

CABINET

Wednesday, 3 September 2014 at 5.30 p.m.
C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London,
E14 2BG

The meeting is open to the public to attend.

Members:

Mayor Lutfur Rahman	
Councillor Oliur Rahman	(Deputy Mayor and Cabinet Member for Economic Development (Jobs, Skills and Enterprise))
Councillor Ohid Ahmed	(Cabinet Member for Community Safety)
Councillor Shahed Ali	(Cabinet Member for Clean and Green)
Councillor Abdul Asad	(Cabinet Member for Health and Adult Services)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Shafiqul Haque	(Cabinet Member for Culture)
Councillor Rabina Khan	(Cabinet Member for Housing and Development)
Councillor Aminur Khan	(Cabinet Member for Policy, Strategy and Performance)
Councillor Gulam Robbani	(Cabinet Member for Education and Children's Services)

[The quorum for Cabinet is 3 Members]

Public Information:

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Contact for further enquiries:

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Web: <http://www.towerhamlets.gov.uk/committee>

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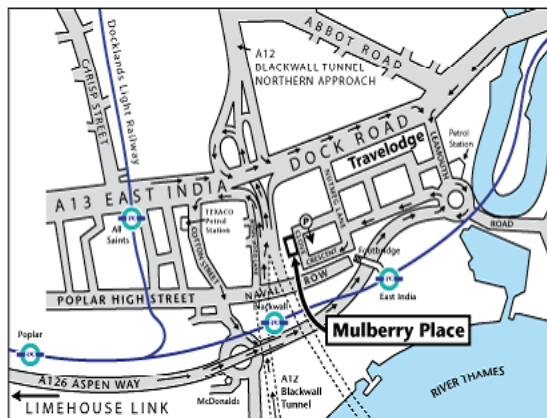
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A Guide to CABINET

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 decision be reviewed. This halts the decision until it has been reconsidered.

- The decisions will be published on: **Friday, 5 September 2014**
- The deadline for call-ins is: **Friday, 12 September 2014**

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, 28 August 2014 (Noon)**

LONDON BOROUGH OF TOWER HAMLETS

CABINET

WEDNESDAY, 3 SEPTEMBER 2014

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

The unrestricted minutes of the Cabinet meeting held on 23 July 2014 will be presented for information (to follow).

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).

PAGE NUMBER	WARD(S) AFFECTED
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3. UNRESTRICTED MINUTES

UNRESTRICTED REPORTS FOR CONSIDERATION

6. A GREAT PLACE TO LIVE

6 .1	Consultation on Selective Licensing for the Private Rented Sector Housing	5 - 38	Blackwall & Cubitt Town; Bow East; Bow West; Canary Wharf; Island Gardens; Poplar; Spitalfields & Banglatown; Weavers; Whitechapel
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7. A PROSPEROUS COMMUNITY

7 .1	Planning for School Places - 2014/15 Review	39 - 58	All Wards
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8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9 .1	Food Law Enforcement Service Plan 2014/115	59 - 112	All Wards
9 .2	Extension of Substance Misuse Strategy	113 - 156	All Wards

10. ONE TOWER HAMLETS

Nil items.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

12.	UNRESTRICTED REPORTS FOR INFORMATION		All Wards
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12 .1	Exercise of Corporate Directors' Discretions	157 - 162	All Wards
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13. EXCLUSION OF THE PRESS AND PUBLIC

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 HEALTH AND SUPPORTIVE COMMUNITY

Nil items.

20. ONE TOWER HAMLETS

Nil items.

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

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:-


- Meic Sullivan-Gould, Interim Monitoring Officer, 020 7364 4800
- 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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<p>Cabinet Decision</p> <p>3 September 2014</p>	
<p>Report of: Stephen Halsey, Head of Paid Service, Corporate Director – Communities, Localities and Culture</p>	<p>Classification: Unrestricted</p>
<p>Consultation on Selective Licensing for the Private Rented Sector Housing</p>	

Lead Member	Councillors Rabina Khan (Cabinet Member for Housing and Development) and Ohid Ahmed (Cabinet Member for Community Safety)
Wards affected	Blackwall and Cubitt Town, Canary Wharf, Island Gardens, Poplar, Weavers, Whitechapel, Spitalfields and Banglatown, Stepney Green, Bow East and Bow West.
Community Plan Theme	A Great Place to Live
Key Decision?	No

Executive Summary

- 1.1 The Fairness Commission was established in November 2012 and the Council's response was provided to Cabinet in April 2014. One of the responses recommended that the Council should
 - gather the necessary evidence, explore data and consider options for taking forward a landlord licensing scheme;
 - consult stakeholders and to pilot a private rented sector housing licensing scheme in an area within the Borough and to identify any unintended consequences.
- 1.2 The Housing Act 2004 gives the Council the power to introduce Housing Licensing Schemes for privately rented properties within the whole Borough or in designated areas, in order to improve standards of management in the Private Rented Sector (PRS) and reduce anti-social behaviour.
- 1.3 A licensing scheme would enable the Council to impose a legal requirement in the designated area requiring all landlords to register, apply for a licence for each property they rent out and comply with specific licence conditions. This would give the Council more power to tackle irresponsible landlords and drive up management standards.
- 1.4 Prior to designating an area, the Council must consult with interested groups such as landlords, tenants, letting agents, landlord associations and other interested parties.

- 1.5 There are two types of adoptive licensing schemes for the PRS which the Council can adopt. These comprise an additional licensing scheme limited to houses in multiple occupation only or a selective licensing scheme for any property in the private rented sector. This report addresses the latter and recommends that pilot areas be introduced in the first instance to enable it to be properly evaluated pending possible roll out across the Borough.
- 1.6 The nature and level of information that needs to be gathered and reviewed presents the council with a complex and time consuming exercise. As an increasing number of councils are now reviewing the possibility of introducing such schemes, there are a growing number of companies that can offer support to Council's to prepare the relevant evidence base necessary to introduce such an initiative and the documentation for consultation. A number of Councils have used these housing consultancies to carry out the preparatory work to introduce a licensing scheme. The cost of employing a consultancy to undertake this work will be in the region of £40,000 depending on the size of the pilot area and the scope of the specification.
- 1.7 A PRS housing licensing scheme will attract a licence fee for each property and the scheme must be cost neutral.

Recommendations:

The Mayor in Cabinet is recommended to:-

- 2.1 Agree that consultation take place on the adoption of the powers for selective licensing within the following former wards: Blackwall and Cubitt Town, Millwall, Weavers, Whitechapel, Spitalfields and Banglatown, Bow East and Bow West. (pre May 22nd boundaries)
- 2.2 Agree that a Housing Consultancy should be engaged to assist with conducting the consultation.

3. REASONS FOR THE DECISIONS

- 3.1 The Council can designate an area or the whole Borough for a selective licensing scheme providing it can demonstrate the following:
 - a)The area is, or is likely to become an area of low demand for housing, and/or
 - b)The area is experiencing a significant and persistent problem caused by anti-social behaviour (ASB) that is attributable to occupiers of privately rented properties and that some or all of the private sector landlords are failing to take action that it would be appropriate for them to do to combat the problem.
- 3.2 It is not felt that there are any areas in the Borough that are facing low housing demand, the selective licensing scheme is being considered due to

persistent problems with ASB.

3. ALTERNATIVE OPTIONS

- 3.1 The Council could take no action, however, this power could be useful in addressing ASB. This proposal is to commence a consultation within the wards detailed in the report, a future decision will need to be made whether a landlord selective licensing scheme is to be introduced.

4. DETAILS OF REPORT

- 4.1 The private rented sector serves a diverse population of tenants and privately rented properties range from luxury apartments to large shared houses. Equally varied are landlords, who range from large companies to individuals renting out a single property.
- 4.2 The Private Sector Stock Condition Survey carried out in 2011, estimated that 39% of properties in the Borough were from the PRS, this equated to approximately 41,870 properties. The census also reported a similar figure with 33% of properties being in the PRS. Around 50% of Tower Hamlets Homes properties are now privately rented as a result of government 'right to buy' schemes.
- 4.3 One of the difficulties that the Council has in managing the PRS is that it has no way of accurately compiling and maintaining a register of properties and must rely upon complaints to deal with disrepair and anti-social behaviour issues.
- 4.4 Many other Local Authorities have designated PRS licensing schemes, most notably Newham.
- 4.5 Currently enforcement action is taken against landlords on a reactive basis via complaints. This relates more to housing conditions rather than anti – social behaviour. However, when contact is made with landlords they are encouraged to become registered with the Landlord Accreditation Scheme. This is a London wide scheme driven by the Mayor of London to improve private sector management and regulation. However, uptake is not extensive.
- 4.6 Most Local Authorities who have implemented PRS licencing schemes implement pilot areas initially to allow for evaluation before rolling out across the whole Borough, to ensure that the objectives of the scheme are met and that there are no adverse consequences.
- 4.7 The table in Appendix One summarised the benefits of selective licensing schemes to the four main participants: the Council, Landlords, tenants and communities.
- 4.8 The Housing Act 2004 provides for three licensing schemes for the PRS, two of these schemes are adoptive;
- a) Mandatory Licensing of Houses in Multiple Occupation where a property consists of three or more storeys is occupied by five or more persons living

in two or more single households. The scheme is mandatory due to the increased fire risk in these premises and the opportunity for poor management of the premises. This scheme is currently being carried out across the Borough and from the estimated 324 properties in this category, 127 are currently licensed by Environmental Protection. The estimate for the three storey Houses in Multiple Occupation comes from the Housing Stock Condition Survey in 2011. The survey does not contain address data for the estimated HMO stock.

- b) An Additional Licensing scheme is one that applies to Houses in Multiple Occupation that do not fall into the above category i.e. two storey properties or flats that are let as multi occupied premises. It is estimated from the Housing Stock Condition Survey in 2011, that there are 8,287 properties in the Borough that fall within this category. As explained above the addresses were not identified by the survey. An additional licensing scheme cannot be designated unless a significant proportion of the HMOs are being managed ineffectively so as to cause problems for the occupiers of the HMOs and members of the public – including anti-social behaviour. The Environmental Protection Team has existing powers to deal with management arrangements and fire precautions in these types of property but the service relies on complaints to address issues on a reactive basis. If a scheme is to be introduced to tackle specific problems around anti-social behaviour, all premises types should be included due to economies of scale.
- c) Selective Licensing: this is the subject of this report, and further detail is provided below.

- 4.9 It is possible to run an additional licensing scheme and a selective licensing scheme in the same designated area providing that the evidence secured to justify it expressly includes HMO data and demonstrates ineffective management of Houses in Multiple Occupation and the relevant issues are covered in the public consultation.
- 4.10 The Council is able to charge a fee for the management of all the licensing schemes to recover its costs.

Selective Licensing

- 4.11 In order for a selective housing licensing designation to be made, the Council must demonstrate that the designated area is experiencing a significant and persistent problem caused by anti-social behaviour (ASB) that is attributable to occupiers of privately rented properties and that some or all of the private sector landlords are failing to take action that it would be appropriate for them to do to combat the problem.
- 4.12 In order to assess the extent to which the criteria are being met in 4.11, a comprehensive research exercise needs to be carried out. This would include a review of the data the Council already holds on ASB. The review would investigate the links between ASB and the PRS in the pilot areas. The Service

does not have the necessary in-house expertise to carry out this exercise and would need to seek external advice.

- 4.13 A selective designation can only be made if, when combined with other measures taken, it will lead to a reduction of ASB.
- 4.14 The designation needs to be consistent with the overall housing strategy, ensuring that it is co-ordinated to combat homelessness, empty homes, and the work of other agencies.
- 4.15 The Council also needs to formally consider if there is any other course of action it can take to deal with the problems identified.
- 4.16 The Council must consult before making a designation and detail why it feels that it is the most appropriate course of action.
- 4.17 The Council will have to demonstrate that it has followed the proper procedures and that there has been proper consultation which ensures that the Council has:
 - a) Identified the problems the designation is intended to address as well as the scale and impact of those problems.
 - b) Considered alternative actions
 - c) Ensure that the designation is consistent with its overall strategy of how it combats ASB, homelessness and empty homes in the PRS
 - d) Identified the outcome of the designation and the measures to be put in place to evaluate its effectiveness
- 4.18 The designation can be made for any period of time, up to a maximum of 5 years.
- 4.19 This scheme applies to houses, HMOs (as each unit of accommodation is a dwelling), a building converted into flats, flats above commercial property as well as individual flats.
- 4.20 The following properties will be exempt from licensing where the tenancy or licence is granted by:
 - a) A registered social landlord
 - b) Metropolitan Police Authority
 - c) Fire and rescue Authority
 - d) Health Service Body
 - e) A dwelling held under a long lease occupied by the owner under the lease or members of his family
 - f) Buildings occupied by students but is not an HMO
 - g) Holiday lets
 - h) Dwellings shared with the landlord
- 4.21 The terms of the licence will require certain mandatory conditions to be imposed on the licence namely:

- a) Conditions regulating the management, use and occupation of the dwelling concerned i.e. requiring routine repairs, replacement of worn or dangerous furniture or fittings (but not to carry out improvements, alterations or adaptations
 - b) Declaration that the electrical appliances and furniture are in a safe condition.
 - c) Declaration that smoke alarms are provided in the dwelling and positioned correctly and in working order.
 - d) Gas safety certificate to be provided on an annual basis.
 - e) Each occupier to be provided with a written statement of the terms of their occupation.
 - f) The provision of references from all prospective tenants.
- 4.22 Additional discretionary conditions can be imposed depending on the merits of each particular situation, such as:
- 1) Prohibit the use of certain parts of the house
 - 2) Ensure that there are proper and effective management arrangements in place
 - 3) Require landlords to attend relevant training sessions
 - 4) Require landlords to manage their tenants, including dealing with anti-social behaviour.

Housing Consultancy Assistance

- 4.23 A number of Local Authorities that have licensing schemes designated in their areas have used a housing consultancy to assist in compiling the evidence and managing the consultation process. It is proposed that the Council should engage such a consultancy as it does not have the necessary expertise or capacity to manage this process in house.
- 4.24 The types of information that would need to be co-ordinated fall into the following three categories:
- a) Crime: tenants not respecting the property in which they live and engaging in vandalism, criminal damage, burglary, robbery/theft and car crime.
 - b) Nuisance neighbours: intimidation and harassment, noise and animal related problems – tenants engaged in begging, anti-social drinking, street prostitution and kerb crawling – street drugs market within the curtilage of the property.

- c) Environmental crime: tenants engaged in graffiti, fly posting, littering and nuisance vehicle complaints in and around the curtilage of their property.
- 4.25 The Council has many different data sources, along those held by external partners. This information, as highlighted in the attached Appendix Two would need to be formatted and presented in such a way as to support a consultation.
- 4.26 If anti-social behaviour is being carried out within the immediate vicinity of the property and is being caused by the occupiers of it, then it would be reasonable to expect a landlord to ensure that those occupants and or visitors to the property moderate their behaviour to acceptable standards. Council systems do not necessary capture this level of detail.
- 4.27 An initial equalities check list has been undertaken and is at Appendix Three. This assessment has determined that there are few discernable adverse equality impacts at present, but this assessment will be reviewed as the project progresses.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

- 5.1 A decision will need to be made the Council on whether to consult on the adoption of powers for selective licensing and on the introduction of a pilot scheme. It is therefore proposed that a Housing Consultancy company be employed to gather and prepared the documentation evidence for the consultation. The cost for the proposed pilot areas is expected to be £40,000 which can be met from the resources available for joint working with Public health
- 5.2 The full financial implications if a landlord licensing pilot scheme is adopted including the ability to levy a reasonable charge for a license would need to ensure that the full costs including administration in relation to any final proposal will be financially neutral for the authority.

6. LEGAL COMMENTS

- 6.1 Part 3 of the Housing Act 2004 creates a licensing regime in respect of specified residential accommodation (the selective licensing regime). The scheme applies to a house if it is situated in an area which the Council has designated as being subject to selective licensing and is wholly occupied under a tenancy or a licence (or two or more tenancies or licences).
- 6.2 The scheme excludes houses occupied under a tenancy or licence granted by: (a) a non-profit registered provider of social housing; (b) a profit-making registered provider of social housing in respect of social housing as defined in Part 2 of the Housing and Regeneration Act 2008; or (c) a registered social landlord under Part 1 of the Housing Act 1996.

- 6.3 Under the selective licensing regime, it is an offence to have control of or manage a house which is required to be licensed without such a licence. It is also an offence to fail to comply with any condition of such a licence. There are specified conditions which a licence must contain but otherwise a licence may include such conditions as the Council thinks appropriate for regulating the management, use or occupation of the house concerned.
- 6.4 The Council may only grant a licence under the selective licensing regime if it is satisfied of specified matters. The council must be satisfied that: (a) the proposed licence holder is a fit and proper person and is the most appropriate person to hold the licence out of all the persons reasonably available to be the licence holder in respect of the house; (b) the proposed manager of the house is a fit and proper person and either has control of the house or is the agent of the person who has control of the house; and (c) the proposed management arrangements are otherwise satisfactory.
- 6.5 The Council has an obligation as a local housing authority to make arrangements to secure the effective implementation of the selective licensing regime in Tower Hamlets (Housing Act 2004, s79(5)). The Council must ensure that applications for licences are determined within a reasonable time. These obligations will have effect if the Council determines to designate an area as subject to selective licensing.
- 6.6 The circumstances in which the Council may designate an area as subject to selective licensing are set out in section 80 of the Housing Act 2004 and are summarised in the report. Before making a designation, the Council must take reasonable steps to consult persons who are likely to be affected by the designation. The Council must consider any representations which are made in accordance with the consultation and not withdrawn.
- 6.7 The report proposes that the necessary consultation be commenced and that a consultant be engaged to assist with this. The engagement of the consultant will need to be carried out in accordance with the Council's Procurement Procedures, which should help to ensure that the Council delivers upon its best value duty under section 3 of the Local Government Act 1999.
- 6.8 Before making a designation, the Council would need to be satisfied, relevantly, that –
- The area is experiencing a significant and persistent problem caused by anti-social behaviour;
 - Some or all of the private sector landlords who have let premises in the area are failing to take action (that it would be appropriate for them to take) to combat the problem;
 - Making a designation will lead to a reduction in, or the elimination of, the problem, when combined with other measures taken in the area by the Council.

- Making a designation is consistent with the Council's overall housing strategy.
 - Making a designation will significantly assist the Council to achieve the objective that the designation is intended to achieve, whether or not the Council takes any other action to achieve the objective. The Council must consider whether there are other courses of action available that might provide an effective means of achieving the objective.
- 6.9 The Council is required to seek to adopt a co-ordinated approach in dealing with homelessness, empty properties and anti-social behaviour. It must do this in two respects: (a) by combining the selective licensing regime with other courses of action available to it; and (b) by combining such licensing with measures taken by other persons. There will need to be material provided relevant to all the action proposed to address the anti-social behaviour problem should a proposal be brought forward for designating an area as subject to selective licensing.
- 6.10 There may be an issue about whether designating an area as subject to selective licensing involves the imposition of an authorisation scheme governing access to a service activity within the meaning of Part 3 of the Provision of Services Regulations 2009. If it falls within that description, then the Council must also be satisfied that the scheme is non-discriminatory, that the scheme is justified by an overriding reason relating to the public interest and that the objective cannot be attained by means of a less restrictive measure.
- 6.11 If the Council designates an area as subject to selective licensing, this requires approval from the Secretary of State. The Secretary of State has issued a general approval, dated 30 March 2010, which the Council would seek to rely upon. In order to do so, the Council must ensure that its statutory consultation is conducted for a minimum period of 10 weeks.
- 6.12 Once made, the designation can last for no more than 5 years from the date on which it comes into force. The Council must review the designation from time to time and, if appropriate, the designation may be revoked.
- 6.13 The Council will set its own application fee. Such fee must be reasonable and should properly reflect the anticipated costs for the Council in administering the application, appeal costs and the costs associated with licensing visits should a licence be granted. Fees should not be set at an unreasonably high level to dissuade applications. Further, such fees cannot include costs associated with enforcement against unlicensed properties.
- 6.14 When considering whether to designate an area as subject to selective licensing, 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. This will require an equality analysis, which should be informed by information gathered as part of the statutory consultation.

6.15 The designation of an area for selective licensing is an executive function by virtue of section 9D(2) of the Local Government Act 2000, there being no contrary statutory indication, particularly in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

7. ONE TOWER HAMLETS CONSIDERATIONS

7.1 The Equalities Impact Assessment has been reviewed in respect of the consultation exercise and no adverse issues have been identified.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no environmental impacts with regards to this plan.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no identified risks with the consultation exercise.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 The Appendix to the report identifies the current anti-social behaviour statistics. As discussed in the report the proposal is currently to commence consultation on the introduction of a selective licensing scheme. If adopted at a later date, the scheme should have a downward pressure on the number of anti-social behaviour incidents and complaints.

11. EFFICIENCY STATEMENT

11.1 There are no efficiency issues relating to this report. The cost of the Housing consultancy will be met by joint working with Public Health.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

Appendix One: Benefits of Private Rented Housing 'selective' licensing

Appendix Two: Data collection and evidence base for pilot wards

Appendix Three: Equalities Checklist

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 One:Benefits of a Selective Licensing Scheme

Benefits to the council	Benefits to Landlords	Benefits to communities	Benefits to tenants
Landlords who have not responded to any previous measures such as registration schemes will be required to engage with Housing Enforcement Officers. Bad landlords will be forced to improve their practices or leave the market.	Responsible landlords will receive information and support	Increase housing demand and reduce antisocial behaviour will improve problems areas, making these areas safer and more desirable places to live.	More professional landlords should bring about improvements to the quality and management of property
Schemes should be easy to administer and explain as all private landlords in an area will be covered by a licensing scheme	A level playing field will be created, decent landlords will not be undercut by an unscrupulous minority	Reducing environmental costs and costs of crime, such as street cleaning and tackling fly tipping	Tenants could also see economic benefits, reduced heating costs and improved likelihood of regaining any deposit paid
The Council will gain extensive knowledge about private renting in part of the Borough. This will enable targeted enforcement and support to landlords	Poorly performing landlords will receive support and training to improve	Making it easier to involve landlords in wider strategies including crime reduction initiatives and local spatial strategies	Improvements to the neighbourhood would also benefit private tenants security and sense of community.
Landlords and their agents will be readily identifiable	Improved rental income	Protecting vulnerable groups who are often occupiers of privately rented accommodation which is poorly managed and maintained	Better management practices would help to increase the length of tenure and reduce incidence of unplanned moves or homelessness.

The licence fee cover the costs of the scheme	Improve reputation of private landlords		
	Shorter void periods and reduce tenant turnover		
	Practical support and training around dealing with antisocial behaviour from tenants		

Source: Shelter, Selective licensing for local authorities, a good practice guide, 2006

Appendix Two

Evidence Base for designating pilot areas for licensing the private rented housing sector within the London Borough of Tower Hamlets.

1 Introduction

1.1 The Consumer and Business Regulations Service have looked at the following evidence in order for licensing of the private rented housing sector in the Borough to be considered.

- The growth of Private Rented Sector (PRS) in the Borough
- The levels of Anti-Social Behaviour (ASB) to the Police and Council
- The amount of fly tipped material collected

2 The Growth of PRS in the Borough

House Prices and Rental costs

2.1 Information provided by the Corporate Research Unit states that the average house price paid in April 2013 was £370,500, which was below the London average of £377,800. House prices as in the rest of London and the southeast have been increasing steadily over the past months, which makes the housing market in Tower Hamlets a prime site for investment with 'buy to let' properties.

2.2 On average, over 2013, 300 properties were sold every month in the Borough.

2.3 The median rental market price for private properties in Tower Hamlets was higher than the London median price. Rents are higher for Studios, 49% and 1 and 3 bedroom properties, 27% and 30% respectively compared to the rest of London.

2.4 In 2013, the average private rent increase was 16.7% compared to a London average increase of 8.9%

2.5 In 2012/13, median private rental prices for 2 and 3 bedroom properties were £1,647 and £1,950 respectively. A 1 bedroom property had a median price of £1,399 while a Studio was £1,233. A single room had a medium rental price of £542 a month.

2.6 Tower Hamlets remains a desirable place to invest in for buy to let properties as the return on the investment is growing faster than the rest of London.

Household type per Ward

- 2.7 The 2011 census took place on the 23rd March 2011, data has been extrapolated by the Corporate Research Unit to enable household type to be matched against tenure. The census data demonstrates that the Borough is the fastest growing local authority in the country with an increase of 26% in population between 2001 and 2011.
- 2.8 The average population ward size in Tower Hamlets is twice the national average. Millwall is the largest ward and Spitalfields and Banglatown is the smallest ward.
- 2.9 Tower Hamlets has an average household size of 2.5, with Mile End East having the largest household size of 2.85 and St Katherine's and Wapping the smallest with 2.07.
- 2.10 The following table shows the 2011 census as a breakdown for tenure within each Ward.

Table One: Tenure within each ward (percentages rounded)

Ward	Percentage Owned	Percentage Private Rented	Percentage Social Rented
Bethnal Green North	23	31	46
Bethnal Green South	22	33	45
Blackwall and Cubitt Town	29	43	29
Bow East	26	31	43
Bow West	33	28	39
Bromley by Bow	19	26	56
East India and Lansbury	21	21	57
Limehouse	28	31	41
Mile End East	19	28	53
Mile End and Globe Town	27	27	46
Millwall	30	50	21
Shadwell	27	30	43
Spitalfields and Banglatown	27	41	32
St Dunstons and Stepney Green	25	21	54
St Katherine's and Wapping	42	38	20
Weavers	25	31	43
Whitechapel	23	44	33

2.11 The 2011 census also provided data on the percentage and type of household within each ward.

Table Two: Percentage and type of household within each ward

Ward	Household with dependent children	Household with no dependent children	Single Adult household	One Family household	Other household types
Bethnal Green North	25	75	34.1	20.4	20.6
Bethnal Green South	27.7	72.3	36	17.9	18.4
Blackwall and Cubitt Town	23.8	76.2	35.1	24.9	16.2
Bow East	22.6	77.4	35.1	24.5	17.8
Bow West	26.9	73.1	30.5	23.7	19
Bromley by Bow	38.4	61.6	30.2	17.9	13.5
East India and Lansbury	39.5	60.5	31.3	18.8	10.3
Limehouse	30.8	69.2	32.9	21.6	14.7
Mile End East	34.7	65.3	29.5	17.4	18.3
Mile End and Globe Town	27.9	72.1	32.4	19.5	20.2
Millwall	20.3	79.7	38.3	27.1	14.2
Shadwell	29.7	70.3	34.4	21.6	14.4
Spitalfields and Banglatown	19.5	80.5	37.6	20.6	22.3
St Dunstons and Stepney Green	33.3	66.7	33.4	19.6	13.7
St Katherine's and Wapping	16.8	83.2	42.4	25.8	15
Weavers	22	78	35.8	29.4	21.9
Whitechapel	22	78	34.4	18.7	24.9

2.12 The above data demonstrates that the private rented sector is stronger in Millwall, Blackwall and Cubitt Town, Whitechapel and Spitalfields and Banglatown Wards and the majority of households that do not

have dependent children are within St Katherine's and Wapping, Spitalfields and Banglatown, Whitechapel, Weavers and Millwall Wards.

- 2.13 The data held by the change of name of the Council Tax demand, gives an indication of the amount of 'churn' of residents moving property or moving into the area. It is normal practice for the tenant to be responsible for paying the Council Tax and therefore they need to register their details with the Council. The following table demonstrates the 'churn' in Council Tax payers within a ward. This data is from 1st April 2011 until 31st January 2014.

Table three: Council Tax 'churn' per ward (1/4/11 to 31/1/14)

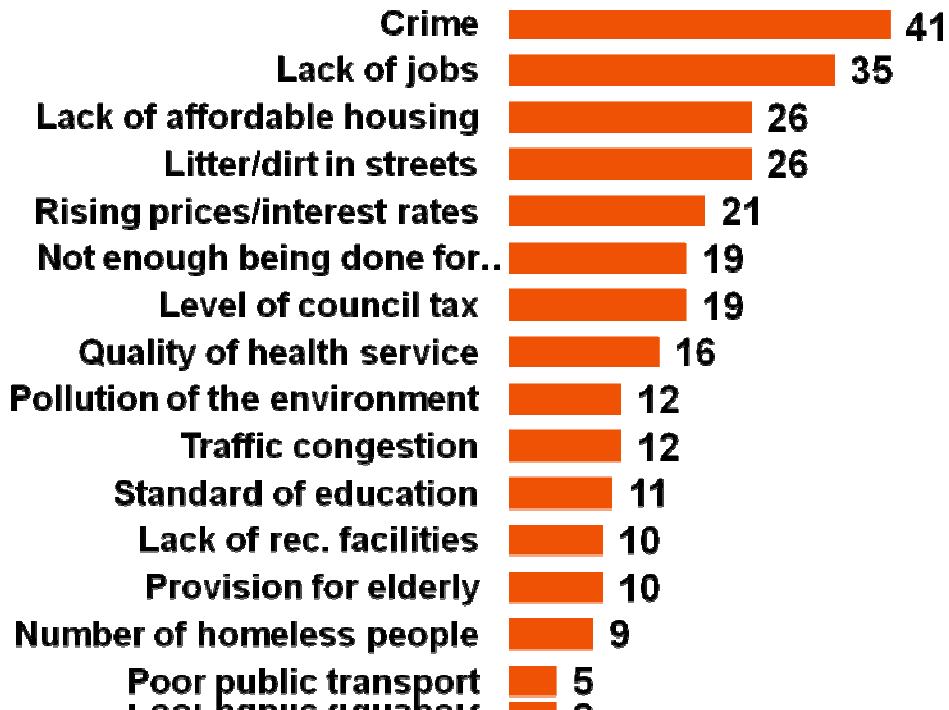
	Number of Changes per property										
	2	3	4	5	6	7	8	9	10	11	
Bromley by Bow	915	357	142	40	7						
Blackwall and Cubitt Town	1982	1010	466	104	18	4					
Bethnal Green North	844	337	128	26	13	3			1		
Bethnal Green South	857	512	206	49	18	1	1	1			
Bow East	1283	625	218	41	7	4					
Bow West	862	361	141	43	4	2					
East India and Lansbury	890	308	87	25	4	1					
Limehouse	1180	484	187	23	11						
Mile End East	745	399	134	32	7	4					
Mile End and Globe Town	805	365	136	43	12	3	2				
Millwall	2295	1257	491	143	33	9	3	1		1	
St. Dunstons and Stepney Green	863	314	124	42	7	2					
Shadwell	1100	445	170	35	4	1					
St. Katherine's and Wapping	1214	525	163	30	6	2					
Spitalfields and Banglatown	712	443	229	52	19						
Whitechapel	1172	693	337	75	11	1					
Weavers	856	467	167	53	7	1					

3 The levels of ASB and crime reported to the Police and Council

- 3.1 ASB can ruin lives and make areas feel unsafe for communities. The Council takes ASB seriously and has employed Teams of Tower Hamlets Enforcement Officers to deal with street ASB and works with the social landlords to control ASB on estates. The Council is instrumental in bringing partners together under the umbrella of the Community Safety Partnership. In addition the Council funds a number of Police Officers to ensure that certain work streams that revolve around ASB and adequately resourced.
- 3.2 During the Annual Residents Survey 2012/13 192 interviews were undertaken at 105 sampling points to individuals over 18 years of age.

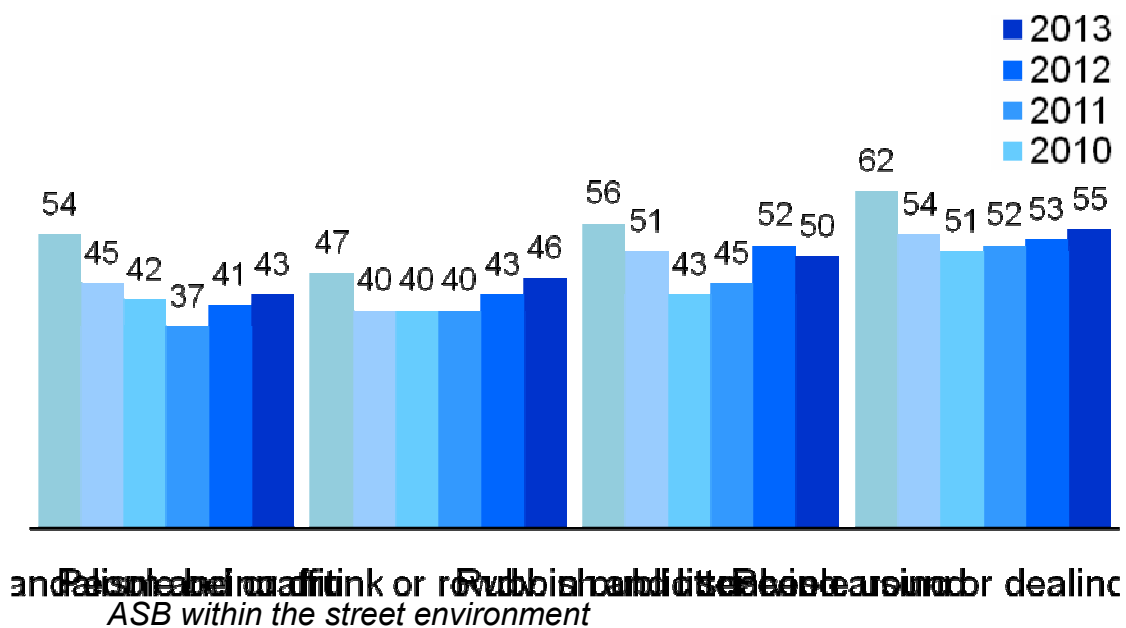
The main concerns highlighted by residents are detailed in the chart below.

Table Four: Annual Residents Survey 12/13 – resident’s personal concerns



3.3 Within the Annual Residents Survey, residents were asked about what they thought of their local area in relation to ASB. The following results were obtained.

Table Five: ASB related concerns – problems in the local area



3.4 The Councils ASB data has been reviewed for complaints of ASB on the street, the tables below 2012/13 and 2013/14 (end October) are linked to ward areas. The data for 2013/14 shows a lot more ASB in the street indicating that ASB is more likely to occur on the streets during the summer months.

3.5 In compiling the data the location field shows that if the incident occurred in a residence or in the street. The types of complaints that have been received in this category are detailed below.

- Drinking in public/communal areas
- Noise from neighbours
- Door Knocking/Banging
- Smoking on stairwells
- Urinating on communal lift
- Loitering in area
- Dropping litter
- Loud music

Table Six: ASB complaints from residential property v street environment 2012/13

2012/2013					
Ward	Residential	Street	% Residential	% Street	Total
BBB Bromley by Bow	45	29	61%	39%	74
BCT Blackwall and Cubitt Town	71	98	42%	58%	169
BGN Bethnal Green North	88	52	63%	37%	140
BGS Bethnal Green South	140	108	56%	44%	248
BWE Bow East	85	39	69%	31%	124
BWW Bow West	79	42	65%	35%	121
EIL East India and Lansbury	61	28	69%	31%	89
LMH Limehouse	149	81	65%	35%	230
MEE Mile End East	39	37	51%	49%	76
MGT Mile End and Globe Town	113	64	64%	36%	177
MLW Millwall	56	39	59%	41%	95
SDS St. Dunstons and Stepney Green	109	78	58%	42%	187
SHD Shadwell	87	57	60%	40%	144
SKW St. Katherine's and Wapping	84	44	66%	34%	128
SPB Spitalfields and Banglatown	100	86	54%	46%	186
WHI Whitechapel	161	104	61%	39%	265
WVR Weavers	174	124	58%	42%	298
Total	1641	1110	60%	40%	2751

Table Seven: ASB complaints from residential property v street environment 2013/14 (end October)

2013/2014					
Ward	Residential	Street	% Residential	% Street	Total
BBB Bromley by Bow	24	31	44%	56%	55
BCT Blackwall and Cubitt Town	40	114	26%	74%	154
BGN Bethnal Green North	84	55	60%	40%	139
BGS Bethnal Green South	59	88	40%	60%	147
BWE Bow East	47	33	59%	41%	80
BWW Bow West	58	57	50%	50%	115
EIL East India and Lansbury	29	32	48%	52%	61
LMH Limehouse	100	76	57%	43%	176
MEE Mile End East	36	29	55%	45%	65
MGT Mile End and Globe Town	113	63	64%	36%	176
MLW Millwall	32	46	41%	59%	78
SDS St. Dunstons and Stepney Green	58	67	46%	54%	125
SHD Shadwell	47	44	52%	48%	91
SKW St. Katherine's and Wapping	50	36	58%	42%	86
SPB Spitalfields and Banglatown	63	86	42%	58%	149
WHI Whitechapel	106	110	49%	51%	216
WVR Weavers	118	74	61%	39%	192
Total	1064	1041	51%	49%	2105

3.6 The data demonstrates that there is an approximate 60% to 40% split of residential to street environment ASB complaints over the recoding period, with Weavers and Whitechapel having the most complaints.

3.7 When examining the noise data, complaints have been recorded in relation to residential, commercial and street. It is the residential and street noise which of interest in relation to the PRS sector. The complaints recorded re from 2012/13 and 2013/14 (end October). Around 76% of the complaints can be attributed to residences with 7% on the street.

Table Eight: 2012/13 Noise complaints by location

2012/2013					
Ward	Commercial	Residential	Street	TOTAL	% Residential
BBB Bromley by Bow	13	239	12	264	91%
BCT Blackwall and Cubitt Town	47	193	23	263	73%
BGN Bethnal Green North	52	321	17	390	82%
BGS Bethnal Green South	25	259	17	301	86%
BWE Bow East	39	251	25	315	80%
BWW Bow West	51	245	15	311	79%
EIL East India and Lansbury	32	183	14	229	80%
LMH Limehouse	36	234	25	295	79%

MEE Mile End East	29	203	19	251	81%
MGT Mile End and Globe Town	27	196	13	236	83%
MLW Millwall	74	178	26	278	64%
SDS St. Dunstons and Stepney Green	38	200	18	256	78%
SHD Shadwell	38	222	13	273	81%
SKW St. Katherine's and Wapping	36	178	25	239	74%
SPB Spitalfields and Banglatown	99	242	30	371	65%
WHI Whitechapel	79	293	26	398	74%
WVR Weavers	80	401	47	528	76%
TOTAL	795	4038	365	5198	78%

Table Nine: 201/14 (end October) Noise complaints by location

2013/2014					
Ward	Commercial	Residential	Street	TOTAL	% Residential
BBB Bromley by Bow	10	154	5	169	91%
BCT Blackwall and Cubitt Town	46	103	9	158	65%
BGN Bethnal Green North	47	227	17	291	78%
BGS Bethnal Green South	34	148	16	198	75%
BWE Bow East	141	152	28	321	47%
BWW Bow West	31	161	20	212	76%
EIL East India and Lansbury	42	126	8	176	72%
LMH Limehouse	42	248	23	313	79%
MEE Mile End East	33	121	10	164	74%
MGT Mile End and Globe Town	19	183	11	213	86%
MLW Millwall	75	144	14	233	62%
SDS St. Dunstons and Stepney Green	27	130	13	170	76%
SHD Shadwell	25	143	2	170	84%
SKW St. Katherine's and Wapping	28	116	11	155	75%
SPB Spitalfields and Banglatown	72	163	27	262	62%
WHI Whitechapel	64	199	16	279	71%
WVR Weavers	66	332	39	437	76%
TOTAL	802	2850	269	3921	73%

- 3.8 The following wards have the highest number of residential complaints from noise: Weavers, Bethnal Green North Whitechapel and Limehouse.

PRS Housing Complaints and actions

- 3.9 The Councils Health and Housing Team also receive complaints direct from the private rented tenants concerning their housing conditions. The following table identifies the number of complaints over a 5 year period.

Table Ten: PRS complaints by ward 2010 – 2014(End December)

	2010-2011	2011-2012	2012-2013	2013-2014	Total
BBB Bromley by Bow	39	34	40	31	144
BCT Blackwall and Cubitt Town	36	46	47	56	185
BGN Bethnal Green North	22	19	26	22	89
BGS Bethnal Green South	31	27	23	25	106
BWE Bow East	37	25	44	38	144
BWW Bow West	33	27	59	54	173
EIL East India and Lansbury	6	15	46	40	107
LMH Limehouse	33	25	40	33	131
MEE Mile End East	35	25	60	46	166
MGT Mile End and Globe Town	39	20	33	36	128
MLW Millwall	32	30	66	46	174
SDS St. Dunstons and Stepney Green	9	16	44	43	112
SHD Shadwell	40	25	40	30	135
SKW St. Katherine's and Wapping	4	7	17	20	48
SPB Spitalfields and Banglatown	35	23	30	23	111
WHI Whitechapel	48	33	49	52	182
WVR Weavers	16	19	27	27	89
TOTAL	495	416	691	622	2224

3.10 The Health and Housing Team also carrying out housing standard inspections in relation to the complaints to ensure that landlords undertake relevant repairs to ensure that the property is fit for habitation.

Table Eleven: Number of PRS Housing inspections undertaken by Ward

	2010-11	2011-12	2012-13	2013-14	Total
BBB Bromley by Bow	25	11	2	6	44
BCT Blackwall and Cubitt Town	4	4	3	25	36
BGN Bethnal Green North	22	17	22	5	66
BGS Bethnal Green South	13	24	38	14	89
BWE Bow East	45	29	29	12	115
BWW Bow West	41	37	44	27	149
EIL East India and Lansbury	9	4	4	12	29
LMH Limehouse	4	1	9	7	21
MEE Mile End East	30	5	7	20	62
MGT Mile End and Globe Town	5	11	17	25	58
MLW Millwall	15	5	3	17	40
SDS St. Dunstons and Stepney Green		3	22	41	64

SHD Shadwell	25	29	27	18	99
SKW St. Katherine's and Wapping	3	3	6	7	19
SPB Spitalfields and Banglatown	25	24	49	10	108
WHI Whitechapel	72	71	61	44	248
WVR Weavers	35	17	33	11	96
TOTAL	373	295	376	301	1345

3.11 In addition the Health and Housing Team undertake enforcement action by serving notices under the Housing Act to enforce repairs to be undertaken.

Table Twelve: Number of enforcement actions undertaken in the PRS

	2010-11	2011-12	2012-13	2013-14	Total
BBB Bromley by Bow	9	24	4	2	39
BCT Blackwall and Cubitt Town	4	5	2	3	14
BGN Bethnal Green North	16	6	2	2	26
BGS Bethnal Green South	25	2	11	11	49
BWE Bow East	10	46	12	5	73
BWW Bow West	16	52	27	25	120
EIL East India and Lansbury	3	1			4
LMH Limehouse	8	2	1		11
MEE Mile End East	18	10	5	2	35
MGT Mile End and Globe Town	49	9	1	2	61
MLW Millwall	12	7		3	22
SDS St. Dunstons and Stepney Green	6	4	2	14	26
SHD Shadwell	18	4	4		26
SKW St. Katherine's and Wapping	5		1		6
SPB Spitalfields and Banglatown	9	3	1		13
WHI Whitechapel	26	8	5	2	41
WVR Weavers	17	2	7	6	32
TOTAL	251	185	85	77	598

3.12 The following numbers of mandatory houses in multiple occupation licences have been granted.

Table Thirteen: Mandatory licences issued

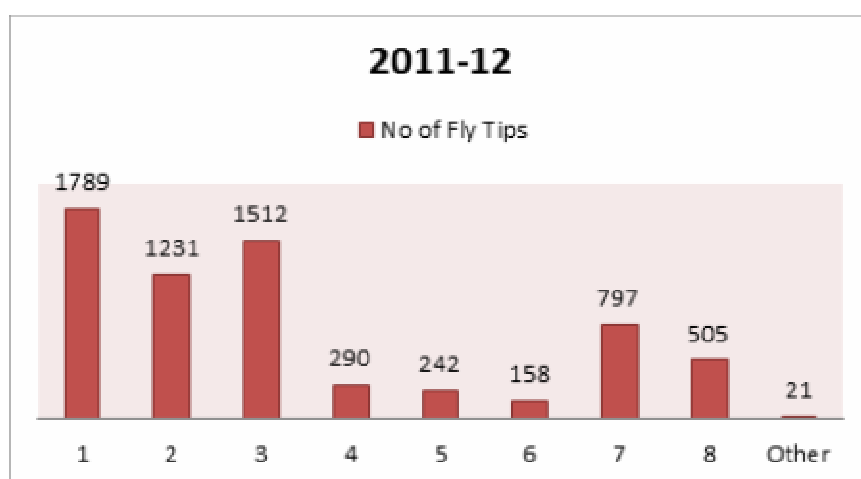
	2010-11	2011-12	2012-13	2013-14
BBB Bromley by Bow			2	1
BCT Blackwall and Cubitt Town	2	4	6	3
BGS Bethnal Green South		4	1	
BGN Bethnal Green North	2		6	4
BWE Bow East			4	3

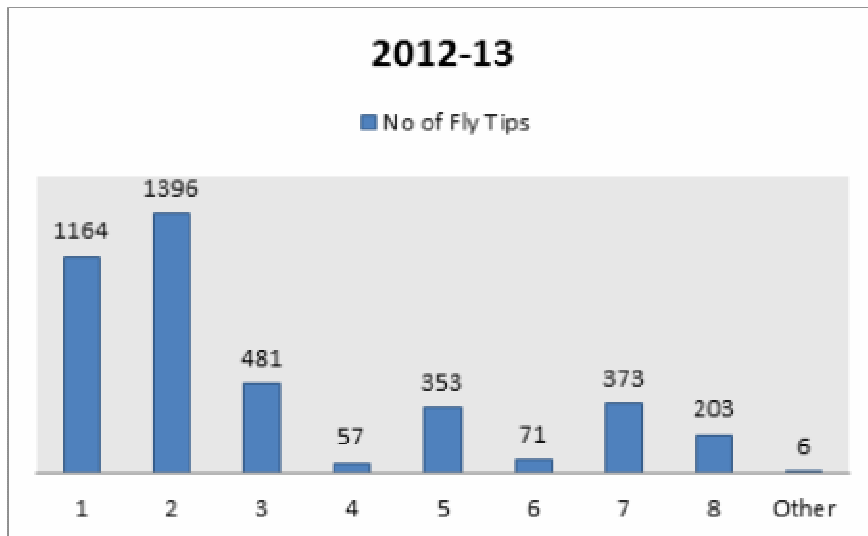
BWW Bow West	2	6	7	6
EIL East India and Lansbury			2	2
LMH Limehouse		3		
MEE Mile End East	2		1	1
MGT Mile End and Globe Town			2	1
MLW Millwall	3	6	8	4
SDS St. Dunstons and Stepney Green	5	2	5	4
SHD Shadwell	1	1	2	1
SKW St. Katherine's and Wapping	10	1	1	
SPB Spitalfields and Banglatown	2	2	5	3
WHI Whitechapel		7	6	5
WVR Weavers		3	3	2
	29	39	61	40

4 **The amount of fly tipped materials collected**

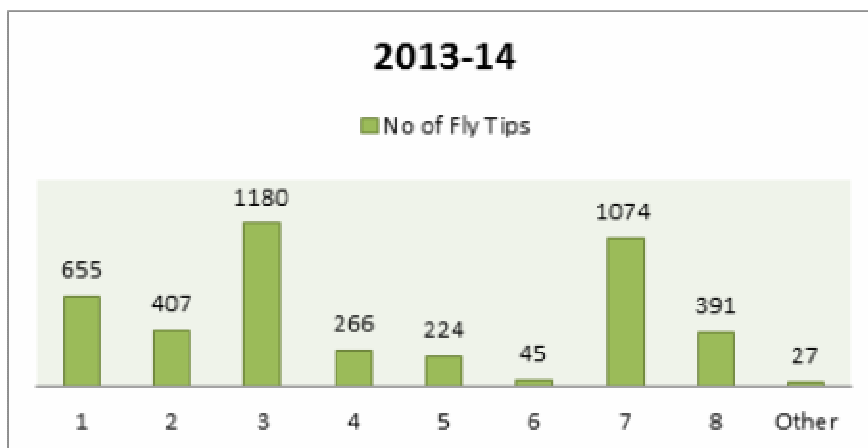
- 4.1 Fly tipped materials has historically been linked to the PRS, with new residents moving into an area and with those leaving have no formal waste removal processes in place.
- 4.2 Local Authorities report their enforcement activities in relation to fly tipping and litter to DEFRA via a reporting mechanism called Fly capture.

Table 14: Fly capture data compared by LAP and number of fly tips





For 2013/14 – monitoring period is April to January 2014



4.3 The following LAPS stand out as being problematic for fly tips, 1, 2, 3, and 7.

The Head of Public realm has stated that there are substantial problems in Fieldgate Street and the surroundings roads and they receive regular complaints from residents regarding waste being dumped by private landlords. Veolia remove over 2.5 tonnes of fly tipped waste per day with the annual cost of disposal alone is £98,280.00. The waste mainly consists of household goods such as wardrobes, kitchen units, and renovation material.

5 Summary

5.1 The information outlined above does show that there is a potential link between ASB and PRS. It is proposed that once relevant wards are identified, a Housing consultancy is used to:

- 1) Carry out a limited street survey to identify residents views about ASB and linking it to the PRS
- 2) Prepare a report that will enable a consultation exercise to be undertaken in the relevant wards to determine all stakeholders' views.

5.2 Once this has been carried out, the matter will be brought back to Cabinet for final determination to whether to seek Secretary of States approval to introduce a Selective Licensing Scheme.

5.3 The following table has been produced to identify the top five priority ranking of each ward, from the parameters discussed in the report to support introducing 'selective licensing' in pilot wards. The wards are the pre 22nd May 2014 boundaries

Issue	W HI	S P B	W V R	ML W	BC T	SK W	BG S	B E	LM H	SD S	MG T	B W	BG N	ME E	EI L	S H D
% in PRS	2	4	-	1	3	5	-	-	-	-	-	-	-	-	-	-
Household with no dependent children	4	2	4	3	-	1	-	5	-	-	-	-	-	-	-	-
Council Tax 'churn' 4 changes in 2.5 years	3	4	5	1	2	-	-	-	-	-	-	-	-	-	-	-
ASB Complaints 2012/13	2	5	1	-	-	-	3	-	-	4	-	-	-	-	-	-
ASB Complaints 2013/14 (end Oct)	1	5	2	-	4	-	-	-	3	-	3	-	-	-	-	-
Noise Complaints 2012/13	2	4	1	-	-	-	-	-	-	-	-	5	3	-	-	-
Noise Complaints 2013/14 (end October)	5	-	1	-	-	-	-	2	3	-	-	-	4	-	-	-
PRS Complaints 2010-2014 (end dec)	2	-	-	3	1	-	-	-	-	-	-	4	-	5	-	-
No of PRS inspections 2010/14	1	4	-	-	-	-	-	3	-	-	-	2	-	-	-	5
Enforcement Actions 2010-2014 (end dec)	5	-	-	-	-	-	4	2	-	-	3	1	-	-	-	-
Fly Tipped Totals 2011- 2014 (end Jan)	1	2	-	-	-	-	2	-	3	1	-	-	-	-	3	-
Total parameters in the top 5	11	8	6	4	4	2	3	4	3	2	2	4	2	1	1	1

5.4 The analysis of the initial data suggested that the following areas that should be considered further for setting up pilot areas in relation to PRS licensing are:

- Whitechapel, Spitalfields and Banglatown, Weavers
- Millwall, Blackwall and Cubitt Town
- Bow East and Bow West

5.5 The estimated number of properties affected in the indicated pilot areas are detailed in the table below.

Ward	Properties	Percentage PRS	Estimated number of PRS
Whitechapel		44%	2,578
Spitalfields and Banglatown		41%	1,604
Weavers		31%	1,741
Millwall		50%	5,370
Blackwall and Cubitt Town		43%	3,697
Bow East		31%	2,062
Bow West		28%	1,399

5.6 An estimated 18,451 properties could be affected by a PRS licensing scheme.

APPENDIX 4: 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)	Introduction of Selective Licensing of the Private Rented Sector Housing
Directorate / Service	CLC, Consumer and Business Regulation
Lead Officer	David Tolley, Head of Consumer and Business Regulation
Signed Off By (inc date)	Andy Bamber, Service Head, Safer Communities
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <p>Proceed with implementation</p> </div> <p>As a result of performing the QA checklist, this proposal does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> <p>If this proposal is agreed and a consultation is undertaken, further equalities analysis will be submitted.</p>

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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 report asks Cabinet to:

- Consider and comment on whether the Council should consult on the adoption of the powers for selective licensing
- Consider and comment on the proposed designated areas for consultation, i.e. Whitechapel, Spitalfields and Banglatown, Weavers, Millwall, Blackwall and Cubitt Town, Bow East and Bow West.
- Comment on the proposal to employ a Housing Consultancy to assist with the preparation of consultation documents.

This report asks Cabinet to consider whether consultation should take place in designated wards of the Borough. However, the Council is not committed to adopting a licensing scheme after undertaking a consultation. After consultation, this matter will be brought back to Cabinet for comment on the adoption of a licensing scheme.

The Housing Act 2004 gives the Council the power to introduce Housing Licensing Schemes for private rented properties in the whole Borough or in designated areas in order to improve standards of management in the Private Rented Sector (PRS) and reduce Anti-Social Behaviour (ASB). Under 'Selective Licensing' stipulated by the Act, the Council can designate an area or the whole Borough for a selective licensing scheme, providing it can demonstrate that the area is experiencing a significant and persistent ASB that is attributable to privately rented properties occupiers and that the private sector landlords are failing to take action.


A licensing scheme will enable the Council to impose a legal requirement, in a designated area, on all landlords to register, apply for a licence for each property they rent out, and comply with specific licence conditions.

			<p>Prior to designating an area, the Council must consult with interested groups such as landlords, tenants, letting agents, landlord associations and other interested parties.</p> <p>The Council's Fairness Commission, established in November 2012, recommended that CLC gather the necessary evidence, explore data and consider options for taking forward a landlord licensing scheme, including consulting stakeholders, piloting a PRS housing licensing scheme in an area and identifying any unintended consequences.</p> <p>Due to the level of information that needs to be gathered, the service suggest employing a housing consultancy, as other authorities did. A consultancy would undertake the preparatory work to introduce a licensing scheme.</p>
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	<p>If this proposal is agreed by Cabinet, all stakeholders, including landlords, tenants, letting agents, landlord associations and other interested parties, of the proposed designated areas will be invited to consultation. Also, a Housing Consultancy will be hired to assist with the preparation of consultation documents. The consultation may help collect further information on the landlords and tenants equalities data.</p> <p>The benefits of a Selective Licensing Scheme to the Council, landlords, communities and tenants are identified in Appendix 1.</p>
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	<p>The estimated number of properties affected in the indicated pilot areas are identified in Appendix Two - Whitechapel: 2,578 (44% - the ratio of PRS in the area); Spitalfields and Banglatown: 1,604 (41%); Weavers: 1,741 (31%); Millwall: 5,370 (50%); Blackwall and Cubitt Town: 3,697 (43%); Bow</p>

			<p>East: 2,062 (31%); Bow West: 1,399 (28%).</p> <p>While the Council does not hold a register of PRS properties, the Private Sector Stock Condition Survey (2011) estimated that 41,870 properties (39% of the total) in the Borough were from the PRS.</p> <p>a housing consultancy may help collect further information on the landlords and tenants equalities data.</p>
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	<p>In addition to the Private Sector Stock Condition Survey (2011), the 2011 Census provides data on the tenure within each ward. The Council's ASB data show the data on the ASB complaints from residential property v street environment (Appendix two). Appendix Two also shows the estimated number of properties in the indicated pilot areas.</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	<p>Available data around the PRS housing, ASB, noise and fly-tipping have been considered (Appendix two).</p> <p>If this proposal is agreed, all stakeholders will be invited to a consultation. Once resources are identified, a comprehensive research exercise,, to investigate the links between ASB and the PRS will be conducted by an external consultant.</p>
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	<p>If this proposal is agreed, all stakeholders will be invited to consultation.</p>
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>A consultation and a comprehensive research exercise may show a link between PRS and ASB.</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	<p>A consultation and a comprehensive research exercise will inform this.</p>
4	Mitigation and Improvement Action Plan		

a	Is there an agreed action plan?	n/a	If this proposal is agreed, a plan will be developed.
b	Have alternative options been explored	Yes	'Do nothing' option was considered.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	The result of a consultation process will be brought back to Cabinet .
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	A consultation and a comprehensive research exercise will consider the protected characteristics.
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	

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Cabinet 3 September 2014	 TOWER HAMLETS
Report of: Robert McCulloch-Graham, Corporate Director, Education, Social Care & Wellbeing	Classification: Unrestricted
Planning for School Places – 2014/15 Review	

Lead Member	Councillor Gulam Robbani, Lead Member for Education and Children’s Services
Wards affected	All
Community Plan Theme	A Prosperous Community
Key Decision?	Yes

Executive Summary

1. The Council has a statutory duty to provide sufficient school places for the local population. In Tower Hamlets the school age population is rising and this is projected to continue. The Council has to plan to meet the need.
2. This report is the annual review of planning for school places. It sets out the projections for the next 10 years, the additional capacity required to meet the need and plans in place and in development to meet the need.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the contents of this report and agree that the programme outlined in the report to develop proposals to meet the need for additional capacity should continue (noting that any proposals sought to be progressed will require further approvals and decisions before implementation);
2. Note the progress in identifying other development sites which will become available and agree that work to develop the implementation of these proposals should continue (noting that any proposals sought to be progressed will require further approvals and decisions before implementation).

1. REASONS FOR THE DECISIONS

- 1.1 The Council has a statutory duty to provide and plan for school places. The report sets out the 2014 projections of need and proposals to meet the need.
- 1.2 Planning for school places has to be kept under review to ensure there are proposals to meet the projected need. The rising trend of need continues although there may be variations in figures from year to year.
- 1.3 The LA has proposals in place to meet the need and these can require long term planning to implement. Decisions are required in time so that the programme of providing places can continue and have certainty to meet the need. Where decisions are not made in time, there may be a need for additional short term measures to ensure children can be offered a school place. These measures, such as bulge classes, can be difficult to implement and are not a sustainable approach to providing places. Such measures can be used for primary places but will not be suitable for secondary schools.

2. ALTERNATIVE OPTIONS

- 2.1 The Council has to comply with its duty to provide school places. Some of the need for places is being met by the establishment of free schools which are decided by the Secretary of State. However, the majority of proposals for new places will be initiated by the Council. This report includes options towards meeting the need for places.
- 2.2 Where the Council has not made sufficient plans to ensure permanent places are available when needed, short term proposals may be needed which may be less cost-effective by reliance on temporary buildings.

3. DETAILS OF REPORT

- 3.1 The LA has a statutory duty to provide sufficient school places for the local population. Cabinet will know that there is a rising need for more school places in Tower Hamlets.

Projections of the need for school places

- 3.2 Projections of the need for school places are provided by the GLA which uses a standard model for the majority of London LAs. The GLA uses housing development data provided by each borough for the borough level projections. The projections are shown to have a good level of accuracy in the short term. The trends over the 10 year projection period can fluctuate in each annual round of projections. This can reflect the most recent birth data and variations to housing data.
- 3.3 The projections provided in 2014 show the same trend of increasing need as seen in recent years but with some variation to the trend in the later part of the 10 year period. It should be noted that for primary school places, the

projections beyond 2017/18 relate to projected births and are therefore less reliable than the short to medium term projections based on actual birth data.

- 3.4 In the period 2013/14 – 2023/24 the total school roll of 4-11 year olds is projected to rise by 12,000, an increase of 34%. This is approximately 7,500 primary pupils and 4,500 secondary pupils. This is slightly lower than based on the 2013 projections but remains a significant increase.

Primary Schools

It is projected that there will be 930 more Reception aged pupils in 2023/24 than in 2013/14. This means in addition to plans for extra capacity already agreed there will be a need for 19FE of more primary capacity, with 12FE needed by 2019/20.

Secondary Schools

It is projected that there will be 1050 more 11 year olds in 2023/24 than in 2013/14. This means there will be a need for 21FE of more secondary capacity, with 8FE needed by 2019/20.

- 3.5 The 2014 projections with available and planned school capacity are included as Appendix A.
- 3.6 Appendices Ci and Cii show the priority areas for growth in need across the borough. These reflect the areas with the highest levels of new housing development.

ACTIONS TAKEN TO PLAN FOR EXTRA SCHOOL PLACES

- 3.7 Various reports in the past have described action taken to meet the rising need for places. The planning takes into account short, medium and long term options in order to ensure the supply of places is maintained in time to meet the need at the relevant time.
- 3.8 The actions taken are:
- Reviewing existing school sites to determine where there may be physical capacity for cost-effective expansion
 - Reviewing other Council-owned assets to consider where there may be opportunity to provide school places
 - Working with partners to establish if there are any opportunities for developing proposals to create school capacity by sharing assets
 - Including the need for school places in the longer term infrastructure planning to ensure land for schools is taken into account in the strategic planning process.
- 3.9 9.5FE of additional primary capacity has been created in the school years 2008/09 to 2013/14. This equates to 285 more places available at Reception year and 1,995 places when the additional capacity is filled at all year groups.

A further 5FE of primary capacity will be available from September 2014 (150 places at Reception and 1,050 in total when filled at all year groups).

3.10 Progress and further actions since the last annual review:

EXPANSION PROPOSALS	
Woolmore School expansion from 1FE to 3FE	Implemented from September 2014
Stebon Primary School expansion from 2FE to 3FE	Implemented from September 2014
St Paul's Way Trust School expansion by adding 2FE of primary capacity	Implemented from September 2014
Olga Primary School expansion from 1FE to 3FE	To be implemented from September 2016
Bow School expansion to 9FE	Implemented from September 2014
OTHER LBTH OWNED SITES	
Former Bromley Hall School site	Development for primary school use in progress, subject to separate decision in due course
Former Beatrice Tate School site	Proposed alternative special school use in development, subject to separate decision in due course
Former Bow School site	Proposed 3FE primary school use with options for inclusion of housing development under consideration, subject to separate decision in due course
STRATEGIC DEVELOPMENTS – site allocations secured in the strategic planning process	
Bromley by Bow district centre	Primary school. Development timetable to be confirmed.
Fish Island (Mid)	Site allocation for a primary school at Neptune Wharf. Planning application approved by LLDC in March 2014 includes outline permission for a 3FE school. LBTH to exercise option to develop within 5 years.
Fish Island East (within LLDC)	Primary school. Development of primary school as part of an all-through school. Proposed by

area)	LLDC and EFA for opening as an academy in September 2016.
London Dock	Site allocation for a 6FE secondary school. Planning application approved March 2014 includes outline permission for a school. LBTH has 10 year period to exercise the option to develop the school.
Westferry Printworks site	Site allocation for a 6FE secondary school. Planning application to be submitted in late 2014 to include outline proposal for the school. Site option terms to be negotiated.
Bow Common and Leven Road Gas Works sites	Primary school site allocation at both sites. Development timetable to be confirmed.
Ailsa Street	Primary school site allocation. Proposed To be implemented by development of former Bromley Hall School for primary education
OTHER OPTIONS	
Wood Wharf	2FE primary school included in the proposals agreed for outline planning permission by SDC on 21 July 2014. Development timetable to be confirmed.

3.11 The Council secured the site allocations through the strategic planning process. The development timetable for these sites is in the hands of the developers so there is uncertainty about when these may be implemented. The school sites will be secured through planning obligations (s. 106 or CIL). The Council will develop and fund the school accommodation and determine operation of the schools.

Free Schools

3.12 In addition to the LA's proposals for additional capacity, free schools agreed by the Secretary of State and funded centrally contribute to the supply of local places. The current position with free schools in Tower Hamlets is:

Canary Wharf College, East Ferry Road	Opened in September 2011, 40 places per year (primary)
Wapping High School, Commercial Road	Opened in September 2012, 81 places per year (secondary)
CET Primary School, Solebay Street	Opened in September 2012, 50 places per year. Moving to permanent accommodation in

	Solebay Street September 2014
City Gateway	Opened in September 2012, 14-19 provision
Canary Wharf College 2	Agreed to open in September 2014, 40 places per year (primary). Opening in temporary accommodation in Limeharbour, E14. Permanent accommodation to be confirmed.
London Enterprise Academy, Commercial Road	Agreed to open in September 2014, 11-16 school with 120 places per year. Permanent accommodation at Aneurin Bevan House, Commercial Road
East London Academy of Music	Agreed to open in September 2014, 16-19 with up to 300 places. Permanent accommodation to be provided in Bromley-by-Bow for September 2015. Opening September 2014 in Stratford in temporary space
Mulberry UTC (University Training College)	14-19 provision, specialising in healthcare and medical services, and digital technology. No site yet identified and opening date to be confirmed.
Aldridge Studio School	14-19 provision, specialising in entrepreneurship. Opening to be confirmed. Partnership with Asda, proposal to be based at Asda Crossharbour site
Canary Wharf College 3	Approved for opening September 2015. All-through Christian faith school with 1330 places. Accommodation to be identified.

OTHER CONSIDERATIONS

3.13 In addition to the potential fluctuations in the projections noted above, various other factors add uncertainty and difficulty to the planning of sufficient capacity.

Housing growth

3.14 Planning for sufficient schools to meet the growth in the local population is a key part of planning the social infrastructure to support the continuing levels of new housing development. There was consultation in January – April this year on proposals to increase the London Plan housing targets. These proposals are subject to an Examination in Public later this year. The annual target for Tower Hamlets is proposed to increase from 2,885 to 3,931.

- 3.15 The Council is carrying out work at present to develop the South Quay Masterplan. It is likely that this area alone could see the estimate of new homes increase from 10,000 to 20,000 over a period of 10-15 years.
- 3.16 The pressure for additional primary school places is greatest in Bow, Poplar and the Isle of Dogs where there has been the highest levels of new housing development. These areas will continue to be the focus of housing development. Opportunities for further school expansions in these areas are limited, especially the Isle of Dogs, and ensuring sufficient school places will continue to be a challenge. Planning officers will continue to review opportunities to provide school accommodation on sites coming forward for development.

Free schools agreed by the Secretary of State

- 3.17 Free schools contribute to the local supply of places. Free school proposers can apply direct to the Secretary of State who decides on the schools to be agreed. Creation of additional capacity outside the Council's control adds to the difficulties of planning.

SEN and 6th form provision

- 3.18 There is a growth in need for additional special school provision and for 6th form places along with the growth in the overall school age population. New mainstream school capacity will be inclusive for pupils with special education needs but there will be some pupils for whom special schools will be required.
- 3.19 Work is being undertaken to assess the likely growth in need for additional specialist provision. This may be new special school provision or other type of unit or specially resourced provision in a mainstream school.

Funding

- 3.20 The principal source of capital funding for providing additional school places is the DfE basic need capital grant. The allocation for the period 2014/15 – 2016/17 is £29.54m. The DfE has confirmed the funding for a 3 year period which is welcome as the developments of the type referred to in this report require long term planning and funding certainty in order to confirm implementation. The ability of the DfE to make further allocations in order to support the longer term planning remains to be seen.
- 3.21 The capital programme of new school capacity is supported by use of s. 106 receipts which have been secured to mitigate the impact of new housing developments. Significant sums have been agreed but not yet received. There is no certainty about receiving the full value of the agreed sums as this will depend on the developers' programmes so this presents some difficulties in planning use of the receipts.
- 3.22 The Council is moving towards the adoption of the Community Infrastructure Levy (CIL) which will replace much of the s. 106 payments for the mitigation of the impact of new developments on school provision. The Council's

Infrastructure Delivery Plan (IDP) identifies the need for additional school places as part of planning the overall social infrastructure. The flow of CIL income at this stage remains uncertain. ESCW and D&R Directorates continue to work together on the longer term infrastructure planning.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. This report is drawing attention to the regulatory framework for school place planning and how this can impact on site disposal or development proposals beyond the education estate. Decisions on site disposal or development will have various financial implications particular to the circumstances.
- 4.2. Meeting the Authority's statutory duty with regard to providing sufficient school places will require significant additional resources, as has been advised in previous reports on school place planning. The cost of a form of entry (fe) for primary will range from £4.5m - £5m (with up to an additional 19 primary fe needed over the next ten years) and a secondary fe will range from £3.5m to £4m (with an expected 21 fe required over the next ten years). This points to an approximate range of £159m - £179m at current prices to fund the additional capital costs over the next ten years.
- 4.3. Capital funding from the Department for Education will assist, as will the creation of additional places through the establishment of free schools. Nonetheless, DfE capital does not necessarily cover London costs, nor does it cover site acquisition costs. The LA has s. 106 contributions (to be replaced by Community Infrastructure Levy (CIL)) which are used to support the provision of additional education facilities arising from new housing developments. However, the flow of contributions depends on development activity so is outside the Council's control.
- 4.4. The revenue consequences of additional pupils will in most cases be met from additional Dedicated Schools Budget, which varies according to pupil numbers. At present there are General Fund costs in the region of £1m associated with transporting (or providing travel support) for individual pupils where school places are not nearby. Changes to the admissions arrangements will ease that pressure, as will any efforts to provide additional school places.

5. LEGALCOMMENTS

- 5.1. The Council has a duty under the Education 1996 to secure that sufficient schools are available for Tower Hamlets. The Council has a duty under the School Standards and Framework Act 1998 to make premises available as part of its duty to maintain schools. The schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of appropriate education. At the same time, the Council is subject to duties under the Health and Safety at Work etc Act 1974 to ensure so far as is reasonably practicable the health and safety of staff, pupils, visitors and volunteers on school premises.

- 5.2. In deciding what provision to make in respect of primary and secondary schools, the Council is required to consider the need to secure diversity in the provision of schools and increasing opportunities for parental choice. This sits alongside the Council's general equality duty, which requires it to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. Equalities analysis will need to be carried out alongside the development of proposals.
- 5.3. Some of the options proposed in the report involve the expansion of existing schools. The enlargement of a school's premises so as to increase the school's capacity by: (a) more than 30 pupils; and (b) 25% or 200 pupils (whichever is the lesser) is a prescribed alteration. If the Council wishes to make such alterations, it will need to comply with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, which require publication of the proposals, prior to determination.
- 5.4. If the Council sees a need for a new school, then Part 2 of the Education and Inspections Act 2006 will apply. There is a presumption that the new school will not be a new community school. Section 6A of the Education and Inspections Act has imposed a requirement on local authorities in England to seek proposals for the establishment of an Academy if they think a new school needs to be established in their area.
- 5.5. The expansion of existing schools or the provision of new schools will require planning permission under the Town and Country Planning Act 1990.
- 5.6. Procurement for the various projects will need to be carried out in accordance with the Council's Procurement Procedures and, where relevant, the Public Contract Regulations 2006. Compliance with the procurement procedures should assist the Council to comply with its duty as a best value authority to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness" (section 3 of the Local Government Act 1999).

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The LA has a statutory duty to ensure sufficient school places for local residents. Education is key to ensuring economic prosperity for the individual and for the community. The LA has a duty to ensure diversity of provision to enable parents to express their preference for a school place. These duties are taken into account in planning provision of school places. The plan to commission school places is universally applicable to children and young people of school age and there is unlikely to be unequal impact on different groups.
- 6.2. The LA has to plan for the overall social infrastructure to meet the needs of the rising local population. This informs the development of the Council's

asset management and service planning to ensure that the required infrastructure is provided and that the competing needs are balanced.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The proposals to provide additional school places to meet the needs of the population will be implemented taking account of sustainable design standards and materials. As far as possible primary school provision is planned to ensure that children can access a local school and so minimise impact on travel.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. The Council has a statutory duty to provide sufficient school places. In order to plan to meet this need projections are obtained annually and reviewed each year against the known school capacity. It is clear that the projections indicate that a significant rise in the need for places has to be planned for. There may be variations in the projections so the Council has to retain some flexibility in its ability to respond to the need.
- 8.2. The plans required to meet the need for school places can often require the balance of complex and competing considerations, for example for other social infrastructure requirements. Because of the long time that is required to implement projects, decisions need to be taken in sufficient time to plan the use of resources and to identify shortfalls.
- 8.3. The Council has to manage the risk of failing to meet its statutory duties by having sufficient options available for implementation to meet the need and by keeping the changing circumstances under review.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no specific implications arising.

10. EFFICIENCY STATEMENT

- 10.1 The proposals for meeting the need for school places seek to make the best use of the Council's own assets before other assets are acquired.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix A – 2014 school roll projections
- Appendix B – Proposals for Primary School Capacity

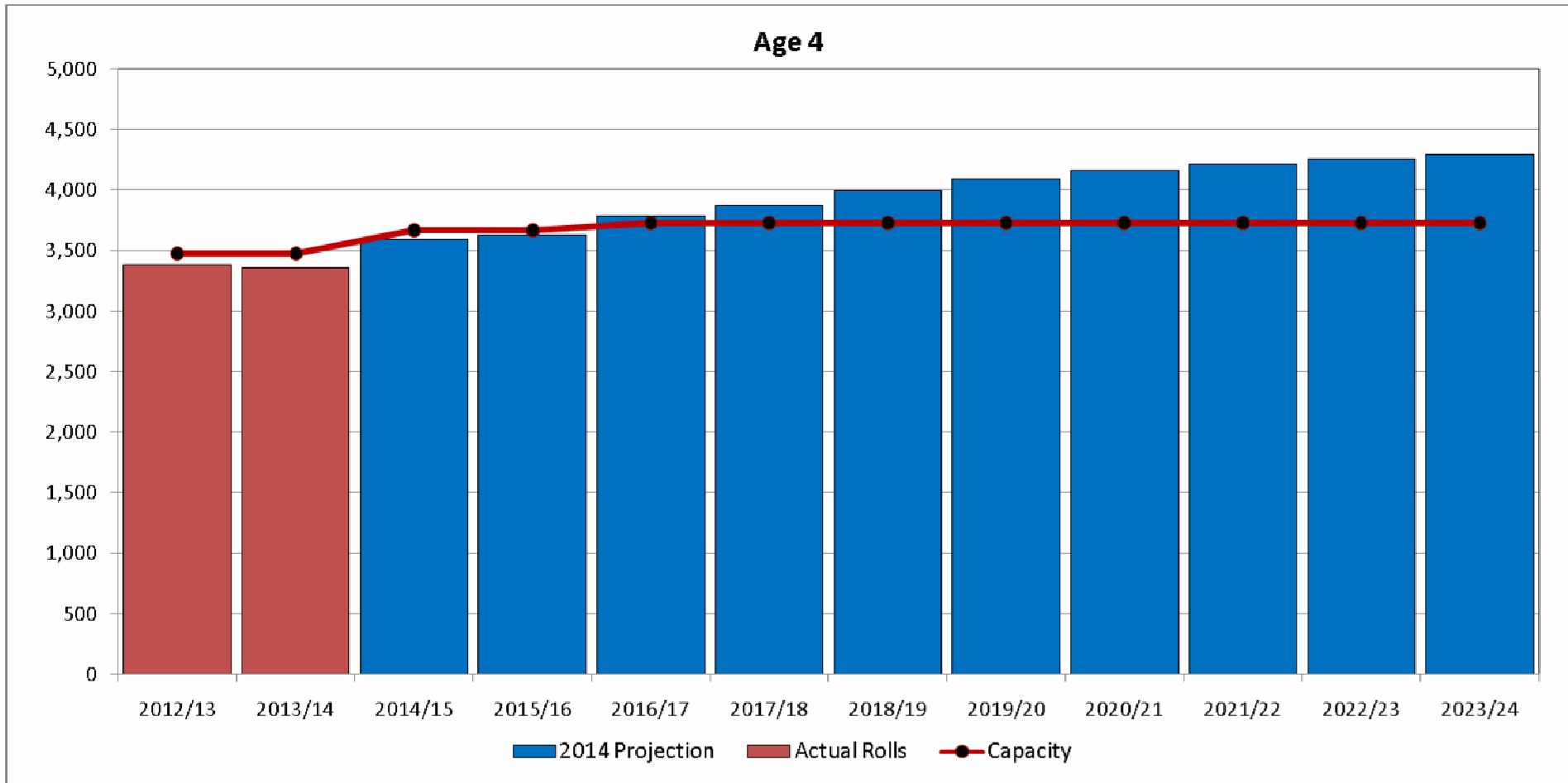
- Appendix Ci – Projected increase in Reception Pupil Numbers
- Appendix Cii – Projected increase in Children aged 11

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

- NONE

Officer contact details for documents:

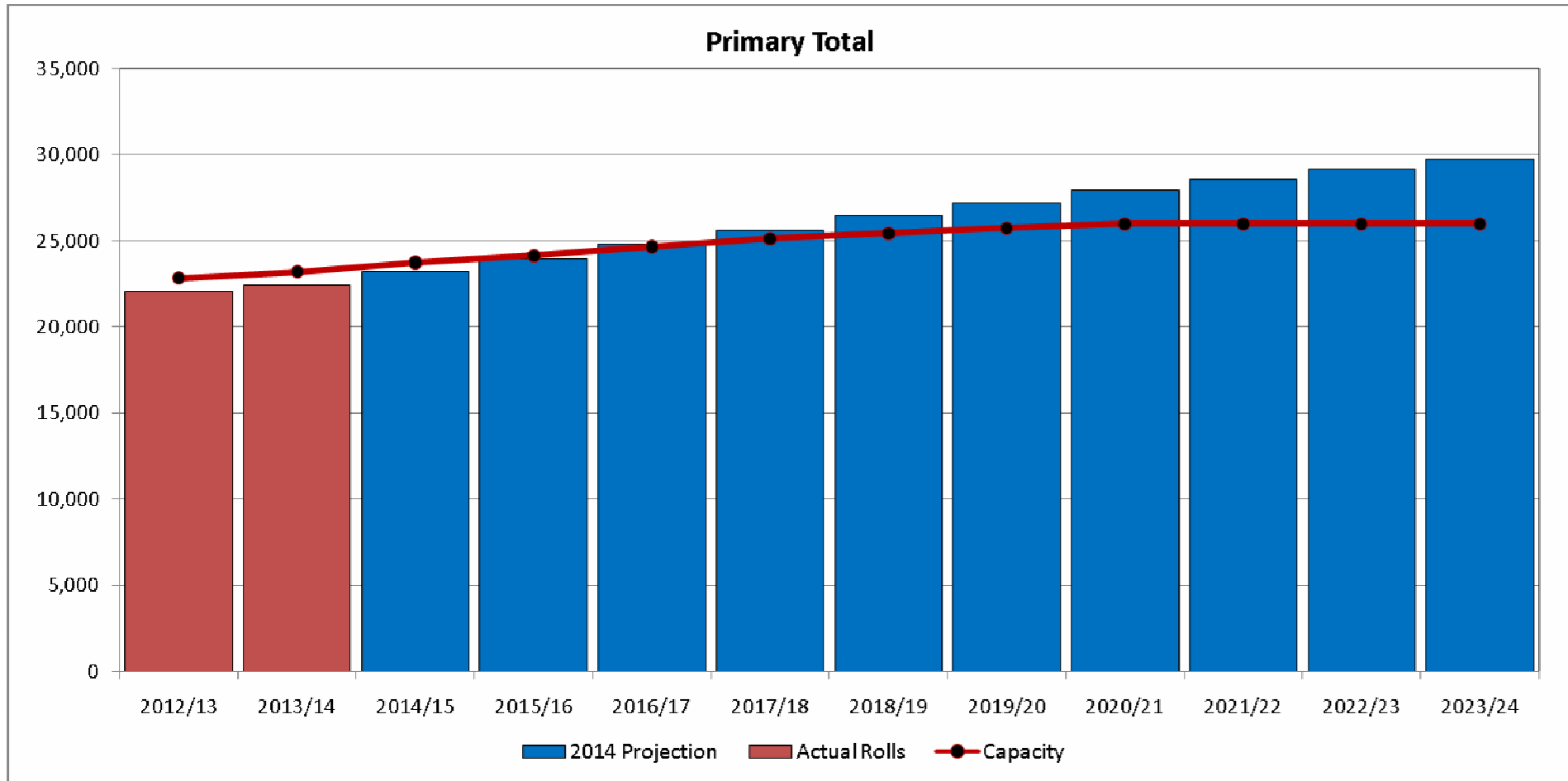
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Age 4	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Actual Rolls	3,380	3,360										
2014 Projection			3,592	3,626	3,781	3,869	3,997	4,089	4,160	4,213	4,255	4,292
Capacity	3,476	3,476	3,670	3,670	3,730	3,730	3,730	3,730	3,730	3,730	3,730	3,730
Variance	96	116	78	44	-51	-139	-267	-359	-430	-483	-525	-562

FE (30)	3.2	3.9	2.6	1.5	-1.7	-4.6	-8.9	-12.0	-14.3	-16.1	-17.5	-18.7
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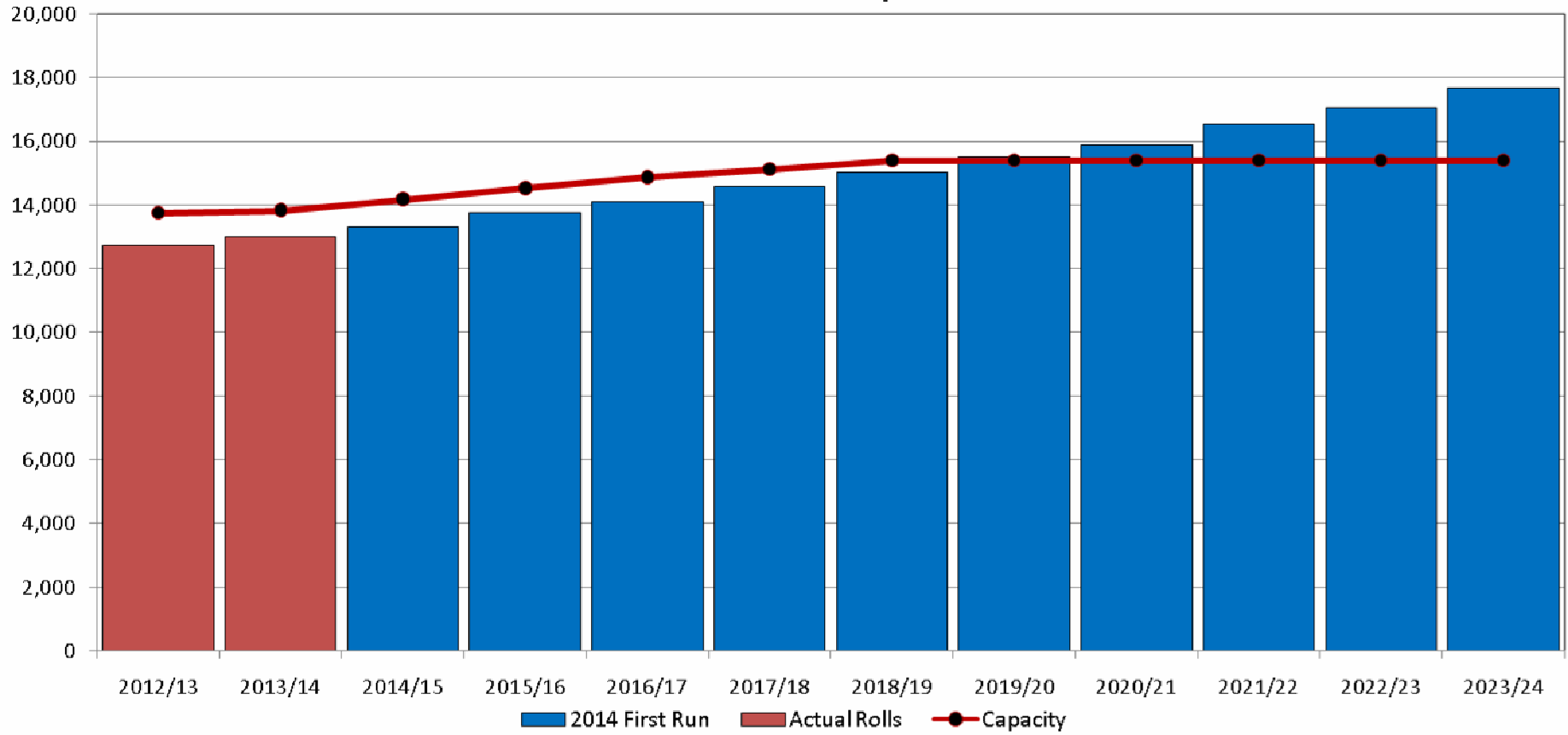
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Primary Total	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Actual	22,047	22,437										
2014 Projection			23,234	23,926	24,827	25,633	26,460	27,182	27,953	28,537	29,153	29,697
Capacity	22,835	23,207	23,727	24,146	24,667	25,108	25,452	25,736	25,986	25,986	25,986	25,986
Variance	788	770	493	220	-160	-525	-1,008	-1,446	-1,967	-2,551	-3,167	-3,711

Variance	221	145	253	137	187	11	-47	-235	-254	-476	-501	-638
FE (30)			8.4	4.6	6.2	0.4	-1.6	-7.8	-8.5	-15.9	-16.7	-21.3

Total Secondary



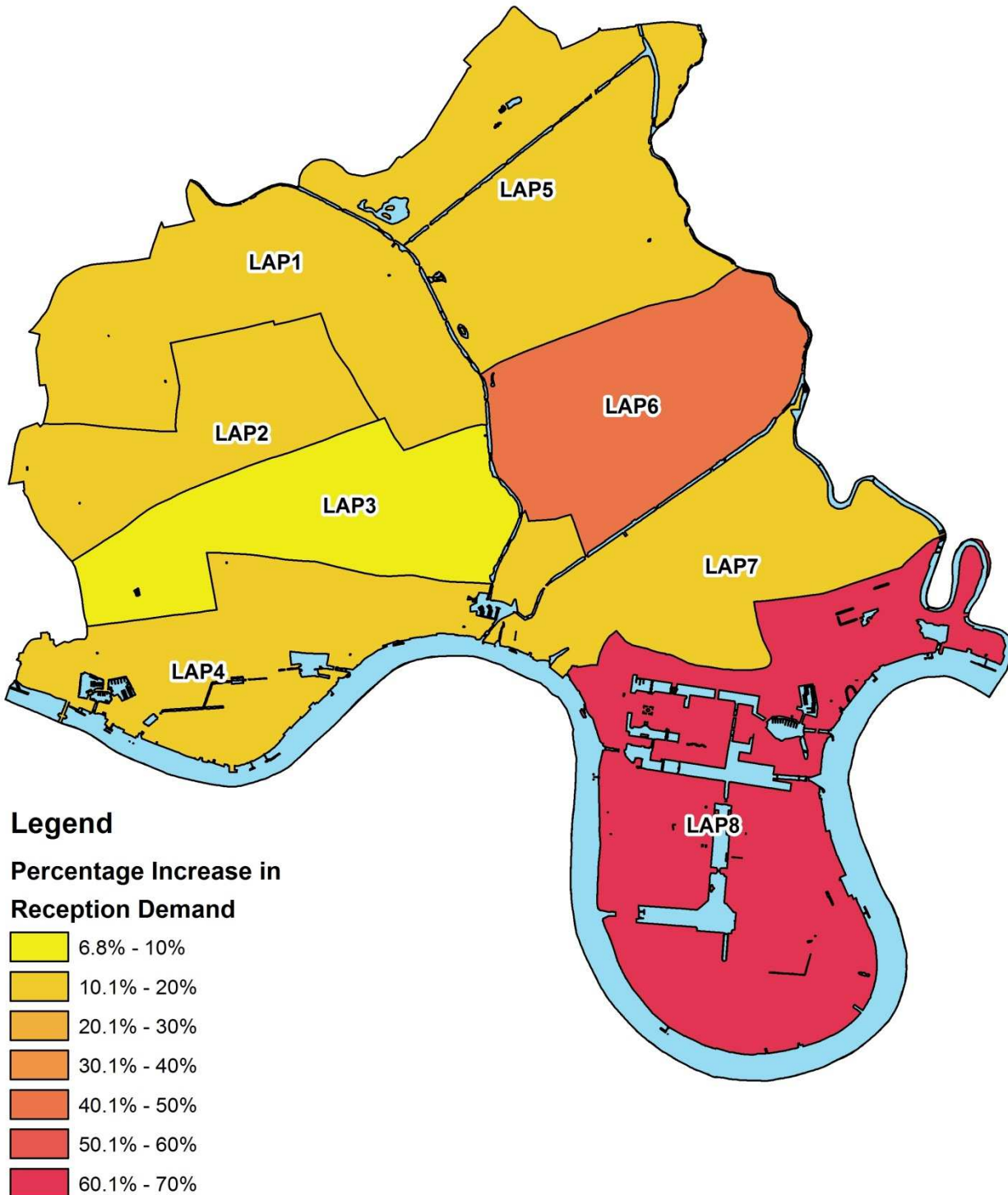
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Actual	12,749	13,008										
2014 Projection			13,319	13,773	14,103	14,573	15,020	15,501	15,885	16,548	17,061	17,664

Capacity	13,756	13,837	14,183	14,529	14,875	15,140	15,405	15,405	15,405	15,405	15,405	15,405
Variance 1	1,007	829	864	756	772	567	385	-96	-480	-1,143	-1,656	-2,259
FE (150)			5.8	5.0	5.1	3.8	2.6	-0.6	-3.2	-7.6	-11.0	-15.1

APPENDIX B - PROPOSALS FOR PRIMARY SCHOOL CAPACITY TO MEET PROJECTED NEED

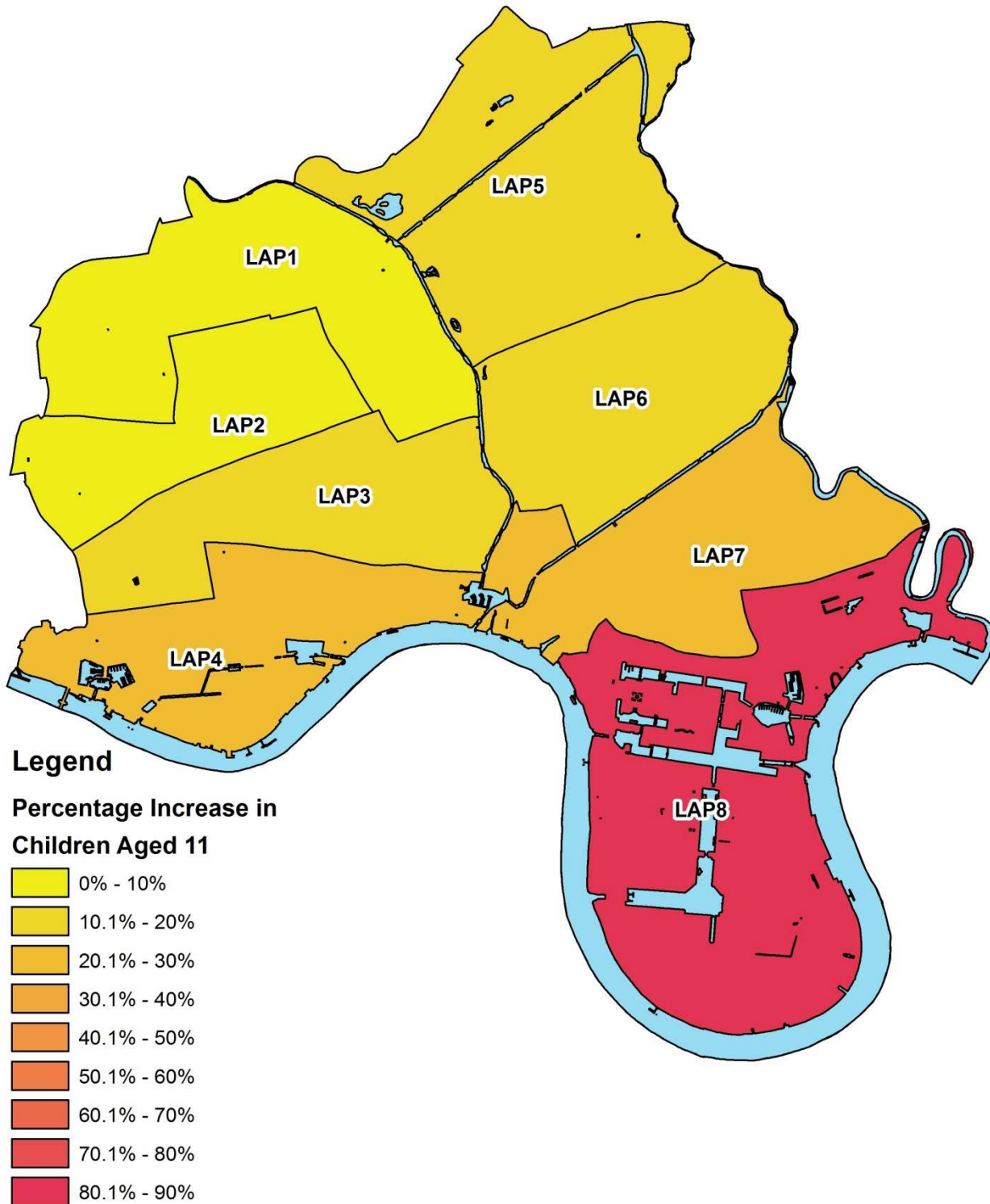
	2014/15		2015/16		2016/17		2017/18		2018/19		2019/20	
Proposed capacity	3476		3670		3670		3880		3880		4030	
Projected reception roll	3592		3626		3781		3869		3997		4089	
Shortfall (-)		-116		44		-111		11		-117		-59
	New capacity		Proposed capacity		Proposed capacity		Proposed capacity		Proposed capacity		Proposed capacity	
	Stebon	30	CWC 3 (tbc)		Olga	60	tbc		Fl new school	90	tbc	
	Woolmore	60			BH site	60			Millharbour	60		
	SPWTS	60			Additional site	90						
	Canary Wharf College 2	40										
	TOTAL new capacity	190	TOTAL new capacity	0	TOTAL new capacity	210	TOTAL new capacity		TOTAL new capacity	120	TOTAL new capacity	
	Shortfall (-)	74	Shortfall (-)	44	Shortfall (-)	99	Shortfall (-)	11	Shortfall (-)	33	Shortfall (-)	-59

Projected Increase in Reception Pupil Numbers 2012 to 2022



Source: GLA School Roll Projections


Projected Increase in Children Aged 11 2012 to 2022



Source: GLA Population Projections

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<p>Cabinet Decision</p> <p>3rd September 2014</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 2014/115</p>	

Lead Member	Councillor Shahed Ali, Cabinet Member for Clean and Green
Wards affected	All Wards
Community Plan Theme	A Healthy and Supportive Community
Key Decision?	Yes

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the Council's annual plan for effective enforcement of food safety legislation. The objective of the plan is to ensure that food 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 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.
- 1.4 Cabinet are requested to consider the Food Law Enforcement Service Plan 2014/15 and Food Sampling Policy 2014/15 and make recommendations as appropriate and approve this plan.
- 1.5 Cabinet is also asked to note the changes to the implementation of the National Food Hygiene Rating Scheme, which may mean that the percentage of broadly compliant food premises in the Borough may drop initially before improvements are sustained. It is also asked to note the fact that the food safety service

focuses its efforts principally on education and support and only resorts to enforcement where necessary to protect public health. It is felt that due to education and advisory work that food safety officers have undertaken with food business we have been able to reduce the number of closures that have taken place over the last year from 35 to 10.

2. RECOMMENDATIONS:

The Mayor in Cabinet is recommended to:-

- 2.1 Approve the Tower Hamlets Food Law Enforcement Plan 2014/2015 and Food Sampling Policy attached at the Appendix of the report.

3. REASONS FOR THE DECISIONS

- 3.1 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.

4. ALTERNATIVE OPTIONS

- 4.1 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.

5. DETAILS OF REPORT

- 5.1 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 they are going to discharge their responsibilities.
- 5.2 If the Council takes no action the FSA has 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.
- 5.3 The Plan (Appendix One) 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 food products. The standard format of the plan will allow easier comparisons with other authorities.

- 5.4 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 at the time of writing has 2,697 food premises which require inspection. The frequency of such inspections is determined by a nationally agreed risk based inspection rating scheme.
- 5.5 Last year the Food Safety Team achieved 85% of all food premises being broadly compliant with the food safety legislation.
- 5.6 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.
- 5.7 The plan also highlights some of the major successes during 2013/14. Some notable examples are:-
- 100% of all A rated high risk premises inspected for food hygiene/standards
 - 94.1% of all A-C rated Food Hygiene premises inspected
 - Engaging with the national horsemeat scandal sampling regime
 - Reducing the number of food premises closed for pest infestations (35 to 10 premises) whilst maintaining public health.
- 5.8 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 a sustained improvement in the Borough. The performance for the last five years is as follows:-
- 2009/10 81%
 - 2010/11 86%
 - 2011/12 86.5%
 - 2012/13 83%
 - 2013/14 85%
- 5.9 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 present the biggest challenges either from a

premises age /condition perspective, or from a business engagement and proficiency perspective.

- 5.10 From 2009-14 funding was received from the Healthy Cities initiative and Public Health budgets to develop a Food for Health 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 Consumer and Business Regulations Service.
- 5.11 The national "Food Hygiene Rating Scheme" sponsored by the Food Standards Agency allows Local Authorities to publish, using rating criteria, 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.
- 5.12 The opportunity for re-rating the Food Hygiene score at re-inspection will be limited, due to changes implemented in November last year. It is therefore expected that our broadly compliant rate will reduce slightly.
- 5.13 Last year concerns were expressed by Members on the number of food premises closures that had taken place in 2012/13, a total of 35. During 2013/14, 10 food premises were closed for pest infestations. It is felt that due to education and advisory work that food safety officers have undertaken with food business we have been able to reduce the number of closures that have taken place.
- 5.14 The number of street food providers in the Borough has increased and we recognise that this has caused concerns. During the course of 2013/14 we inspected 58% of the street food providers in the private markets. These were either new premises or the inspection date for food hygiene fell due in 2013/14.
- 5.15 An Equalities Impact Assessment checklist has been undertaken on the implications of the plan and this is in Appendix two. As a result of performing the EIA checklist, the plan and sampling policy, do not have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 The report sets out the annual Food Law Enforcement Service Plan 2014/15. There are no specific financial implications emanating from the report. The Service will however need to ensure that the annual plan is delivered within the budgeted resources for the service and that performance levels are maintained at a level as prescribed by the Foods Standards Agency.

7. LEGAL COMMENTS

- 7.1 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.
- 7.2 The Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and the Food Safety (Sampling and Qualifications) (England) Regulations provide a framework for food law enforcement and sampling. The Secretary of State has issued the Food Law Code of Practice (England) under section 40 of the Food Safety Act 1990 and the Council is required to have regard to the relevant provisions of the code in carry out its functions under the Act.
- 7.3 Section 3 of the Food Law Code of Practice provides that food authorities should have an up-to-date, documented food law enforcement policy which is readily available to food business operators and consumers. The policy should cover all areas of food law that the Council has a duty to enforce and should include criteria for the use of all available enforcement options.
- 7.4 Section 6 of the Food Law Code of Practice provides that food authorities should prepare and publish a food sampling policy and make it available to businesses and consumers. The policy should set out the Council's general approach to food sampling and its approach in specific situations such a process monitoring, inspections and complaints. The sampling policy should detail the factors that will be taken into account in formulating the sampling programme, including any national or local consumer issues which will influence the level of sampling to be undertaken.
- 7.5 The proposed food law enforcement plan is aligned with the Council's enforcement policy, adopted by the Mayor in Cabinet in October 2012. The food law enforcement plan and the food sampling policy appear to meet the requirements of the Food Law Code of Practice.
- 7.6 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.

8. ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 The equality analysis checklist has been reviewed in respect of this plan and no adverse issues have been identified.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 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.
- 10.2 Failure to ensure that the council discharges its responsibilities can have serious consequences for the Council and these are set out below.
- 10.3 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.
- 10.4 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.
- 10.5 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.
- 10.6 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.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 11.1 There are no crime and disorder reduction implications

12. EFFICIENCY STATEMENT

- 12.1 There are no efficiency issues relating to this report.
-

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

Appendix 1 – LBTH Food Law Enforcement Plan – 2014/15
Appendix 2 - Equalities Impact Assessment - Checklist

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

2014/2015

CONTENTS

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

Executive Summary

This is the Council's mandatory annual plan for the effective enforcement of food safety legislation. This plan fulfils the Council's obligations under the Framework Agreement on Local Authority Food Law Enforcement with the Food Standards Agency (FSA). 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 plan also gives an up to date profile of the Borough, a review of our activities in 2013/14 and our programme of work for 2014/15.

Inspection Plan

In 2013/14 the Food Team carried out 94.1% of all Food Hygiene inspections due in the higher bands of A-C (100% A, 100% B and 93.1% C) and 34.7% 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.

Food Hygiene examines the businesses processes and procedures in the preparation and service of food. Food Standards examines issues around labelling, composition components of the food and date marking. 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 inspections 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.

Enforcement

Enforcement activity was less in 13/14 than in 12/13 in terms of food premises closures. There were 12 Emergency prohibitions, which included 10 food premises closures, in 13/14 rather than 35 in 12/13. The premises closures were for pest infestations (6 formal closures, 4 voluntary). A total of £183,722.81 fines/costs were issued by the Courts from 23 court cases taken forward last year (£85,730.22 from 15 cases 12/13). The food premises closures were mainly in relation to the insufficient management of pest control within the establishments.

Food Hygiene Rating Scheme

We currently have 85% of our food premises broadly compliant. This has increased from 83% last year. In the forthcoming year it is expected that this may drop as the effects are felt of a change in the Food Hygiene Rating Scheme implementation, which were agreed last year. Food businesses are now rated on their 'due' inspection and not re-rated as a matter of course during a re-visit. This effectively

means that poorly performing premises will be left with a low score until their next 'due' inspection. As already stated it would be expected that this will drive down the broadly compliant percentage until a plateau is reached.

Food For Health

The Service has continued to receive external funding to progress with the Food for Health 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 raises awareness of the scheme by briefing businesses during inspections. In 13/14 607 Food for Health briefing sessions were carried out (329 previous year). As businesses are only allowed to take part 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 2015. In 13/14 the Healthy Eating Award Scheme resulted in 14 unique premises awards and 17 renewals/ upgrades).

Reducing Inspection Burdens

We have reviewed our services to determine if the inspection burden can be lifted on local businesses but making sure that hazards 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. This has enabled extra focus on the higher risk premises, to reduce the risk of inadequate food safety management.

As a result of the Central Government spending review, we may not be able to inspect all those premises that fall due in 2014/15. Those premises that may not be inspected have been 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. Premises that fall into this category are wet pubs, low risk schools and pharmacies.

- 1 **SERVICE AIMS AND OBJECTIVES**
- 1.1 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 Food for Health ward 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.
- 1.2 Links to Corporate objectives and plans
- 1.2.1 The Food Law Enforcement Service Plan is designed to meet customer needs and our services are provided with reference to the:
- Community Plan
 - Council's Strategic Plan
 - Directorate's Annual Plan
 - Divisional Service Plan
- 1.2.2 The activities of the Consumer and Business Regulations (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:

- *The enforcement of consumer legislation by way of inspection, audit, complaint investigation, awards, training/advice and enforcement.*
- *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*
- *Issue and enforcement of “approvals” covering a range of activities concerning products of animal origin (POAO) in manufacturing premises.*
- *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 public 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.*

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).
- § 98 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, , 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 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 Cllr Shahed Ali, Cabinet Member.

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 service requests including comments on planning and licensing applications..
- 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 mislead 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.
- 2.4.5 D rated premises are lower risk premises. They do not constitute no risk however. The food law code of practice provides some concession for dealing with D rated premises. Whilst these premises still present a risk, we are duty bound to inspect them. They can, however, be put on a schedule of alternative enforcement. That would mean that they would alternate between an inspection and an alternative enforcement strategy each time they were due for inspection. This would reduce the burden on resources required to inspect D rated premises.

Table 1: Hygiene

Food businesses 14/15 and their inspection category for food hygiene (09.05.14)

USAGE	A	B	C	D	E	OUTSIDE	UNRATE	Total
E02 Child Minder				14	59			73
F01 Bakery/cakes		2	11	18	7		3	41
F02 Butcher		1	3	10	6			20
F03 Canteen/kitchen		17	47	51	32	1	2	150
F04 Cash and Carry/Food Wholesaler		1	7	14	11		2	35
F07 Delicatessen/ Cooked Meats		2	3	1	1		1	8
F08 Fishmonger/Wet Fish/Seafood		1	4	30	13	1	1	50
F10 Manu/packer - non meat/fish products	1		2	3	1			7
F11 Fish Products Manufacturer		1	4	1				6
F12 Fruit/veg/greengrocer				15	28		2	45
F15 Mini-Market/Grocer		7	28	171	98		5	309
F16 Newsagent/Sweet Shop/Tobacconist		2	4	50	44		1	101
F17 Off Licence/Wine Merchants		1		25	16		4	46
F20 Public House/Wine Bar-catering		2	45	74	45		6	172
F22 Restaurant/Cafe	9	70	303	302	45	1	46	776
F24 Fish products/cooked shellfish		2	3	11				16
F26 Supermarket / Hypermarket			2	21	22		6	51
F27 Takeaway Food	3	41	107	86	31	3	21	292
F29 Vehicle - Sale of hot food			4	4	2		7	17
F40 Home caterer			4	19	12	1	14	50
F50 Staff Restaurant/Canteen/Bar			13	60	4		7	84
F52 Sandwiches/snacks/confectionery			4	2	6		1	13
F57 Luncheon Club		4	1	2	1		1	9
FAA School kitchen		17	38	33	3		2	93
M01 Chemist/Pharmacy/Drug Store				1	38			39
other	1	3	20	50	82	16	19	191
Grand Total	14	177	657	1068	607	23	151	2697

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).

Table 2 : Standards.

Food businesses 14/15 and their inspection category for food standards (09.05.14)

USAGE	A	B	C	OUTSIDE	UNRATE	(blank)	Grand Total
E02 Child Minder		2	14		43	13	72
F01 Bakery/cakes		15	19		7		41
F02 Butcher		15	4		1		20
F03 Canteen/kitchen		34	102	4	8	2	150
F04 Cash and Carry/Food Wholesaler	1	25	2		6	1	35
F07 Delicatessen/ Cooked Meats		4	2		2		8
F08 Fishmonger/Wet Fish/Seafood		40	3		7		50
F10 Manu/packer - non meat/fish products	2	5					7
F11 Fish Products Manufacturer	1	5					6
F12 Fruit/veg/greengrocer		15	23		4	3	45
F15 Mini-Market/Grocer		167	125	1	15	1	309
F16 Newsagent/Sweet Shop/Tobacconist		33	65		1	2	101
F17 Off Licence/Wine Merchants		25	14		4	3	46
F20 Public House/Wine Bar-catering		52	112		2	6	172
F22 Restaurant/Cafe	4	438	238		69	27	776
F24 Fish products/cooked shellfish	2	11	3		1		17
F26 Supermarket / Hypermarket		11	32		5	3	51
F27 Takeaway Food		179	62		45	6	292
F29 Vehicle - Sale of hot food		6	3		8		17
F40 Home caterer		13	19		18	1	51
F50 Staff Restaurant/Canteen/Bar		20	54		10		84
F52 Sandwiches/snacks/confectionery		4	5		3	1	13
F57 Luncheon Club		6	2		1		9
FAA School kitchen		39	52		2		93
M01 Chemist/Pharmacy/Drug Store			38		1		39
Other	4	43	70	27	33	16	193
Grand Total	14	1211	1063	32	296	86	2701

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).

Outside – the premises does not require inspecting for food standards.

Blank- no assignment for food standards has been made yet

- 2.4.5 As of May 2014 the following 68 establishments were approved by the Council to produce and manufacture food incorporating Products of Animal Origin (POAO) for wholesale purposes: -
- § 11 fishery product manufacturers
 - § 45 fishery products and live shellfish wholesalers
 - § 6 dairy product producers
 - § 4 meat product processors
 - § 2 sandwich manufacturers
- 2.4.6 Tower Hamlets' food businesses are primarily caterers and retailers.
- 2.4.7 There is a 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
6th Floor
5 Clove Crescent
London E14 2BG

- 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.
- 2.5 Enforcement Policy
- 2.5.1 The current enforcement procedure is documented and outlines all enforcement action carried out by officer's, 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.
- 2.5.2 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.
- 3.0 **Service Delivery**
- 3.1 Inspection Programmes
- 3.1.1 Food establishments in the Borough are risk rated by the Food Standards Agency code of practice, which we must follow. A risk score of 10 points or below in the compliance of premises i) structure ii) hygiene and iii) confidence in management, determines if the premise is broadly compliant with food hygiene law. The criterion '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 and alternate enforcement strategies in D rated premises.
- 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.
- 3.1.5 We have determined that we have 85% 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. Category D food premises could fall into an alternative enforcement strategy which would result in undertaking interventions at alternate years.
- 3.1.8 For 2014/15 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 2014/15.

Inspection Rating	Number of food hygiene inspections due
A	14 x 2 = 28
B Broadly compliant	44
B not Broadly compliant	129
C Broadly compliant	311
C not Broadly compliant	69
D Broadly compliant	672
D not broadly compliant	22
E (verification)	385 (5% = 19)
Unrated	112
Total Inspections	404
Total Surveillance inspections	1002
Total Interventions	1406

Table 4

The number of food standards inspections due in 2014/15 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	13
B	723
C (verification)	412
Unrated	239
Total	1387

- 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 (called verification visits) will be carried out where enforcement notices have been issued, where there is a significant public health risk, or the premises are not broadly compliant. Premises will not be re-rated at a verification visit.
- 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 The shortfall stands at **2 FTE for 14/15**. The shortfall 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.
- 3.1.15 Additional priorities have been identified for action in 2014/15 including: -
- § Inspections will be carried out at major festivals.
 - § Sampling plan involving microbiological sampling, misleading 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.
 - § Focus on speciation sampling to verify that foods are what they are purported to be
 - § Halal project focussing on authenticity, traceability, and advertising.
 - § Closure and follow-up enforcement action, including prosecution of businesses as appropriate.
 - § 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 2013/14 was 786.

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

3.3 Home Authority Principle

3.3.1 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 **0.26 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.

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 2014/15 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 2013/14 was 104 of which 26 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:-

Nicola Elviss (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 **0.6FTE**
- 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 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 2013/14 there were 36 Food Hazard Warnings and 47 Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.05 FTE**. (Included in Service Requests above)
- 3.8 Liaison with Other Organisations
- 3.8.1 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.
- 3.8.2 The resource required for these activities is estimated at **0.03 FTE**.
- 3.9 Food Safety Promotion

3.9.1 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

3.9.2 The resource required for these activities is estimated at **0.03 FTE**.

3.10 Administration

3.10.1 The Service's Admin is carried out by a consolidated generic admin function located in Strategy and Resources. The service has been rationalised to reduce wider costs and the service is recharged where appropriate.

3.11 Management

3.11.1 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) (1 seconded to Healthy Eating – post partly covered by contract EHO)

3.5 x Environmental Health Officer (EHO)

2 x Food Safety Officer (FSO)

1x Healthy Eating Project Lead (Seconded SEHO) – funded until April 2015

(Total Technical Staff as of 14/15 = **10.6FTE**)

(Total Technical Staff required for work identified in plan = 12.7 FTE)

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)

(Total Admin staff = **1.475 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 2014/15 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 (i.e. **10.6 FTE** officers) and how the resources identified to complete the plan in 2013/14 were allocated. The table also sets out the resources required to fulfil the plan for 2014/15.

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2013/14

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 70.1% of those due inspections for hygiene banded A-D and 34.7% for due standards inspections rated A and B. The Team concentrated on the higher risk premises to ensure food safety (i.e. 94.1% inspection rate for higher risk premises (A-C) due for hygiene). The inspections that have not been done will be carried forward into 2014/15. Standards inspections were led by the due date of the hygiene inspections. In some cases Standards inspections fall due when hygiene is not due, and since they are a secondary concern, they are sometimes 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

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 2013/14 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 94.1% of all food hygiene premises (Bands A-C) that were due for inspection had a food hygiene intervention. For the highest risk premises this was 100% A risk and 100% B risk. All overdue C premises have been carried forward to the 2014/15 programme.

- 6.4.2 297 re-inspections were carried out. This is a decrease from the previous year. Taking into account that 915 inspections were carried out this loosely equates 32% of inspected premises receiving a re-inspection.
- 6.4.3 34.7% of the food standards programme was carried out - food standards inspections that fall due along side food hygiene inspections. The remaining was not carried as hygiene inspections were not due or the premises had been assessed as low risk.
- 6.5 Enforcement
- 6.5.1 25 (15 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 £183,722.81 (£85,730.22 previous year)
- 6.5.2 102 (72 in the previous year) formal improvement notices were issued.
- 6.5.3 There were 12 Emergency prohibitions or voluntary closures in 13/14. This is a large decrease from the previous year's total of 35. 10 of the 12 prohibitions in 13/14 were closures of a business for uncontrolled pest infestations. This may be a result of concentrating resources on the higher risk premises, or may have been a result of increased enforcement activity in the past few years.
- 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 1034 service requests were received.
- 6.7.2 The main types of complaints received were: 108 were with regards to food poisoning complaints concerning food premises in the Borough (an increase from 94 last year), 65 about pest infestations (a decrease from 85 last year), 78 for poor hygiene practices (74 last year), 14 for cleanliness of premises (a decrease from 16 last year), and 85 complaints were received about food standards issues, such as food labelling (Use by dates) (a decrease from 95 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
- 6.10.1 104 food samples were taken, of which there were 26 failures (a decrease from 31 last year). All of these failures were subsequently followed up.
- 6.10.2 A full Sampling Plan has been produced for 2014/15. 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 108 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough. 1 large outbreak was identified/confirmed during the year that allegedly affected 40 people. A large scale, multi-agency investigation ensued. The premises were sampled extensively and an emergency prohibition notice was served on the business preventing further food preparation. The business was not allowed to produce food until satisfactory controls were put in place. 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 83 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 2013/14 Plan.

6.14 Food Safety Promotion

6.14.1 Promotional activities on food hygiene for school children were delivered.

6.14.2 Several press releases and mail merged information letters/alerts were produced throughout the year.

6.15 Staffing

6.15.1 The team was fully staffed during most of the year. There was a loss of a senior officer and an FSO and so there were periods where these posts were empty in between recruitment. A senior EHO was seconded into the Food for Health team. Whilst this position was back filled, it was filled with a contract EHO, not a senior. After a busy year of enforcement, there became a back log of prosecutions in 13/14. An extra contract officer was made available for 6 months to back fill the time of officers concentrating on legal files.

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
- Bivalve molluscs

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 enforcement strategies for low risk premises such as 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.

7.0

Annexes

Annex A: Assessment of resources

Annex B: Current Council Decision Making Structure

Annex C: Current Council Corporate Structure

Annex D: Food Sampling Policy 2012/2013

Annex A

Assessment of Resources

Resources for 2014/2015

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) = 404 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), therefore 1414 hours to inspect 100%.

Broadly compliant premises (includes the 19 E rated premises to be done) = 1002 inspections (Table 3 as Surveillance Inspections) due at 1.5 hours per inspection, therefore 1503 hours to inspect 100%.

Total for inspections/surveillance therefore = 2917 hours (417 days)

Low risk (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 (797) for implementation of scheme = 209.25 hours

Total for Alternative Enforcement Strategies = 209.25 hrs (30 days)

Food Standards Inspections A rated: 13 premises due for food standards only @ 2 ½ hrs each = 32.5 hrs (4.6 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 68 premises @ 14 hours = 952 hrs (136 days)

Resource required to achieve 100% inspection rate (total 587.6) days = **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 = 28 @ 3.5hrs = 98 hrs (14 days)

Premises falling out of broadly compliant category = 351 (Number based on mid-point between RVs carried out last year (297) v projected number of non B/C inspections from 14/15 inspections (404))

351 @ 3.5 hours = 1227 hours (175 days)

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

Food standards inspections revisits 21 @ 2hrs = 42hrs (6 days)

Resources required for food standard revisits = **0.03 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)

83 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 = 41.5 hrs (6 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 = 305 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) = **0.26 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 2015.

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 CLC.

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 2014/15, 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 (2013/2014)	Time identified to complete work in Service Plan (2014/2015)
Programmed Inspections	3.7	3.7
Re-inspections	2	2
Food standards re-inspections	0.02	0.03
Service Requests	1.9	1.9
Home Authority	0.25	0.26
Advice to businesses	0.2	0.2
Food sampling	0.6	0.6
Food Poisoning outbreaks	0.02	0.02
Liaison	0.03	0.03
Food Safety Promotion	0.03	0.03
Other Activities	1.8	1.8
Technical Officer Support	0.25	0.25
Management	0.8	0.8
Healthy Eating Award	1	1
Total	12.6	12.6
	Actual availability 10.6	Actual availability 10.6

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

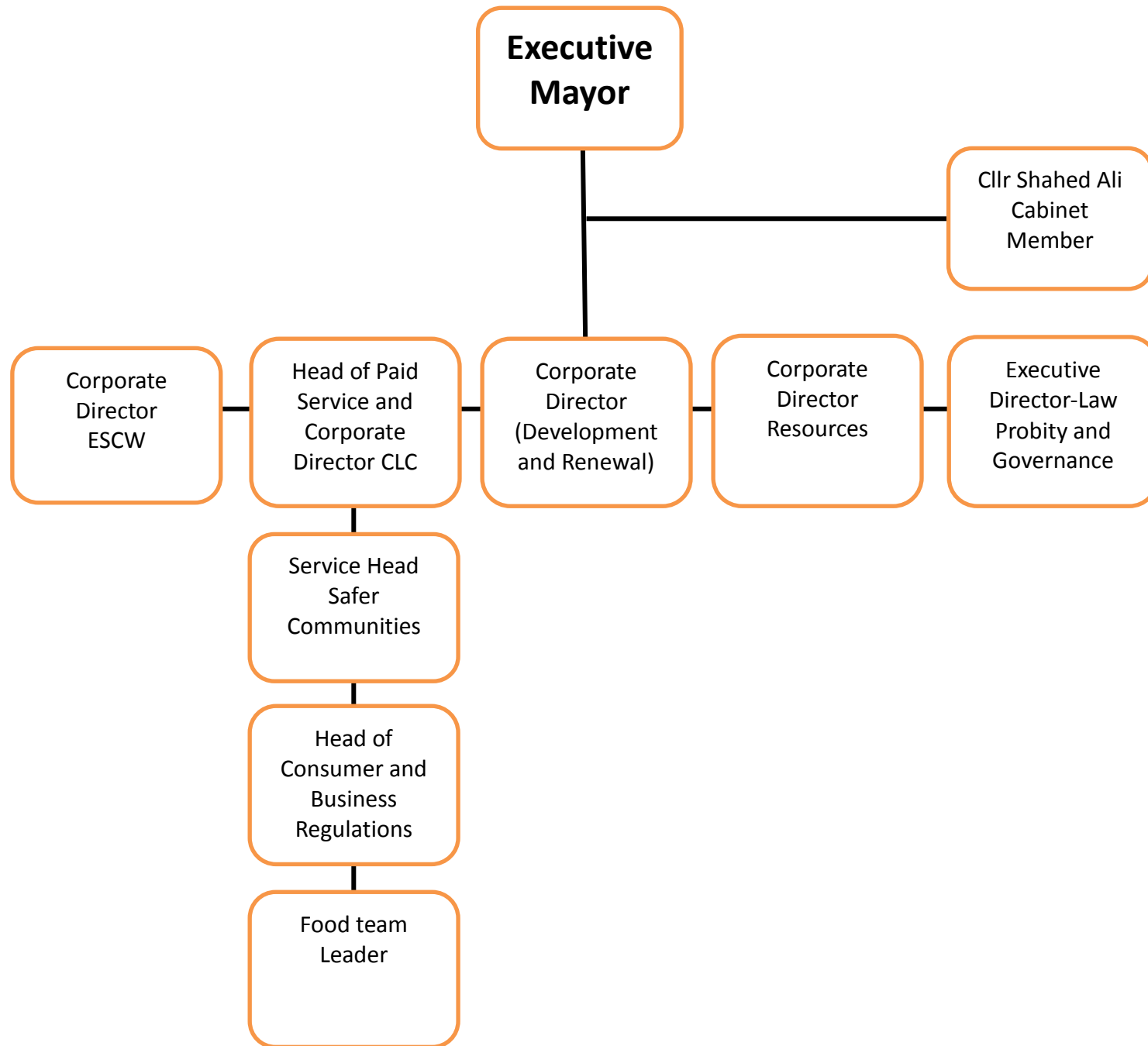
Licensing Committee

Licensing Sub Committee

Pensions Committee

Standards (Advisory) Committee

Strategic Development Committee



Annex D

LONDON BOROUGH OF TOWER HAMLETS

FOOD SAMPLING POLICY 2014/15

It is a requirement of the Code of Practice, which outlines procedures for sampling made under the Food Safety Act 1990 and The Food Safety and Hygiene (England) Regulations 2013 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.

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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 2014/2015
Directorate / Service	CLC, Safer Communities, Consumer and Business Regulations
Lead Officer	David Tolley, Head of Consumer and Business Regulations
Signed Off By (inc date)	Andy Bamber
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<p>Example</p> <p> Proceed with implementation</p> <p>As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>


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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 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	<p>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.</p> <p>We currently have 85% of our food premises broadly compliant, which increased from 83% last year. In the forthcoming year it is expected that this may drop initially before improvements being sustained due to the changes to the National Food Hygiene Rating Scheme implementation. Food businesses are now rated on their due inspection and not re-rated as a matter of course until their next inspection unless they request one. This effectively means that poorly performing premises will be left with a low score until their next due inspection. A predictive analysis on the effect this procedure will have on the B/C percentage would have put the year 13/14 at 72.7% rather than 85%.</p> <p>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 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</p>

			<p>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>
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	
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	
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 key issues specific to this service relate to communication and education. Depending on protected 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.
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	Have alternative options been explored	NA	If the Council take no action the FSA have the power to remove food safety responsibilities and engage another authority to deliver the service.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	The service, including the numbers of inspection ratings for 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	
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	The summary identifies that the percentage of broadly compliant food premises in the Borough may drop initially before improvements being sustained due to the change to the National Food Hygiene Rating Scheme implementation. The Council (D&R) was planning to develop a business equality data collection system, following the research study on the ownership and management characteristics of Tower Hamlets businesses. When available this will inform the Service on the key equalities characteristics of Tower Hamlets Businesses.

<p>Cabinet</p> <p>3 September 2014</p>	
<p>Report of: Stephen Halsey, Head of Paid Services and Corporate Director Communities, Localities and Culture</p>	<p>Classification: Unrestricted</p>
<p>Extension of Substance Misuse Strategy</p>	

Lead Member	Councillor Ohid Ahmed, Cabinet Member for Community Safety
Originating Officer(s)	Andy Bamber, Rachael Sadegh
Wards affected	All wards
Community Plan Theme	Safe and Cohesive, Healthy and Supportive
Key Decision?	Yes

Executive Summary

- 1.1. On 8 December 2010 the government launched its new drug strategy, 'Reducing demand, restricting supply, building recovery: supporting people to live a drug-free life'. The strategy places emphasis on providing a more holistic approach to recovery, aims to reduce demand, takes an uncompromising approach to crack down on those involved in drugs supply, and puts power and accountability in the hands of local communities to tackle drugs and the harm they cause.
- 1.2. In 2012, Full Council adopted a local Substance Misuse Strategy for 2012-15 with 3 core work streams or 'pillars'. These are; prevention and behaviour change, treatment, enforcement and regulation.
- 1.3. The Council has an obligation under section 6 of the Crime and Disorder Act 1998 to formulate and implement strategies in conjunction with other specified responsible authorities for combating the misuse of drugs, alcohol and other substances. The substance misuse strategy contributes towards the Crime and Disorder Reduction Strategy in Tower Hamlets (the Community Safety Plan).
- 1.4. As a major re-procurement of drug / alcohol treatment services is currently underway, the outcome of which will drive changes to the way in which related services are delivered, the DAAT Board and the Community Safety Partnership have agreed a proposal (subject to Cabinet agreement) to extend the current strategy by a year. This will avoid the premature adoption of a revised strategy that would immediately have to be revisited. The current strategy would be extended to March 2016 and a new three year strategy from 2016-2019 would be developed during the course of 2015/16.

- 1.5. The Substance Misuse Strategy is closely linked to the Community Safety Plan and the Health and Wellbeing Strategy, both of which expire in March 2016. It is therefore logical that the term of the Substance Misuse Strategy be aligned to match the terms of these strategies to facilitate a more comprehensive and co-ordinated response to substance misuse.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Endorse an extension of the current substance misuse strategy by one year to the end of March 2016.
2. Agree that the proposed extension may be presented to Full Council for agreement.

1. REASONS FOR THE DECISIONS

- 1.1 The current Substance Misuse Strategy is due to end in March 2015.
- 1.2 A major reprocurement of drug / alcohol treatment services is currently underway and will facilitate significant change in treatment services across the borough. The new treatment system will not be in place until Q1 2015/16 and should feature in an updated strategy.
- 1.3 The Health and Wellbeing Strategy and the Community Safety Plan both currently run until March 2016 and it would be beneficial to co-ordinate the development of a new Substance Misuse Strategy with the update of these strategies / plans.

2. ALTERNATIVE OPTIONS

- 2.1 An agreement to extend the strategy for a year with a refreshed action plan for 2015/16 to be agreed by DAAT Board.
- 2.2 A new strategy could be developed to start in April 2015 though this is unlikely to be developed and adopted by Council in time for an April start. Due to the significant changes planned for the treatment system over the next year, this strategy would quickly become out of date and would not be congruent with a new Health and Wellbeing Strategy or Community Safety Plan.
- 2.3 The current strategy could be allowed to lapse without a new strategy in place. This would put the Council at risk due to its obligation under section 6 of the Crime and Disorder Act 1998 to formulate and implement strategies in conjunction with other specified responsible authorities for combating the

misuse of drugs, alcohol and other substances.

3. DETAILS OF REPORT

- 3.1 The Council has an obligation under section 6 of the Crime and Disorder Act 1998 to formulate and implement strategies in conjunction with other specified responsible authorities for combating the misuse of drugs, alcohol and other substances. The substance misuse strategy contributes towards the Crime and Disorder Reduction Strategy in Tower Hamlets (the Community Safety Plan).
- 3.2 The Substance Misuse Strategy 2012-15 is the first combined drug and alcohol strategy for Tower Hamlets. It is a 3 year partnership strategy and was developed in conjunction with all partners and other significant stakeholders. The strategy is divided into 3 'pillars': Prevention and behaviour change, treatment, enforcement and regulation.
- 3.3 Prevention and behaviour change commitments within the Strategy include: information, promotion and prevention activities, multi-agency communications plan, expansion of screening for alcohol problems, access to good quality education in schools.
- 3.4 Treatment commitments within the Strategy include improving access to and effectiveness of treatment, redesigning the drug / alcohol treatment system to improve outcomes and localise services, targeted outreach for difficult to engage drinkers and drug users, improving our response to parental substance misuse, embedding a recovery focus within treatment services.
- 3.5 Enforcement and regulation commitments within the strategy include actions to enforce law relating to alcohol and drugs and reduce associated antisocial behaviour and crime, implementation and enforcement of borough wide alcohol control zone, under age sales test purchases, operations to uncover illicit alcohol, dealer-a-day initiative, joint tasking approach to drug / alcohol related crime and ASB.
- 3.6 An action plan to accompany the Substance Misuse Strategy was developed and is provided in Appendix 1. The policy approach and priorities established by this strategy are still considered to be highly relevant to the effective tackling of drug and alcohol abuse in the Borough. The DAAT Board and the Community Safety Partnership have, therefore, agreed a proposal (subject to Cabinet agreement) to extend the current strategy by a year. The current strategy would be extended to March 2016 and a new three year strategy from 2016-2019 would be developed during the course of 2015/16.

Rationale for extension

- 3.7 The DAAT is currently in the process of re-procuring the entire drug / alcohol treatment system. This is already listed as an objective within the current strategy and links to many other objectives, particularly within the treatment and behaviour change and prevention pillars. A new strategy developed after this procurement has taken place would better be able to reflect the most up to date position and be utilised to embed the ongoing objectives for treatment services.
- 3.8 The Substance Misuse Strategy contributes towards the Crime and Disorder Reduction Strategy in Tower Hamlets (the Community Safety Plan). The current Community Safety Plan runs until March 2016 and it would be beneficial to develop a new substance misuse strategy in conjunction with the development of a new Community Safety Plan.
- 3.9 The LBTH Health and Wellbeing Strategy expires in 2016 and the Joint Strategic Needs Assessment is soon to be refreshed. It would be beneficial to develop a new Substance Misuse Strategy along the same timescale as these to ensure delivery of consistent messages.
- 3.10 An extension to the current strategy would also enable findings from the Community Alcohol Partnership to be incorporated into a new strategy and would ensure the relationships with, and objectives of, the newly structured Probation Service were embedded prior to strategy development.
- 3.11 Capacity within the DAAT is currently limited and it would not be possible to undertake development of a new strategy at the same time as undertaking the reprocurement process within current staffing levels.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. There are no specific financial implications emanating from this report which seeks an extension to the current Substance Misuse Strategy by a year to March 2016.

5. LEGALCOMMENTS

- 5.1. The Council has an obligation under section 6 of the Crime and Disorder Act 1998 to formulate and implement strategies in conjunction with other specified responsible authorities for –
- Reduction of crime and disorder
 - Combating the misuse of drugs, alcohol and other substances
 - Reduction of re-offending.

- 5.2. The Substance Misuse Strategy, which was adopted by Full Council in January 2012, is intended to fulfil the Council's obligation in relation to these two of the areas specified in paragraph 5.1. The Strategy may also be considered to be consistent with a number of the Council's other statutory functions, as outlined in more detail in the report to Full Council of 25 January 2012.
- 5.3. Pursuant to section 17 of the Crime and Disorder Act 1998, the Council is required, before adopting the strategy to have due regard to the likely effect of the strategy on, and the need to do all that it reasonably can to prevent, crime and disorder, misuse of drugs and alcohol and re-offending in Tower Hamlets. There is information in the report relevant to this consideration.
- 5.4. Before adopting the strategy, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The report indicates that the equality analysis carried out prior to adoption in 2012 of the existing strategy continues to apply.
- 5.5. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the Functions Regulations") specify that the making of crime and disorder reduction strategies within the meaning of sections 5 and 6 of the Crime and Disorder Act 1998 is a function which is not to be the sole responsibility of the Council's executive. This requirement is reflected in the Council's Constitution, which includes a crime and disorder reduction strategy in Article 4 of the budget and policy framework.
- 5.6. Regulation 4 specifies actions which shall not be the responsibility of the executive and these include the following –
- The amendment of any draft plan or strategy submitted by the executive for the authority's consideration.
 - The adoption (with or without modification) of the plan or strategy.
- 5.7. As it is proposed that the existing Substance Misuse Strategy be adopted for a further year, this is a decision which will need to be taken by Full Council.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Equalities and diversity implications were considered fully during the development of the original strategy and an extension would represent no change to these implications. A full Equalities Impact assessment will be undertaken in conjunction with development of a new strategy.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The extension of this strategy does not have any greener environment impacts.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. A lapse in the life of an LBTH Substance Misuse Strategy would put the Council at risk due to its obligation under section 6 of the Crime and Disorder Act 1998 to formulate and implement strategies in conjunction with other specified responsible authorities for combating the misuse of drugs, alcohol and other substances. A new strategy is unlikely to be developed and adopted by April 2015.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 The Substance Misuse Strategy contributes towards the Crime and Disorder Reduction Strategy in Tower Hamlets (the Community Safety Plan).

10. EFFICIENCY STATEMENT

- 10.1 An extension to the strategy would not alter proposed expenditure or service delivery.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Substance Misuse Strategy Action Plan Update
- Equality Analysis Quality Assurance Checklist
- Tower Hamlets Substance Misuse Strategy 2012-2015

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

- None

Officer contact details for documents:

- Rachael Sadegh ext 0395, Rachael.sadegh@towerhamlets.gov.uk

Appendix 1: Substance Misuse Strategy Action Plan

Revision history

1. Initial draft produced by Rachael Sadegh
2. Proposed amendments made at 1st Strategy action plan steering group (22/11/11)
3. Proposed amendments made at 2nd Strategy action plan steering group (15/12/11)
4. Amendments made by RS / BA for strategy steering group(14/05/12)
5. Amendments made at 3rd Strategy action plan steering group (14/05/12)
6. Amendments made following comments from DAAT Board (28/05/12)

Prevention and Behaviour Change						
	Owner	Action	Deadline	Key Performance Indicator	Milestone	Progress Update
PB C1	Public Health, Safer Communities, LBTH, Children, schools and Families Directorate, LBTH	Develop a multi-agency communications plan for service users (adults, young people) and professionals with a focus on: <ul style="list-style-type: none"> - harm reduction and safe drinking levels, targeting communities with high levels of alcohol related harm - drug related harm and treatment services available - Supporting parents to address drug and alcohol misuse with their children. 	December 2012	<ul style="list-style-type: none"> • Communications plan developed and agreed by partners including LBTH, NHS, ELFT, MPS, Probation. • Heightened awareness of services and referral pathways along continuum of need. • Increased referral rates from a wide range of front line services. 	<ul style="list-style-type: none"> • Communications plan to be presented to / agreed at November DAAT Board. • Communications activity to commence in January 2013. 	<ul style="list-style-type: none"> • Communications plan agreed and activity in progress

Prevention and Behaviour Change						
	Owner	Action	Deadline	Key Performance Indicator	Milestone	Progress Update
PB C2	Children , Schools & Families Director atelBTH	<p>Ensure that school staff, pupils and parents receive substance misuse education via:</p> <ul style="list-style-type: none"> • Tailored support provided to schools across the borough as part of their Healthy Schools work including support to develop and deliver evidence based curricula, lesson plans, resources and policies. • Central training for teachers in drugs and alcohol education, delivery of targeted advice/support and management of high risk children and young people • Delivery of parent information sessions regarding drugs and alcohol; harm reduction, advice for their children and how to access services • Delivery of drugs / alcohol education training to youth centre staff to strengthen their ability to identify, support and refer children and young people identified as experiencing problems relating to substance misuse • Develop scheme of work for teachers around drugs and alcohol • Implement an alcohol peer led project to train year 9 pupils to educate their peers and local primary school pupils. 	Ongoing	<ul style="list-style-type: none"> • Uptake of teachers' training in delivery of substance misuse lessons • Information regarding treatment and access to services along continuum of need available to pupils, teachers and parents • School adherence to NICE guidance on school based interventions on drugs / alcohol • Increased referrals into young people's treatment services. • 88% of schools achieving healthy schools status or renewing 	<ul style="list-style-type: none"> • 9 schools to have attended central training by Jul12. • 12 sessions for parents to be delivered by Jul 12. • 18 youth centre staff to be trained by Jul 12. • 20 primary schools to have engaged with the alcohol peer led project by Jul 12. • School based drug / alcohol INSETs to be delivered by Jul 12 in 10 primary schools and 2 secondary schools. • 4 peer educator training sessions to be delivered in secondary schools and 20 in primary schools by Jul 12. 	<ul style="list-style-type: none"> • Training delivered and further programmes scheduled

Prevention and Behaviour Change							
	Owner	Action	Deadline	Key Performance Indicator	Milestone	Progress Update	
PB C3	Public Health / Safer Communities (LBTH)	<p>Understand local trends in alcohol/ drug consumption to inform target work by undertaking the following activities and incorporating into the needs assessment process:</p> <ul style="list-style-type: none"> • A repeat of the Healthy Lifestyles Survey to include population level patterns of alcohol consumption and sexual health and drugs questions. • Annual analysis of GP drugs / alcohol NIS data. • Utilisation of available Criminal Justice System data sets to inform understanding of local trends in alcohol/drug consumption. • Utilisation of treatment data collected across all equality strands to inform targeted provision • Analysis of available datasets including hospital admissions, drug / alcohol related deaths, accident and emergency presentations and outreach data to inform needs analysis 	<p>December 2012</p> <p>September annually</p>	Annual needs assessment reports / updates produced which further develop knowledge of drug / alcohol consumption trends in Tower Hamlets.	<ul style="list-style-type: none"> • Develop specification for new survey and systems – March 2012 for procurement in 12/13. • Agree CEG data collection – June 2012. • Annual Needs Assessment / JSNA fact sheet update produced by December annually. 	<ul style="list-style-type: none"> • Annual needs assessments delivered using all available data • CEG data collected quarterly • Healthy lifestyles survey on hold 	

Prevention and Behaviour Change						
	Owner	Action	Deadline	Key Performance Indicator	Milestone	Progress Update
PB C4	Public Health / Safer Communities (LBTH)	Strengthen the inclusion of substance misuse in the revised Health and Well Being strategy and ensure inclusion in other relevant strategies including; <ul style="list-style-type: none"> - tobacco control - cardiovascular disease - sexual health - mental health - teenage pregnancy - housing - integrated offender management - licensing 	Ongoing	<ul style="list-style-type: none"> • Substance misuse integrated in cross-cutting strategies of relevance. 	<ul style="list-style-type: none"> • Collate a calendar of refresh dates for relevant strategies. • Approach strategic leads to discuss strengthening substance misuse in each strategy. 	<ul style="list-style-type: none"> • Substance misuse included in Health and Wellbeing Strategy – strategy expires in 2016 • Substance misuse incorporated in sexual health procurement exercise • Tobacco control training to be delivered in treatment agencies
PB C5	Public Health	Undertake a review of prevention initiatives.	March 2013	<ul style="list-style-type: none"> • Comprehensive mapping of prevention initiatives produced, including referral and threshold criteria for initiatives. • Childrens and Adults to be included in scope. 	<ul style="list-style-type: none"> • Mapping event for children’s services – Sep 12 • Mapping event for adults services - Nov 12 • Report findings and recommendations to JCG – Feb 13 	<ul style="list-style-type: none"> • Mapping events held and evaluated • Prevention initiatives included in current re-procurement project
PB C6	Public Health	Pilot the Behaviour Change toolkit to substance misuse service providers to enhance their ability to develop and market their services to key target groups.	December	<ul style="list-style-type: none"> • Attendance by treatment services and other agencies to behaviour change toolkit training sessions • Numbers in attendance for training 	<ul style="list-style-type: none"> • Programme scheduled and services invited • Two pilot sessions to be delivered between September and December with identified agencies 	<ul style="list-style-type: none"> • Training delivered

Prevention and Behaviour Change						
	Owner	Action	Deadline	Key Performance Indicator	Milestone	Progress Update
PB C7	Children , Schools & Families Director ateLBT H	Implement earlier intervention for individuals in the youth justice system.	June 2012	<ul style="list-style-type: none"> 100% of individuals screened 	<ul style="list-style-type: none"> Implement new screening process Report ongoing performance into Young People's Network Group 	<ul style="list-style-type: none"> Processes implemented and reported

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T1	TH Drug and Alcohol Action Team	Review provision and configuration of drug / alcohol treatment for adults <ul style="list-style-type: none"> - redesign treatment provision - facilitate widespread consultation - conduct equalities impact assessment. 	April 2015	<ul style="list-style-type: none"> • Development of new model of drug / alcohol service provision • Improved referral rates • Improved treatment outcomes. • Reduced spend per successful exit 	<ul style="list-style-type: none"> • Review of existing evidence/data and analysis • Consultation with stakeholders on redesign options • Skeleton delivery model to be developed and agreed • Consultation with stakeholders on final model • Procurement of new treatment system 	<ul style="list-style-type: none"> • Reprourement programme suspended in February 2012. New re-procurement programme currently in progress
T2	NHS North East London and the City	Strengthen primary care responses to substance misuse <ul style="list-style-type: none"> - Evaluation of Network Improved Services in primary care - Provision of ongoing training to primary care providers in SBI and community detoxification 	March 2013	<ul style="list-style-type: none"> • Increased no. of alcohol screens • Increased referrals into structured drug / alcohol treatment. 	<ul style="list-style-type: none"> • Evaluation of NIS to be completed by December 2012. • Report and recommendations to JCG – Feb 13 	<ul style="list-style-type: none"> • New NIS to be incorporated within re-procurement project

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T3	TH Drug Interventions Programme	Ensure the universal offer of alcohol screening is undertaken in custody suites with referrals into treatment services.	May 2012	<ul style="list-style-type: none"> • Increased number and percentage of people referred • Increased number and percentage of people attended • Increased number and percentage of people screened 	<ul style="list-style-type: none"> • Quarterly report to DAAT board/IOM board. 	<ul style="list-style-type: none"> • Alcohol screening implemented
T4	Police / Public Health	Implement targeted interventions for drug using offenders via: <ul style="list-style-type: none"> • The implementation of a universal offer of drugs screening and referral to services in custody. • Scoping the value of widening out screening from class A drugs 	May 2012	<ul style="list-style-type: none"> • No and percentage of people screened • No and percentage of people referred • No and percentage of people attended 	<ul style="list-style-type: none"> • Quarterly performance report to DAAT Board / IOM board. • Screening report to be presented to November DAAT Board? 	<ul style="list-style-type: none"> • New screening / testing protocols introduced for offenders

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T5	TH Drug Interventions Programme	Evaluate the impact of proposed changes to mandatory drugs testing for trigger offences on referral into treatment system.	November 2012	<ul style="list-style-type: none"> Cost benefit analysis of accessing people naïve to treatment using mandatory versus intelligence led testing 	<ul style="list-style-type: none"> Report presented to November DAAT Board 	<ul style="list-style-type: none"> Initial report completed, further evaluation required

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T6	Public Health / TH Drug and Alcohol Action Team	Improve the identification of, and response to, individuals with an alcohol problem when presenting to secondary care services including A&E.	March 2013	<ul style="list-style-type: none"> Alcohol champions in place within the Royal London Hospital Acute Trust alcohol strategy in place with buy in from range of stakeholders Improved number of screens and brief interventions delivered. All wards and departments have access to and implement guidance and policy on the appropriate and effective management of alcohol dependent patients and of management of withdrawal from alcohol among these. 	<ul style="list-style-type: none"> Evaluate the work of the alcohol nurse specialists in identification and delivery of brief interventions throughout the acute hospital Trust. Report to the Adult Substance Misuse Joint Commissioning Group the evaluation findings. Agree new service level agreement Performance manage the service quarterly to ensure full implementation of recommendations 	<ul style="list-style-type: none"> Evaluation complete Service to be reconsidered within re-procurement programme

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T7	TH Drug and Alcohol Action Team	<p>Ensure identification and brief advice interventions (IBAs) are routinely offered to adult clients across a range of frontline services including:</p> <ul style="list-style-type: none"> - hostels - social services - sexual health services - patients with long term conditions - patients in mental health services <p>Plan and deliver a course of training sessions to frontline professionals and implement reporting systems (interventions offered, accepted and outcomes) to capture data across 9 equality strands.</p>	October 2012- March 2013	<ul style="list-style-type: none"> • Increased number of IBAs • Improved uptake of treatment services • Provision of IBAs written into service specifications of providers. 	<ul style="list-style-type: none"> • Seek agreement with service leads for widescale approach. • Training schedule planned. • Quarterly reporting of training sessions delivered. 	<ul style="list-style-type: none"> • Training sessions delivered • Widespread screening requires further implementation

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T8	CF&S	Implement a new model of service provision for young people's intervention and treatment, including transition of tier 2 interventions from treatment services and the Youth Offending Team to the Youth Service Targetted Support Team.	October 2012	<ul style="list-style-type: none"> • Development of new model of service provision • Improved referrals into young people's treatment services. • Improved treatment outcomes. • Reduction in the number of young people reoffending as a consequence of drug / alcohol misuse. • Reduction in asset scores of young people engaged via the Youth Offending Team. 	<ul style="list-style-type: none"> • Issue new contracts and partnership agreements – June 12. • Update assessment tool – April 12. • Update and publicise referral pathways – June 12. • Implement treatment outcomes framework – October 12. 	<ul style="list-style-type: none"> • New Young Peoples service commissioned

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T9	TH Drug and Alcohol Action Team	Ensure the needs of young adults with drug / alcohol problems are addressed within the treatment system by: <ul style="list-style-type: none"> • Implementing targeted interventions for this age group • Ensuring adult treatment providers offer an appropriate approach for this age group 	June 2013	<ul style="list-style-type: none"> • Increased referrals of 18-24 year olds into treatment • Increased numbers engaging in treatment 	<ul style="list-style-type: none"> • Commission a targeted intervention for this group – April 2012 • Evaluate the targeted intervention service and incorporate recommendations into core services. 	<ul style="list-style-type: none"> • Project undertaken to engage 18-24 year olds. • 18-24s targeted within re-procurement exercise

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T10	Probation	<p>Improve offenders' (including young offenders') access to alcohol treatment via:</p> <ul style="list-style-type: none"> Targeted drug / alcohol interventions for Youth Offending Team (YOT) clients where alcohol is a feature of offending behavior A review of voluntary access of probation clients into treatment services. Training for probation workers to offer screening and brief interventions. Implementation of pathways for probation clients into alcohol treatment services 	March 2013	<ul style="list-style-type: none"> Demonstrable greater enforcement of Alcohol Treatment Requirement Orders Increased uptake of drug and alcohol treatment services by offenders 	<ul style="list-style-type: none"> Training delivered to Probation workers – March 2012 Pathways confirmed between Probation and TH Community Alcohol Team – April 2012 Quarterly reporting of data Evaluation of performance within annual needs assessment 	<ul style="list-style-type: none"> Extensive training delivered to Probation services Pathways to treatment confirmed Data collated and included within needs assessment Changes to Probation services as a result of Transforming Rehabilitation will necessitate further training once teams embedded Probation pathways into treatment to be reconsidered within re-procurement programme

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T11	TH Drug and Alcohol Action Team	<p>Improve response to parental substance misuse</p> <ul style="list-style-type: none"> - Launch treatment service and social services handbooks for parental substance misuse - Monitor referrals between services - Implement CAF across treatment services - Deliver an annual drug awareness training programme for key frontline staff including:- social services, Police etc. - Ensure needs of families are addressed in individual care plans 	<p>July 2012</p> <p>Quarterly</p> <p>Start June 2012</p> <p>Annual programme starting January 2012</p>	<ul style="list-style-type: none"> • Increased use of CAF by treatment services • Increased referrals between social services and treatment services • Earlier intervention in parental substance misuse • Involvement of families in treatment plans. • Improved uptake of family interventions 	<ul style="list-style-type: none"> • Agree final version of handbooks – July 2012 • Commence eCAF training for treatment services – June 2012 	<ul style="list-style-type: none"> • Handbooks agreed and disseminated • eCAF training delivered to some agencies – further training required

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T12	Children, Schools & Families Directorate, LBTH & Public Health	Improve follow up response for young people presenting to A&E with substance misuse presentations	August 2012	<ul style="list-style-type: none"> Increased referrals into structured treatment. Reduction in the number of young people presenting to A&E with alcohol and substance misuse presentations. 	<ul style="list-style-type: none"> Liaise with A&E leads within the Royal London Hospital to establish consistent referral processes. Update and reinforce referral pathways and protocols from A&E to treatment services. 	<ul style="list-style-type: none"> Further work required
T13	DAAT Board	Appoint therapeutic, strategic and community recovery champions to support and drive recovery across the borough.	August 2013	<ul style="list-style-type: none"> Respected and active champions in place. Clear remits established for champions 	<ul style="list-style-type: none"> Agree remit / role description for champions Agree network of champions across the borough Implement robust communication / feedback activities to maximise impact of champions. 	<ul style="list-style-type: none"> Recovery champions still to be established

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T14	TH Drug and Alcohol Action Team	<p>Support drug /alcohol users to access wrap around services</p> <ul style="list-style-type: none"> • Ensure pathways to education / employment are included in the redesigned treatment system • Maximise links with Jobcentre Plus, work programme providers, Ideas Store Learning and other providers to develop support programmes for drug / alcohol users • Inform the hostels strategy and the procurement of hostel services to ensure the needs of drug / alcohol users are reflected with regards to accommodation needs. 	October 2012	<ul style="list-style-type: none"> • Advice and support given to all service users regarding access to education, employment, training, housing, finance and health including BBV, sexual health and primary care – where appropriate • Improved uptake of education / employment / volunteering opportunities by drug / alcohol users in treatment • Improved accommodation outcomes for drug / alcohol users in treatment. 	<ul style="list-style-type: none"> • Support structures to be written into specifications for re-commissioning of treatment services including outcome measures. • Quarterly reporting of education / employment outcomes • Agree joint working and information sharing protocols with borough work programme providers – Sep 12 	<ul style="list-style-type: none"> • Currently reporting employment outcomes and working with new work programme providers • Support services addressed strongly within re-procurement programme

Treatment						
	Owner	Action	Deadline	Key performance indicator	Milestones	
T15	TH Drug and Alcohol Action Team	<p>Improve the recovery focus within all treatment services to enable recovering drug / alcohol users to re-integrate into their communities:</p> <ul style="list-style-type: none"> • Ensure recovery outcomes integrated into commissioning process via service level agreements and performance management processes. • Implement the outcome star model across all treatment services and produce recommendations for future commissioning. • Develop structured pathways from treatment services to services that offer support around accommodation, financial health, education and employment. 	March 2013	<ul style="list-style-type: none"> • Improved percentage of planned (drug free) exits from treatment. • Improved, measurable outcomes from treatment services relating to: <ul style="list-style-type: none"> • Outcome star performance • Treatment representations • Employment outcomes • Accommodation outcomes • Criminal behaviour outcomes • Drug taking behaviour • Injecting behaviour • . 	<ul style="list-style-type: none"> • Implement outcome star training for all treatment providers – January 2012 • Commence outcome star measurements within core care planning procedures within treatment services – April 2012 • Evaluate outcome star data and produce a report for JCG recommending future targets and contractual changes – February 2013 • Develop and agree workplan for the aftercare working group – August 2012 	<ul style="list-style-type: none"> • Outcome star implemented across all providers and data collated quarterly

Enforcement and Regulation						
	Owner	Action	Deadline	Key performance indicator	Milestones	Progress Update
ER 1	Trading Standards, LBTH	Combat sales to underage drinkers including proxy sales - Underage operations are supported by information / education about licensee responsibilities followed by publicity about prosecutions - Provide advice and training for traders on legal obligations	Ongoing	<ul style="list-style-type: none"> Minimum of 2 targeted under-age sales operations per quarter by the police and trading standards teams 		<ul style="list-style-type: none"> Quarterly operations in place and ongoing
ER 2	Trading Standards, LBTH	Combat sales of counterfeit products at a retail level	March 2013	<ul style="list-style-type: none"> Information provided to traders regarding counterfeit alcohol products Conduct 4 partnership operations annually to uncover illicit alcohol with customs and excise, police and trading standards teams 		<ul style="list-style-type: none"> Annual operations in place and ongoing
ER 3	Safer Communities, LBTH	Produce regular hotspot analysis of key data (crime, drugs, alcohol, youth asb etc) to deliver targeted operations	Quarterly	<ul style="list-style-type: none"> Quarterly analysis reports available Inclusion within annual needs assessment report considered at 		<ul style="list-style-type: none"> Data collated and included in needs assessment

				November DAAT Board		
ER 4	Safer Communities, LBTH	Work closely with police to prevent/address crime and disorder in and around licensed premises	Ongoing	<ul style="list-style-type: none"> Fortnightly joint tasking meetings with police Proactive use of information/intelligence including from victims 		<ul style="list-style-type: none"> Joint tasking meetings in place
ER 5	Safer Communities, LBTH	Effective communication of successful operations via promotion of positive stories in East End Life and via other channels	Ongoing	<ul style="list-style-type: none"> Improved perceptions of drug / alcohol related anti-social behaviour and crime amongst residents 		<ul style="list-style-type: none"> Ongoing promotion of positive stories
ER 6	Safer Communities, LBTH	Improve coordination of young people's and adults outreach with anti-social behavior hotspots	Ongoing	<ul style="list-style-type: none"> Reduce antisocial behaviour by using joint tasking approach across full range of regulatory and enforcement powers 104 outreach referrals into structured treatment annually 		<ul style="list-style-type: none"> Joint tasking meetings in place and attended by outreach team
ER 7	Police	Disrupt the supply of drugs through effective enforcement	Ongoing	<ul style="list-style-type: none"> Minimum of 365 arrests annually for drug dealing offences 	<ul style="list-style-type: none"> Quarterly reports to DAAT Board 	<ul style="list-style-type: none"> Dealer a day programme remains in place and achieving annual targets
ER 8	Police	Ensure drug misusing offenders receive a holistic support package aimed at stopping offending and drug dependence.	March 2013	<ul style="list-style-type: none"> Implementation of a results-focussed Integrated Offender Management programme Reduced re-offending rates amongst drug users 	<ul style="list-style-type: none"> IOM milestones to be added 	<ul style="list-style-type: none"> IOM process in place with police lead
ER 9	DAAT	Support community groups to provide an		<ul style="list-style-type: none"> Improved perceptions of drug / alcohol 	<ul style="list-style-type: none"> Quarterly meetings with CADAA 	<ul style="list-style-type: none"> CADAA now dissolved but community ward forums attended

		<p>impetus for sustained, co-ordinated action aimed at reducing drug related crime</p> <ul style="list-style-type: none"> - Continue to meet with CADAA and provide support for their annual event - Appoint a communities recovery champion to support and drive the recovery agenda across the borough 	<p>Ongoing</p> <p>October 2012</p>	<p>related anti-social behaviour and crime amongst residents</p> <ul style="list-style-type: none"> • Proactive champion in place 	<ul style="list-style-type: none"> • Appointment of communities recovery champion(s) by October 2012 	<p>and drug / alcohol concerns followed up</p> <ul style="list-style-type: none"> • Community events supported by DAAT • Recovery champions yet to be established
ER 10	<p>Safer Communities, LBTH</p>	<p>Utilise powers available within the remit of the borough wide alcohol control zone to control alcohol related anti-social behaviour and crime</p> <ul style="list-style-type: none"> - Target problem areas via joint tasking approach 	<p>Ongoing</p>	<ul style="list-style-type: none"> • Improved perceptions of drug / alcohol related anti-social behaviour and crime amongst residents 	<ul style="list-style-type: none"> • Regular joint tasking meetings • Review of alcohol control zone 	<ul style="list-style-type: none"> • Joint tasking meetings in place

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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)	Extension of Substance Misuse Strategy 2012-15
Directorate / Service	CLC / DAAT
Lead Officer	Rachael Sadegh, DAAT Coordinator
Signed Off By (inc date)	Andy Bamber, Service Head, Safer Communities
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: #008000; margin-right: 10px;"></div> <div> <p>Proceed with implementation</p> <p>As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> </div> </div>

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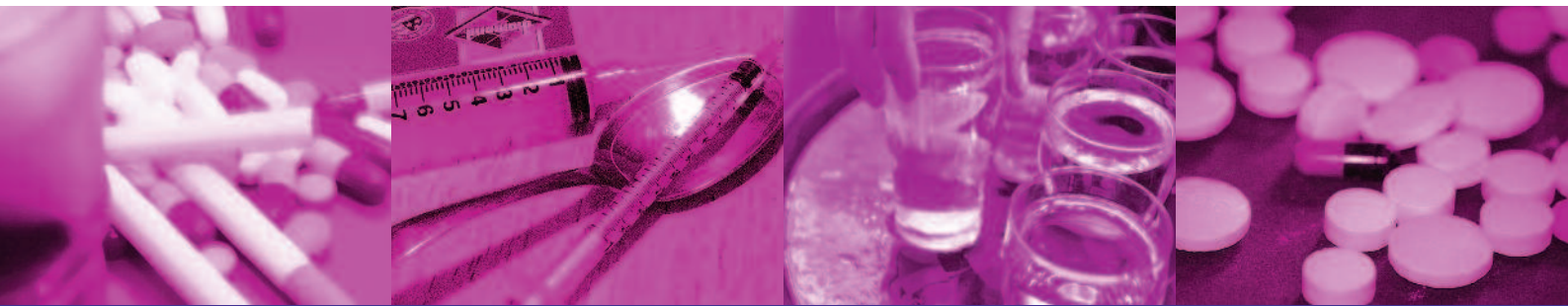
Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	Current strategy to be extended for 1 year to the end of March 2016, which will enable the service to reflect the

			results of the currently re-procured drug/alcohol treatment system and to incorporate findings from the Community Alcohol Partnership in a new substance misuse strategy. The service users and residents will continue having benefit from the services identified by the current strategy. A new substance misuse strategy will be developed in 2015-16.
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	Impact assessed prior to strategy implementation. The service users and residents will continue to have benefit from the current strategy and services. Impact of a new strategy will be assessed during the development process of the new strategy.
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	Data regarding the impact of the strategy and services have been collected and monitored by the Community Safety Partnership and Drug and Alcohol Action Team (DAAT) Board
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	There is a wealth of data that have informed the current services and will be used prior to developing a new strategy
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	Stakeholders and residents were involved in the consultation prior to implementation of the current strategy. Also, the DAAT board and others help analyse the data in meetings.
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	Stakeholders and residents were involved in the consultation prior to implementation of the current strategy and there will be further consultation during development of a new strategy.
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	There is a significant amount of data available on the protected characteristics that have been monitored by various boards. The data will also be used in the development of a new strategy.
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 impact of actions stemmed from the current strategy has been monitored and the service have clear understanding of the impact of the current strategy on different groups. Additional consultation with distinct population groups will be undertaken during the development of the new strategy.

4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	Yes	An action plan to accompany the Substance Misuse Strategy was developed and is provided in Appendix 1.
b	Have alternative options been explored	Yes	A new strategy could be developed to start in April 2015 though this is unlikely to be developed and adopted by Council in time for an April start. Due to the significant changes planned for the treatment system over the next year, this strategy would quickly become out of date and would not be congruent with a new Health and Wellbeing Strategy or Community Safety Plan.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	The current strategy action plan is monitored by the DAAT Board and there will be a consultation plan and equalities assessment developed as part of the new strategy development.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	We currently collate data across a number of treatment, criminal justice and public health services which will be used to inform development of the new strategy
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	The service users and residents will continue to have the services that are currently available. The impact of the services will also continue to be monitored by various boards.

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TOWER HAMLETS SUBSTANCE MISUSE STRATEGY 2012-2015



SUMMARY



FOREWORD

The harms caused by alcohol or drug misuse extend far beyond the individual into families, friends, communities and neighbourhoods, harming health, limiting opportunities and causing significant crime and anti-social behaviour. Whether it is an individual struggling with addiction, a family experiencing the gradual loss of a loved one or communities being blighted by crime to feed drugs habits, we cannot, and will not, ignore the widespread harms.

The most effective way for us to address the harms of alcohol and drug misuse is through working together in partnership work across the Council, NHS, Police, Fire Service, Probation, voluntary and community and sector. Our partnership work will focus on the three pillars of prevention/ behaviour change, treatment and enforcement/ regulation. We are committed to working together to bring the fullest range of interventions to tackle these problems and encourage all sections of our community to seek effective treatment from both Primary Care and specialist providers.

The costs of excessive alcohol consumption and use of illegal substances are borne not only by individuals, their families and friends but broadly across all of the public sector and the economy as a whole. We will continue to help people to make positive choices not to abuse alcohol or drugs, to seek and engage in treatment and ensure that people do not see Tower Hamlets as a place to sell illegal drugs.

As with many areas of the Partnership, Tower Hamlets is already recognised as a leader in addressing the harms of drugs and alcohol through both enforcement and effective treatment. Working together we commit ourselves to address the underlying causes of alcohol and substance misuse. We will continue to both lead and innovate whilst recognising that the current financial situation means we have to, more than ever, ensure all investments provide the most cost effective ways of pursuing our collective aims of preventing alcohol or drugs misuse, encouraging effective treatment and protecting our communities from crime.

Lutfur Rahman,
Mayor of Tower Hamlets

Cllr Ohid Ahmed,
Deputy Mayor of Tower Hamlets

Dr. Somen Banerjee,
Joint Director of Public Health, NHS
North East London and the City

Chief Superintendent David Stringer,
Tower Hamlets Borough Commander,
Metropolitan Police Service

Gary Atherton,
Assistant Chief Officer , London
Probation Trust

INTRODUCTION

1

1.1 This strategy summary outlines Tower Hamlets Partnership's approach to tackling the problems associated with drugs and alcohol misuse in the borough. It presents the key actions the Partnership intends to take from 2012-2015, as detailed in the full Substance Misuse Strategy technical document, which is published alongside this strategy summary, and which combined should be read and considered as our one Strategy for drugs and alcohol

1.2 In Tower Hamlets, we have over recent years made considerable progress in reducing the harm caused by drug and alcohol misuse. The London Borough of Tower Hamlets and NHS East London & The City, alongside treatment providers, the Metropolitan Police, and London Probation,

have together worked hard to ensure that we support people to make healthy lifestyle choices, provide high quality treatment and support when needed, and tackle the antisocial behaviour and crime associated with drugs and alcohol

1.3 The Health and Wellbeing Board provides an excellent opportunity to strengthen the Partnership's joined up approach in addressing the wide ranging individual and societal harms caused by drug and alcohol misuse

1.4 The Partnership is keen to build on its progress to date, to further improve our approach to tackling the harm associated with drug and alcohol misuse in the borough, and intends to do so through this strategy

Some successes to date

During 2010/11, there were 1,630 drug users in effective treatment in Tower Hamlets, significantly in excess of our target, and the highest in London, and our treatment services are accessed by people from Black & Minority Ethnic communities at a higher rate than other similar areas.

During 2010/11, there were 409 arrests of dealers of Class A and Class B drugs in the borough, taking the total number of arrests above our target of 365 per year in the dealer a day programme.

We have successfully attracted and secured funding to commission three elements to our local alcohol treatment system; a primary care enhanced service, delivery of an acute hospital Trust screening and brief interventions service and the community alcohol team providing health promotion, assessment, community detoxification, referral to residential treatment and management of complex patients.

Protecting children and young people affected by parental substance misuse remains a local priority. We continue to strengthen the strategic response across the full range of services to target effectively the problems that families face.



WHAT WE KNOW ABOUT LOCAL DRUG AND ALCOHOL ISSUES

2

2.1 In preparing this strategy, we have researched information available regarding the nature and scale of drug and alcohol misuse in the borough, and the effects on individuals and the local community. Some of the key facts we have established as part of our research, and which have underlined our need for a new strategy, are detailed below

Key local facts: alcohol

- Although the average rate of alcohol consumption across Tower Hamlets is relatively low, due to a large proportion of the population who do not drink, 43% of people who do drink have harmful or hazardous drinking patterns
- Despite the large proportion of the population who do not drink, we have higher than the London average alcohol-related admissions to hospital (most recent available data suggests that Tower Hamlets saw 1,841 per 100,000 alcohol related hospital admissions in 2009/10 compared to a rate of 1,684 in London and 1,743 in England)
- There is a considerable body of international literature showing that treatment for alcohol problems is both effective and cost-effective. In 2010/11, 602 Tower Hamlets residents received structured alcohol treatment.

Key local facts: drugs

- 52% of residents who responded to the Annual Residents Survey (2010/11) said that drug misuse or dealing was a very, or fairly big problem
- As a recent snapshot Tower Hamlets saw 1232 drug related offences (dealing and possession) during April to July 2011, accounting for 12% of all notifiable offences in the borough. During this same period, Tower Hamlets saw the highest number of class A offences in London.
- Where mandatory drug tests in police custody suites were undertaken, 31% of those tested in 2010/11 had a positive result for opiates or cocaine (mostly crack cocaine). There are well documented associations between dependent Class A drug use and acquisitive crime
- The most recent estimate (2010/11) suggests that there are around 3,795 people with problematic drug use in Tower Hamlets; Of this number, 1,775 (47%) are estimated to have not yet engaged with treatment.

2.2 It has been estimated nationally that the cost of alcohol misuse is huge, with at least £6 billion wasted every year. However, it is also a fact that treatment can be cost effective – for every £1 spent on treatment, £5 is saved elsewhere. For drug misuse treatment, similar financial benefits are possible: for every £1 spent on drug treatment in Tower Hamlets, £3.95 is saved on health and crime costs.

THE TOWER HAMLETS APPROACH

3

3.1 We believe that by working in partnership we will more effectively address the problems associated with drug and alcohol misuse than if we were to work alone. The commitments contained in this strategy are therefore the commitments of the Partnership, including the London Borough of Tower Hamlets, NHS East London & The City, the Metropolitan Police, London Probation and voluntary sector providers

Our Partnership Vision

In Tower Hamlets, we will support people and families to make healthy lifestyle choices; we will reduce harm to those at risk, and empower those who are addicted or dependent to recover. We will relentlessly bear down on the crime and anti-social behaviour associated with drug and alcohol misuse that impacts on our communities.

3.2 The Partnership aims to help people who are affected or dependent to recover, by enabling, empowering and supporting them to progress along a journey of sustainable improvement to their health, well-being and independence

3.3 The Partnership is very aware of the serious social, psychological and physical complications of poly drug use as well as combined substance misuse and mental health problems (known as dual diagnosis). We believe that our services are particularly attuned to the needs of complex clients and while this is a historically challenging client group for traditional drug services, we will aim to

ensure that Tower Hamlets services continue to develop to effectively meet their needs

3.4 Carers and family members of substance misusers can often become isolated and feel stigmatised. It is important that the services offered by the Partnership as described in Tower Hamlets Carers Strategy and Commissioning Plan include the needs of substance misusers. We will review the existing provision of mainstream support to carers of people with substance misuse issues and seek to better address their needs

3.5 Alcohol and drug misuse and domestic violence are strongly linked. The Partnership is committed to reducing domestic violence and places safeguarding at the heart of its work to identify and address substance misuse in the family

3.6 To make it clear that we can only continue to progress in our approach to tackling the problems associated with drug and alcohol misuse through partnership working, we have organised our commitments around the three cross-cutting pillars of prevention and behaviour change, treatment, and enforcement and regulation



- **Prevention and Behaviour Change**
Prevention includes the actions we will take to address the wider determinants of health and factors which we know increase vulnerability to drug and alcohol misuse. Such factors include poor quality housing, lack of employment or educational opportunities and intergenerational influences

The National Social Marketing Strategy¹ lays out a framework for addressing both individual and societal push (e.g. peer pressure) and pull (e.g. alcohol advertising) factors

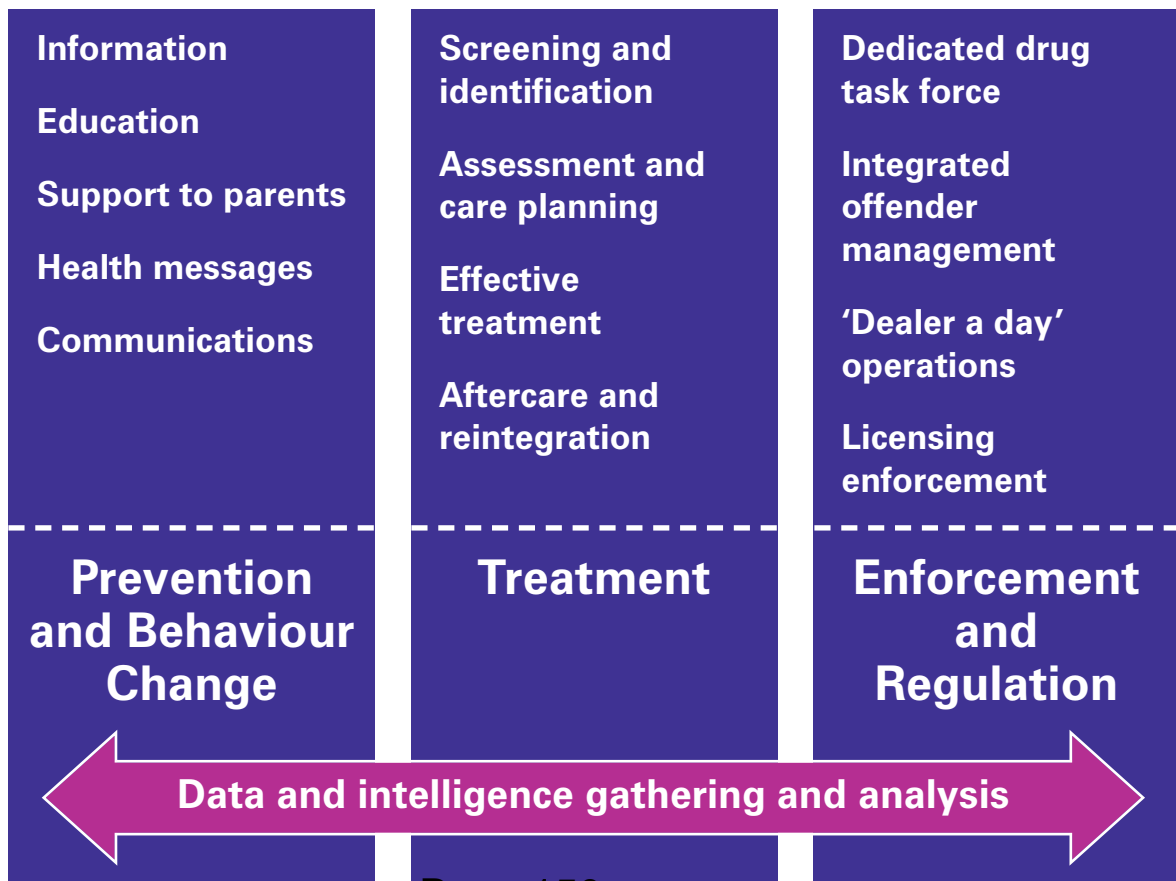
Prevention and Behaviour Change also includes the actions we will take to ensure that high quality information is available on drugs and alcohol, promotion and prevention activities

are developed, and advice and initial support options are made available to people who might have early stage problems with drugs and alcohol

- **Treatment** includes the actions we will take to improve the access to and effectiveness of treatment options for people who are dependent on, or who have problems with, alcohol or drugs
- **Enforcement and Regulation** includes the actions we will take to enforce the law as it relates to alcohol and drugs, and tackle the anti-social behaviour and crime associated with drug and alcohol misuse

¹ Changing behaviours, improving outcomes: A social marketing strategy for public health
Department of Health (2011)

'THREE PILLARS' APPROACH



ALCOHOL HARM REDUCTION: OUR COMMITMENTS



4.1 The aim of our strategy is to reduce alcohol-related problems to improve the quality of life for both Tower Hamlets residents and visitors. We seek to encourage and promote a culture of responsible drinking coupled with responsible management of licensed premises. Our strategy sets out our priorities for addressing alcohol misuse and how we intend to coordinate and deliver them, with key areas set out below

4.2 ACTION ON ALCOHOL: PREVENTION AND BEHAVIOUR CHANGE SUMMARY

4.2.1 We will ensure identification and brief advice and, where appropriate, referral on to other agencies, is routinely undertaken on adult patients and clients attending key frontline services e.g. probation, health and the police. We will explore the potential for this approach to be expanded to paediatric and youth services

4.2.2 We will develop a multi agency communications plan for adults and

young people with a focus on harm reduction, safe drinking levels and targeting communities with high level of alcohol related harm²

4.2.3 We will ensure that young people have access to reliable alcohol education, and support schools to develop effective policies through a "whole schools approach"³ to alcohol

4.3 ACTION ON ALCOHOL: TREATMENT SUMMARY

4.3.1 We will increase access and uptake and improve outcomes from services across primary care, secondary care and specialist services

4.3.2 We will further ensure that access to our services is equitable for all of our local communities. Integral to this process will be the role of our redesigned treatment system

4.3.3 We will strengthen our approach to actively encourage difficult to engage people, such as street drinkers and offenders, into treatment and support, through effective interagency work

² The Chief Medical Officer for England recommends that children should have an alcohol free childhood. If young people aged 15 to 17 years old drink alcohol, it should always be with the guidance of a parent or carer or in a supervised environment.
<http://www.dh.gov.uk/health/category/publications/>

³ The whole schools approach includes:
A supportive school climate, environment and culture created and owned by pupils, parents, carers, governors, teachers, school staff and community organisations Whole school policies and practice developed in line with legal requirements and non-statutory guidance and which complement the aims of the drug education programme.' - see Department for Education and NICE for nationally recognised definitions

4.3.4 We will ensure that family based interventions are integral to treatment provision

4.3.5 We will implement a new treatment model for young people which will devolve responsibility for lower level and threshold services to generic front line youth services. The new model will require clearer care pathways, a strong interface with more specialist support and treatment services, information sharing and workforce development

4.3.6 We will ensure that there is rapid access to intensive specialist support for those young people whose alcohol misuse is already starting to cause harm and for the most vulnerable young people this will include locally delivered multi-agency packages of care with the aim of preventing escalation

4.4 ACTION ON ALCOHOL: ENFORCEMENT AND REGULATION SUMMARY

4.4.1 We will implement and enforce a borough wide alcohol control zone to reduce anti- social behaviour

4.4.2 We will create an environment where anybody under the legal drinking age is restricted from obtaining alcohol through working with licensed premises to ensure responsible alcohol sales, enforcement of any minimum alcohol pricing, and promotion of the available treatment services

4.4.3 We will improve the management and planning of the night time economy through strengthening the role of local residents in regulating the environments where alcohol can be obtained through utilisation of licensing, planning and other regulatory powers

4.5 ALCOHOL HARM REDUCTION: HOW WE WILL MEASURE OUR SUCCESS

4.5.1 We will measure our success against our commitments as detailed above, and in the full Substance Misuse Strategy technical document, by publishing our performance against the outcome indicators below:

- We will reduce the ill-health caused by alcohol, alcohol related accidents and hospital admissions
- We will tackle alcohol related violence, crime, anti social behaviour and related domestic violence
- We will reduce the impact of alcohol related anti-social behaviour as measured by the perception of our local communities
- We will reduce the level of alcohol related harm to children and young people.



DRUGS: OUR COMMITMENTS

5

5.1 The aim of the drugs chapter of our strategy is to reduce the demand for drugs through effective education and prevention, to increase the number of service users entering, engaging with and completing treatment in order to recover from drug misuse and to relentlessly bear down on the crime associated with drugs. Our strategy sets out our priorities for addressing drug misuse and how we intend to coordinate and deliver them, with a summary of key areas set out below. The complete list of strategic priorities is included in the strategy technical document

5.2 ACTION ON DRUGS: PREVENTION AND BEHAVIOUR CHANGE SUMMARY

5.2.1 We will support people to make healthy lifestyle choices by providing targeted communication and community education including information about the support services available alongside targeted support for those who are at risk

5.2.2 We will ensure that our drug information and prevention activity is integrated within our broader health promotion and prevention programmes, to ensure that we offer helpful and accessible information consistently across agencies, and that front-line staff in all relevant settings have the right skills and knowledge to provide information and support, including regarding mental health and wellbeing

5.2.3 We will work across the Partnership to develop services that address the wider social determinants of health and wellbeing, such as access to accommodation, employment support, economic wellbeing, educational achievement

5.2.4 We will work in partnership with schools to provide good quality drug education through Social and Emotional Aspects of Learning (SEAL), Personal Social Health Education (PSHE) and pastoral care

5.2.5 We will combine universal prevention activity through schools with a commitment to intervening early, offering targeted support to vulnerable groups of young people at increased risk of substance misuse to prevent this or when problems first arise. We will ensure rapid access to intensive specialist support for those young people whose substance misuse is already starting to cause harm and devise locally delivered multi agency packages of care

5.3 ACTION ON DRUGS: TREATMENT SUMMARY

5.3.1 During 2011/12, we will complete a redesign of treatment services in the borough. The redesign will help us to develop our model for drug treatment in a way that fits with the current and future need of our population, and the evidence available on what works well, and will inform our commissioning intentions for 2012/13 and beyond. We intend that the redesign will help us to simplify access arrangements, strengthen the importance of service user involvement and work across the system to develop a “whole systems” approach. Such an approach entails all providers working together to provide a seamless approach to support for service users

5.3.2 We will work across the Partnership to develop and implement our vision for a recovery orientated treatment service, helping adults who are addicted or dependent to recover, by enabling, empowering and supporting them to progress along a journey of sustainable

improvement to their health, well-being and independence, and focussing support for them to secure accommodation, education and employment, and to re-connect with their local communities

5.3.3 We will support our adult treatment and children's services to improve their response to the needs of children of drug misusers. We will embed good practice and develop a protocol between children's services (including safeguarding) and treatment providers, train workers and support staff to identify and respond to drug using parents and their children

5.3.4 We will target treatment naïve drug misusers and those who have disengaged with treatment, in order to motivate them towards (re) engaging in treatment and progress towards recovery

5.3.5 As with alcohol, our approach will combine universal prevention activity through schools and youth services with a commitment to intervening early, offering targeted support to vulnerable groups of young people at increased risk of substance misuse to prevent this or when problems first arise

5.3.6 As with alcohol, we will implement a new treatment model for young people which will devolve responsibility for lower level and threshold services to generic front line youth services. The new model will demand clarity around care pathways into, and interface with more specialist support and treatment services, information sharing and workforce development

5.3.7 As with alcohol, we will ensure there is rapid access to intensive specialist support for those young people whose substance misuse is already starting to cause harm and for the most vulnerable young people, this will include locally delivered multi-agency packages of care with the aim of preventing escalation

5.3.8 As with alcohol, we will ensure that family based interventions are integral to treatment provision

5.4 ACTION ON DRUGS: ENFORCEMENT SUMMARY

5.4.1 We will disrupt the supply of drugs through effective enforcement, including investment in primary policing enforcement via the 'dealer-a-day' initiative to target drug dealers in the borough, and the coordination of a dedicated drug task force which will focus solely on addressing drug related crime and anti-social behaviour

5.4.2 We will implement a results-focused Integrated Offender Management (IOM) programme to ensure drug misusing offenders receive a holistic support package aimed at stopping offending and drug dependence

5.4.3 We will work alongside community groups such as Communities Against Drugs & Alcohol Abuse to support them in providing an impetus for sustained, coordinated action aimed at reducing drug related crime and strengthening community resilience

5.4.4 We will respond to, and reduce, community concerns about drug use and drug dealing through on-going dialogue and effective communication of successful operations to the public

5.5 DRUGS: HOW WE WILL MEASURE OUR SUCCESS

5.5.1 We will measure our success against our commitments as detailed above, and in the full Substance Misuse Strategy – drugs chapter, by publishing our performance against the outcome indicators below:

- We will increase the number of drug users entering, engaging with and completing treatment
- We will reduce the impact of drug related crime and anti-social behaviour as measured by the perception of our local communities
- We will continue to demonstrate our successes in restricting the drugs trade through our "Dealer a Day" initiative.

UNDERPINNING THE FOUNDATIONS OF THE SUBSTANCE MISUSE STRATEGY



6.1 We believe it is critical to the effectiveness of this strategy to have firm foundations to underpin the three pillars. To this end, we wish to improve our understanding of the needs of our local population in the context of new emergent trends in drug and alcohol use, and to ensure that our treatment system leads to effective outcomes for the whole community

6.2 USE OF DATA, INTELLIGENCE AND SURVEILLANCE

6.2.1 We wish to understand the impact on our population of the use of new drugs such as “legal highs”, steroids, and over the counter and prescribed medicines, and will ensure that these areas are considered in future needs assessments

6.2.2 We wish to develop our understanding of drug markets, distribution and trafficking, to inform our approach to enforcement and community development

6.2.3 We wish to benchmark our treatment outcomes data against other boroughs, to measure how effective our services are, and to help us to further improve them

6.2.4 We wish to ensure that our services and interventions are meeting the needs of the entire Tower Hamlets community, regardless of age, disability, gender assignment, marriage or civil partnership, pregnancy or maternity, race, religion and belief, sex, and sexual orientation, and will therefore work with our commissioned providers to monitor equity of access through audit



6.2.5 We wish to ensure that we have robust mechanisms in place to monitor drug-related deaths, and where appropriate to investigate contributory factors, and learn from them

6.2.6 We intend to ensure that our analysis of need and demand is carried out in a structured and ongoing manner, informed by and in the context of our Partnership Joint Strategic Needs Assessment

6.3 GOVERNANCE

6.3.1 We will keep under review the Partnership governance arrangements for drug and alcohol planning and delivery, to ensure that they are robust and have the capacity and capability to deliver this

6.3.2 We believe that service users and carers have a uniquely valuable contribution to make in the development, improvement and monitoring of services. We will, therefore, further develop mechanisms for effective service user engagement, including developing and implementing a Service User and Carer Charter and supporting the development of peer support/mentors and service user recovery champions. We will also ensure that support is available for carers or significant others who are affected by someone else's drug or alcohol misuse

6.3.3 The Drug and Alcohol Action Team Board will oversee the implementation of the strategy. As drug and alcohol misuse affects many of the Partnership's strategic priority areas, reports on progress will also be provided for other relevant boards

such as the 'Safe and Cohesive', 'Healthy Communities' and Health and Wellbeing Boards as appropriate

6.3.4 Responsibility for developing and implementing the children and young people's substance misuse plan lies with Tower Hamlets Children and Families Trust; representatives of which attend the DAAT board

6.3.5 We will strengthen our cross partnership work by designating within each organisation a senior champion to own, and contribute to the effective delivery of this strategy


NEXT STEPS



7.1 Our strategy has been developed through an analysis of local need, a review of the evidence base for effective intervention, and by listening to the views of local stakeholders. We are committed to ongoing consultation with stakeholders, including service users, the public, children and young people, professionals and community representatives, to further refine our vision and associated actions for the three years ahead

7.2 We recognise and value the expertise and interest among partners in tackling substance misuse in Tower Hamlets. We intend to develop the Strategy's action plan in close collaboration with them through a time limited steering group



Cabinet 3 September 2014	 TOWER HAMLETS
Report of: Corporate Director Resources	Classification: Unrestricted
Exercise of Corporate Directors' Discretions	

Lead Member	Councillor Alibor Choudhury, Cabinet Member Resources
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 £100,000 and £250,000.

Recommendations:

The Mayor in Cabinet is recommended to:

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

1. REASONS FOR THE DECISIONS

- 1.1 Financial Regulations require 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 Financial Regulation B8 sets out the Cabinet 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

3.2 Under Financial Regulation B8, if the transaction involves a sum between £100,000 and £250,000 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.

3.3 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 Corporate Directors' Actions for noting by Cabinet, as required by Financial Regulation B8.

5.2 Internal guidelines have been published setting out the process by which Records of Corporate Directors' Actions are completed. These specify that the proposed action must be in accordance with the Council's Financial Regulations and its Procurement Procedures. There are limited circumstances in which waiver of the Procurement Procedure is permissible and the guidelines reinforce that waiver should not be sought as a substitute for proper planning. All proposed actions where the value exceeds £100,000 are required to be agreed with the Mayor prior to sign off and approval by the corporate director.

5.3 Each director's action requires prior authorisation by the relevant service head, the head of procurement, the chief finance officer and the monitoring officer before agreement by the corporate director. A template form is completed to record each director's action and these Records of Corporate Directors' Actions (RCDAs) must be maintained by the each directorate. The

legal implications of each of the individual decisions are provided as part of the decision making process and are recorded on the relevant RCDA.

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 Director's Actions

Officer contact details for documents:

- Paul Leeson, Finance Business Partner, Development and Renewal (D&R) Directorate, Ext. 4995

Originating Officers and Contact Details

Name	Title	Contact for information
Alimul Kadir	Accountant Financial Planning	Ext. 5224
Ruth Ebaretonbofa-Morah	Deputy Financial Planning Manager	Ext. 1698

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 (incl. postcode)	Contact
Development & Renewal 020-2014/15	£157,000	Waiver of financial regulations for the appointment of architectural services for Watts Grove Depot Site. This approval is in excess of the noting threshold of £100k.	In order to ensure the GLA funding was not put at risk by not meeting delivery deadlines, it was necessary to urgently appoint an architect to develop the scheme to planning permission stage.	BPTW Partnership 110-114 Norman Road London SE20 9QJ	Dale Walker Ext. 2345

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