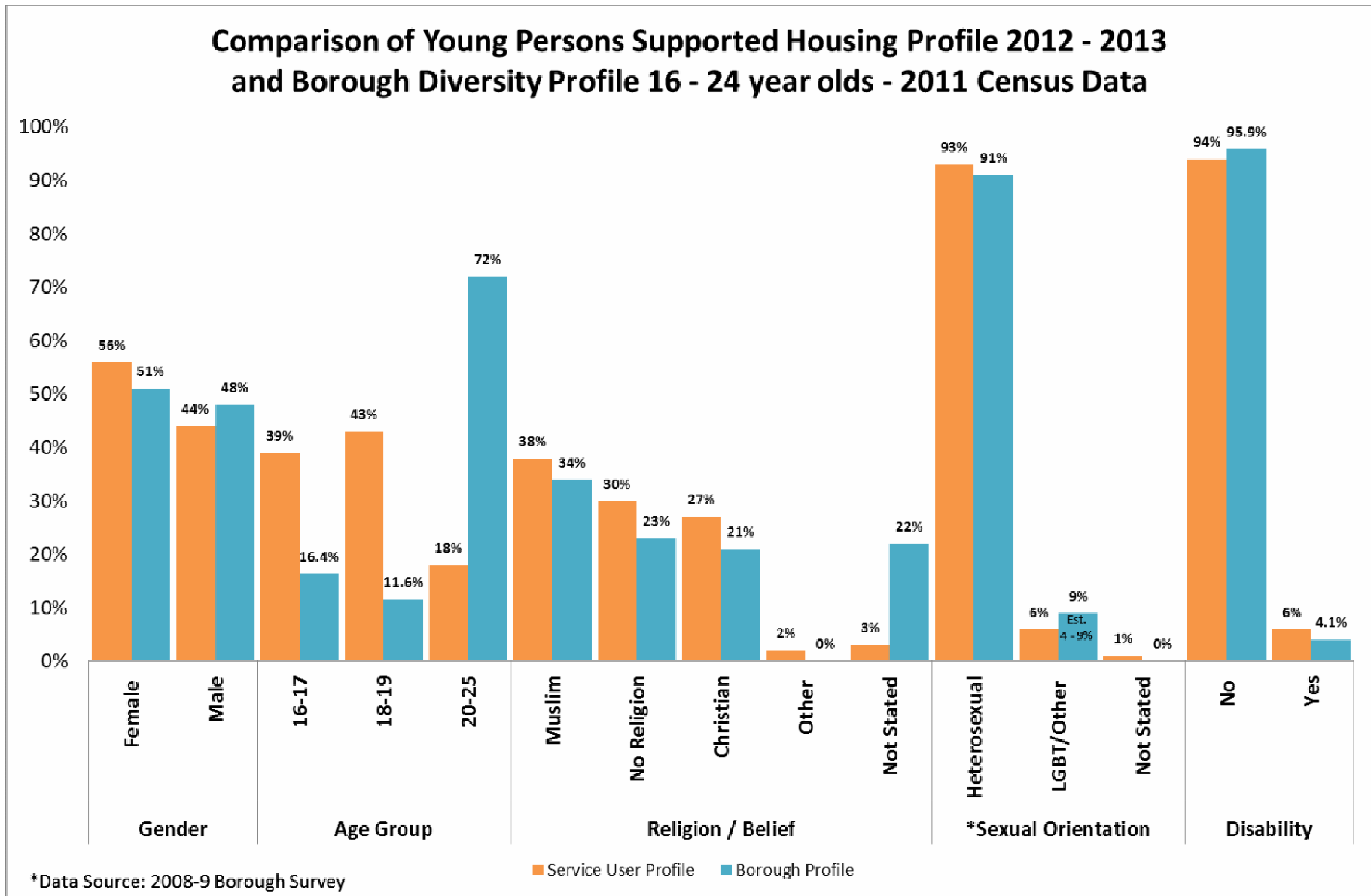
Any other comments	One Tower Hamlets has been consulted on and have approved this document. Further Equalities assessments are available that cover the information in regard to the Support People Commissioning Strategy and Framework Agreement		
Signature		Date	

Appendix 1

Comparison of the ethnic profile of SPS service users with the Tower Hamlets population (aged 16-24) generally



Source: LBTH SPS service data and 2011 Census (for population data)



Commissioning Plan Young Peoples Supported Accommodation: Analysis Quality Assurance Checklist

Young Parents Data 2012/13	Total
Pregnant at point of referral	15
Pregnant since referral	17
With child at point of referral	10
Males with a child not living with them	5
Females with a child not living with them	7

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Cabinet 6 November 2013	 TOWER HAMLETS
Report of: Chris Holme Corporate Director Resources	Classification: Unrestricted
Council Tax Replacement Scheme Year Two	

Lead Member	Cllr Alibor Choudhury, Cabinet Member for Resources
Originating Officer(s)	Steven Hill, Head of Benefits Services
Wards affected	All wards
Community Plan Theme	A Prosperous Community
Key Decision	No

Executive Summary

The Council must agree their new Council Tax Replacement scheme for 2014/15 by the end of January 2014.

This report proposes that the Council Tax Replacement scheme for 2014/15 should continue along the lines of the 2013/14 adopted Council Tax Replacement scheme which broadly mirrors the previous national Council Tax Benefits scheme; with the Council continuing to absorb the 10% reduction in Government funding rather than passing these “new” charges onto working age claimants in the Borough, thus ensuring that both working age residents and Pensioners have no additional Council Tax payments to make.

Recommendations

The Mayor in Cabinet is recommended to:-

1. Agree the proposed Council Tax Replacement scheme for 2014/15 for consideration by full council.
2. Note feedback on the public consultation on the proposed scheme for 2014/15.
3. Refer the scheme to full Council for agreement.

1. REASONS FOR THE DECISIONS

- 1.1 The Council is obliged to agree a local Council Tax Replacement scheme following Government's decision, via the DCLG (Department of Communities, Localities and Local Government) to abolish the national Council Tax Benefit scheme with effect from April 2013. This decision compelled Authorities to devise their own local schemes mindful of the fact that Government funding for schemes would reduce by 10%.
- 1.2 The Council Tax Replacement scheme for 2014/15 needs to be agreed by full Council and submitted to DCLG by 31st January 2014.

2. ALTERNATIVE OPTIONS

- 2.1 An alternative approach would be possible, but may require further consultation and analysis.

3. DETAILS OF REPORT

- 3.1 The Council is required by law to put in place a Council Tax replacement scheme by 31st January 2014. If it does not do so, the Government's default scheme will apply in Tower Hamlets. The default scheme is set out in the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 and is publicly available.
- 3.2 The Council has limited discretion as to the contents of its Council Tax Reduction scheme, as the scheme must contain the matters required by the Council Tax Reduction (Prescribed amendments) (England) Regulations 2012. The main area of discretion relates to non-pensioners, in respect of whom a means-based approach is proposed as set out in the report.
- 3.3 It is also proposed, for reasons set out in the report, that the scheme is framed for 2014/15, so as to permit the Council not to pass on the Government's 10% reduction in funding.
- 3.4 The adopted 2013/14 Council Tax Replacement scheme broadly mirrored the national Council Tax Benefit scheme which residents already understand. Mirroring the means testing arrangements also minimised administration costs for the Council's scheme.
- 3.5 The Council received one off additional funding from DCLG for 2013/14 in the form of transition funding (approximately £540k) however no funding is expected for 2014/15.
- 3.6 The Council will be consulting with precepting authorities and local residents on the proposed scheme. This public consultation will be undertaken via East End Life, the Council's website and using "My Tower Hamlets."

- 3.7 The consultation will close on Friday 15th November 2013 with feedback to be included in the final report to full Council. Feedback from the consultation held last year was broadly in line with that received by other London Authorities who have proposed to absorb the 10% reduction in funding.
- 3.8 The proposed means tested Council Tax Replacement scheme for 2014/15 broadly mirrors the scheme adopted in 2013/14 and the previous national Council Tax Benefit scheme.
- 3.9 In agreeing the proposed Council Tax Replacement scheme Members will agree to fund the Government 10% reduction in funding for 2014/15 at a cost of approximately £3m.
- 3.10 In the event that the Council fails to agree and implement a local Council Tax Replacement scheme by the 31st January 2014 deadline, the DCLG will impose the default scheme. Any Authority that fails to set its own Council Tax Replacement scheme by this deadline must accept the default scheme and in doing so, cannot pass on to residents and therefore must absorb the 10% reduction in Government funding.
- 3.11 It should be noted that a decision not to pass on the 10% Government funding reduction for the Council Tax Replacement scheme avoids the need to otherwise collect relatively small amounts of Council Tax from residents who are financially vulnerable.
- 3.12 If the 10% were passed on, approximately 25,000 working age claimants in the Borough would have an increase in the amount of Council Tax they have to pay. Of these, around 16,000 receive 100% Benefit (less any non-dependant charges that may apply). These households will not be used to making payments for Council Tax and would receive relatively small Council Tax bills.
- 3.13 The cost of collection would likely to be proportionately higher as it could be expected that a larger proportion would default on their instalment plan. It is very difficult to estimate how collection in this area would fare, with estimates between 25% and 70%. The position is compounded by the combined welfare reforms and reductions in Benefits entitlements estimated for Tower Hamlets to be in the region of £11m per year. There is no doubt therefore, that bad debt provisions would need to be addressed to reflect lower collection levels for these new taxpayers. The decision to absorb the 10% Government funding reduction avoids these problems.
- 3.14 The Council's proposed scheme for 2014/15 adopts the elements required by the Council Tax Reductions Schemes (Prescribed Requirements) (England) Regulations 2012. In this respect it follows closely the Government's default scheme, but is different from that scheme in the following respects;
- It is a local scheme
 - It is not a scheme imposed on the Authority
 - It fully disregards War Pensions

- It has an internal appeal process prior to referring to the national Appeals process

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. This report describes the proposed second year of the Council's Local Council Tax Benefit Scheme that was introduced from 1st April 2013 and agreed by Cabinet on 9th January 2013.
- 4.2. Mayor and Council originally agreed not to pass on a predicted 10% cut in Council Tax Benefit funding received by the Council to claimants by reducing their Council Tax Benefit following a reduction in funding for the new scheme. This reduction in funding was estimated to cost the Council approximately £2.655m per annum for 2013-14 and 2014-15.
- 4.3 It was agreed further to include in the Council's Medium Term Financial Plan (MTFP) the cost of this reduced funding in the Council's budget for 2013/14 and 2014-15.
- 4.4 In 2013-14 the Council received £540k from transitional grant from the Government for the new scheme in 2013-14 but this was for one year only. The Council is now required to agree the continuation of its agreed local scheme and submit this to the DCLG by 31st January 2014.
- 4.5 The report explains there continues to be a risk that given the current general economic environment and the changes to the welfare benefit system, the number of claimants could rise significantly over the next few years. If this were to be the case there could be additional costs over and above those quoted in the report.

5. LEGAL COMMENTS

- 5.1. On 31 October 2012, the Local Government Finance Act 2012 amended the Local Government Finance Act 1992 ("**the 1992 Act**") to introduce a requirement for local council tax reduction schemes. Section 13A of the 1992 Act and Schedule 1A to that Act require each billing authority in England to make a scheme specifying the reductions which are to apply to council tax payable in respect of dwellings situated in its area by: (a) persons considered by the authority to be in financial need; and (b) classes of persons considered by the authority to generally be in financial need.
- 5.2 The Council was required to have a council tax reduction scheme in place by 31 January 2013. As the Council did not adopt its own scheme prior to 31 January 2013, the Government's default scheme applied in Tower Hamlets for 2013/2014. The default scheme is set out in the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012.
- 5.3 For each financial year, the Council is required to consider whether to revise its scheme or to replace it with a different scheme. Any revision or

replacement must be made by 31 January in the financial year preceding that for which the scheme is to take effect.

- 5.4 Before revising or replacing its scheme, the Council must (in the following order): (a) consult any major precepting authority which has power to issue a precept to it; (b) publish a draft scheme in such manner as it thinks fit, and (c) consult such other persons as it considers are likely to have an interest in the operation of the scheme. The report indicates that consultation is on-going. The consultation will need to be completed prior to the scheme being presented to full council for adoption.
- 5.5 Schedule 1A to the 1992 Act requires that the council tax reduction scheme address the following matters –
- The scheme must state the classes of person who are entitled to a reduction. This may be determined by reference to the income of any person liable to pay council tax, the capital of any such person or both income and capital. It may be determined by reference to the number of such a person's dependants and whether or not the person has applied for a reduction.
 - The scheme must specify the reduction to which a person in a given class is entitled to and different reductions may apply to different classes. The reduction may be in the form of a percentage discount, a discount of an amount specified or calculated under the scheme, an amount of council tax or the whole of council tax.
 - The scheme must specify the procedure by which a person may apply for a reduction and how a person may appeal a decision in respect of reduction of council tax.
 - The scheme must contain other matters specified in Regulations made by the Secretary of State.
- 5.6 Pursuant to powers given in the 1992 Act, the Secretary of State has made the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (“**the Prescribed Requirements Regulations**”), which set out detailed matters that must be contained in council tax reduction schemes. The proposed scheme has been prepared in accordance with these requirements.
- 5.7 The Council must publish its council tax reductions scheme. It must also keep the scheme under review and decide each financial year whether to revise or replace the scheme.
- 5.8 Before adopting a council tax reduction scheme, 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. An equality analysis will have to be completed alongside the consultation process and should be presented to cabinet and full council.

5.9 Section 67 of the 1992 Act specifies functions of an authority that shall be discharged only by the authority. The specified functions include making or revising a council tax reduction scheme under section 13A(2) of the 1992 Act. This means that full council has ultimate responsibility for making and revising the council tax reduction scheme.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The Vision and Priorities expressed in the Tower Hamlets Community Plan are to increase opportunity, prosperity and mobility in Tower Hamlets. The Welfare Reforms proposed, of which this is one element, could have a significant impact on each of these priorities for residents.

6.2 The proposed 2014/15 Council Tax Reduction scheme for Tower Hamlets does not deviate from the 2013/14 Council Tax Replacement scheme which in turn did not deviate from the national Council Tax Benefit scheme.

6.3 There are classes of people within the scheme. Some classes are fully protected e.g. Pensioners, while others such as working age claimants are not protected and could be liable to reduced benefit payments as a result of the Government's regulations and the decision to reduce funding to Local Authorities by 10%.

6.4 Cabinet's decision to absorb the 10% funding reduction means that in effect, nobody had to pay any more towards their Council Tax than they do currently; all classes of people are therefore protected through the proposed means tested Council Tax Reduction scheme.

6.5 The proposed Council Tax Reduction scheme will maintain the status quo meaning no individual or group will be adversely impacted by the 2014/15 scheme. The decision to fund the 10% cut will protect all working age residents who would otherwise be affected were the reductions in funding passed on.

6.6 The current Council Tax (Benefit) replacement caseload consists of;

%	Client group	Number of Households
71.7%	Working age claimants	25,485
28.3%	Pension age claimants	9,725

Further caseload breakdown details are shown in the Equality Impact Assessment at Appendix 2 of this report.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 None.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. The principle risk for the Council is to ensure it has an agreed and workable scheme in place within the timetable set by the Government. This report is the first step in that process.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 None.

10. EFFICIENCY STATEMENT

- 10.1 It is noted that funding for any scheme agreed by Members is likely to be at least 10% less than what was previously provided under the national Council Tax Benefit scheme which was abolished in April 2013.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Council Tax Replacement Scheme 2014/15 - Summary
- Appendix 2 - Consultation responses as at 26 September 2013
- Appendix 3 – Council Tax (Benefit) Replacement Scheme 2014/15 Equality Impact Assessment

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None

Officer contact details for documents:

- N/A

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Appendix 1 – Council Tax Replacement Scheme 2014/15 – Summary

The Council Tax (Benefits) Replacement (CTR) scheme broadly mirrors the national Council Tax Benefits scheme which was abolished in April 2013.

The scheme is therefore familiar to residents.

The main rules of the scheme are;

- Nearly everyone on a low income and low capital can get help towards paying their Council Tax
- The claimant must make a claim and keep the claim up to date by reporting any changes in circumstances
- Some Benefits “passport” the claimant to entitlement, these Benefits are sometimes referred to as “passport benefits” e.g. income support, Job Seekers Allowance (income based), Employment Support Allowance (income related), etc.
- If the claimant is not in receipt of a “passport benefit” the amount of CTR will depend on their household income and capital; an assessment of entitlement will be made using their “applicable amount” – the amount the claimant and family need to live on and the circumstances of other adults in the household known as “non dependants”.
- CTR may be reduced if a “non-dependant” is expected to contribute towards Council Tax.

All decisions made in connection with the CTR scheme are notified in writing and the claimant has the right of appeal against any award decision.

The CTR scheme has special rules to help War Widows.

The CTR scheme ensures that neither Pensioners nor Working age claimants in Tower Hamlets are passed on any charge to make up the shortfall in Government funding for the CTR scheme.

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Appendix 2 – Council Tax Replacement Scheme 2014/15

Consultation responses as at 26th September 2013

Consultation responses received	143	100%
Yes	54	38%
No	52	36%
Don't know	37	26%

Consultation closes on Friday 15th November 2013

The public consultation will be undertaken via East End Life, the Council's website, using "My Tower Hamlets" and via local/BME media.

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The London Borough of Tower Hamlets:

The Council Tax (Benefit) Replacement Scheme 2014/15

The Equality Impact Assessment for Tower Hamlets

September 2013

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Executive Summary

The UK government is now undertaking some of the most substantial changes to national welfare benefits in more than 30 years. One of the key elements of these changes, which were amongst the first to be implemented, is the replacement of Council Tax Benefit which began from April 2013. The Council considers here the formal Impact Analysis to the Borough as preparations for the Council Tax Support Scheme in respect 2014-15 begin.

Under Government rules, responsibility for the rules for the awards of Council Tax Support are delegated to local Billing Authorities. The Government has also applied a 10% cut in funding, which in the Borough's case means a cut in funding of approximately £3m for 2013/14.

The Borough is one of the most deprived in the country, and as a direct consequence, there are high numbers of households within the Borough who are entitled to receive financial support to help with payment of Rent and Council Tax. This year, the Council expects to pay out over £293m in benefit payments in the Borough.

The Council determined that for the current year, no cut in Council Tax Support would be applied. Under Government rules, this is sometimes called "adopting a Default Scheme". The Council proposes to adopt a local scheme for 2014/15 called Council Tax Replacement (CTR), and under this proposal:

- The continuing "cut" in government grant towards the cost of Council Tax Support will not be passed onto Benefits customers;
- The maximum eligible amount under the Council's proposed scheme will remain 100% of eligible Council Tax; and
- The rules to be followed for the awards of CTR will remain substantially as under the existing scheme.
- In a minor change which is proposed, War Widows eligible to receive support will be deemed as exempt from payment.

The purpose of this report is to consider the effect on different groups who are protected under the Equality Act by discussing the potential effects of the proposed changes on such groups, and to ensure that the Council meets its Public Sector Equality Duty.

Tower Hamlets Benefits Service

(in conjunction with Simon Horsington and Associates)

September 2013

1 Introduction and Overview

1.1 Background

The Government is committed to implementing the most significant changes to national welfare systems that have been seen in more than thirty years. The change programme has begun, and in addition to the changes to Council Tax Benefit which take effect from 2013, further significant changes to welfare systems have also been introduced including the “bedroom tax” and the Benefit Cap.

1.2 The Protected Characteristics

Under the Equality Act 2010, public authorities will consider the potential impact of proposed policy changes with regard to the following statutory Protected Characteristics:

- Age;
- Disability;
- Gender;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Ethnicity
- Religion or belief;
- Sexual orientation.

The Council’s research suggests that data is available and which can support conclusions for the Protected Characteristics of Age, Disability, Gender, and Ethnicity.

1.3 This Report

This report is constructed to enable an informed decision making process, and with reference to the following sections:

- **At section 2:** A summary of the statutory welfare changes which must be implemented from April 2013;
- **At Section 3:** A brief summary of the proposed Scheme;
- **At section 4:** A summary of the equality impacts of those options within the Council;
- **At section 5:** A summary of analysis of the overall trends within the costs of welfare payments; and

- **At section 6:** Overall conclusions and recommendations.

2 The Council Tax Support Scheme

2.1 Overview

This section explains the key points about the Council Tax Support scheme, within the context of what is currently known about the changes underway within the national welfare benefits system. It is to be stressed that many commentators believe that the Government is attempting the most significant changes to welfare that have been seen for at least 30 years. Indeed the Institute for Fiscal Studies have argued that the changes to be faced are the greatest in 40 years. An additional complicating factor is the speed with which the change programme is being attempted. There is an extent to which, therefore, the changes to Council Tax operate within a context of wider welfare reform that is very much still under development.

In summary, the key changes to welfare may be considered as follows:

- From April 2013, the new **Council Tax Support** began;
- Restrictions to the **rate of annual uprating** which is applied to a series of welfare payments began in April, meaning that in real terms, amounts of some Benefits payable no longer keep pace with inflation;
- From April 2013, Councils became responsible for one-off payments for specific purposes under the administration of **Crisis Loans and Social Fund payments**;
- The so-called "**Bedroom Tax**" was implemented from April 2013;
- From 12th August 2013, the total "**Benefits Cap**" has been gradually rolled out;
- The replacement of Disability Living Allowance with **Personal Independence Payments** (PIP) began from the summer; and
- From the autumn of this year, the Government's flagship changes to national welfare payments under **Universal Credit** are likely to see further national pilots or similar. The impact on residents within Tower Hamlets during 2014/15 is expected to be very minimal and quite possibly none at all. Progress in rolling out Universal Credit is very much behind original timescales set by the DWP.

It is anticipated that as the above implementations proceed, and as the necessary policy changes to "fine tune" systems are identified, that further changes may be applied by the Government.

2.2 The Council Tax Support Scheme

Overview

The UK Government currently administers the appropriate provisions for reductions in Council Tax payments through two different Departments, the Department for Work and Pensions (DWP), and the Department for Communities and Local Government (DCLG). The DCLG have driven the programme for the reform of Council Tax Benefit.

Previously, Government grant for Council Tax Benefit was designed to largely match actual expenditure, and was claimed at the end of the year through the Council Tax Benefits Subsidy system. Grant for the Council Tax Support scheme will be cash limited, and is intended to cost the Government 10% less than the current scheme.

Overall Financial Impact

Under the arrangements which applied until this April, the lowest income households identified by a statutory means test were entitled to a maximum of 100% benefit award against Council Tax Liability.

The Government has decided to make savings in the cost of awards for Council Tax Benefit, and has calculated a 10% cut **in the overall cost of Council Tax Benefit** which will be applied to each Council.

Overall Financial Impact: Claim Groups

The overall value of claims for the Council is summarised as follows:

Table 1: Claims distribution, Working and Pension Age:

Claim type	Value (£)	%
Working Age	20,242,724	71.7%
Pension Age	7,988,980	28.3%
Total	28,231,705	

The overall value of claims, as at September 2013 is £28.23m, of which £20.24m is paid in respect of Working Age claims and £7.99m in respect of Pensioner claims.

2.3 Context to the Impacts: A Brief Reminder on National Welfare Reforms

Council Tax Support is only a part of wider changes to welfare reform which are being completed by the Government. As the Council considers the potentially significant impacts of proposed changes to local welfare

which must be considered, a brief reminder of that national context is summarised:

- - All the changes which are to be made to national welfare systems cannot yet be fully assessed, and indeed some of the details are not yet known. However it might be argued that some broad principles are emerging, as follows:
 - The UK Government appears to be positioning future policy to apply more cuts to the welfare budget;
 - Some independent policy specialists have indicated that a prolonged period of reductions in Government spending may well now apply until 2020¹;
 - Whoever follows the coalition, it is now difficult to see how further cuts cannot be envisaged. The policy choice is simply where they will be applied;
 - Current Government policy appears, in particular to be targeting cuts to households which are larger households; are longer term recipients of Welfare; are younger; or are otherwise in receipt of larger value awards;
 - Policy announcements from the Government appear to be significantly strengthening the position which is proposed for welfare for families in longer term receipt of welfare and for those families making life choices while on welfare. Such "life choices" may include decisions which currently have the effect of increasing welfare payments, for example having additional children.

2.4 Welfare Reform

As a consequence of these changes, many of the households which the Council is attempting to profile for the CTR will at the same time potentially be impacted by other reforms. Our initial research suggests that many households which are affected by welfare reform may be affected by more than one change. The following table summarises at a very high level how some households may be affected. The analysis makes very high level assumptions in order to complete a very short summary of what remains in detail a very complex set of changes, but with that significant caveat the summary is presented in the following table:

¹ Tony Travers, Director, Greater London Group, London School of Economics. Conference paper to the Institute of Revenues, Rating and Valuation October 2012.

Table 2: Welfare Reforms 2013, & possible household impacts:

Welfare Change	Single	Single Parents	Households with Children	Pensioner Households	Disabled people
Council Tax Support	X			X	
"Bedroom Tax"		X		X	
Social Fund replacement					
Benefit Cap	X			X	
Restrictions to uprating					
DLA to PIP	X	X	X	X	
Universal Credit roll out - to be confirmed					

3 The Proposed Scheme

3.1 Overview

This section summarises the overall approach proposed by the Council.

3.2 The Financial Envelope

The Government is imposing a reduction in the funding of Council Tax Support at the same time as localising decision making for the scheme of awards. The reduction proposed is significant, and if the choice is made not to pass on the cost of the cut, then that money must be found from other sources.

While the calculation removes 10% of the estimated cost at a national level, the impact locally is expected to be very different. This is for the following reasons.

The proposed approach takes no account of:

- Any increase in Council Tax which may be applied from 2014/15; and
- The increase in the costs of awards under the scheme, and as claimants increase, or as claimants become eligible for more help; and
- The extent that the experience in the Borough differs from the national assumptions made by the OBR, DWP and DCLG.

3.3 The Scheme

The Council's proposed local Council Tax Support Scheme known as Council Tax Replacement is summarised as follows:

- The Council has proposed to adopt, substantially, the DCLG "Default" Scheme; this broadly mirrors the national Council Tax Benefit scheme which residents are familiar with.
- Under the Council's proposed approach, the rules and method for calculation will largely remain as current, and the maximum eligible amount of Council Tax Support for the calculation will remain 100% of eligible Council Tax;
- A local adjustment proposed is in respect of War Widows. The Council proposes to exempt such claims entirely from the payment of Council Tax. The incidence of such claims within the Council's records is very small. A review of the current records suggest that only 17 such cases are currently in payment.

4 Overall Impact Assessment

4.1 Overview

This section attempts to summarise the key impacts which may arise from the Council's proposed Local Scheme. The approach attempts to consider those impacts, where it is possible, with reference to the "Protected Characteristics" which the Council has a duty to consider.

The remainder of this section is organised as follows:

- At paras 4.2-4.11 below a discussion of the potential incidence of the Protected Characteristics within the claim population;
- At paras 4.12-4.13 overall interim conclusions are introduced.

4.2 Protected Characteristics and Data Sources

The Council have been able to capture and analyse data which has enabled the determination of possible impacts in relation to the following Protected Characteristics:

- Age;
- Disability
- Ethnicity; and
- Gender.

Insufficient information has been determined to enable initial conclusions in respect of gender reassignment; marriage and civil partnership; pregnancy and maternity; religion or belief; and sexual orientation. While the changes proposed under the Council Tax Replacement scheme are not designed or intended to militate against people within any Protected Characteristic, the Council does not, as regards these Protected Characteristics have sufficient information to reach any conclusions about the way in which the proposed changes may impact upon them.

4.3 Approach to data

There are two main sources of data which have been used to complete this initial assessment, as follows:

- A detailed analysis of the Council's core Benefits ICT systems for the processing of Benefits Claims has been undertaken. This provides an analysis of "real time" data, which is accurate at 25th September 2013, and which is an analysis of all Council records of claims in payment at that date; and
- In some instances, it has been possible to use published sources of nationally available information, and to support the Impact Analysis in aspects of the data which are not otherwise available from individual Council records. In particular, it has been possible to use:

- published data from the DWP to enable profiling of Council Tax Benefit costs per authority, and profiling of the increase in the cost of awards over recent years; and
- information from the Office of National Statistics (ONS) which has enabled higher level information regarding ethnic background of the population of London.

In all regards, it to be stressed that, insofar as this initial data analysis is concerned:

- The change to Council Tax Support , including particularly the change in funding which passes a significant part of the cost of awards to local authorities means that Billing Authorities are responsible for, and bear the cost of part of the awards i.e. the 10% reduction;
- There a very significant extent to which local Councils now bear a part of the risk of any increase in costs which occurs; and
- Planning for and managing the profile of claims under Council Tax Support will impact directly upon the cost base of Billing Authorities. It is therefore highly likely that Councils will have a significant interest in monitoring and managing forecasting of the cost of awards.

4.4 Summary of Impacts by Household Type

Within the following table, we summarise the impacts which may be considered in relation to segments of the local population eligible to receive Council Tax Benefit and Council Tax Support.

The Council's summary of impacts shown in this section is underpinned by a variety of data sources, including:

- The research which has been completed by the Council to support the preparation of the Impact Analysis of the Council Tax Support scheme;
- Other sources of appropriate external and internal research which are where referenced specifically explained with footnotes or otherwise.

Table 3: Impacts by Household Type, and by Claim value:

No.	Household Type	Equality Issue for consideration	Protected Characteristic of those affected	No.
Working Age Claimant Households				
1.	Working Age Claims (All)	Under the national scheme, any increases in Council Tax must be paid only by working age households.	Age	25,485
Pensioner Age Claimant Households				
2.	Pensioner Claims (All)	Under the national scheme, pensioner households are exempt from changes in Council Tax Support.	Age	9,725
Working Age Households with responsibility for young children				
3	Households with children	People with responsibility for children under five years	Age	4,890
		People with responsibility for children under 16		13,902
Working Age Disabled Households				
4.	Working Age , people with disability	Some groups with protected characteristics face the greatest barriers to work and as such are disproportionately represented within the claims population. This includes disabled people.	Disability	5,136
Working Age Single parents				
5.	Working Age, Single Parent,	Single parent families have higher numbers of claimants who are female. Women are therefore likely to be more represented within the claims population.. ² 96% of single parents within the Council's claim population are female	Gender	5,125

² Warwick Business School and Coventry Women's' Voices, 2012

4.5 Characteristics for which no data in the Benefits system

There are additional protected characteristics under the Equality Act which could also be dis-proportionally represented within the claims population because of barriers they are likely to experience to work, but for which the Council currently does not have sufficient data within Revenues and Benefits records to reach any conclusions. These include gender reassignment; pregnancy and maternity; religion or belief and sexual orientation.

4.6 Summary of the Overall Value of claims by Protected Characteristic

The following table summarises, in addition to the number of households which may be present within the claims population with protected Characteristics, the value of such claims:

Table 4: Summary of claims value and Protected Characteristic:

	No.	Value
Age: a) Pensioner Claims	9,725	7,988,980
b) Working Age claims	25,485	20,242,724
c) All claims	35,210	28,231,705
Working Age: young children,		
a) Under 5:	4,890	5,188,720
b) Under 16:	13,902	11,631,213
Disability: working age households in which specified benefits in payment	5,136	4,803,584
Gender: Single Parents, a) female	4,931	3,787,859
b) male	194	139,555

4.7 Protected Characteristic: Age, Working & Pensioner Age

The table below shows the distribution of working and pension Age claims for the Council.

Table 5: Working and Pension Age Claims

Working Age		Pensioner Age		Total	
No	Value	No	Value	No	Value
25,485	20,242,724	9,725	7,988,980	35,210	28,231,705

Interim Conclusions:

- The Council's overall value of claims is amongst the highest in London. The Councils with the larger caseloads may be argued to bear a consequently larger share of the financial risk which is being delegated to local government under the changes in funding for Council Tax Replacement, and in the event that claims costs increase but funding does not;
- The Council has a total of 35,210 customers currently receiving Council Tax Replacement.
- 25,485 of these customers are Working Age, and 9,725 are Pensioner households;
- Over 71% of households claiming Council Tax Replacement are working Age. The Council, in common with much of Central London, has high numbers of Working Age households;
- It is to be expected that there will be communities within the Borough which exhibit higher concentrations of claims, and there will be also communities within the Borough with a very low incidence of claims. It is likely that there will be a correlation with deprivation in these parts of the Borough.

4.8 Protected Characteristic: Age, Households with Children

The table below shows the distribution of household claims in which there are children. The definition in the following table considers households with children with reference to the age of 16 and under, in order to show the potential impact on all households with children rather than just the households with children under the age of 5 years.

Table 6 Age: Working Age Households with responsibility for Children

	Households with children under 5 years		Households with children under 16 Years	
	No.	Value	No.	Value
Total	4,890	5,188,720	13,902	11,631,213

Interim Conclusions:

- The Council has a total of 13,902 households with children under 16 in which CTR is in payment, which is just under 40% of the overall claims population;
- Of the households with children, 35% are households with responsibility for children under 5 years;
- National statistics have suggested the higher numbers of young families and of families with children in London. This finding would appear to be consistent with the data which has been analysed from the Council's Benefits records.

4.9 Protected Characteristic: Disability

The barriers which are faced to work by disabled people are likely to mean that there will be higher numbers of disabled people within the claims population. Using a test of counting people with a "qualifying benefit" to understand the numbers of disabled people which may be present within the claims population allows an estimate to be made of the incidence within the claims population of disabled people. In the following table, the qualifying benefits which have been counted are:

- Care component of a Disability Living Allowance (Low, Middle or High);
- Attendance Allowance; and
- Support component of Employment Support Allowance.

Table 7: Working Age Households in which specified disability payments received

	Disability	
	No.	Value
Total	5,136	4,803,584

Table 8: Working Age Disability, by Benefit type

The following table shows the detailed totals for the Council of the benefits which have been calculated in the above overall summary table:

Benefit type	Working Age	
	No.	Value
DLA Care	4,685	4,425,627
AA	98	88,863
ESA Support Component	353	289,094
Total	5,136	4,803,584

Table 9: Working Age Carers income

The following table demonstrates the number and value of carers within the Council's Benefits caseload, with reference to a carers allowance being in payment:

Benefit type	Working Age	
	No.	Value
Carers Income	1,978	3,017,870

Interim Conclusions:

- There are a number of approaches which could be taken to evaluating the scale of incidence of disabled people within the claims population, and each has their own advantages and disadvantages;
- The above approach has been taken to both provide a degree of clarity in the test applied, through a qualifying benefit, and to attempt to mitigate against the risk of double counting;
- Nonetheless, this is likely to be an area of the evaluation which the Council will wish to keep under review, and amend as necessary.

4.10 Protected Characteristic: Gender, Single Parents

The table below shows the distribution of single parent claims for the Council.

Table 10: Working Age, Single Parents Households

Council	Single Parents			Total Claims	% Single Female	% of whole claim
	Male	Female	total			
Total	194	4,931	5,125	35,210	96%	14.55%

Interim Conclusions:

- There remain very high numbers of single parents who are female;
- There is a very high consistency within the analysis of single parents for the overall findings which have been completed within other Council impact analysis in respect of CTR in this regard, i.e. that very high numbers of single parent households in receipt of awards are female.

4.11 Protected Characteristic: Ethnicity

During December 2012, the Office for National Statistics published data from the 2011 census which showed the ethnicity of the population at the

Census date of March 2011. The data shows the profile both at the level of each country in the UK, and as well as for each local authority. The whole London summary is as follows:

Table 11: Ethnic Background in Inner London

	Percentage of population, by Ethnic Background						
	Total Population	White British	White other	Mixed heritage	Asian (All)	Black (All)	Other (All)
City of London	7,375	57.5	21	3.9	12.7	2.6	2.1
Hackney	246,270	36.2	18.5	6.4	10.5	23.1	5.3
H'mmrsmith & Fulham	182,493	44.9	23.2	5.5	9.1	11.8	5.6
Haringey	254,926	34.7	25.8	6.5	9.5	18.7	4.8
Islington	206,125	47.7	20.4	6.5	9.3	12.8	3.3
Kensington & Chelsea	158,649	39.3	31.3	5.7	10	6.6	7.2
Lambeth	303,086	39	18.1	7.6	6.8	25.9	2.5
Lewisham	275,885	41.5	12.1	7.4	9.3	27.2	2.6
Newham	307,984	16.7	12.3	4.6	43.5	19.6	3.4
Southwark	288,283	39.7	14.6	6.2	9.5	26.8	3.2
Tower Hamlets	254,096	31.2	14	4.1	41.2	7.3	2.3
Wandsworth	306,995	53.3	18.1	5	10.9	10.6	2.1
Westminster	219,396	35.2	26.4	5.2	14.6	7.5	11.1
Total	3,231,901	38.4	18.9	5.9	16.0	16.8	4.2

Interim conclusions:

- The Office for National Statistics data summarised above is publicly available data. It is therefore possible to analyse that data for the Council and for comparison purposes, for Inner London;
- The Office for National Statistics confirm, in their overarching analysis of this dataset, that London is the UK's most diverse city. Within London, Newham and Tower Hamlets exhibit the greatest diversity;
- To assist with the analysis of the data for this analysis, the analysis of ethnicity has been taken up to a high level, to group, for example, all types of Asian, Black, Mixed Heritage and Other backgrounds;
- There is not information within the Benefits ICT systems which can reach meaningful conclusions about the incidence of the protected characteristic of "Ethnicity" within the claims population.

4.12 Adverse impacts and mitigating actions

This section has set out the likely equality issues for the range of households affected by Council Tax Replacement, and the protected characteristics which may be most affected.

The Council's proposed scheme will continue to absorb the full cost of a CTR paid to a maximum of 100% eligible Council Tax. While the data above explains the incidence of households with Protected Characteristics within the claims caseload, where known, as the Council proposes to continue with a maximum eligible Council Tax of 100%, no other additional mitigating steps are proposed at this time.

4.13 Interim Conclusions

The interim conclusions from the Impact Analysis of the proposed Local Council Tax Replacement Scheme may be summarised as follows:

- The Government's policy to "Localise" decision making in local welfare relief on Council Tax is proposed at the same time as a cut in funding;
- As a consequence of the way that the UK welfare systems have operated to date, the profile of people currently receiving Council Tax Benefits contains higher numbers of households in which there is no work, or in which there is low income, or both;
- People facing the greatest barriers to work are represented in higher numbers in the claims population. That includes disabled people; people with responsibility for young children; and women;
- In more diverse communities, people who may struggle with English may also face those barriers to work;
- It may therefore be argued that any reduction in Benefit paid may be borne disproportionately by these groups, simply as a product of their higher representation within the claims population;
- Under the Council's proposed scheme, the maximum eligible Council Tax for the calculation of awards will remain at 100%.

5 The Local context: Trend Analysis

5.1 Summary of section

This section brings together contextual analysis which is designed to demonstrate the potential impacts of the proposed local scheme for Council Tax Replacement, and in terms of overall Claim value.

5.2 Increase in claims, All England and Wales

Government statistics demonstrate that the national value of awards under Council Tax Benefit has been increasing. Between 1997 and 2011, the total value of awards for Council Tax Benefit more than doubled from £2,014m to £4,299m. Within the following table, and using the Government's data, we summarise the growth in claims since 2005.³ It must be stressed that the figures provided by the DWP and DCLG summarise simply the overall increase in Council Tax Benefit payments, which includes increases both in claimant numbers as well as the increasing cost of Council Tax.

Table 12: Overall Council Tax Benefit Spend, England and Wales

	Total Council Tax Benefit Spend England	
	£m	Increase Percent
2005-06	3,230	6
2006-07	3,385	5
2007-08	3,471	3
2008-09	3,672	6
2009-10	4,095	12
2010-11	4,299	5

Interim conclusions:

- The national trend since 1997 has been that the value of awards has increased;
- The rate of increase throughout England and Wales over the period since 2000 has averaged 6%;
- If the rate of increase continues to increase, or within the Borough, continues to be greater than for the whole of England and Wales, and the "fixed grant" approach of the DCLG continues to apply for future years, then there will be a financial risk to the Council.

³ DWP Research published November 2012 by DCLG

5.3 Council Tax Benefit Awards in London

During the Autumn of 2012, the DCLG published research completed by the DWP and which is substantially based upon local authority Housing and Council Tax Benefit Subsidy returns. The datasets made available within this statistical release provide a very detailed analysis of overall benefits paid, and which enable the comparison of overall awards with other Councils.

Within the following table, the value of Council Tax and of Housing Benefits awards in Inner London for 2011/12 is shown:

Table 13: DWP Subsidised Awards, 2011/12, Inner London

Council	HB £m	CTB £m
Camden	185.95	26.57
City of London	5.61	0.25
Hackney	279.64	34.74
Hammersmith and Fulham	146.02	16.68
Haringey	261.08	36.99
Islington	194.15	29.54
Kensington and Chelsea	150.93	13.46
Lambeth	251.91	30.17
Lewisham	213.23	29.12
Newham	257.12	30.70
Southwark	208.46	28.01
Tower Hamlets	249.80	31.04
Wandsworth	197.68	11.18
Westminster	285.61	13.32
Total	2887.19	331.76

6 Conclusions

The changes to welfare benefits which begin from April 2013 are very significant. While the introduction of the Council Tax Support was amongst the first of those changes to become live from April 2013, it will not be the last.

Considered together, the cumulative impact of the changes which begin from this April is considered likely to be significant. The changes will be particularly keenly felt in those parts of the UK in which there are both increased levels of deprivation or greater household reliance upon welfare payments. Both arguments may be made in respect much of East London, and certainly within Tower Hamlets.

It has been possible within both studies to reach conclusions in relation to the protected characteristics of Age, Disability, Gender, and to an extent, Ethnicity. The Council does not conclude that the remaining protected characteristics are unaffected by these changes, rather that there is insufficient data available within the Benefits records to reach conclusions at this stage.

There is an incidence of households with these Protected Characteristics within the claims population, because of the barriers to work which are faced. With regard to the remaining Protected Characteristics, these may well be represented within the claims population, but at the current time, the Council has insufficient evidence available to reach conclusions.

The chief mitigating step which the Council effectively proposes at this time is to propose a local scheme for Council Tax Replacement which continues to apply a maximum eligible Council Tax of 100%.

Appendix 1: References

“Unravelling Equality? A Human Rights and Equality Impact Analysis of the Public Spending Cuts on Women in Coventry”, Warwick University and Coventry Women’s Voices, 2011,

<p>Cabinet 6 November 2013</p>	 TOWER HAMLETS
<p>Report of: Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Exercise of Corporate Directors' Discretions</p>	

Lead Member	Cllr Alibor Choudhury, Cabinet Member Resources
Originating Officer(s)	Oladapo Shonola, Chief Financial Strategy Officer Lisa Stone, Finance Officer
Wards affected	All
Community Plan Theme	One Tower Hamlets
Key Decision?	No

Executive Summary

This report sets out the exercise of Corporate Directors' discretions under Financial Regulation B8 which stipulates that such actions be the subject of a noting report to Cabinet if they involve expenditure between £0.100 million and £0.250 million.

Recommendations:

The Mayor in Cabinet is recommended to:

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

1. REASONS FOR THE DECISIONS

- 1.1 Financial Regulations requires that regular reports be submitted to Council/Committee setting out financial decisions taken under Financial Regulation B8.
- 1.2 The regular reporting of Corporate Director's Discretions should assist in ensuring that Members are able to scrutinise officer decisions.

2. ALTERNATIVE OPTIONS

- 2.1 The Council is bound by its Financial Regulations (which have been approved by Council) to report to Council/Committee setting out financial decisions taken under Financial Regulation B8.
- 2.2 If the Council were to deviate from those requirements, there would need to be a good reason for doing so. It is not considered that there is any such

reason, having regard to the need to ensure that Members are kept informed about decisions made under the delegated authority threshold and to ensure that these activities are in accordance with Financial Regulations.

3. DETAILS OF REPORT

- 3.1 Regulation B8 sets out the Cabinet Reporting Thresholds for specific financial transactions.
- 3.2 Financial Regulation B8 sets out the reporting thresholds for the following financial transactions: -
 - Virements
 - Capital Estimates
 - Waiving Competition Requirements for Contracts and Orders (Subject to EU threshold)
 - Capital Overspends
 - Settlement Of Uninsured Claims
- 3.3 Under Financial Regulation B8, if the transaction involves a sum between £0.100 million and £0.250 million it can be authorised by the Corporate Director under the scheme of delegation but must also be the subject of a noting report to the next available Cabinet.
- 3.4 Appendix 1 sets out the exercises of Corporate Directors' discretions, under the stipulations in 2.2 above, that have taken place since the previous Cabinet

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The comments of the Chief Financial Officer have been incorporated into the report and Appendix.

5. LEGAL COMMENTS

- 5.1 The report sets out the individual exercises of Directors' Discretions as required by Financial Regulations.
- 5.2 The legal implications of each of the individual decisions would have been provided as part of the decision making process. These will be recorded on the "Record of Corporate Directors' Actions" maintained by Directorates
- 5.3 The procedure for recording and reporting Corporate Director's Actions has recently been revised and strengthened. All proposed actions where the value exceeds £100,000 are now required to be agreed with the Mayor prior to officer's sign off and approval. The revised procedure came into effect in December 2011.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 This report is concerned with the notification of officers' discretions under Standing Orders and has no direct One Tower Hamlets implications. To the

extent that there are One Tower Hamlets Considerations arising from the individual actions, these would have been addressed in the records of each action.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 There are no Sustainable Action for A Greener Environment implications arising from this report.

8. RISK MANAGEMENT IMPLICATIONS

8.1. The risks associated with each of the Corporate Directors' discretions as set out in Appendix 1 would have been identified and evaluated as an integral part of the process, which lead to the decision.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 There are no Crime and Disorder Reduction Implications arising from this report.

10. EFFICIENCY STATEMENT

10.1 The works referred to in the report will be procured in line with established practices, taking account of best value.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Exercise of Corporate Directors' Discretions under Financial Regulation B8

Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000

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

Record of Corporate Directors actions

Officer contact details for documents:

- Paul Leeson, Finance Manager, Development & Renewal
Ext 4995
- David Tully, Interim Head of Finance (CSF), Education, Social Care and Wellbeing
Ext 4960

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Appendix 1: Exercise of Corporate Directors Discretions under Financial Regulation B8

Corporate Director	Amount	Description of Exercise of Discretion	Justification for Action	Contractor's Name and Address (including postcode)	Contact
ESCW (Ref:412 Legal ref: 039/2013/14)	£150,000	Adoption of capital estimate for Heating Pipework Replacement at Manorfield School.	The condition of the pipework has made it difficult to repair and the Council's Building and Technical Service advise that it should be replaced before the next heating season.	N/A	Calvin Coughlan (x4414)
D & R (Ref: 049 Legal Ref: 034-2013/14)	£162,500	Waiving financial regulations to fund Apprenticeship Opportunities: a pilot programme to develop 10 creative and cultural apprenticeship opportunities in the borough.	The accelerated delivery programme has brought forward the opportunity to invest in arts & culture apprenticeships; the nature of the project does not currently lend itself to a competitive tender process.	N/A	Aelswith Frayne (x1283)

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