

CABINET

MAYOR

Mayor John Biggs

CABINET MEMBERS

Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Regeneration and Air Quality)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Amina Ali	(Cabinet Member for Culture, Arts and Brexit)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Denise Jones	(Cabinet Member for Adults, Health and Wellbeing)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

[The quorum for Cabinet is 3 Members]

MEETING DETAILS

Wednesday, 26 September 2018 at 6.00 p.m.
C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

The meeting is open to the public to attend.

Further Information

The public are welcome to attend meetings of the Cabinet. Procedures relating to Public Engagement are set out in the 'Guide to Cabinet' attached to this agenda.

Contact for further enquiries:

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

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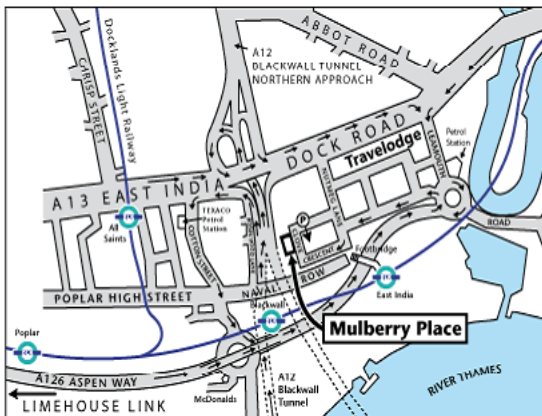
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A Guide to CABINET

Decision Making at Tower Hamlets

As Tower Hamlets operates the Directly Elected Mayor system, **Mayor John Biggs** 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, 28 September 2018**
- The deadline for call-ins is: **Friday, 5 October 2018**

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 is an opportunity for the public to contribute through making submissions that specifically relate to the reports set out on the agenda.

Members of the public may make written submissions in any form (for example; Petitions, letters, written questions) to the Clerk to Cabinet (details on the front page) by 5 pm the day before the meeting.

LONDON BOROUGH OF TOWER HAMLETS

CABINET

WEDNESDAY, 26 SEPTEMBER 2018

6.00 p.m.

	Pages
1. APOLOGIES FOR ABSENCE	
To receive any apologies for absence.	
2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS	11 - 14
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	15 - 24
The unrestricted minutes of the Cabinet meeting held on Wednesday 25 July 2018 are presented for approval.	
4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR	
5. OVERVIEW & SCRUTINY COMMITTEE	
5.1 Chair's Advice of Key Issues or Questions	
Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC 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).	

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6 .1	Children's Services Improvement Programme, Quarterly Progress Report (Quarter 1 2018/19)	25 - 44
	<p>Report Summary: This report provides an update on progress in delivering improvements to Children's Services in response to the report published by Ofsted in April 2017 which rated our services 'inadequate'. The Council's improvement plan aims to achieve a standard of 'good' at its next inspection, in 2019.</p> <p>Endorsement is sought for the progress made in delivering the Children's Services improvement Programme.</p> <p>Wards: All Wards Lead Member: Cabinet Member for Children, Schools and Young People Corporate Priority: People are aspirational, independent and have equal access to opportunities</p>	
6 .2	Securing the future of Early Years services - phased closure of the three local authority childcare day nurseries	(to follow)
	<p>Report Summary: Cabinet agreed on 27 June 2018 to hold a resident consultation on the proposal for a phased closure of the council's three day care nurseries. This item is to consider the report on the responses to the consultation and to decide whether to proceed with the proposal.</p> <p>Wards: All Wards Lead Member: Cabinet Member for Children, Schools and Young People Corporate Priority: People are aspirational, independent and have equal access to opportunities</p>	
6 .3	Chrisp Street Regeneration Scheme: CPO Resolution, dealings with the Council land/interests and Street Market Management Arrangements	45 - 518
	<p>Report Summary: Approve a resolution for a single Compulsory purchase order (CPO) under the Town and Country Planning Act 1990 in relation to the Chrisp Street Regeneration Scheme.</p> <p>Wards: Lansbury Lead Member: Statutory Deputy Mayor and Cabinet Member for Housing Corporate Priority: A borough that our residents are proud of and love to live in</p>	

6 .4	Implementation of traffic management orders on HRA land	519 - 546
<p>Report Summary: This report recommends the Council carries out consultation considering the introduction of TMO's under the road traffic regulations ACT 1984(RTRA 84) on all LBTH Housing land as a means of enforcing parking control.</p>		
<p>Wards: All Wards Lead Member: Cabinet Member for Environment, Statutory Deputy Mayor and Cabinet Member for Housing Corporate Priority: A borough that our residents are proud of and love to live in</p>		
6 .5	Pan-London Homeless Prevention Procurement Hub ("Capital Letters")	547 - 560
<p>Report Summary: To approve the LBTH becoming a member of the proposed Capital Letters company being set up collaboratively by London Councils to procure leased temporary accommodation.</p>		
<p>Wards: All Wards Lead Member: Statutory Deputy Mayor and Cabinet Member for Housing Corporate Priority: A borough that our residents are proud of and love to live in</p>		
6 .6	61 Vallance Road - Grant of lease	561 - 572
<p>Report Summary: The report recommends that the Council grants a sublease to ADA</p>		
<p>Wards: Spitalfields & Banglatown Lead Member: Mayor Corporate Priority: A borough that our residents are proud of and love to live in</p>		
6 .7	Compulsory purchase of an empty home	573 - 610
<p>Report Summary: This report seeks approval to proceed with the compulsory purchase order (CPO) for a street property which has been empty for seven years and is a blight on the local area.</p>		
<p>Wards: Bow West Lead Member: Statutory Deputy Mayor and Cabinet Member for Housing Corporate Priority: A borough that our residents are proud of and love to live in</p>		

6 .8	Spitalfields Community Governance Review	611 - 630
<p>Report Summary: This report seeks to outline the necessary next steps regarding the launch of a Community Governance Review (CGR) in the Spitalfields area following the presentation of a petition to the Council under Part 4 of the Local Government and Public Involvement in Health Act 2007.</p> <p>Wards: Spitalfields & Banglatown; Weavers Lead Member: Mayor Corporate Priority: A borough that our residents are proud of and love to live in</p>		

6 .9	OSC Brexit Challenge Session Report - Action Plan	631 - 674
<p>Report Summary: This report contains the Action Plan based on the recommendations of the Scrutiny Challenge session held on 7th December 2017 and its link with the work of the Brexit Commission that was officially announced at the 25th July 2018 Cabinet meeting.</p> <p>The majority of these actions will form part of the Brexit Commissions work and will be delivered by end of the municipal year 2018-19.</p> <p>Wards: All Wards Lead Member: Cabinet Member for Culture, Arts and Brexit Corporate Priority: TH Plan 4: Better health and wellbeing.</p>		

6 .10	Food Law Enforcement Service Plan	675 - 736
<p>Report Summary: To approve the Tower Hamlets Food :Law Enforcement Plan 2018/19 and food sampling Policy attached as an appendix</p> <p>Wards: All Wards Lead Member: Cabinet Member for Environment Corporate Priority: TH Plan 4: Better health and wellbeing.</p>		

Report Summary:

1. To note the Contracts Forward Plan at Appendix 1 to the report.
2. To confirm that all contracts can proceed to contract award after tender.
3. To authorise the Divisional Director, Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to in recommendation 2 above.
4. To note the procurement forward plan 2018-22 schedule detailed in Appendix 2 to the report

Wards:	All Wards
Lead Member:	Cabinet Member for Resources and the Voluntary Sector
Corporate Priority:	A dynamic outcomes-based Council using digital innovation and partnership working to respond to the

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

8. EXCLUSION OF THE PRESS AND PUBLIC

Should the Mayor in Cabinet consider it necessary, it is recommended that the following motion be adopted to allow consideration of any exempt/restricted documents.

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

EXEMPT/CONFIDENTIAL SECTION (PINK)

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

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

10 .1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to exempt/confidential business to be considered.

10 .2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

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

11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

11 .1 Future Management of the Integrated Community Equipment Service	775 - 802
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NOTE – this report will now be considered in open session. (24/9)

Report Summary:

This report considers the options for the future management of the Council's integrated Community Equipment Service (CES). The service loans a variety of disability related equipment to children, adults and older people within Tower Hamlets. The equipment helps service users to maintain and maximise their independence, enables them and their carers to be safely supported and improves their quality of life.

Wards: All Wards
Lead Member: Cabinet Member for Adults, Health and Wellbeing
Corporate Priority: People are aspirational, independent and have equal access to opportunities

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

Next Meeting of the Committee:

Wednesday, 31 October 2018 at 5.30 p.m. in C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

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

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

Interests and Disclosable Pecuniary Interests (DPIs)

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

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

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

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

Effect of a Disclosable Pecuniary Interest on participation at meetings

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

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

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

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

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

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

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance and Monitoring Officer. Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.33 P.M. ON WEDNESDAY, 25 JULY 2018

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Regeneration and Air Quality)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Amina Ali	(Cabinet Member for Culture, Arts and Brexit)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Denise Jones	(Cabinet Member for Adults, Health and Wellbeing)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

Other Councillors Present:

Councillor Peter Golds	
Councillor Puru Miah	
Councillor Mohammed Pappu	
Councillor Abdal Ullah	
Councillor Andrew Wood	(Leader of the Conservative Group)

Apologies:

Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
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Officers Present:

Elizabeth Bailey	Senior Strategy, Policy and Performance Officer
Stephen Bramah	(Deputy Head of the Mayor's office)
Richard Chilcott	(Acting Divisional Director, Property and Major Programmes)
Zena Cooke	(Corporate Director, Resources)
David Courcoux	(Head of the Mayor's Office)
Janet Fasan	(Divisional Director, Legal)
Sharon Godman	(Divisional Director, Strategy, Policy and Partnerships)
Steve Hill	(Head of Benefits Services)
Roger Jones	(Head of Revenues)

Tom McCourt	(Strategic Director)
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Keiko Okawa	(Scrutiny Policy Officer, Scrutiny & Equalities, Chief Executive's)
Denise Radley	(Corporate Director, Health, Adults & Community)
Judith St John	(Divisional Director, Sports, Leisure and Culture)
Ann Sutcliffe	(Acting Corporate Director, Place)
David Tolley	(Head of Environmental Health and Trading Standards)
Matthew Vaughan	(Political Advisor to the Conservative Group, Democratic Services, LPG)
Will Tuckley	(Chief Executive)
Jemma Walker	(Communications Officer)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)

AGENDA ORDER

At the meeting the **Mayor agreed** to change the order of business to take items of interest to those in attendance and to facilitate officer attendance at other formal Council meetings. For clarity these minutes are presented in the order of the agenda.

At the meeting the items were taken as follow:

- Agenda items 1 to 5 in order.
- 6.2 (Tower Hamlets Plan 2018 23)
- 6.5 (Local Council Tax Reduction Scheme)
- 6.6 (Supporting the Local Economy – Proposed Criteria for Granting Business Rate Relief)
- 6.4 (Supporting the Local Economy – Social Value Framework)
- 6.9 (Medium Term Financial Strategy Refresh 2019-20 and budget planning)
- 6.10 (Revenue and Capital Monitoring 2018-19 Quarter One – June 2018)
- 6.1 (Strategic Plan 2018/19 – 2020/21)
- 6.3 (Anti-Idling designation in the London Borough of Tower Hamlets)
- 6.8 (Statement of Licensing Policy 2018-23)
- 6.7 (Site at 20 Alton Street E14 6BZ)
- The rest of the agenda in order.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Candida Ronald (Cabinet Member for Resources and the Voluntary Sector)
- Asmat Hussain (Corporate Director, Governance) – deputised by Janet Fasan (Divisional Director, Legal Services)
- Debbie Jones (Corporate Director, Children's Services) – deputised by Judith St John (Divisional Director, Sports, Leisure and Culture)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Denise Jones declared a Disclosable Pecuniary Interest in Agenda Item 6.6 (Supporting the Local Economy – Proposed Criteria for Granting Business Rate Relief) as she had a small business. She would leave the room for the duration of that Agenda Item.

3. UNRESTRICTED MINUTES

RESOLVED

1. The unrestricted minutes of the Cabinet meeting held on Wednesday 27 June 2018 be approved and signed by the Mayor as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

The **Mayor** and Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit, reported that the Council would soon be announcing the launch of its Brexit Commission.

The Commission would consist of Council and external representatives and its role was to examine the potential impact of Brexit on the Borough and its wider business and resident communities. A final report setting out its findings would then be published.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions, and written officer responses, were received in relation to the following Agenda Items:

- 6.3 (Anti-Idling Designation in the London Borough of Tower Hamlets)
- 6.4 (Supporting the Local Economy – Social Value Framework)
- 6.5 (Local Council Tax Reduction Scheme)
- 6.6 (Supporting the Local Economy – Proposed Criteria for Granting Business Rate Relief)
- 6.7 (Site at 20 Alton Street)
- 6.10 (Revenue and Capital Monitoring 2018-19 Quarter 1 – June 2018)

The questions, and related answers, were considered during the discussion on each individual item.

In addition, Councillor Abdal Ullah, Chair of the Overview and Scrutiny Committee (OSC), provided an update on the Committee's recent meetings.

He began by reporting on the recent call-in meeting examining the Mayor's decision to go out to consultation on a proposal to close the remaining local authority day nurseries. He thanked the **Mayor** for considering the findings of the OSC and in adjusting his consultation in response.

He then provided an update on their regular meeting earlier in the week. He explained that they had discussed a number of issues and reports including:

- A spotlight session on progress in Children's Social Care.
- Hearing from the Chair of the Local Children's Safeguarding Board.
- Reviewed the Statement of Licensing Policy.
- Verbal updates from Scrutiny Leads on issues such as the medium term financial strategy, housing and health.

The **Mayor** thanked Councillor Abdal Ullah for his update.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Strategic Plan 2018/19 - 2020/21

The **Mayor** introduced the report setting out the Council's Strategic Plan for 2018/19 to 2020/21. He highlighted a number of the key priorities that were set out in the plan including around house building, recycling and cleanliness. He noted that many of the commitments would require additional funding and so they could not all happen at once but would be spread out through the time period of the plan.

A number of Members spoke to welcome the plan and to highlight specific targets within it including:

- Its robust approach to tackling hate crime and violence against women.
- The emphasis on continuing to improve children's social care.
- Measures to engage young people in youth services, children's centres and decision making.
- Street cleaning and other environmental improvements.
- The challenge of dealing with the roll-out of universal credit.

During discussion it was noted that an additional recommendation was needed to allow officers to make minor amendments to the Strategic Plan before the final version was published.

The **Mayor** thanked everyone for their contributions, agreed to the additional recommendation and then **agreed** the recommendations as amended.

RESOLVED

1. To agree to formally adopt the Strategic Plan
2. To endorse the proposals for an improved outcome measure framework from 2019/20 onwards and the interim measures in the 2018/19 plan.

3. To delegate authority to the Divisional Director, Strategy, Policy and Performance, following consultation with the Mayor, to make minor, non-material amendments to the Strategic Plan document.

6.2 The Tower Hamlets Plan 2018 - 23

The **Mayor** introduced the report. He explained that the Tower Hamlets Plan was jointly owned by the Council and its partners and would be overseen by the Tower Hamlets Partnership Executive.

It was noted that the Partnership had been fully engaged in creating the plan and related objectives and activities. Partnership Boards would ensure that everyone delivered on their agendas.

The Cabinet then heard from Ian Parkes (the Managing Director of the East London Business Alliance) and Simon Hall (Chief Executive of the Tower Hamlets Clinical Commissioning Group) who both welcomed the Plan and engaged in a discussion with Cabinet Members on some of the key priorities of the Plan such as those around child poverty, employment and education.

The **Mayor** thanked everyone for their contributions to the discussion and **agreed** the recommendations as set out.

RESOLVED

1. To approve the Tower Hamlets Plan 2018-23 (Appendix A to the report)
2. To agree the proposed framework of delivery

6.3 Anti-idling designation in the London Borough of Tower Hamlets

Councillor David Edgar, Cabinet Member for Environment, introduced the report. He highlighted the importance of tackling poor air quality in the Borough, particularly in relation to the health of young people. He stated that this was one useful action among a number that the Council will need to take to deal with air quality.

He explained that this would allow the Council to issue fixed penalty notices but that this would only be done if a driver refused to comply with a request to turn off their vehicle's engine.

RESOLVED

1. To authorise the use of powers under Regulations 12, 13 and 14 of the Road Traffic (Vehicle Emissions) Fixed Penalty (England) Regulations 2002 to enforce against drivers who allow their vehicle engines to run unnecessarily when parked anywhere in the borough.
2. To delegate authority to Corporate Director, Place to authorise, Environmental Health staff, Tower Hamlets Enforcement Officers (THEOs) and Civil Enforcement Officers of the Council to make use of these powers to issue FPNs, and take legal proceedings for stationary engine idling offences.

6.4 Supporting the Local Economy – Social Value Framework

The **Mayor** introduced the report on the Social Value Framework. He highlighted how it was designed to encourage businesses to think about how they could help the local economy.

He noted the pre-decision scrutiny questions and officers responses and he **agreed** the recommendations as set out.

RESOLVED

1. To approve the attached draft Social Value Framework (Appendix A to the report)
2. To approve the further development of the Council's social value work as set out at paragraph 3.16 of the report.

6.5 Local Council Tax Reduction Scheme

The **Mayor** introduced the report proposing a number of options for consultation on the Local Council Tax Reduction Scheme. He noted the Pre-Decision Scrutiny Questions and officer responses.

Following discussion the **Mayor agreed** to go out to consultation on Option 4 with all of the changes as listed in the Appendix to the report.

RESOLVED

1. To agree that officers should go out to consultation on Option 4 with all of the changes listed (as set out in Appendix 2 to the report).
2. To note that officers will bring a report, setting out feedback from the consultation, back to the October Cabinet prior to a formal decision being taken.

6.6 Supporting the Local Economy - Proposed Criteria for Granting Business Rate Relief

The **Mayor** introduced the report proposing criteria for granting business rate relief. He noted that many businesses were struggling to meet the recent big increase in business rates and it was important for the Council to offer support where possible.

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

RESOLVED

1. To agree the revised criteria and guidance for public consultation.
2. To note the feedback from the consultation will be presented at the October Cabinet meeting.

6.7 Site at 20 Alton Street E14 6BZ

The **Mayor** introduced the report proposing the disposal on a long lease of the site at 20 Alton Street. He noted the Pre-Decision Scrutiny Questions and officer responses.

Councillor Peter Golds, Ward Councillor for Island Gardens Ward, addressed Cabinet stating concerns that it was not appropriate, or potentially legal, for a Council to be providing a property in this way for the use of only one part of the community.

The **Mayor** noted the concerns and proposed to delay consideration of the report to allow for advice on those issues.

RESOLVED

1. To defer consideration of the report to allow time to receive additional legal advice in respect of the potential options for the site.

6.8 Statement of Licensing Policy (2018-2023)

Councillor David Edgar, Cabinet Member for Environment, introduced the report on the Statement of Licensing Policy 2018-23. He explained that a consultation had taken place and a few changes were proposed to the policy to address particular concerns raised. In relation to Cumulative Impact Zones (CIZs) it was noted that residents were generally happy with the policy but had questions about its implementation. A new CIZ was also being proposed for the Bethnal Green Area.

Councillor Peter Golds, a Licensing Committee Member, addressed Cabinet. He welcomed the report as a very robust policy with good proposals to tighten the current procedures where that was useful.

The **Mayor** welcomed the report and the comments received. He noted concerns around CIZs. He **agreed** the recommendations as set out.

RESOLVED

- 1 To agree the submission of the Statement of Licensing Policy to full Council for adoption.
- 2 To note that the proposed Statement of Licensing Policy will take effect from 1st November 2018 until 31st October 2023. The existing Statement of Licensing Policy will be rescinded on the 31st October 2018.

6.9 Medium Term Financial Strategy Refresh & 2019-20 Budget Planning

The **Mayor** introduced the report on the Council's Medium Term Financial Strategy. He noted that this specific report related to the budget setting process that would lead up to Council in February 2019.

He noted that there was a significant challenge facing the Council in relation to savings targets and that there was still uncertainty over a number of areas such as government announcements, social care precepts and decisions on issues such as the London pilot business rates retention scheme.

He **agreed** the recommendations as set out.

RESOLVED

1. To note the Council's Outcomes Based Budgeting approach to prioritising resources over the MTFS from 2019-20 to 2021-22.
2. To note the challenges and actions set out in this report that will inform the development of the Council's MTFS for 2019-2022;
3. To note the timescales and next steps for reviewing and consulting on budget proposals;

6.10 Revenue and Capital Monitoring 2018-19 Quarter 1 - June 2018

The **Mayor** introduced the report. He welcomed the accessible format of the new monitoring report and highlight the good news stories contained within it. He also noted that the report contained a number of recommendations in relation to capital expenditure for housing schemes. He noted the Pre-Decision Scrutiny Questions and officer responses.

During discussion a number of issues were raised including:

- Clarity on the amount of money being spent on community housing and the number of homes in the pipeline.
- The need to ensure retention of right to buy receipts.
- The continued budgetary pressures on children's services.

The **Mayor** thanked everyone for their contributions and **agreed** the recommendations as set out.

RESOLVED

1. To note the Council's projected outturn position against General Fund, Dedicated Schools Budget and HRA budgets agreed for 2018-19, based on information as at the end of June as detailed in the Appendices to the report.
2. To note the summary savings position.

In respect of the Housing Capital Pipeline Schemes (Section 6 in Appendix 1 to the report)

3. To approve the allocation of a capital budget of £131.4million for the period 2018 – 2024 to cover total project costs for schemes in Phase 2 of the Housing Capital Pipeline Programme, as set out in Appendix 1 Annex 4 to the report.
4. To authorise the Corporate Director (Place), after consultation with the Corporate Director (Governance), to agree to proceed to award contracts and enter into any agreements required to implement recommendation 3. if so required, subject to tenders being within the approved capital budgets and progress the Housing Capital Pipeline Programme.
5. To authorise the Corporate Director (Place) to submit bids for grant funding to funding bodies pursuant to any future national or regional grant or investment programme(s) for which the Phase 2 and 3 projects may be eligible if they conform to and support the Council's objectives and values.
6. To authorise the Corporate Director (Place) to commission viability work and detailed design and consultancy work to enable the submission of planning applications for the Phase 3 sites to be identified for the Pipeline Programme.
7. To approve a capital estimate of £1.5m to enable the implementation of recommendation 6.
8. To authorise the Corporate Director (Place) and the Corporate Director of Resources, in line with the Council's Contract Standing Orders, to incur any necessary pre-construction expenditure, including the appointment of consultants and expenditure on related fees and site enabling works, related to sites within the Phase 2 and 3 pipeline programme to facilitate the preparation of planning applications and Invitations to Tender.
9. To authorise the Corporate Director (Place) to grant leases and Wayleave Agreements to statutory service providers in connection

with the Phase 2 and 3 sites on behalf of the Council in its capacity as landowner and where required, to remove any third party rights of way in accordance with the statutory process.

In respect of the new capital scheme proposals (Sections 5 & 7 in Appendix 1 to the report)

10.To approve the proposed schemes set out in Annex 1 and the feasibility studies set out in Annex 2 of the attached budget monitoring report.

11.To adopt Capital Budgets of £3.1m and £1.0m respectively for the “Community Hubs” and “Maximising Health Infrastructure: Island Medical Centre Projects as set out in Section 7 of the appended budget monitoring report.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

8. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Nil items.

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

Nil items.

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

Nil items.

The meeting ended at 7.28 p.m.

MAYOR JOHN BIGGS

<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Debbie Jones, Corporate Director Children's Services</p>	<p>Classification: Unrestricted</p>
<p>Children's Services Improvement – Quarterly Progress Report (Quarter 1 2018/19)</p>	

Lead Member	Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People
Originating Officer(s)	Charlotte Saini, Children's Services Improvement Manager
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	7 August 2018
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	People are aspirational, independent and have equal access to opportunities

Executive Summary

This report provides an update on progress in delivering improvements to Children's Services in response to the report published by Ofsted in April 2017 which rated our services 'inadequate'. The Council's improvement plan aims to achieve a standard of at least 'good' in summer 2019, when it is likely to be next inspected, which is the minimum our children and families deserve. The council has now had four monitoring visits from Ofsted.

The most recent visit, on 15-16 August 2018, focused on Permanency Planning and the Public Law Outline (PLO), ie how the council performs its obligations as a corporate parent. Inspectors evaluated the quality of care planning for children in care, in particular the achievement of timely permanence for all children who are unable to live with their birth parents. They assessed progress since the last inspection and focused on areas of practice that had required significant improvement. The Monitoring Visit letter was published on 10th September.

In summary, Ofsted found that: *“while there has been improvement in key areas since the last inspection, there are still considerable weaknesses in permanence planning and in assessments for children who cannot live with their parents. Overall, the quality of practice with these vulnerable children is improving, but it is still too variable. Senior leaders agree with inspectors' findings. They are determined to accelerate the pace of change and are taking appropriate action to address the significant deficits in the children in care services.”*

Some key improvements noted by Ofsted include:

- Decisions about whether children should become looked after are now underpinned by effective and accessible legal advice;
- Improved performance management arrangements mean that senior leaders and frontline line managers are very knowledgeable about service performance;
- Long-term and short-term placement stability is beginning to improve;
- Better sufficiency planning is leading to increasing availability and choice of placements. The revised sufficiency strategy has successfully focused on the development of existing foster carers to increase capacity;
- The recently developed edge of care team (November 2017) has been instrumental in decreasing demand for placements, particularly for older adolescents, and in reducing overall numbers of children in care;
- The head teacher of the virtual school provides strong leadership and a clear strategic vision for improvement across all key stages and for children leaving care.

However, there are a number of areas where improvement is needed, for example:

- Management oversight of the permanence planning process is weak and options for permanence are not considered simultaneously, which prolongs uncertainty for children;
- When children come into care, only 22% of initial health assessments are completed within timescales. This has not improved since the inspection in 2017;
- Assessments for children in care are not updated routinely and too often, when cases are in court, the assessments focus on the concerns about the parents;

Ofsted noted that purposeful direct work with children to help them to understand why they are not living with their parents is improving but is not yet consistently good enough. In better cases, relationship-based direct work is tailored to children's needs and is age appropriate. This is a significant improvement.

Further feedback from this visit is provided in paragraphs 3.11 and 3.12 of this report.

The body of this report includes commentary on progress in the four themes of our improvement plan at the end of the first quarter in the second year of our improvement programme.

Whilst we are making progress in embedding the changes that have been made over the first year of our improvement programme, giving us a firm foundation for improvement, there remain challenges to ensuring that the service improves to meet a 'good' inspection standard and sustains this improvement. This is borne out by the findings from Ofsted at the Monitoring Visit in August, and gives us a clear framework on which to focus going forwards. Therefore, the focus in this final stage of the Improvement Plan (April 2018- early summer 2019) is, in addition to building on improvements made so far, to renew and refresh our focus on key areas which might risk progress.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Endorse the progress made in delivering the children's services improvement programme.
2. Agree the next steps in the improvement journey which will be updated on in the next report.

1. REASONS FOR THE DECISIONS

- 1.1 Corporate and political leadership of the Children's Services improvement agenda is a critical part of ensuring its success. Consideration of this report in Cabinet will support this leadership and help to facilitate public scrutiny of progress.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options to consider.

3. DETAILS OF THE REPORT

- 3.1 In April 2017, Ofsted published its report rating our services for children in need of help and protection, children looked after and care leavers and the local safeguarding children board 'inadequate' overall (but with some areas requiring improvement.) Subsequently, Cabinet agreed an improvement plan on 27th June 2017 which was subsequently agreed by the Department for Education and Ofsted.
- 3.2 The improvement plan responds directly to the 15 recommendations identified in the Ofsted inspection report. It is an operational tool used by managers and frontline staff to drive our improvement activity which, crucially, focuses on the impact changes will have on vulnerable children. It is monitored and updated on a monthly basis by the Children's Services Improvement operational board, chaired by the Director of Children's Services, and every 2 months by our independently chaired Improvement Board. The Mayor, Chief Executive, Cabinet Member and Director of Children's Services meet fortnightly to review and address key issues and challenges. Quarterly updates are reported to Cabinet, Best Value Programme Board and the Overview and Scrutiny Committee. This fifth update report details progress made between April 2018 and the end of June 2018.

3.3 In July 2017 the Department for Education (DfE) appointed Lincolnshire and Islington councils as our Improvement Partners (IPs). The role of Improvement Partners is to support us in our improvement journey by acting as external expert advisors. They have provided regular reports on progress which are shared with the DfE. The focus of their support included the following areas where they have specific expertise that the council could learn from:

- Early help
- Legal support
- Workforce strategy
- Leadership and governance
- Commissioning
- Finance
- Looked after children

3.4 Following the May 2018 monitoring visit by Ofsted, it was agreed, with both Lincolnshire and the DfE, that the improvement support from Lincolnshire (the main improvement partner) would cease. Instead, it was agreed that Tower Hamlets would be able to secure support for specific areas identified as required from relevant authorities on an ad-hoc basis. We continue to receive support from the London Borough of Islington, and we are currently in the process of agreeing with the DfE that Leeds will also formally partner us with regard to the continued development of our practice model.

3.5 The council aims to achieve at least a ‘good’ rating for its Children’s Services within two years, by the time of the next inspection (likely to take place from the second quarter of 2019). This is an ambitious undertaking given the extent of failings identified in the Ofsted report and the level of change required. Our improvement plan sets out a three stage journey to achieving this aim. We have now entered the final stage of that journey, which is called ‘continuous improvement to a “good” children’s service’. This stage started in April 2018 and is likely to run until June 2019.

3.6 The table below shows overall progress in the aims that we set for this final stage. This work will ensure that the foundations put in place during stage 1 and embedded in stage 2 are built upon and improvement is sustained over the length of the programme:

Our aim	Progress and outcome
Stage 3 - Workforce has stabilised, permanent posts are filled and turnover has reduced	Workforce stability overall has improved during 2018. The annual rolling figure has reduced from a high of 23.3% turnover and 47 leavers in February to 19% and a further fall at the end of June to 16.9%. Recruitment initiatives have been increased with an acceleration of direct recruits and the conversion of agency workers to permanent staff.

Our aim	Progress and outcome
<p>Stage 3- Early Help featured as an aim in the first two stages of the improvement plan. It is proposed that a refreshed improvement plan includes Early Help as it is one of the key priorities identified by DfE, Ofsted, Independent Chair and the LSCB as impacting on progress of improvement</p>	<p>The Early Help Redesign: Phase of one the Early Help Redesign is complete and the Early Help Hub went live on the 31st of July 2018, under the redesigned configuration. Early Help will be running with full staffing capacity from September 2018.</p> <p>Early Help Pathways: The Early Help pathways streams continue to be developed for schools, health (vulnerable families pathway) and youth justice.</p> <p>Early Help Strategy: Is being finalised with the intention to now include outlines of various Early Help pathways; and the Early Help offer.</p> <p>Early Help Enquiry Form: A single Early Help Enquiry Form is being developed by Early Help and it is currently being tested within the Early Help Hub</p>
<p>Stage 3- Performance indicators, audit and dip sampling show continuous improvement in quantitative and qualitative measures</p>	<p>Following the work done during stage 1 to improve performance management within the Children’s Social Care service, the use of performance data, case audits and dip samples is becoming embedded as a fundamental part of the service improvement process. The detailed updates below give examples of where this is taking place to improve our support to children and their families. In their December and May monitoring visits, Ofsted fed back that they could see much more use of performance information by team managers to support social workers and tackle drift and delay. During their fourth monitoring visit Ofsted noted the continued improved use of data and information. For example, they found that:</p> <ul style="list-style-type: none"> • Improved performance management arrangements mean that senior leaders and frontline line managers are very knowledgeable about service performance. • Routine reporting, disseminated effectively to staff and elected members, is augmented by monthly practice clinics which hold managers to account. • Case file audits are completed regularly but more work is needed to sustain the focus on the quality of practice and not just the process.

Our aim	Progress and outcome
	High level performance continues to be reported to CLT and the Improvement Board via the monthly Children’s Services Improvement Summary report.
Stage 3- Focus on specific service and practice areas that have been identified as requiring deeper and/or accelerated improvements	<p>Our refreshed improvement plan will contain specific actions in relation to the Looked After Children’s Service in order to address the key areas where progress is weak or has not yet been sufficient. We are also seeking specific support from Islington and Leeds which will support us with this.</p> <p>The draft refreshed improvement plan will be presented to the Children’s Services Operational Group in September and then the Children’s Services Improvement Board.</p>

Stage 3- Continuous improvement to a ‘good’ Children’s Service.

- 3.7 Following a deep dive exercise with the Local Safeguarding Children Board (LSCB) in June we are currently refreshing and re-focusing our improvement plan to focus on key priorities relating to this final stage, to ensure that we continue on our trajectory to “good”. Key findings from that exercise were that progress is evident across a broad range of practice. However, the report does highlight a number of areas which are crucial to our overall improvement but where we cannot yet be certain that progress is embedded or of a sufficient level of quality. These areas are; a) How we embed and develop the new “Restorative Practice” model across the workforce (b) The strength of CP Chair and IRO oversight of practice and ensuring that it provides sufficient and appropriate challenge, and (c) The continued development of the Child Exploitation team and its wider agenda.
- 3.8 A plan is being developed based on research undertaken as to the characteristics that would be present in a “good” authority. We are currently assessing our own progress against these indicators and will be developing the next phase of our improvement plan as a result. We are still focused on achieving a “good” rating by the time of the next inspection while acknowledging that this is a significant ambition.
- 3.9 **Improvement Partners:** We continue to utilise the expertise and knowledge of a number of improvement partners who have the support of the DfE to assist us with the overall improvement plan. The London Borough of Islington will continue to offer their expertise in regard to the development of front-line managers and more generalised workforce development. Islington have a strong track record in developing their staff and we will be able to take a significant amount of learning from this partnership. In addition, we are also negotiating with the DfE to involve Leeds City Council in assisting us with the continued roll-out of our Restorative Practice model. Leeds has pioneered much of this work and are seen as a

national example of best practice. Their support and guidance will remain valuable in developing and embedding our version of this model.

- 3.10 Our progress is being monitored by Ofsted through quarterly monitoring visits. The fourth of these visits took place on the 15th and 16th of August and focused on Permanency Planning and the Public Law Outline. Feedback was summarised in the Executive Summary of this report, and it is clear that, although there are some clear improvements for looked after children, these are variable, and there are areas requiring a much stronger focus during the final phase of our improvement journey.
- 3.11 Ofsted noted some improvements in the looked after children's service, including around caseloads, IRO (Independent Reviewing Officer) management oversight, enhanced CAMHS pathways, sufficiency and the role of the Emergency Duty Team and Edge of Care Team. Children with Disabilities are more effectively supported by carers following additional training and support. Decisions about whether children should become looked after are now underpinned by effective and accessible legal advice, as clearly evidenced by the weekly focused and well-attended legal planning meetings. This is a vast improvement, as previously too many children, including those subject to the PLO, remained in situations of actual or potential harm for too long. The Virtual Schools Team is strong with has a clear strategic vision and works well with schools and children's social care. The independent placements overview panel (IPOP), chaired by a senior manager, scrutinises existing placements and considers requests for placement moves and for new placements, to ensure that they meet the needs of the children and young people. The IPOP has assisted in reducing the number of children in residential placements from 30 to 11.
- 3.12 However, there is more work to do around IROs supporting permanence with concurrent planning. In addition Ofsted stated that assessments for children in care are not updated routinely and too often, when cases are in court, the assessments focus on the concerns about the parents. Too many children have not had an assessment for a number of years . More effective management oversight is required. Permanence Planning is not yet systematic and contingency planning is not yet uniformly evident. Adoption is not routinely planned for at the earliest stages. In addition, the PAST and the children's placement team need to work together with the looked after children service sooner to ensure that family finding starts sooner. We need to ensure that there is clear accountability and responsibility for children subject to Special Guardianship Orders.
- 3.13 Our refreshed improvement plan will contain specific actions in relation to the Looked After Children's Service in order to address the key areas where progress has not yet been sufficient. We are also seeking specific support from Islington and Leeds which will support us with this. The draft refreshed improvement plan will be presented to the Children's Services Operational Group in September and then the Children's Services Improvement Board.

- 3.14 Early intervention is a focus for Tower Hamlets and will be a theme in a forthcoming monitoring visit after August, but not until the new Early Help Strategy has been launched.
- 3.15 In addition to the Ofsted monitoring visits, the last report outlined the findings from a DfE Review in February 2018, which broadly tallied with the findings of the Ofsted monitoring visits. Since then, in June 2018, the Local Government Association (LGA) has undertaken a Peer Review of the London Borough of Tower Hamlets as a whole. Key findings from this review, in relation to children's services, were that the LGA noted the fast pace of improvement to date as detailed in previous Ofsted monitoring visits. The LGA also advised that there needs to be a continued corporate priority around children's services as the council continues its ambitious programme to get to good by the time of its next inspection.
- 3.16 It should also be noted that the DfE will be undertaking its second review of progress in October 2018. This review follows on from the review in February 2018 and findings will be outlined in the next quarterly report.
- 3.17 On 27th June 2017, the Mayor in Cabinet approved our summary improvement plan, setting out the 10 components of a successful Children's Service and our vision of what a 'good' service will look like. To give them focus, the objectives and actions that are being implemented to achieve this vision are grouped under 4 themes that directly relate to the findings of the Ofsted inspection.
- 3.18 Additional capacity was provided to the service to ensure that rapid progress could be made whilst maintaining day to day service provision. An experienced interim Divisional Director for Children's Social Care was appointed to implement operational improvements and provide leadership in our improvement journey. As we move into the final phase, recruitment has now been completed for a permanent Divisional Director of Children's Social Care and the postholder started in July 2018.
- 3.19 In addition, a new Divisional Director post was created and permanently recruited to which covers children's commissioning, including social care placements and early help, which further adds to capacity at senior management level. Additional capacity has also been put in place at service manager level.
- 3.20 £5.59m growth has been put into the children's budget for 2018/19 (this includes the Mayoral Priority Growth for Children's Services for the year is 0.447m). The total requirement to support children's services improvement over two years (2017/18 and 2018/19) was estimated at £4.2m, with an outturn for 2017/18 of £1.9m. This will need to be monitored as part of the ongoing monitoring and modelling to ensure that there is a sustainable funding position for children's services now and in the future.
- 3.21 The following paragraphs set out in more detail the progress that has been made in each of the four themes of our improvement plan.

Theme 1- Leadership, Management and Governance

- 3.22 The focus in this part of the plan has been to implement a robust governance structure with a supporting performance management framework, a workforce strategy and address sufficiency issues in relation to emergency and unplanned placements. This will contribute to the following components of our vision:
- A whole council vision for excellence;
 - An outward facing organisation and culture;
 - Corporate and political support and an ambition for excellence;
 - Strong member- officer relationships based on trust and constructive challenge;
 - A clear 'golden thread' from the political leadership through to the frontline;
 - Strong and dynamic leadership throughout the organisation;
 - A permanent and stable workforce with capacity and resources;
 - Strong coherent partnerships at strategic and operational level.
- 3.23 Since January 2017, the Mayor John Biggs has worked with partners to reinvigorate the Tower Hamlets Strategic Partnership. The Partnership brings together key stakeholders to improve services and outcomes for local residents. It has been focused on strengthening partnerships and developing a vision and priorities for the next five years. The recently published Tower Hamlets Plan's (2018 – 23) key aim is to tackle inequality by building a strong, inclusive and fair borough. To achieve this aim partners agreed four priorities where partnership work is vital, these include:
- A better deal for children and young people: aspiration, education and skills
 - Good jobs and employment
 - Strong, resilient and safe communities
 - Better health and wellbeing.
- 3.24 During 2018 – 19 the Chair of the Children and Families partnership, The Lead Member for Children, Schools and Young People, will begin work to develop a new deal for children and young people which will include hosting a Summit in the autumn to help shape and inform future priorities and action including the development of a new Children's Partnership Plan for 2019-2022. The council and its partners are keen to ensure there are opportunities for children and young people to play an important role in shaping the Summit as well as exploring and developing greater youth voice in decision making within the borough.
- 3.25 **Governance and performance management** arrangements were put in place as part of stage 1 of our improvement programme and these changes are now firmly embedded , as recognised by Ofsted in their May monitoring visit. Political leadership and knowledge of Children's Social Care has been developed through

two seminars for all Members; including a seminar specifically on child sexual exploitation; practice visits for the Mayor, Lead Member and Scrutiny Lead; spotlight sessions at Overview and Scrutiny Committee; regular discussion at Cabinet and pre-Cabinet meetings; verbal briefings by the Director for opposition Members; and fortnightly meetings between the Mayor, Cabinet Member, Chief Executive and Corporate Director, alternately attended by the independent Improvement Board Chair. The Mayor and Cabinet Member have also benefitted from training and mentoring organised by the Local Government Association.

- 3.26 Given that the elections on May 3rd 2018 have brought in a number of new Members, including a new Cabinet Member for Children, Schools and Young People, we are clear that in order to ensure political leadership and knowledge of Children's Social Care is sustained, the activities described above will need to be replicated for all new political members, with an enhanced programme of induction and support offered to the new Cabinet Member and any potential new appointments in relation to Scrutiny committees. To date an introductory session has taken place for all members in respect to Children's Social Care. A further session took place on the 9th August with a focus on contextual safeguarding (gangs, missing children, Child Sexual Exploitation, county lines). Training in autumn around children's safeguarding, in partnership with the Local Children's Safeguarding Board, is also planned in relation to the new cohort of Overview and Scrutiny Committee members.
- 3.27 **Staff recruitment and workforce stability** remains a key priority, and senior leaders have recognised that this is a risk which requires ongoing monitoring during the final stage of the improvement journey. We have put in place a range of strategies and measures which are pointing to an improved picture.
- 3.28 **Workforce stability** overall has improved during 2018. The annual rolling figure has reduced from a high of 23.3% turnover and 47 leavers in February to 19% and a further fall at the end of June to 16.9%. Within the teams there are also other signs of positive changes, with a significant decrease of turnover from 75% in January to 20% in June in the MASH (Multi Agency Safeguarding Hub) /Assessment and Intervention Team. This is a very positive picture and reflects the focus on improving practice and support in the team.
- 3.29 It must be emphasised that reducing turnover is one of most important aspect of workforce stability as it reflects disruption, cost and loss of experience when an experienced member of staff leaves the service. The improvements in the service, a good professional development offer and ongoing support are the most effective strategy to tackle turnover. Analysis has been undertaken to identify the career points at which exits occur and as a result those at the 3 and 7 year employment point are receiving a targeted career interview.
- 3.30 As at the end of June 2018, 61% of posts across the Children's Social Care service were filled by permanent staff. We are adopting a multi-channel approach to the increase in the permanent staff and a reduction in agency workers which is set out below.

- 3.31 Over 2018 we have worked hard on improving **Social Worker recruitment** and this is starting to yield results. Work is underway to ensure that LBTH has the most attractive offer to attract potential candidates. This includes:
- A review of salaries to ensure market comparability
 - A review of benefits
 - A refresh of the dedicated micro-site for recruitment
 - The development of a specific recruitment specialist post to drive the maximum pool of available candidates
 - Dedicated Principle Social Worker to focus on the Workforce Strategy
 - Agreement from the Corporate Leadership Team to use the 'grow your own' approach to developing a stable workforce and to over-establish with agency staff during the development period
 - A clear strategy to manage caseloads and supervision to minimise stress and turnover and maximise retention and reputation
 - On-going recruitment campaigns to maximise the available pool of applicants.
- 3.32 During quarter 1 2018/19, a Social Worker Recruitment Specialist role has been successfully recruited to with the post holder starting in June 2018. This role provides a dedicated resource to children's social care, and has already created a change in focus. We are confident that this will contribute to the more stable workforce. As of July 2018, there are currently twelve agency staff in the conversion process to become permanent worker, this has been a joint effort between the service creating the right conditions for the move and the direct approach of the new Social Worker Recruitment Specialist.
- 3.33 The Children's Workforce Strategy Group has also met recently to review its membership and Terms of Reference in order to reflect the progress that has been made in this area and to re-focus activity on how recruitment fits with the other Strategic priorities such as the launch of the Social Work Academy.
- 3.34 The council has negotiated a primary role in the forthcoming Community Care jobs fair which includes participation in the panel on county lines and hosting one of the seminars, all of which will contribute to the brand of Tower Hamlets.
- 3.35 The procurement process for the work with agencies to recruit permanent social workers is now complete and the feedback from the agencies is positive regarding the profile of Tower Hamlets, interviews have been set up for the candidates supplied to date.
- 3.36 In July 2018 the Social Work Academy report to the Council's Corporate Leadership Team set out the forecast timeline for workforce stability with an aim to stabilise turnover at no more than 15% and with an agency workforce of no more than 15%. The three strands of this strategy and the impact on the permanent workforce were set out in the report and are in the table below:

3 Pronged Recruitment Projection Snapshot						
		Year 0	Year 1	Year 2	Year 3	Activity Total
1	Hire Newly Qualified Social Workers (NQSW)		40	40	40	120
2	Convert Agency Workers to Permanent		6	4	2	12
3	Targeted recruitment of Experienced Social Workers		14	25	25	64
	Total Recruits		60	69	67	196
	Projected Annual Staff Turnover (15%)	50 (19%)	39 (15%)	39 (15%)	39 (15%)	167
	Net Recruits		21	30	28	79
	Total Vacancies (Total posts 262)	114	93	63	35	
	Total Vacancies in %	44%	35%	24%	13%	

3.37 The progress set out in the paragraphs above indicated that this should be achievable with the reduction in turnover, recruitment of ASYEs (Assessed Supported Year in Employment), improvement in the number of agency conversions and multi-channel approach to the recruitment of experienced social workers. We currently have 12 agency workers seeking conversion to permanent employees, if they are all successful this will meet the three year target at the end of year one and serves to illustrate that this forecast should be achievable.

3.38 Proposals for the development of a **Social Work Academy** were originally considered by the Council's Corporate Leadership Team in March. The Business Case for the new Social Work Academy was presented at Corporate Leadership Team (CLT) in July 2018. The aim is to launch a Social Work Academy in partnership with local universities in October 2018 which will be the first programme of its type nationally to include a three-year NQSW (Newly Qualified Social Worker) Programme to ensure newly qualified social workers have a sustained wrap-around service as well as career mobility. The vision is to make Tower Hamlets an attractive place for professionals to seek and remain in employment. The ultimate aim of the academy is that it will cover both Children's and Adults Services, however learning from other local authorities who have attempted to launch in this way indicates that a phased approach is more likely to succeed. Following discussion at CLT a project team has been commissioned to oversee this work and a dedicated project officer has now been assigned. We have now formed a Social Work Academy Board, chaired by the Divisional Director of Children's Social Care, which will oversee the setting up of the Academy and ensure that the tight time-scales are adhered to. The Social Work Academy is due to be formally launched in October.

3.39 Our **sufficiency strategy** is driving forward change and the latest data indicates that children are coming into care at a much younger age than previously. This does not negate us from supporting older children and young people but we are responding to their care needs in a more inclusive manner. The Sufficiency Strategy continues to be supported by a dedicated project group and priorities for the next period are to continue to make progress in ensuring that we are commissioning placements in the

most cost effective way. We are also moving forward with plans to develop an in-house specialist fostering provision which will be supported by our Emergency Duty Team (EDT), Edge of Care and Psychological Services. This type of placement is currently commissioned from external providers at a significant cost. Changes to EDT have also been implemented which has led to better support to our most high risk children including less placement breakdown. A report detailing progress around sufficiency is due at the Children's Services Operational Group in September.

Theme 2- A robust model of social work practice.

- 3.40 This theme is the main 'core' of our improvement plan and focuses on improvements in practice within the Children's Social Care service. The service manages all contacts received by the council where there are concerns about a child's welfare through to statutory assessments and interventions for children. This includes the placement and support of looked after children as part of the council's corporate parenting responsibilities. The theme contributes to the following components of our vision:
- A strong model of practice, with good checks and balances;
 - Clear and embedded systems, processes and data.
- 3.41 The council's approach to practice improvement includes greater clarity in practice standards ('what good looks like'), management action on compliance with standards and recording, and the systematic use of data and case audits to lift quality and consistency. The percentage of cases with management oversight has remained relatively stable over quarter 1, just slightly below the upper target of 95%.
- 3.42 In June 2018, the numbers of children in need remained relatively stable and this has been the case over the past three months with a reducing trajectory. This is in line with targeting resources effectively. This is in line with effectively providing services that are tailored to the needs of the child and eliminating drift.
- 3.43 The improvements in case management across the service have resulted in an increase in the proportion of children in need that have a plan in place. This has risen month on month from 51% in June 2017 to 78.1% at the end of December, and as of the end of June 2018 this had climbed to 88.2%, just short of the lower target set. Performance has been consistently improving over the year, and as of June 2018, 96.7% of these plans had been reviewed within 6 months.
- 3.44 This remains a priority to ensure that all children in need have an up to date plan to provide assurance that their needs are being met. Because of the way that our case management system treats cases that are being stepped down from child protection plans, this figure will never show as 100%. At the same time, there has been an improving trend in the proportion of children being regularly visited by social workers.
- 3.45 In light of concerns about our local thresholds for social care intervention, in particular the extent to which these are were understood by partner agencies, a decision was taken through the Local Safeguarding Children Board to adopt the Pan London Child Protection thresholds to bring us in line with most other

London boroughs and help to ensure consistency. A new thresholds document was drafted and consulted on in the autumn of 2017, and over 600 staff (including from partner agencies) attended training sessions and gave feedback on the draft thresholds model. The agreed new Thresholds document went live on 5 February 2018. It is evident from the work being completed in the MASH that the new threshold document is embedding and thresholds are being more consistently applied. As of June 2018 97% of all decisions are made with 24 hours of the contact being received and the majority (84%) of children are seen within five days of a referral being received.

- 3.46 Alongside this work, we have completed the first phase of engagement with staff and partners on a new model of social work practice following a decision to move away from the 'signs of safety' model, which had been poorly implemented. Following positive feedback from the introductory sessions, a decision has been taken to accept the recommendation of the Task and Finish Group to proceed with the implementation of Restorative Practice as our social work model. Restorative Practice has a strong international and national evidence base underlining its value. A number of high performing local authorities in the UK have embedded the approach to best effect including Leeds which became a good authority following an inadequate judgement alongside other local authorities such as Wolverhampton & West Berkshire.
- 3.47 Following the "Big Restorative Practice Discussion" four cohorts of three day training have taken place with a further 8 planned by the end of October. This means that by this time most of our social workers will have received the accredited training. Bespoke training is planned for the Mayor, Lead Member, Chief Executive and Director of Children's Services to ensure corporate buy-in and understanding at a senior level. We are developing plans to ensure that other staff and partners receive the training that they require. The Task and Finish Group has now become a Steering Group, chaired by a Service Manager from within Children's Social Care rather than an independent consultant, as was the case previously.
- 3.48 Whilst progress has been made across this theme, and the improvements seen during the first phases of our improvement programme have been sustained and built upon, there remain significant challenges in ensuring that social work practice is consistently robust. Although the improvements noted above are significant, and the overall trend is of improvement, including some exceptional performance, some performance is not yet at the level that would be expected from a 'good' service. The focus of our work over the next quarter and indeed for the rest of the year, as articulated in our improvement plan, is to ensure that the processes put in place during stages 1 and 2 are used to support continuing and sustained improvements. The work that is ongoing as part of theme 1 to address our workforce challenges will be key to this as they begin to deliver a more stable and skilled workforce.

Theme 3- A sufficient and skilled workforce

- 3.49 This theme focuses on improvements in management oversight and supervision across all services, and in our management of private fostering

cases which were highlighted as an area of concern by Ofsted. It contributes the following elements of our vision:

- Strong and dynamic leadership throughout the organisation;
 - A strong model of practice, with good checks and balances;
 - A permanent and stable workforce with capacity and resources.
- 3.50 Since the last report, Management oversight has reduced slightly from March's figure (which saw 95.7% of cases having received management oversight in the past 8 weeks) to 94.8% in June 2018. This is still above the lower target and a significant improvement from 60% in April 2017. Training for managers was delivered as part of our 'back to basics' programme, further supporting improvements in the quality of management oversight to ensure that it supports the delivery of consistently high quality social work practice.
- 3.51 As referenced earlier in this report (paragraph 3.37), Tower Hamlets is launching a Social Work Academy in partnership with local universities in October 2018 which will be the first programme of its type nationally to include a three-year NQSW (Newly Qualified Social Worker) Programme to ensure newly qualified social workers have a sustained wrap-around service as well as career mobility. The vision is to make Tower Hamlets an attractive place for professionals to seek and remain in employment.

Theme 4- Quality Assurance and audit

3.52 This theme supports the following components in our vision:

- Clear and embedded systems, processes and data;
- A strong model of practice, with good checks and balances.

3.53 Our quality assurance and audit programme was fully launched in August 2017 and we are continuing to use audit activity systematically to inform our improvement activity under theme 2. Ofsted commented in their second monitoring visit that the use of audit was becoming more embedded although they felt that some improvement was needed in its effectiveness to support the improvement journey. In addition to the full audit schedule, dip sampling continues to take place to support the understanding of social work delivery for children.

3.54 In reviewing the audits and moderations, specific themes emerged- some good and some requiring improvement. The learning from both will support CSC in developing practice. In addition, re-training is planned with staff in order to support the QA process and help people understand what "good" looks like.

3.55 During the course of the improvement journey so far, there have been areas which have shown **considerable improvement**, though taking away that there is still more to do. Those areas include:

- The pre-proceedings episodes, tracked from the legal planning meeting, have significantly reduced and are within the minimum range of the Children Act guidelines (12 – 16 weeks).
- When partner agencies support the family plan prior to and during the PLO process the outcome for children has been the most positive.
- In regard to ongoing work: in only a few cases, partners failed to work together effectively
- Management understanding and oversight is visibly recorded in case notes and reflective group supervision and 1:1 supervision is held regularly.
- A child's diversity is explored and understood in most cases.
- There is clear evidence of sustained improvement around compliance to statutory time-scales and processes. The majority of Audits and Moderations in June 2018 focus on the quality of care plans and have assessed cases as 'does not meet good' where the plans are not SMART and outcome focused.
- The voice of the child and direct work, is evidenced in most cases audited.
- It is evident that in the last 6 months the correct intervention is in place on a CP Plan, appropriate referrals are being made to partner agencies and assessments to understand his needs and how to meet them are underway.
- IRO oversight in relation to 'mid-way monitoring' and care planning is showing signs of improvement across the board, but coming from a low base.

3.56 There are some areas which require further improvement:

- The use of chronologies varies and there is not always a consistent standard maintained. Where they are present, they are not always updated or complete. In practice this means that themes and patterns in the child's journey are not identified and this has a direct impact on the quality of assessments and planning.
- Both of the pre-birth cases that were audited this month indicated training needs for CLA managers and social workers around pre-birth assessments, planning and CP procedures
- Delays in permanency planning were also identified as a concern and the need to consider at an earlier stage in the child's journey long term permanent plans.
- Notifications to IROs of children who move placement is largely absent. This has meant here is a lack of challenge to operational teams where children move. The Group Manager for the service is already working on an automatic notification process to allow for IRO scrutiny to be improved.

3.57 The above findings were borne out by the recent Ofsted visit, where inspectors noted that Case file audits are completed regularly but more work is needed to sustain the focus on the quality of practice and not just the process.

3.58 As part of embedding Quality Assurance at all levels, Ofsted recommended that we take forward "Practice Week", where senior leaders spend time with frontline social workers reviewing cases and shadowing their work with children and families in order to better understand their day to day experience. Practice Week takes place on a quarterly cycle, with the Chief Executive and Director of Children's Services taking part, alongside the Mayor, lead member for

Children's Services and lead Overview and Scrutiny member for Children's Services, the divisional director and the LSCB chair. This includes attending social work visits, meeting student social workers, spending time with social work teams and observing professional meetings about children. These observations are informing our improvement activity going forward. The next Practice Week will take place in Autumn 2018, supported by the London Borough of Islington, and with a focus on the looked after children and leaving care service.

- 3.59 The council has embarked on a complete replacement and upgrade of its ageing IT infrastructure to provide a fast, flexible and reliable service for all service users. Over £16 million has been committed to deliver this extensive programme. The Corporate Leadership Team agreed moving from Frameworki to Mosaic is a corporate priority under the Frontline Services workstream. Recognising that effective and reliable IT is critical for the Children's Services Improvement journey, Children's Services has been prioritised in the replacement and upgrade programme. Whilst this replacement programme is underway, short term actions have improved the availability and performance of IT to Children's Services. This continues to be reported to the Children's Services Improvement Board and will continue to be monitored at the highest level.
- 3.60 Ensuring that care leavers have up to date and reviewed pathway plans is another subject of this theme. Whilst the proportion of care leavers with a pathway plan has dropped slightly from 96% in January to 93% in June 2018, and the cohort has increased, we are still within the target range. There remains concern about the quality of pathway planning and a review of our support to care leavers has now concluded. The results of this review and recommended next steps were presented to the Children's Social Care Directorate Leadership Team in May 2018, following consultation with Leaving Care and Children Looked After Teams. The voice of young people who are in or have left care has been strengthened at the Corporate Parenting Board and is helping to shape this work, including the ambition to develop a post-16 service.

Next Steps

- 3.61 Cabinet will receive a further update on progress in three months' time. The key priorities for the next monitoring period will be:
- Ensuring stability and ease of transition of responsibilities from the interim Divisional Director to the new permanent Divisional Director. This is already underway and progressing.
 - Developing a refreshed improvement plan to take forward the key areas of work as identified in this report and outlined below:
 - i. Taking forward actions and strategies to ensure consistent high quality support and planning around looked after children
 - ii. Continuing work on our recruitment and workforce development strategy;
 - iii. Developing our training and development offer, including the development of a social work academy;

- iv. Embedding the implementation of phase 1 of the new model for Early Help services;
- v. Embedding the sufficiency strategy;
- vi. Consolidating and building on the improvements we have made in performance and quality across the social care service;
- vii. Implementing our new model of social work practice;
- Delivering short, medium and long-term improvements to the council's ICT systems to ensure it is robust and reliable for social care staff.

3.62 It is likely that there will be two further monitoring visits, including one which re-focuses on the Looked After Children Service and Leaving Care and one in spring re-focusing on early help and the front door services. Re-inspection will then take place within six months of the final monitoring visit.

4. EQUALITIES IMPLICATIONS

4.1 Ensuring that we are providing good services to vulnerable children and their families will ensure that some of our most disadvantaged children are effectively supported to maximise their life chances.

5. OTHER STATUTORY IMPLICATIONS

5.1 Safeguarding children is a core focus of the improvement plan.

5.2 The Ofsted judgement rated our local safeguarding children board 'inadequate.' Work is underway to address this finding and improve the work of the board.

5.3 Work is ongoing to develop new safeguarding arrangements consistent with new regulations as set out in *Working Together 2018*.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 Significant additional resources have already been identified as part of the 2017-2020 MTFs; in particular total additional growth of £5.2m addressing pressure in a range of areas, most of which feature in the improvement plan.

6.2 Additional one-off investment funding via the Council's Transformation Reserve is being used to support the implementation of the Children's Services improvement plan. The estimated cost of this plan over 2 years is expected to be £4.2m (of which £1.9m was spent in 2017/18)

6.3 The level of one-off funding is based on a detailed assessment of the costs associated with the improvement plan and the improvements that will be achieved as a result of the investment have also been identified and are regularly monitored.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The framework for Ofsted inspections of Children’s Services is set out in sections 135-142 of the Education and Inspection Act 2006 (‘the Act’) and associated Employment and Education Act 2006 (Inspection of Local Authorities) Regulations 2007 (‘the Regulations’). Tower Hamlets was inspected in January 2017 under Ofsted’s “Framework and evaluation schedule for the inspections of services for children in need of help and protection, children looked after and care leavers and Reviews of Local Safeguarding Children’s Boards” (‘the SIF’), which sets out a single assessment framework for assessing local authorities during inspections conducted under section 136 of the Act. Local authorities are graded outstanding, good, requires improvement or inadequate in each of the areas inspected.
- 7.2 Under Ofsted’s “Framework, evaluation criteria and inspector guidance for the inspections of local authority children’s services” introduced in November 2017 (“the ILACS, information held about each local authority is used to inform decisions about how best to inspect that authority. This sets out that Ofsted will usually re-inspect an inadequate local authority using the same framework under which they were judged inadequate. However, Ofsted may also take a decision to re-inspect under the ILACS framework.
- 7.3 Ofsted will inform inadequate authorities if they no longer plan to undertake monitoring visits meaning a re-inspection should take place within six months. If the outcome of the subsequent re-inspection is better than inadequate, that authority will then begin to follow the pathway for local authorities which either require improvement, or are graded good.
- 7.4 The recommendations that the Mayor in Cabinet should endorse the progress made in delivering the children’s services improvement programme and agree the next steps in the improvement journey, are consistent with the Council’s duty to secure continuous improvement in its functions. Failure to make the necessary improvements to children’s services could result in the Secretary of State appointing a Children’s Services Commissioner or removing service control from the Council.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- NONE

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

- NONE

Officer contact details for documents: N/A

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe, Acting Corporate Director of Place</p>	<p>Classification: Unrestricted</p>
<p>Chrisp Street Regeneration Scheme: CPO Resolution, dealings with Council land/interests and Street Market Management Arrangements</p>	

Lead Member	Councillor Rachel Blake, Cabinet Member for Housing and Development
Originating Officer(s)	Mark Baigent – Divisional Director for Strategy Regeneration & Sustainability Niall McGowan – Housing Regeneration Manager Aaron Cahill –Project Manager Monju Ali – Housing Regeneration Project Officer
Wards affected	Lansbury
Key Decision?	Yes
Forward Plan Notice Published	28 August 2018
Strategic Plan Priority / Outcome	A borough that our residents are proud of and love to live in

1. EXECUTIVE SUMMARY

- 1.1 This report seeks agreement to facilitate the delivery of a regeneration project (the scheme) at Chrisp Street Market, Poplar E14 (the Site). The scheme is being led by a partnership between Chrisp Street Developments Limited (CSDL) a wholly owned subsidiary of Telford Homes, who will be responsible for delivering the scheme, and Poplar HARCA (HARCA), who will be responsible for owning and managing the current and future affordable housing on the Site.
- 1.2 This report seeks authorisation for Officers to proceed with three principal matters that will facilitate the regeneration of the Site (also referred to herein as the “Order Land”), the boundaries of which are shown in red on the Chrisp Street CPO and Site Plan at Appendix 1. The matters in respect of which the Mayor’s approval is sought are, in summary:
- a) Authority for Officers to make, seek confirmation of and give effect to a Compulsory Purchase Order (CPO), which will empower the Council to acquire all land and property interests within the Order Land necessary to facilitate the delivery of the scheme;

- b) Approval of decisions relating to dealings with the Council’s land and property interests, including disposal of interests to CSDL and acquisition of others, in order to help facilitate the delivery of the scheme;
 - c) Approval of proposals to relocate the Street Market Traders in broad accordance with the plan set out in Appendix 12. The Council will sustain the Street Market’s operation and business throughout the construction period and manage thereafter. Also sought is approval for nominated Council officers to become directors of the developer’s Chrisp Street Management Company for the wider site detailed in Appendix 1 (replacing the environmental management role undertaken by HARCA), subject to satisfactory legal and financial terms, and how that company will work in partnership with the Council’s own Street Market management service. The Council’s service will continue to issue licences and set and collect trading fees. The land on which the Street Market is located will continue to be owned by the Council.
- 1.3 Approval of this report’s recommendations will help facilitate the delivery of a scheme approved by the Council’s Strategic Development Committee (SDC) on 24 July 2018, and in doing so implementation of a Council Local Plan priority (Site Allocation 9, Chrisp Street Town Centre, in the Managing Development Document 2013); and, more broadly, the delivery of a regenerated place, providing a focal point for the wider Poplar area.
- 1.4 The proposed CPO will run in tandem with CSDL’s continuing efforts to achieve negotiated settlements with all land interests wherever possible, an approach consistent with DCLG’s guidance on the Compulsory purchase process and The Crichel Down Rules (2018) (the “CPO Guidance”).The use of the Council’s CPO powers now is considered necessary and proportionate to progress the scheme by reducing the risks arising as a result of uncertainty around land assembly and use.

2. RECOMMENDATIONS:

- 2.1 **In relation to the Compulsory Purchase Order, the Mayor in Cabinet is recommended to:**
- 2.1.1 Authorise the making, seeking confirmation and implementation of a CPO under section 226(1) of the Town and Country Planning Act 1990 to include all land interests within the redline boundary on the plan at Appendix 1 (including but not limited to those specific interests identified at Appendix 2) in order to facilitate the redevelopment of the Site by CSDL and HARCA, to provide new and improved housing, retail, leisure and community facilities.
 - 2.1.2 Subject to the Council entering into the Indemnity Agreement described in recommendation 2.1.3, delegate to the Acting Corporate Director of Place the power to effect the making, confirming and implementation of the CPO and take all necessary steps, including the making of any ancillary orders and the exercise of any of the Council’s Planning functions, to give effect

to the CPO in respect of the area shown edged red on the plan at Appendix 1.

- 2.1.3 Delegate to the Acting Corporate Director of Place the authority to finalise the terms of, and enter into, the Indemnity Agreement substantially in the form set out at Appendix 8 to provide a framework for the respective obligations of the Council and CSDL and Poplar HARCA in the promotion and application of powers, including land transfer and the ability for the Council to recover its costs in conducting and managing the CPO, including all compensation costs to be paid;
 - 2.1.4 Delegate to the Acting Corporate Director of Place the authority to agree the terms of and enter into any documentation required to transfer and effect the transfer of any land interests, whether freehold, leasehold or otherwise which have been compulsorily acquired by the Council to Poplar HARCA/CSDL for a nil value consideration in accordance with the Indemnity Agreement and within a timescale to be agreed between the Council and Poplar HARCA/CSDL; and
 - 2.1.5 Delegate to the Acting Corporate Director of Place the authority to appoint external consultants to assess and agree any compensation due to the Council and to thereafter enter into any documentation to extinguish and/or to settle compensation for any infringement by the development of property rights benefitting Council-owned properties (including Rights to Light).
 - 2.1.6 Delegate to the Acting Corporate Director of Place the authority to require HARCA/CSDL to provide the necessary evidence to demonstrate that the option of refurbishment and/or retention of the existing buildings have been taken into account which may not otherwise deliver the full scheme benefits described in Section 6.14 to 6.19 in order to authorise the making of the Order.
- 2.2 **In relation to the Council's land and property interests (other than those acquired pursuant to the CPO) and subject to any legislative and policy requirements, the Mayor in Cabinet is recommended to:**
- 2.2.1 Delegate authority to the Acting Director of Place to agree the terms of and enter into any documentation required to settle any property rights / matters necessary to progress the regeneration scheme as detailed in sections 11.4 to 11.17 of this report.
- 2.3 **In relation to the Street Market arrangements, the Mayor in Cabinet is recommended to:**
- 2.3.1 Agree the proposed relocation of the Street Market as broadly described on the temporary relocation plan of the Street Market (Appendix 12) and in Sections 16.3 -16.4 of this report, noting the intention to ensure continuous Street Market trading both during the project delivery and after and delegate to the Acting Corporate Director of Place authority to enter

into any agreements or documentation, or take any steps or other action necessary, to give effect to this.

- 2.3.2 Note the proposals concerning the future management of the Site set out at Sections 16.5–16.8 and in Appendix 9 (Long Term Estate Management Plan), including in particular HARCA/CSDL’s proposal to employ a Town Centre Manager for the scheme;
- 2.3.3 Delegate to the Acting Corporate Director of Place, after consultation with the Mayor, the authority to nominate and appoint up to two Council representatives (one Member and one Officer, or two Officers) to act as directors of the Crisp Street Management Company, subject to being satisfied with the governing documents of the company, and to do all required, including execution of documentation, to give effect to that decision; and
- 2.3.4 Delegate to the Acting Corporate Director of Place authority to agree the terms of and thereafter enter into a management agreement (or variation to the existing management agreement) between the Council and Poplar HARCA and/or CSDL in respect of the market area.

3. THE USE OF COMPULSORY PURCHASE POWERS

- 3.1 The Council is empowered by section 226(1) of the Town and Country Planning Act 1990 (“**TCPA**”) as amended, to acquire any land in its area: (a) if it thinks the acquisition will facilitate the carrying out of development or redevelopment or improvement on or in relation to the land or (b) which is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated. Section 226(1A) requires that in order to make an acquisition under (a), the Council must consider that the development, redevelopment or improvement will contribute to the promotion or improvement of the economic, social or environmental well-being of the area.
- 3.2 In the present case, the Council proposes relying on section 226(1)(a) and so the requirements of section 226(1A) described must be satisfied.
- 3.3 The CPO Guidance sets out the policy tests that the Government will expect acquiring authorities to satisfy when making a CPO. In accordance with the CPO Guidance (para 2, pg 6):
 - 3.3.1 the Council should use compulsory purchase powers only where it is expedient to do so; and
 - 3.3.2 a compulsory purchase order should only be made where there is a compelling case in the public interest for doing so.
- 3.4 The Guidance sets out that:

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and

economic change. Used properly, they can contribute toward effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life.”

“The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement.”

“Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- plan a compulsory purchase timetable as a contingency measure; and*
- initiate formal procedures*

This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”

- 3.5 In order to meet the requirements of the CPO Guidance, the making of a CPO should be preceded by genuine attempts to buy the land by agreement. It must be clear that the development offers public benefits, such as improved retail and leisure facilities, improved employment opportunities, increased housing provision and improvements to the general amenity of the area. The balance of interests between the protection of individual rights and the public benefits to be realised must be considered and a CPO only made where there is a compelling case in the public interest to do so. In making this assessment the Council may note the existence of a right for any objection to be heard at a public inquiry and a statutory compensation regime which includes payments to compensate for the involuntary nature of the process. Further details of the economic, social and environmental benefits of the Scheme are set out in Section 6.14-6.20 below.
- 3.6 The CPO Guidance also requires that the acquiring authority be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation, such as in respect of delivery or the need for planning permission or other consent or licence. Impediments are addressed at Section 14 below.
- 3.7 The CPO Guidance refers to the balance that has to be struck between ensuring a compelling case in the public interest and that the regeneration project sufficiently justifies interfering with the human rights of those with an interest in the land affected. It reads as follows:

"When making and confirming an order, acquiring authorities and authorising authorities should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. The officers' report seeking authorisation for the compulsory purchase order should address human rights issues."

- 3.8 Consideration is given to the human rights implications of the decision to make a CPO below and further in Section 15.
- 3.9 The CPO Guidance has been taken into account and referred to, as appropriate, in the preparation of this Report.
- 3.10 The Acquisition of Land Act 1981 governs the procedures that apply to compulsory acquisitions. The 1981 Act provides that the authorisation for a compulsory purchase is to be conferred by a CPO. A CPO is required to follow the correct procedures.
- 3.11 The Compulsory Purchase Act 1965 governs post-confirmation procedures. The Land Compensation Act 1961, with associated legislation and guidance, governs the assessment of compensation.
- 3.12 The Council may dispose of the land under section 233 of the TCPA for the purpose of bringing it forward for development or otherwise facilitating development. Any such disposal must be for the best consideration that can reasonably be obtained, unless the Secretary of State's consent is obtained. Such an assessment may take into account the planning purpose underlying the disposal. By a combination of sections 226 and 233 of the TCPA, it is open to the Council to compulsorily acquire land for planning purposes and then transfer it to a developer or Registered Provider partner to facilitate development.
- 3.13 The sequence of actions/events to realise the CPO are as follows:
 1. CPO Resolution by Mayor in Cabinet
 2. Finalisation of title information by acquiring authority after the Cabinet resolution is passed.
 3. Continued negotiation with owners / occupiers / objectors to acquire their land / property interests.
 4. Pre CPO validation of HARCA/CSDL's dialogue with land interests above after which Council Officers will meet with land/property interests to discuss CPO process.
 5. Preparation of CPO, Order plans, Order schedules, Statement of Reasons, Statutory Notices and Advertisements
 6. Making of CPO and submission to Secretary of State by Acquiring Authority. Service of statutory notices and advertisements. Register Local Land Charge for public information.
 7. Period of objections to Secretary of State which will be for a minimum period of 21 days.

8. Secretary of State decides if a Public Inquiry is required or whether the objections can be considered through the written representations procedure (with the consent of all parties).
9. If no objections to the CPO, the Council should be in a position to confirm the CPO.
10. If there are objections and a Public Inquiry is required, Pre-inquiry preparation to be undertaken including instruction and meeting with Counsel; preparing evidence; appointing witnesses and drafting of the Statement of Case
11. Public Inquiry
12. Secretary of State decision on CPO
13. If the CPO is confirmed, the Council implements via statutory notices and a vesting date will be set.

4. NEED FOR REGENERATION

Description of the Order Land

- 4.1 The Site was built in various phases between the 1950s and late 1970s and is located in the Lansbury Ward, Poplar, E14. The Site (and thus the proposed CPO) covers an area bordering Cordelia Street to the north, Chrisp Street to the east (including the Co-op Car park, east of Chrisp Street which is bounded by the DLR line, Brownfield Street and Willis Street), East India Dock Road to the south and Kerbey Street to the west. The Order Land is illustrated in Appendix 1. The land interests affected by the proposal includes a 100 pitch Street Market; 31 lock up premises (and associated WC block); 212 homes; 68 small to medium sized commercial units providing a range of retail, café, food and other services; and four major business units, principally the bank, post office, and two major supermarkets, one of which has the benefit of an associated car park at street level to the east of Chrisp Street. Also included are the Council's Idea Store; One Stop Shop; and a Children's Centre (formerly known as the Sure Start Centre), split over two sites.
- 4.2 The Site also contains buildings of significant architectural merit. The older buildings to the north were designed by Sir Frederick Gibberd and built as part of the Festival of Britain in 1951. The existing 43 Festival of Britain homes; shops; 2 pubs and the Clock Tower in the Market Square are all being retained. The Festival Inn and the Clock Tower have been Grade II listed since 31 October 2017 and are being retained.
- 4.3 The Council is a major landowner within the site and provides a number of public services from it, but is not the freehold owner of any of the residential properties (as to which see below). The services include an Idea Store visited by c 327,000 people in 2017/18; Children's Centre Services run from two former retail premises, Market Way providing advice and support for parents of children under four years old; a One Stop Shop providing general advice on Council services and the Street Market trading services providing licences for traders using the 100 available pitches. The Council owns the freehold of the Street Market itself and the Idea Store; there are no changes in Council

freehold ownership in respect of these two sites as part of the regeneration proposal.

- 4.4 The land comprising the residential estate within the wider site was transferred to HARCA in August 2006. This followed a ballot of local residents, and was intended to improve the quality of the homes, the environment and to achieve wider regeneration outcomes. The Chrisp Street part of the Lansbury (South) Estate totals 169 homes, comprising 124 social rent homes and 45 leasehold homes (as of May 2013 when the initial demolition notice was served). There are a further 43 Festival of Britain homes (23 social rent, 20 leasehold) that will be retained in the scheme, making up the total of 212 homes on the site.

The need for change

- 4.5 Despite the merits of the design of some of the buildings and the site's continued use by local people, there are numerous issues which have impacted significantly on the quality of life for the residents and retailers in the area including:
- A poor standard of infrastructure for the street market which is contributing to the market steadily losing custom
 - inadequate security to the area and individual homes
 - lack of visibility north to south of the Site due to the residential properties built over the public realm
 - poor thermal and acoustic insulation in comparison to current building regulation requirements resulting in a higher fuel costs
 - Poor quality public realm including inadequate refuse disposal and collection facilities and poor quality external amenity and retail spaces.
 - Lack of any significant activity outside of the normal commercial operational hours leaving the area vulnerable to anti-social behaviour (ASB) and low level crime
- 4.6 The site continues to be well used by the local community during commercial operational hours, but the retail offer and general levels of activity has been in gradual decline in terms of the number and variety of actively trading businesses. The existing retailers and shoppers should benefit from the substantial improvement to the physical infrastructure that redevelopment would bring, and which will enable a much more attractive and vibrant retail offer. On the Chrisp Street site alone, the number of homes will increase nearly fourfold and housing developments in the immediate area should provide additional footfall to the Market area to boost spending in both the Street Market; the retail units; and complement the proposed new leisure offer.
- 4.7 By way of evidence, the *Tower Hamlets Town Centre Strategy 2017-22* (March 2017) reported a survey carried out by consultants in October 2016, where 46% of businesses in Chrisp Street reported turnover was down; 38% said it was the same and 16% said it was up compared to the previous trading

year. More detail can be found in the extract from the Strategy attached as Appendix 10.

- 4.8 In short, the retail offer at the Site is limited and not maximising its full potential; the leisure and evening economy offer is very limited, apart from the 2 pubs that operate on the site; the residential units are not considered to meet modern day living standards and are considered impractical and inefficient to repair and improve if the scheme benefits described in Sections 6.14 to 6.19 are to be realised and delivered and the physical environment is rundown and prone to anti-social and criminal behaviour.
- 4.9 As a result, the site stands out as an area which is appropriate for major and comprehensive regeneration. It suffers from a number of problems as described above and does not make best use of land. Officers consider that it can however deliver a revitalised retail district centre together with new and improved housing. This approach would be consistent with the regeneration proposals taken forward on nearby estates such as Blackwall Reach and Aberfeldy Village.
- 4.10 It is for these reasons that HARCA/CSDL, acting with the Council's support, has begun to progress the scheme, which recognises that redevelopment of the location is capable of delivering transformational change to bring an improved retail and leisure offer and a significant quantum of new housing. This is expected to generate wider regeneration benefits for the community in Chrisp Street and wider area in a manner that is consistent in supporting existing council policies as set out in more detail later in this report.
- 4.11 HARCA has been engaging with the Council for some years with the intention of progressing the regeneration of the Site. A report was considered by the Council's Cabinet on 7 October 2009 titled "Chrisp Street regeneration proposals: Summary and Position Statement". The report references the need for a comprehensive approach to regenerating the Order Land; the need for this approach to be fed into the Core Strategy consultation process (which it subsequently was); and that the Council should participate in HARCA's development partner procurement process. The broader '*Reshaping Poplar*' vision envisaged a transformational change for the wider Poplar area (including Chrisp Street), which influenced some of the policy content of the Core Strategy adopted in September 2010. The '*Reshaping Poplar*' agenda also featured prominently in the Council's Borough Investment Plan '*Quality Homes in Quality Places*' (2010) as did the Chrisp Street Order Land itself as a Council supported investment priority. The regeneration of the Order Land is also identified as a Local Plan priority (comprising Site Allocation 9, Chrisp Street Town Centre, in the Managing Development Document 2013). (See Section 5 for more detail).
- 4.12 The proposed scheme is therefore intended to both address and reverse the gradual decline that has occurred in recent years and meet the broader range of challenges the Local Plan identifies. The full range of scheme benefits are outlined in Section 6.14-6.20 of this report. This scheme received planning

consent at the 24 July 2018 meeting of the Local Planning Authority's Strategic Development Committee.

- 4.13 Officers believe that the Site has the potential to build on its designated status as the local retail District Centre with a much wider offer for both the people who use it now and those who will be encouraged to use it in the future. Development of new homes in the surrounding area underpinned by the forecast for local population growth means that there are significant economic; environmental and social benefits that are potentially at risk if the scheme does not proceed.

Complementing Council investment in the area

- 4.14 The scheme will also complement investment made by the Council in the Poplar Baths community and leisure facility and that planned for the Idea Store, which is proposed to be extended as part of this scheme. The vision for the scheme is to create a regenerated retail, market, residential, leisure and wider community focal point for the Poplar area, making it a great place to live for the whole community, complementing nearby regeneration initiatives such as the Council sponsored 1,575-home Blackwall Reach scheme and HARCA's 1,200 home Aberfeldy village scheme.

Enhancing the Chrisp Street Market Offer

- 4.15 Officers are very aware of the concerns local residents and the wider Tower Hamlets public may have over the perceived threat of gentrification, meaning the displacement of local people, often on low incomes, to be replaced by non-local people on middle to higher incomes. However, the culturally diverse character of Chrisp Street is considered to be an essential part of its current popularity and will need to be protected and retained if the regeneration is to be successful. In housing terms, existing HARCA tenants (and tenants who have already been decanted) have a right to remain/return and the amount of affordable housing on the site is being increased. Support is in place to enable Independent retailers in the shops and lock up premises to remain at Chrisp Street, as set out in Appendices 4b and 13. The Street Market traders will remain as Council licensees both during construction and after.
- 4.16 As part of the ongoing approach with HARCA/CSDL, the Council will seek to mitigate those real or perceived impacts where possible. It should be noted that the land on which the Street Market itself is located is owned by the Council, as is the Idea Store. No change in freehold land ownership is proposed, making the Council a key stakeholder in the future success of the area. The Council will use that stake to help ensure the benefits generated from the regeneration scheme are enjoyed by the whole community where possible and will provide appropriate support to see the Scheme objectives delivered.

5. STRATEGIC POLICY CONTEXT

- 5.1 This section focuses on the strategic and policy framework set by the Council and its partners and how the proposed regeneration scheme contributes to the objectives that have been set.

National and Regional Planning Policy

- 5.2 The national and regional planning policy context in which the Chrisp Street regeneration scheme should be considered is briefly described below. The merits of the planning application (PA/16/01612/A1) have been considered by the Council's Strategic Development Committee which resolved to grant planning permission for the scheme at its meeting on 24 July 2018. The planning application is now in the process of being referred back to the Mayor of London for Stage 2 consideration. Subject to the Mayor of London confirming that he is content to allow the Council as Local Planning Authority to determine the application, and the completion of a legal agreement to secure a number of planning obligations, the Council is expected to grant planning permission for the scheme.

National Planning Policy Framework (NPPF) (July 2018)

- 5.3 **NPPF, Chapter 7, 'Ensuring the vitality of town centres'** states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- Retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites

Mayor of London's London Plan (2016)

- 5.4 The Mayor of London has responsibility for the drafting and implementation of the capital's spatial development strategy, the London Plan.

- **Policy 2.15** promotes the inclusion of residential development within town centres. Specifically on planning decisions:

Development proposals and applications for retail to residential permitted development prior approval in town centres should conform with Policies 4.7 and 4.8 and:

- a) sustain and enhance the vitality and viability of the centre
- b) accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- c) support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services

- d) be in scale with the centre
 - e) promote access by public transport, walking and cycling
 - f) promote safety, security and lifetime neighbourhoods
 - g) contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure
 - h) reduce delivery, servicing and road user conflict.
- **Policy 3.3** seeks the provision of 42,000 additional homes per year across London. It also identifies a housing provision target of 39,314 additional homes to be completed between 2015 and 2025 in LBTH. This translates to an annual requirement of 3,931 dwellings per year for the Borough. Importantly, Policy 3.3 states that boroughs should seek to exceed their housing targets.
 - **Policy 3.14** resists the loss of housing, including affordable housing, unless the housing is replaced at existing or higher densities with at least equivalent floorspace.
 - **Policy 4.7** states that the scale of retail, commercial, cultural and leisure development should be focused within town centres and should be related to the size, role and function of the town centre and its catchment.
 - **Policy 4.8** seeks to support a successful, competitive and diverse retail sector and supports the provision of convenience retail in particular within district centres.

5.5 The Mayor of London has provided comments on the planning application which are set out in a letter dated 12 December 2016. The letter stated that:

“London Plan policies on town centres, estate regeneration, housing, urban design, heritage, inclusive design, climate change, and transport are relevant to this application. The principle of the mixed-use regeneration of Chrisp Street District Centre is strongly supported. A number of outstanding concerns are raised with regards to the principle of the uses, housing, urban design, climate change, and transport.”

5.6 Outstanding planning issues are expected to be resolved between the applicant and the respective planning authorities.

Mayor of London’s Draft London Plan (2017)

5.7 A draft replacement London Plan has been submitted to the Secretary of State for examination and the Examination in Public is scheduled for November 2018 to March 2019. The current 2016 consolidation London Plan still forms part of the adopted Development Plan. However, the Draft London Plan is a material consideration in planning decisions and gains more weight as it moves through the process to adoption. The draft London Plan includes a number of relevant

emerging policies that support the regeneration of town centres, the delivery of additional housing and the promotion of retail, leisure and community uses.

The Council's Development Plan

- 5.8 The Site is identified in both the Council's *Core Strategy (September 2010)* and *Managing Development Document – Development Plan Document (April 2013)* as both a district/town centre, and as a priority for improvement (Policy SP01).
- 5.9 The Managing Development Document (2013) allocates the Chrisp Street Town Centre site for development as part of the positive planning process to make sure the borough has the infrastructure needed to support the anticipated level of growth set out in the Core Strategy, specifically for the strategic housing and regeneration sites.
- 5.10 The site allocation is as follows: "Regeneration of the district town centre to improve Chrisp Street's vitality and viability. The site will be required to provide new homes and a district heating facility (where possible). The development will also include commercial floorspace and other compatible uses."
- 5.11 The Council's broad vision for town centres such as the Site is set out in Policy S04-S06 which are as follows:

SO4 - To have a hierarchy of interconnected, vibrant and inclusive town centres that are mixed use hubs for retail, commercial, leisure, civic and residential. The purpose of each town centre will differ according to its role and function.

SO5 - To promote mixed use at the ends of town centres and main streets

SO6 – To promote areas outside of town centres for primarily residential and supporting uses that do not need the higher levels of accessibility that town centres require

Source: LBTH Core Strategy Development Plan Document 2025 (September 2010)

Managing Growth and sharing the benefits Regulation 19 consultation document, titled Tower Hamlets Local Plan 2031: Managing Growth, Sharing the Benefits (October 2017)

- 5.12 More recently, in the context of the emerging Local Plan, the Site has been identified as a Delivering Sustainable Places priority (see the *Managing Growth and sharing the benefits Regulation 19 consultation document, titled Tower Hamlets Local Plan 2031: Managing Growth, Sharing the Benefits (October 2017)*). The new Local Plan was submitted to the Secretary of State for examination on 28 February 2018. Under the Design Principles heading it is stated that:

(The) *Development will be expected to:*

- *deliver a regenerated town centre for Poplar with a range of unit sizes (including those suitable for independent and small local retailers), a market square and a re-provided idea store located on East India Dock Road;*
- *respond positively to the existing character, scale, height, massing and urban grain of the post-war architecture and surrounding built environment, specifically the Lansbury Estate to the west and Poplar Baths to the south;*
- *protect and enhance heritage assets on site and in the surrounding areas, including the Lansbury Estate and conservation area to the west and Poplar Baths to the south;*
- *improve walking and cycling connections to, from and within the site – specifically to Langdon Park and All Saints DLR station. These should align with the existing urban form and grain to support east-west connectivity and wider permeability;*
- *integrate the site with the green grid route, helping to improve access from East India Dock Road to the north and Bartlett Park;*
- *improve the public realm with active site edges, specifically along East India Dock Road to the north and Bartlett Park;*
- *improve the public realm with active site edges, specifically along East India Dock Road and towards all surrounding and internal streets and public spaces; and*
- *reinforce and complement local distinctiveness and create a positive sense of place with improved visual connections to, from and within the site – specifically to Langdon Park and All Saints DLR station and the characteristics clock tower.*

Delivery Considerations:

- *Development should re-provide the idea store and ensure it is located within a central position.*
- *Effective engagement between landowners, developers and leaseholders will be needed to facilitate potential land assembly and comprehensive redevelopment. Local residents should also be fully consulted on any future proposals within this area.*
- *Development should ensure sufficient and well-integrated access arrangements for highways and servicing.*
- *Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.*

Other strategic policy and guidance

- 5.13 The need for regeneration is also identified in the Council's Town Centre Spatial Strategy to 2025 and also in the report to Cabinet on 4th April 2017 titled *Update on the Town Centre Strategy*.

- 5.14 The Community Plan set out in that Town Centre Strategy provides the Tower Hamlets Partnership's long-term vision for the borough, articulating local aspirations, needs and priorities. The vision for Tower Hamlets Town Centres in the Community Plan has been identified as follows:

By 2025 Tower Hamlets will be refocusing on its Town Centres, ensuring they are places at the heart of civic life, which are vibrant, inclusive and accessible. The role of each town centre will differ, in order to serve all members of the community, according to character and function. Each of the Town Centres will form part of a rejuvenated, interconnected network of hubs for shopping, leisure, civic and associated housing uses.

- 5.15 Reference is made to the Mayor of London's future requirement for resident ballots on estate regeneration proposals in Sections 13.4 – 13.5.

6. THE SCHEME AND ITS BENEFITS

- 6.1 The scheme proposes the comprehensive redevelopment of the Order Land (including existing car park), For the purpose of the planning application, the scheme is described as follows:

Comprehensive redevelopment of the site (including existing car park) comprising the demolition of existing buildings with the exception of the Festival of Britain buildings, Clock Tower and Idea Store; erection of 19 new buildings ranging from 3 to 25 storeys (up to a maximum AOD height of 88m) providing 643 residential units (C3 Use Class) (including re-provision of 124 affordable residential units); existing market enhancement, including new canopy and service building; refurbishment of retained Festival of Britain buildings; reconfiguration and replacement of existing and provision of new commercial uses including new cinema (D2 Use Class); alterations and additions to existing Idea Store for community use and multi-function space (D1 Use Class); flexible workspace (B1 Use Class); retail floor space (A1 - A3 Use Class), including A1 food store; public house (A4 Use Class); hot food takeaway floor space (A5 Use Class); upgrade and provision of new public open space including child play space; new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking); and provision of disabled car parking spaces.

Source: LBTH PA/16/01612/A1

- 6.2 The economic, social and environmental scheme benefits are described in more detail in Sections 6.14-6.20. The Schedule of Interests at Appendix 2 sets out an initial list of the properties currently known to be affected by the CPO. This has been established following HARCA/CSDL initial desk top land referencing study.

The residential element

6.3 The scheme includes the demolition and re-provision of **169** homes as follows:

Table 1 – Homes proposed to be demolished

Block	No of Homes
Nos 1-8 Aurora House	8
Nos 1-16 Clarissa House	16
Nos 1-73 Fitzgerald House	73
Nos 1-16 Ennis House	16
Nos 2-30 (Even) Kerbey Street	15
Nos 1-16 Kilmore House	16
Nos 35-59 Market Square	25
Total	169

6.4 The following **43** homes, known as the Festival of Britain homes are **not** proposed to be demolished. These are:

Table 2 – Homes to be retained

Block	No of Homes
Nos 40-70 (Even) Kerbey St	16
Nos 72-84 (Even) Kerbey St	7
Nos 26-50 (Even) Market Way	13
Nos 1-7 Market Square	7
Total	43

6.5 These homes will be indirectly impacted by the remodelling of the podium decks and associated landscaping works for the new homes on the site, and by the construction activity (albeit that this will be strictly controlled by planning conditions). This disturbance will principally occur during Phase 1 of the scheme (see 'Delivery', below). However, these same residents will also benefit from a much improved environment surrounding their home, including but not limited to:

- Landscaped podium gardens rather than service yards which are a magnet for antisocial behaviour
- Lift access to their property which does not currently exist.

6.6 The current tenure and bedroom mix profile of housing on the Site (excluding the Festival Britain homes) is as follows:

Table 3 – Current tenure and bedroom mix of homes to be demolished

	Bedsit	1 BR	2 BR	3BR	4BR	5BR	Total
Social Rent Affordable	4	35	20	38	27	0	124
Private	8	2	6	25	3	1	45
Total	12	37	26	63	30	1	169

Note: this tenure profile reflects the state of play on 20 May 2013 when prior demolition notices were served to suspend the right to buy.

6.7 The tenure profile is therefore as follows:

Table 4 - Tenure mix by number of existing homes and habitable rooms

	No of Homes	% of Homes	No of Habitable Rooms	% of Habitable Rooms
Social Rent Affordable	124	73%	421	74%
Private	45	27%	151	26%

6.8 After the scheme is completed, the tenure and bedroom mix profile is anticipated to be as follows:

Table 5 – Proposed tenure mix by number of new homes

	1BR	2BR	3BR	4BR	Total
GLA Affordable / Social Rent	41	33	40	22	136
Intermediate Affordable S/O	18	11	8	0	37
Tower Hamlets Living Rent	17	7	3	0	27
Market	221	128	94	0	443
Total	297	179	145	22	643

Explanatory Note: Greater London Authority Affordable Rent; S/O denotes Shared Ownership, meaning part rent, part buy homes provided by HARCA.

- 6.9 Affordable housing is a particularly important feature of the scheme. The number of affordable homes being provided (all tenures) totals 200, which comprises 31.1% by unit numbers and 35.8% by habitable rooms of the development total of 643 homes, an increase of 76 affordable homes which equates to an increase of 289 affordable habitable rooms.

Retail provision

- 6.10 The approach to future retail provision is to relocate existing businesses so that food based retailers are centred on the Market Square and the new anchor store to the north is accessed via Market Way, with existing businesses relocated to this area. In this way the scheme will provide both new and improved, replacement retail floorspace. The aim is to draw footfall from East India Dock Road throughout the whole of the District Centre to maximise footfall throughout the full extent of the centre for the benefit of all retailers. Achieving this will require:

- Demolition of 22 existing commercial properties
- 19 businesses remaining in their current units, with a new lease or an amendment to their existing lease
- Relocation of 29 occupiers within the centre, comprising 14 due for demolition; 6 to reconfigure their units; 9 due to the design of the proposals
- 2 occupiers have chosen to leave the scheme and there is currently 1 vacant unit

- 6.11 There are also 31 Lock Up (also known as kiosk) premises, which are the small trading units on the eastern side of the Street Market. 27 of these are owned by the Council, with four owned by HARCA. Of these 31, four are empty, leaving 27 licensees in occupation. These are managed and the rent collected by HARCA which contributes to the cost of the environmental management of the Street Market. The Lock Up licensees are to be re-provided for within the Scheme (or within the ground floor commercial units in Cygnet House on Chrisp St) as described in Appendix 13. Temporary 'pop up' units may also be provided within the site boundary in the interim where permanent premises cannot be immediately found.

The Street Market

- 6.12 There are currently 100 market pitches which will be re-provided on an improved surface with better facilities including:

- A dedicated food preparation area
- New toilet facilities in the Community Hub Building
- New services provision points for each stall for electricity and water
- A new market canopy
- New lighting
- Drainage and wash down provision

- 6.13 Market traders are granted permanent and temporary licences by the Council, the owner of the Street market land, to operate at Chrisp Street. Apart from having to relocate temporarily from their current location when works are being undertaken to the market area, their arrangement with the Council will remain unchanged and the Council will continue to both issue licences and collect fees. None of the existing licence holders (permanent or temporary) will be displaced by the scheme, apart from the temporary relocation during construction works.

Scheme benefits

- 6.14 A summary of the benefits of the scheme is as follows:-

Economic benefits in summary - The proposed development is focused on the regeneration of the district centre to ensure its continued vitality and viability to the benefit of the local economy. The development will provide new and enhanced commercial space to the benefit of both existing traders as well as new businesses in the area. The commercial proposals for the site seek to diversify the centre and provide an evening economy as well as support and enhance the existing market, sustaining a total of circa 500 existing and new jobs. The proposed development will also contribute to economic growth during the construction period. The construction of new development creates a range of employment opportunities within the local and wider economy and has been acknowledged by the Government as a key driver for boosting housing delivery as required by the National Planning Policy Framework (NPPF). Construction of the development will support jobs directly on site as well as indirect support to additional jobs in the supply chain. The proposals will also contribute to the economic role of sustainable development by delivering land to improve choice and competition in the residential market place. In addition, new workers and residents will spend within the local economy an estimated £10.2m per annum, which will assist in sustaining the local services and infrastructure in the wider area. HARCA/CSDL have advised that the scheme will provide additional employment opportunities accessible to local people. Furthermore, the investment in this site as a key regeneration area, will act as a catalyst for future growth, to the benefit of the wider Poplar area, in line with the Council's aspirations.¹

- 6.15 Drawing on the above, the headline economic benefits are:

- 19,418 sqm of new (and existing) retail, leisure, community (identified in social benefits) and other space. This includes:
 - a new multi-screen cinema
 - an anchor supermarket store similar in size to the existing large supermarket up to 32 food and drink premises
 - HARCA/CSDL anticipate the Scheme once delivered is expected to fully regenerate the existing district centre and market by enhancing and increasing the amount of town centre activity, including

¹ Extract from the Chrisp Street, Poplar, London – Planning Statement Poplar HARCA & Telford Homes (June 2016) including an amendment to the estimated number of jobs which reflects a figure totalling existing jobs that will be sustained and new jobs that will be created.

sustaining/creation of circa 500 new jobs and an estimated additional annual spend of £10.2m

- As part of the associated draft S106 agreement, an employment and training offer for construction and administration jobs will be made to local people for the duration of the project

6.16 **Social benefits in summary** - The regeneration proposals for the district centre will provide new and enhanced facilities for the benefit of the wider community. As well as an enhanced retail offer, the proposals include the provision of leisure facilities, including restaurants, cafes and a cinema, as well as a new community hub as an extension to the existing Idea Store which will provide much needed space for community events. The residential proposals for the site comprise the re-provision of high quality affordable housing to compensate for the loss of the existing poor quality housing stock which will help meet local housing needs. The proposals will also introduce new residents to the area and expand the local community. The provision of a range of dwelling sizes will meet the needs of different occupiers and will assist in creating a strong and balanced community.¹

6.17 Drawing on the above, the headline social benefits are:

- A total of 200 new affordable homes, comprising 136 GLA Affordable Rent/Social Rent² homes; 37 homes for affordable shared ownership; 27 homes at affordable Tower Hamlets Living Rent, representing a net increase of 76 affordable homes onsite from the current 124 social rent homes
- A significant increase in market homes from 45 homes to 443 homes.
- 65 wheelchair accessible homes
- A new community hub building which will include a proposed extension of the Idea Store³; workspace on the second floor; and event space on the third floor
- Proposed new Children's Centre on the adjacent Kerbey Street site, bringing services under one roof, subject to statutory consultation
- All new homes will meet modern day living standards

6.18 **Environmental Benefits in Summary:** The redevelopment of the site will remove the existing poor quality buildings and extensive hard surfacing, and will provide new buildings of high quality design that will improve the contribution of the site to the local townscape. The proposals include extensive improvements to the public realm, improving the local environment for residents and visitors alike. The proposals seek to introduce a variety of soft landscaping areas to the site which will deliver ecological and environmental benefits to the site and surrounding area. New homes will be built to modern day living standards which will reduce negative environmental

¹ Extract from the Chrisp Street, Poplar, London – Planning Statement Poplar HARCA & Telford Homes (June 2016)

² HARCA has advised that the rents charged for these homes will be either GLA Affordable Rents or Social Rents, whichever the lower.

³ CSDL is offering the Council an option to acquire a long lease on the first floor of the proposed Community Hub building at a peppercorn rent.

impacts. The proposals have been developed with sustainable design and construction in mind.

- 6.19 Drawing on the above, the headline environmental benefits are:
- New street market canopy; new street market service building (including WCs); new paving with services for the Street Market; new public realm, landscaping works and lighting
 - Retention of the heritage features of the site, namely the existing 43 Festival of Britain homes (excluded from the above figures); retail provision at ground floor level in the northern half of the site; and a refurbished Clock Tower
 - Environmental improvements which will include provision for a new child play space
 - New cycle parking spaces (including visitor cycle parking)
 - A car free development but with provision for 10 disabled car parking spaces
 - 24 hour onsite management presence with onsite security and Closed Circuit TV (CCTV) coverage
- 6.20 If authorisation to make the CPO is granted in accordance with the recommendation contained in this report, the next stage will be referring the Compulsory Purchase Order to the Secretary of State via submission of a Statement of Reasons setting out the Council's justification for seeking the Order. The Statement of Reasons will build on the above summary of benefits and set out the economic; social and environmental benefits of the proposed scheme in greater detail. As set out in recommendation 2.1.6, the Council will require HARCA/ CSDL to provide the necessary evidence to demonstrate that the option of refurbishment and/or retention of the existing buildings have been taken into account which may not deliver the full scheme benefits described in Section 6.14 to 6.19 in order to authorise the making of the Order. The Council will maintain control of making and implementing the CPO throughout the CPO process to monitor and ensure all affected resident and commercial land interests are dealt with in accordance with good practice and statutory guidance.

7. CONSULTATION

Consultation to Date

- 7.1 Engagement with the local community began in 2009, following the initial scheme feasibility study work in 2008, with specific consultation events to inform the local community and affected stakeholders to secure their input into scheme proposals being held every year since. Consultation has therefore helped to shape the proposed scheme over the last 9 years.
- 7.2 Appendix 3, the Statement of Community Involvement that supported the planning application, describes the scope of engagement that has been undertaken between 2009 and 2016 and the main outputs from it. In particular, the Council can confirm that HARCA/CSDL have engaged in dialogue with all stakeholders about the scheme proposals.

- 7.3 It is also to be noted that the GLA response to the planning consultation set out in their Strategic Planning Application Stage 1 Referral Report (12 Dec 2016) were strongly supportive of the principle of redevelopment of the Site, and encouraged the positive engagement from HARCA/CSDL.
- 7.4 Since the initial pre planning consultation set out in the 2016 Statement of Community Involvement, there has been a public exhibition in the Management Office at No 19 Market Square in Chrisp Street open to stakeholders to visit. The exhibition was updated in April 2017 to reflect the changes requested by the planning department. Leaflets were distributed to over 100 residents and key stakeholders and the exhibition's hours extended to include evenings and a weekend. Update newsletters were distributed to traders and residents in November 2017. A presentation was made to local faith groups in September 2017; Lansbury Estate Board in November 2017; and South Poplar Round Table in November 2017, a stakeholder group including Tower Hamlets College; Canary Wharf; and SPLASH. Street Market Traders continue to attend regular bi-monthly meetings where updates on the project are provided.
- 7.5 As a result of the consultation activities undertaken and evidenced by HARCA/CSDL, the Council is satisfied that all local stakeholders have had a meaningful opportunity to comment on and input to the development of the scheme design proposals.

HARCA/CSDL Chrisp Street 22 & 23 June 2018 Information Days

- 7.6 HARCA/CSDL, as evidenced in the Statement of Community Involvement (Appendix 3), consulted with stakeholders to help contribute to the development of the regeneration scheme proposals. An issue raised at the 15 February 2018 Strategic Development Committee's meeting, which contributed to its decision to defer the Chrisp Street Market planning application, related to the specific impacts on individuals and businesses from Chrisp Street stakeholder groups. As a consequence, the applicant was asked to provide more detail (over and above that set out in the above Statement) of the consultation and engagement that was undertaken with local stakeholders which has been provided to the Council's planning officers.
- 7.7 In addition, following discussion with council officers, HARCA/CSDL decided to organise further consultation days to ensure that stakeholders continued to be fully informed of the scheme's proposals. This event was organised with the dual intention of informing stakeholders that the scheme was soon to be considered again by Strategic Development Committee and to set out in clear terms in individual brochures what the offers from HARCA/CSDL to each of the stakeholder groups were. The intention was that the offer documents would set out what the impacts of the scheme would be to stakeholders and where relevant, what compensation/ relocation options etc. would be available to them.

- 7.8 To publicise and disseminate this information, HARCA/CSDL organised a two day event on Friday 22 and 23 June 2018 from the Management Office, 19 Market Square in Chrisp Street Market, which remained open up to the Strategic Development Committee meeting date and after, allowing the public to view the plans for the area. This facility will remain open to the public for the foreseeable future.

Promotion

- 7.9 The event was promoted in the local press, through social media, by leaflet and via Poplar HARCA's own resident news feed 'Say It'. Of the 2,500 leaflets printed, 1,600-1,800 were delivered directly to households surrounding Chrisp Street Market, the balance were distributed through local community centres, local shops and around the Market on the days of the event.

Event

- 7.10 The event took place on Friday 22 June (12pm – 7pm) and Saturday 23 June (10am - 4pm). HARCA/CSDL estimate that over 300 people attended of which 114 signed in and 96 completed comment forms. Of the comment forms 83 were positive about the regeneration, 11 were neutral and 2 were negative.

Offer Brochures

- 7.11 Offer Brochures (attached as appendices to this Cabinet Report) for market traders; residential (HARCA) tenants; residential leaseholders; retailer leaseholders; and lock up occupiers were produced for the event. Each of the stakeholder groups present on the days were provided with the relevant brochure. Brochures for non-resident (investor) leaseholders were posted on 29 June 2018. Where email addresses were available, brochures were sent by email also.
- 7.12 Due to the low attendance of market traders and retailers, HARCA staff delivered the documents to many of the stall holders, lock-ups and shopkeepers. The balance of were delivered Friday 29 June as were the residential documents.

Consultation going forward

- 7.13 The brochures will continue to be used at future events and 1-1 discussions to inform individual stakeholders of what the impact of the scheme will mean to them. Many of these stakeholders have been in contact and in negotiation with HARCA/CSDL before these brochures were produced.
- 7.14 The scheme has a minimum duration of at least 9 years to complete, therefore a forum for on-going consultation is needed during that process. Ongoing consultation is therefore planned by HARCA/CSDL through regular newsletters, drop in sessions, and the continued one to one dialogue with the retailers, tenants and leaseholders. The HARCA Estate Board and the Chrisp

Street Partnership will also be used as a means of communicating with wider affected stakeholders.

7.15 There are a wide range of stakeholders who have a current interest and are likely to have a future direct interest in the scheme. CSDL, HARCA and the Council therefore intend to convene a Chrisp St Community Liaison Forum, which will enable people with a direct interest in the scheme to liaise with key personnel to discuss any concerns they have and seek an appropriate remedy. HARCA/CSDL will make themselves regularly available for one-to-one sessions with individual stakeholders to address their relocation needs and issues they may have.

7.16 The forum is not intended to replicate or confuse any element of the CPO negotiation process. Council officers, HARCA/CSDL representatives anticipate it will serve as a useful mechanism for stakeholders to:

- be kept informed and be able to influence scheme progress such as:
 - Events management, for example, ensuring that traders have the opportunity to participate in events on equal terms; ensuring that event space and the public realm provides the amenities which will help retain audiences at events and increase dwell time on-site; providing free public Wi-Fi to increase dwell time in the area; agreeing arrangements for constant engagement - when the public enter the space, ensuring there is something available to keep people engaged even when events are not happening
 - Stakeholder and business support and engagement, for example, being responsible for raising the profile, promoting and advertising of Chrisp Street through local and wider media including social media; setting up lines of communication with all businesses, residents and shoppers; facilitating meetings as appropriate with businesses including independents, stall holders and multiples; setting up shopper forums, attend Resident Association or equivalent meetings as required; representing and promoting Chrisp Street at local and possibly national level as a centre of excellence; signposting businesses to relevant agencies that will help their businesses grow; ensuring that all businesses have access to the regular Centre management meetings; recording and reporting shopper statistics in order to better inform both the individual and collective retail offer to maximise business for all.
- discuss general or specific concerns about the scheme delivery and the day to day impact of having a major building project in close proximity to their homes and/or businesses
- help ensure for the long term the new environment is economically successful; delivers social outcomes; and contributes to community cohesion.

8. **ALTERNATIVE OPTIONS**

- 8.1 Early consideration was given to refurbishing the existing building but was considered impractical and inefficient to repair and improve if the scheme benefits in Sections 6.14 to 6.19 are to be realised and delivered.
- 8.2 The alternative option is to NOT make the recommended resolution for the proposed CPO and associated decisions. HARCA/CSDL have stated that without a commitment from the Council to use CPO powers to support land assembly and cleansing of rights over land, they are highly unlikely to be able to progress the scheme, as the cost risk will be too high. In this instance negotiations by HARCA/CSDL with individual land interests could continue, but the absence of a back-up CPO process could potentially have negative impacts, including:
- Risk of losing specific planned investment and commitment by CSDL to provide comprehensive regeneration across the wider area, including those listed as per the planning application
 - Risk to land assembly, jeopardising or at least delaying delivery of the Scheme. Delay leads to higher land assembly and build costs, which in turn impacts upon the ability to deliver the wide range of community benefits
 - Ability of just one or more individual land owners (e.g. lessees) to delay or even stop the scheme
 - Potentially higher costs for HARCA/CSDL, which in turn could reduce scheme funding and overall financial viability
 - Uncertainty for shopkeepers, tenants and leaseholders as to whether the Scheme will progress, which will make it harder for them to make informed decisions about their future, including business investment or acquiring alternative accommodation.
 - A piecemeal development which does not maximise potential social, economic and environmental benefits.
 - The loss of investment in Council interests from the overarching regeneration approach
 - Loss of GLA housing funding of £9,196,000. HARCA has secured this sum from the GLA's 2016/21 Affordable Housing Programme. To successfully draw down this grant, the affordable housing needs to be onsite before 31 March 2021. Any slippage in the programme (as described in Table 6) will endanger HARCA's ability to claim this grant. In the event that the programme slips further, grant would have to be re-applied for under a new funding programme and there is no guarantee that monies will be forthcoming or available for the same amount. It will also be reputationally harmful to the Council that it is not supporting a scheme that is a Local Plan priority and longstanding regeneration priority.

8.3 The Council is committed to its programme of affordable housing delivery, e.g., building 1,000 new council homes, and it is not considered feasible for the Council to be undertaking delivery of this particular scheme given Poplar HARCA was established to deliver housing and regeneration objectives itself. Specifically:

- The Council is a minority land owner of the Order Land which is not the subject of redevelopment (apart from resurfacing, canopy and servicing works being undertaken by CSDL for the benefit of the Council)
- Poplar HARCA is the majority landowner and should therefore be expected to bring forward housing and associated development on its own land
- The Council transferred the land and property at Chrisp Street to Poplar HARCA in 2006 for regeneration purposes. It is considered the Council's role is to facilitate, rather than deliver, this process part of which involves agreeing this Cabinet Report
- Cabinet on 7 October 2009 acknowledged the Council's supporting role through participating in the tender process for a development partner to deliver a regeneration scheme at Chrisp Street
- HARCA in partnership with CSDL have developed proposals that have taken nearly 10 years to get to the stage of a planning application considered by Strategic Development Committee and a Cabinet Report to approve the making of a CPO
- HARCA and CSDL have undertaken significant and long term consultation and engagement with stakeholders on Chrisp Street as described in the Statement of Community Involvement at Appendix 3
- The total estimated gross development value is £320m, requiring significant privately sourced investment which will be paid for from residential market sales. The investment required involves a significant degree of risk. It is considered better that a private sector organisation take this risk on, rather than the Council

8.4 Whilst the proposed regeneration scheme does not preclude the Council from taking an interest in certain elements of the scheme, e.g., first floor extension of the Idea Store, a more significant intervention is not considered to be in the best interests of the Council.

Reasons for a Comprehensive Regeneration Option

8.5 The vision for the proposed scheme requires the comprehensive regeneration of the entire site, excluding the Festival of Britain architecture and the Council's Idea Store. The regeneration proposal cannot be delivered through refurbishing the existing housing and commercial stock alone. The current design is outdated and inefficient and is consequently not suitable for modern retailing use. The current layout of the site is also inward facing with isolated pockets of land underused for loading bays providing non active frontages at ground floor level which cannot be addressed by refurbishment alone. The constraints of the existing layout of buildings would also require significant

remodelling to enhance pedestrian footfall, improve the streetscape and to provide additional floorspace. A piecemeal or smaller scale approach to regeneration will be financially inefficient and will not achieve the comprehensive regeneration benefits as set out in Section 6.

- 8.6 The site is also in a conservation area that limits the refurbishment options available for making the scheme viable to deliver the wider community improvements as the new market square, extension to the Idea Store and public realm. Therefore to achieve comprehensive regeneration the properties to the south of the site with the exception of the Idea Store need to be demolished. The area to the south of the site also provides the location of the cinema which is part of developing a late evening/night time economy in line with the Council's site allocation.
- 8.7 To create a vibrant and viable district centre, the developer needs to provide a sufficient number and wider mix of retail units, which will provide the variety necessary to make the scheme successful and create a more desirable place for people to shop and spend leisure time now and in the future.

9. SCHEME PROGRAMME

- 9.1 It is anticipated that construction of the scheme will last at least nine years and is planned to start from the northern end of the Order Land and be delivered in two major phases. The programme for the scheme aims to maintain retail activity in the district centre throughout the delivery of the project. The Street Market will need to temporarily relocate to the southern edge of the Market Square and the area facing onto East India Dock Rd, however there will be no break in Street Market trading.

Table 6 - Chrisp Street Regeneration Indicative Phasing Timetable

Phase	Start	Complete
Enabling Phase		
LBTH Children's Centre	2018	2019
Phase 1 (North Side)		
(a) Vacant Possession of Aurora and Clarissa Houses; Poplar Boys & Girls Club	2019	
(b) Demolition of Aurora and Cordelia Houses; Kerbey St Garages; Site Welfare Established	2019	2020
(c) Development of Blocks D & E (including 31 no Social Rent homes)	2020	2023
(d) Demolition of Poplar Boys & Girls Club; Supermarket	2019	2019
(e) Development of Blocks A, B and C (including 37 no Shared Ownership homes)	2020	2022
(f) Street Market and Public Realm (with Street Market works expected to take 12 months during this time)	2020	2023
(g) Development of Block M (81 no Social Rent homes)	2020	2022
Phase 2 (South Side)		
(a) Vacant Possession of Nos 2-30 Kerbey St; Fitzgerald House; Nos 35-59 Market Square (Part)	2023	
(b) Demolition of Nos 2-30 Kerbey St; Fitzgerald House; Nos 35-59 Market Square (Part); Post Office; Bank; Poplar HARCA Housing Office.	2023	2023
(c) Development of Blocks J, K and L (including 19 no Social Rent homes) and Community Hub Building	2023	2026
(d) Vacant Possession of Ennis House & Kilmore House; Nos 35-59 Market Square (Part)	2023	
(e) Development of Blocks F, G & H.	2024	2026
Scheme Completed	2027	

9.2 The proposed phasing of the Scheme has been designed to:

9.2.1 Provide opportunity for social resident decants into the new affordable homes and provide the opportunity for current leaseholders to acquire new properties within the redeveloped parts of the estate. This has positive benefits in that those people that wish to remain part of, or return to, the community will be able to do so, which in turn has a positive benefit on maintaining and building community cohesion.

9.2.2 Create new retail space in advance of existing spaces being removed to allow the relocation of existing businesses. HARCA/CSDL have provided a detailed Retail Management Strategy as part of the planning

application (included here as Appendix 4a and 4b) which identifies which retail premises are required to be vacated to enable the scheme to be progressed, how this will be managed, how the retail provision will be managed during the regeneration programme and proposed management arrangements for the future.

9.2.3 Provide the most efficient build programme to minimise disruption where possible and use resources most effectively.

9.2.4 Minimise the number of property acquisitions required to deliver the early phases of development.

9.2.5 Maintain a viable Street Market and broader retail trading environment during the redevelopment.

9.2.6 Minimise disruption to residents in the demolition and build processes.

Poplar HARCA's ability to undertake this scheme

9.3 Poplar HARCA was established by the Council in 1996 to deliver decent homes to transferred homes from the Council and deliver wider physical and community regeneration objectives. Through a series of subsequent stock transfers from the Council and its own new build programme, HARCA now owns and manages c 9,500 homes as well as a wider range of the aforesaid regeneration objectives. In 2017 it had a turnover of £59.1m showing a surplus of £14.581m. The proposed CPO is the sixth that the Council will have undertaken on behalf of HARCA. The previous five have been at: Leopold; Bow Bridge; St Paul's Way; Aberfeldy Phase 2; and Aberfeldy Phases 3-6. Most of these schemes have been very successful with delivery well underway and with no major problems to date. The exception to this, in delivery terms, is Bow Bridge which is expected to be onsite in late 2018.

9.4 Delivering this project represents a risk to the development partnership, but the financial risk is largely being taken by CSDL. For example, buybacks of residential properties is being borne by CSDL rather than HARCA. The financial risk that Poplar HARCA faces from this scheme is relatively modest and is limited mainly to the development of the affordable housing. GLA grant has been secured for 168 of those homes. Further grant will be sought from the Council's Grant Committee to support the delivery of 27 Tower Hamlets Living Rent homes. This will yield a total of 200 new affordable homes from the scheme. Given HARCA's experience of delivering regeneration schemes, the Council is confident that it will be able to deliver this scheme, in partnership with CSDL.

Chrisp Street Developments Limited (CSDL) ability to undertake this Project

- 9.5 Undertaking this programme of work will involve significant financial investment by the developer, CSDL. Whilst HARCA has been successful in securing significant capital funding of £9.196m plus potentially more from the Council (see Section 13 below), this is a relatively small amount compared to the estimated gross development value of £320m.
- 9.6 The Draft CPO Indemnity Agreement, as set out in Appendix 8, requires the Council to undertake a due diligence exercise to ensure Telford Homes PLC (the owner of CSDL) can undertake this project.
- 9.7 CSDL, owned by Telford Homes PLC, are an established company with a track record of delivery in the capital who have undertaken large scale public regeneration schemes of this nature. More detail on their financial capacity to take on this project is set out in Section 13 below.

The need for a single CPO approach

- 9.8 Although the scheme has a construction programme lasting up to a decade, the Council considers that it is necessary to secure the land to facilitate the development through a single CPO, now. The proposal is for a single CPO that will be implemented in two phases.
- 9.9 If the Council agree a resolution for CPO in September 2018, it is anticipated that the Order to be made in early 2019, with the Order confirmed a minimum of 3 months later, if there is no Public Inquiry. However, if there is an inquiry, the timeframes will be extended by a minimum of nine months.
- 9.10 HARCA/ CSDL require vacant possession of Phase 2 in 2023 (See Table 6) to progress the scheme. As such, either of the above options work in terms of service of the General Vesting Declarations on a phased basis within 3 years of confirmation. However, should there be scheme slippage, HARCA/CSDL would request that the Council vest all land excluding any interests remaining to be acquired and to serve Notice to Treat on these. This then allows for a further 3 years in which to secure voluntary settlements or to acquire compulsorily via the Notice to Treat process.
- 9.11 There is no difference in the approach or efforts being made to acquire properties by private negotiation across the two phases. Good progress has already been made in achieving vacant possession of Aurora and Clarissa Houses (the only residential blocks for demolition in Phase 1): all social housing tenants have been decanted to suitable homes of their choice. Similarly good progress has also been made with acquiring residential properties in Phase 2. To date, out of the 45 properties required, 17 have been purchased; purchase terms have been agreed on a further 3 properties which leaves 25 properties left to acquire. HARCA/CSDL has expressed confidence in acquiring all property interests voluntarily where reasonably possible. This is described in more detail below.

- 9.12 There is a need to provide sufficient certainty and support to the developer to ensure a comprehensive regeneration can be delivered. Without the backing of a CPO, the uncertainty would make it difficult for a developer to fully commit resources to the project in its entirety to deliver the scheme benefits identified in Section 6 of this report.
- 9.13 The CPO will also be required to vary the service and access requirements of both residential and retail units in the development that are being retained. The development works will impact the current open access to the rear of the retail units, and managed service yards will be provided for deliveries to minimise business disruption to the retail tenants. Likewise, alternative access routes will be provided to the retained residential units.

10. NEGOTIATIONS WITH AFFECTED PROPERTY INTERESTS

Introduction

- 10.1 The site is occupied and used by a wide range of stakeholders from the local community. This section focuses on the groups of stakeholders who will be impacted by the scheme, how their rehousing or relocation needs are being addressed, and the progress that has been made by HARCA/CSDL to date. The groups are as follows:
- a) Resident tenants and leaseholders (including investor landlord owned properties)
 - b) Commercial freeholders
 - c) Commercial leaseholders & licensees in retail premises
 - d) Commercial licensees in lock ups
 - e) Street market traders
 - f) Public service providers
 - g) Other service providers
- 10.2 It is necessary for HARCA/CSDL to acquire a further 27 residential leaseholds (resident and investor owners) and renegotiate leasehold terms for 36 retail properties, in the latter case, because of the proposed changes in access arrangements and possible outright acquisition of specific premises. Without agreement to the new leases, business leaseholders will not benefit from the rent concession set out in Appendix 4a. HARCA/CSDL has undertaken a desktop referencing exercise to identify, so far as possible, all land ownership and interests that will need to be acquired or extinguished through the CPO process. This is reflected in the Schedule of Interests to be acquired at Appendix 2. Known commercial interests are also set out within Appendix 2, all of which must be acquired to enable the scheme to come forward.
- 10.3 HARCA/CSDL has engaged specialist surveyors to lead on settlement negotiations with parties having a residential or commercial interest in the Order Land. Engagement and subsequent negotiations commenced with

residents (i.e., tenants and leaseholders) in March 2013 and commercial occupiers in December 2014. Affected parties are encouraged at the outset to seek independent valuation advice and, if necessary, to appoint a valuer or lawyer to assist in negotiations with HARCA/CSDL's advisors. The reasonable costs for this, together with any reasonable legal fees, will be reimbursed by HARCA/CSDL as explained in Appendix 4b Retail Leasehold Offer (June 2018) and Appendix 5 Residential Leasehold Buyback Offer (June 2018) and in accordance with the terms of the CPO Indemnity Agreement and statutory requirements relating to compensation for compulsory purchase (the Compensation Code).

- 10.4 Council officers have been liaising closely with HARCA/CSDL to review their strategy for land assembly and their approach to negotiations with those affected. The proposed CPO Indemnity Agreement provides that Council officers will regularly meet HARCA/CSDL's representatives to monitor progress in securing acquisition through voluntary negotiation. In particular, the Housing Regeneration Team will monitor the financial and relocation offers made by HARCA/CSDL to ensure compliance with the Council's requirements to support the CPO route. This work has already begun, with evidence of negotiations with residential and property interests (e.g., relocation offers, completed buybacks) having been provided to the Council by HARCA/CSDL.
- 10.5 HARCA/CSDL are required by the indemnity agreement to continue negotiations with the owners of the remaining land interests and to acquire all interests by agreement wherever possible, without having to rely on the Council acquiring these interests under the CPO unless this becomes absolutely necessary. Approving the making of the CPO under delegation will not therefore result in any reduction in efforts to continue negotiations to achieve vacant possession by agreement, and indeed should stimulate those negotiations by commencement of the formal process.
- 10.6 The CPO is, however, an essential step which signals the Council's support for HARCA/CSDL's scheme and provides them with the certainty to proceed with the scheme, which will provide a revitalised district centre, significant housing, community and leisure benefits to local residents, by delivering full land assembly. Commencing the CPO process and undertaking private negotiations in parallel is entirely in accordance with the CPO Guidance.
- 10.7 If the CPO is made and confirmed, land and other interests will be acquired through the CPO process only when it is needed (but within the statutory time limit, running from confirmation) to enable the next phase, which will allow time for HARCA/CSDL to secure further voluntary settlements wherever possible.

Efforts to Acquire by Agreement – Residential Premises

- 10.8 Below is a summary and explanation of the process by which HARCA/CSDL has sought to acquire land interests on a voluntary basis. The paragraphs

below set out HARCA/CSDL's core offer to the different types of residential interests followed by an update on the number of buy back completions and where terms are yet to be agreed on a phased basis. Table 7 details the state of play on occupancy in the residential properties on the site.

Table 7 – State of play on occupancy of homes to be demolished

Block	Total No of Homes	Lease-holds (Resident)	Lease-hold (Investor)	Tenant	S'life	Voids	Occupancy Level (i.e., exc S/Life & Void)
Phase 1 – Aurora	8	1	0	0	0	7	13%
Phase 1 – Clarissa	16	1	2	0	0	13	19%
Phase 2 – Ennis	16	0	3	6	6	1	56%
Phase 2 - Fitzgerald	73	3	3	11	45	11	23%
Phase 2 - Kerbey - Nos 2-30	15	0	0	0	15	0	0%
Phase 2 – Kilmore	16	2	3	7	2	2	75%
Phase 2 - Market Square - Nos 35-59	25	4	5	2	12	2	44%
Total	169	11	16	26	80	36	31%

Updated: 5 September 2018

Social Housing Tenanted Properties

10.9 At the point of stock transfer in 2006 there were 124 social rented homes identified for demolition under the scheme proposals. There are now 26 social housing tenants in occupation affected by the proposal still requiring relocation (See Table 7 for detail). HARCA/CSDL has made the following commitments to its tenants:

- Awarded decant priority status since April 2013
- Relocation to a suitable home of a type and size that meets their housing need
- Help with the cost of moving
- Home Loss payment
- Option to return to the new scheme for all existing secure tenants being decanted

- Existing former Council tenants who transferred to HARCA will keep their protected rights (such as Right to Buy) if they decant to another HARCA property.
- Other HARCA tenants will keep their assured tenancy rights if they choose to move within HARCA properties or to any other Housing Association

10.10 Neither the Council nor HARCA/CSDL anticipate that there will be any significant problems in rehousing the remaining 26 social housing tenants. A programme to rehouse the remaining tenants has been developed in line with the build programme and when vacant possession will be required for each phase. This will prevent unnecessary disruption to tenants in the second phase of the development and also help HARCA/CSDL to manage its resources more efficiently to assist tenants when their move is required.

10.11 The first phase of the scheme will be used to relocate people from the second phase into new homes within the scheme if this is their choice. This assists in maintaining them in their existing community. HARCA/CSDL have ensured no existing tenants who want to return to the estate have been or will be prevented from doing so.

Home Ownership

10.12 From the outset within the Chrisp Street scheme there were 45 leasehold properties to be acquired across Phases 1 and 2. To date some 17 of the 45 resident leaseholders' interests have been successfully acquired as part of an ongoing process to secure voluntary agreements, with a further 3 with terms agreed and solicitors instructed to exchange contracts. This leaves 25 acquisitions to be completed.

Resident Leaseholders in Occupation

10.13 HARCA/CSDL have made the following commitments to resident leaseholders who occupy their properties as their principal home in line with CPO good practice:

- Payment of Full Market Value (FMV) of property
- Payment of Statutory Home Loss Payment of 10% of the FMV
- Payment of reasonable costs of relocation and disturbance (including: legal, valuation, and conveyancing fees)
- Payment of Stamp Duty Land Tax (SDLT) and other relevant compensation where a leaseholder makes their own arrangement to acquire an alternative property

10.14 In addition to the standard options set out above, and where resident leaseholders cannot afford and/or cannot obtain another mortgage an alternative home due to insufficient capital in the existing property. HARCA/CSDL is offering the following options which have been prepared to assist resident 'in situ' leaseholders with affordability issues to maintain themselves in home ownership:

- Shared ownership on the new scheme
 - Shared ownership, off the Chrisp Street scheme but within HARCA stock
 - Shared equity arrangements on/off the new scheme
 - Lease swap outside of the new scheme but within HARCA stock
- 10.15 These options have been communicated to leaseholders in the Residential Leasehold Buyback Offer (June 2018) detailed in Appendix 5), which also sets out the acquisition process in some detail as well as signposting leaseholders to relevant agencies to secure external advice and support.
- 10.16 Resident leaseholders have been offered a range of support activities to facilitate voluntary sale which include:
- a) Negotiated settlements based on market valuations.
 - b) Funding by HARCA/CSDL to pay for independent valuations.
 - c) Reimbursement of reasonable legal fees to complete sale.
 - d) One to one meetings.
 - e) Underwriting costs of negotiations.
 - f) Support in finding alternative properties.
- 10.17 It should be noted there is no automatic right to return for resident leaseholders. Instead an option to return is based on either being able to afford to buy back into the new scheme or being able to secure a new mortgage to buy a property in the new scheme. However, HARCA/CSDL have confirmed they do not require affected resident leaseholders to use their personal savings to fill any gap in available capital required for the purchase of a new property. HARCA/CSDL will hold properties within the development for existing resident owners to purchase for a direct move, if the owners are able to do so at full value. For those who are not able to fund a new replacement home on or offsite (e.g. they are unable to obtain a mortgage) the options outlined above will apply, and CSDL has confirmed that it will help resident leaseholders further by way of its affordability policies where applicable (see the Residential Leasehold Buyback Offer in Appendix 5). Of the remaining resident leasehold properties, Poplar HARCA and CSDL, acting under the Council's oversight, is progressing dialogue to achieve voluntary settlements wherever possible and has been negotiating with owners of properties affected by the regeneration scheme since 2013.
- 10.18 HARCA/CSDL through its consultation process, drop in sessions and home visits have started to gather information about the personal and financial circumstances of resident leaseholders, to identify any hardship considerations and to identify options that fit with each resident leaseholder's financial circumstances at an early stage. Council officers will continue to monitor the decant programme and regularly review this information to confirm that HARCA/CSDL is providing robust options that meet the needs of all resident leaseholders.
- 10.19 HARCA/CSDL have advised the Council they will be sensitive to the needs of resident leaseholders to ensure that they are either able to acquire

comparably priced properties in the local area, or where there is a desire to remain in the scheme but where outright purchase is not a possibility, to allocate suitable shared ownership homes to accommodate the needs of local people.

- 10.20 HARCA/CSDL have also confirmed where leaseholders have chosen to move off site, but are still in a position where the acquisition value of their property is not sufficient to acquire a property that meets their needs (perhaps because they need a larger property due to increase in family size), then HARCA/CSDL has agreed to acquire the property of their choice and then enter into a shared ownership lease agreement. HARCA/CSDL have advised the Council that they will endeavour to provide resident leaseholders with flexible options in order to meet their requirements (i.e. on/off site, bed size, type of property etc) for relocation purposes taking into account individual circumstances to meet their needs.

Non-Resident (Investor) Leaseholders

- 10.21 HARCA/CSDL has made the following commitments to non-resident leaseholders:

- Payment of Full Market Value (FMV) of property
- Payment of Statutory Basic Loss of the 7.5% FMV,
- Payment of Reasonable costs of relocation and incidental costs of buying another property including: legal, valuation and conveyancing fees, and Stamp Duty Land Tax (SDLT)

These options were communicated to leaseholders through the Residential Leasehold Buyback Offer (June 2018) in Appendix 5.

- 10.22 Investor (non-resident) leaseholders have also been offered support and guidance in purchasing another property in their area of choice using the same approach as set out for resident leaseholders, excluding the shared ownership and access to hardship options to ensure affordability.
- 10.23 At the outset there were 23 non-resident investor leaseholders within the scheme. To date acquisition of 7 non-resident leasehold properties has been successfully agreed. HARCA/CSDL in liaison with, and with oversight by, the Council will continue to negotiate with the 16 outstanding non-resident investor leaseholders to reduce this number further.

Meeting the Re-housing Duty

- 10.24 Legislation requires that where a person is displaced from their home as a result of the CPO process, and suitable alternative residential accommodation on reasonable terms is not otherwise available to that person, then, subject to legislation's requirements, it shall be the duty of the Council to secure such other accommodation.

- 10.25 In the first instance, HARCA/CSDL will be expected to proactively explore and evidence alternative rehousing options for resident leaseholders (including rehousing within its own stock) with support from the Council in order to limit the possibility of homelessness arising from the regeneration proposals.
- 10.26 Appendix 5 sets out the HARCA/CSDL's approach for leasehold buybacks and relocation and Appendix 6 sets out the approach for HARCA tenants. The aims of Appendices 5 and 6 are to ensure that rehousing options for both tenants and resident leaseholders (i.e. not investor landlord owners) are both suitable and realistically achievable whilst offered on reasonable terms in compliance with legislation. This is also to further reduce the risk to the Council by limiting potential homelessness arising from this regeneration scheme.
- 10.27 When the Council makes a CPO it also requires its Registered Provider/Developer partner to liaise closely with absent investor landlords and any private tenants affected, supporting and guiding them to appropriate advice and support. It should be noted that obtaining lawful vacant possession of property where there are private tenants currently in situ remains the responsibility of investor landlord leaseholders who are required to serve appropriate notices to those parties and where possible provide advice and support in their relocation.
- 10.28 Tenants of HARCA were given decant status in April 2013 which has given tenants sufficiently high rehousing priority through the Common Housing Register to move to homes voluntarily elsewhere in the borough. Short life licensees will be expected to move to other short life accommodation (or other temporary accommodation) that becomes available assisted by the Council and HARCA.
- 10.29 There may be instances where an occupier may not consider the offer made to them is suitable and/or being offered on reasonable terms. Where such instances arise, HARCA/CSDL will work with the Council to assess what options have been made available; whether the options meet a test of suitability and/or reasonableness; and, if not consider what further options are necessary to meet that test.

Efforts to Acquire Commercial Interests

Commercial Freeholders

- 10.30 There were three commercial freehold interests of significant value in the Order Land:
- Co-op Car Park
 - Co-op Store
 - Iceland Store

These interests have already been acquired by CSDL.

Commercial Leaseholders & Licensees in Retail Premises

10.31 HARCA/CSDL have been engaging closely with affected interests in the existing commercial units. There are 66 existing commercial units within the Site, which includes Vesey Path, Market Way, Market Square and East India Dock Road. This number excludes the Street Market Traders and the 31 Lock Up premises. A schedule of properties is included at Appendix 2, setting out all the properties that are currently occupied under commercial lease agreements. Of these commercial properties 15 units are occupied on an agreed short term basis and have development break clauses or are occupied by HARCA. A schedule setting out the addresses and current usage of the retail units is also included within Appendix 2.

10.32 Table 8 illustrates the negotiation position of commercial occupiers at the time of writing this report.

Table 8 – Negotiation position on commercial occupiers

Phase	Category	Terms to be agreed	Heads of Terms Agreed	Legal Documents in Prep'n	Legal Documents Exchanged	Total
Phase 1	Relocations	1	0	9	6	16
Phase 2	Relocations	5	1	4	5	15
Phase 1	No Relocations	4	0	4	9	17
Phase 2	No Relocations	0	0	2	1	3
Total		10	1	19	21	51

Date: 5 September 2018

Explanatory Note 1: Terms to be agreed means there has been negotiation but no agreement between the lessee and CSDL; Heads of Terms Agreed means there is agreement on the terms on which leases will be renegotiated; Legal Documents in Preparation means that solicitors have been instructed on both sides to reach agreement on the new form of lease; Legal Documents Exchanged means agreements has been agreed on the new form of lease and are legally binding on both sides. Completion is likely to be when lessees either move to new premises or (where they don't have to move) are about to have improvement works undertaken to their units.

Explanatory Note 2: Some commercial leaseholders (i.e., those referenced as 'No Relocations' will not be required to move, principally those in the northern section of the Order Land.

10.33 Table 9 reports the position for occupiers on short term lease arrangements.

Table 9 – Occupiers on short term rent and lease arrangements

Phase	Category	Short Term	Poplar HARCA	Total
Phase 1	Relocations	3	3	6
Phase 2	Relocations	4	2	6
Phase 1	No Relocations	0	2	2
Phase 2	No Relocations	1	0	1
Totals		8	7	15

Date: 5 September 2018

10.34 Many of the short term arrangements have arisen because they have been permitted with the intention of helping to maintain the local economy before the regeneration scheme commences. Such occupiers may be found alternative premises elsewhere on the site. The 7 HARCA premises are used or held vacant by them.

10.35 There are a further 2 premises which are in HARCA's ownership: the management office and the former 'Young Prince' pub. This gives the total of 68 commercial premises for the Order Land.

10.36 HARCA/CSDL have been in negotiations with the commercial occupiers of shop units since May 2013. HARCA/CSDL will seek to ensure that for existing trading businesses that are **not** on short term arrangements:

- a) They will be given the opportunity to continue trading in the area
- b) Any new premises would continue to be affordable by way of the implementation of the retail policy
- c) Alternative suitable options would be explored if they did not wish to remain trading at their current location

10.37 HARCA/CSDL have appointed surveyors to provide initial professional advice and guidance on reaching agreement with each actively trading business, which is being monitored by the Council. The options available to commercial interests include continuing trading through relocation within the Scheme, exploring alternative locations off site or considering other options such as extinguishment of their business and/or surrendering their lease.

10.38 HARCA/CSDL has advised each of the shopkeepers that they are entitled to be professionally represented and a number have taken up this option. In each instance HARCA/CSDL will underwrite reasonable fees.

10.39 HARCA/CSDL are in dialogue with all businesses and have set out a detailed proposal to each of them, which they have agreed with the Council as a suitable framework to reach negotiated settlements. This includes:

- a) Having first priority for relocation into new premises where relocation is required within the scheme.

- b) A personal rent concession of up to 5 years for long term commercial leases for on-site relocation to maintain affordability
- c) Support relocation to alternative equivalent premises off site, if that is their preference.
- d) A negotiated settlement to extinguish their business and/or surrender their lease if that is the preferred choice.
- e) For any commercial short term occupiers Poplar HARCA may fund the development of a suitable business plan for the new location, which will also be used to assess their long term sustainability in the new scheme.

10.40 HARCA/CSDL set out the basis of the commercial relocation offer in the Retail Management Strategy (June 2016) Retail Leasehold Offer (June 2018) which can be found in Appendices 4a and 4b respectively. The offer can be summarised as follows:

- a) Shopkeepers providing a retail service have been advised they will have the option to relocate, if required, into new premises within the Scheme.
- b) Offer accommodation in larger premises if space permits on commercial terms
- c) Rent concessions, for qualifying businesses (i.e. long term commercial lessees), over a period of 5 years as detailed in the Retail Management Strategy and Updated Addendum
- d) New signage and shop fronts at no charge to all retailers
- e) Compensation for costs associated with relocation and shop fitting
- f) Where the preference is for off-site relocation, CSDL will provide support in identifying suitable alternative premises;
- g) If the option chosen by the business owner is to extinguish the business, then HARCA/CSDL will take advice on and consider appropriate settlement value to achieve this, having regard to any representations from the retailer and their professional surveyors

10.41 HARCA/CSDL will also work with and assist all other retailers without the right to renew (i.e. short term leases) to seek to identify alternative relocations.

10.42 HARCA/CSDL's default offer to owners / occupiers of business premises exceeds the statutory provisions. Examples of where the statutory provisions are exceeded are:

- Rent concessions for qualifying independent retailers
- New shop fronts
- Business support for independent retailers

10.43 Should it be required to exercise the Council's CPO powers (if granted), business occupiers (with a compensable interest) will have an entitlement to claim compensation in accordance with the Compensation Code.

10.44 Dialogue will actively continue between HARCA/CSDL and each shopkeeper to seek voluntary negotiated arrangements to avoid the need for the use of CPO powers to acquire these interests. To date HARCA has reached agreements with a good proportion of the existing shopkeepers. These

agreements are likely to result in 49 businesses either being relocated to the new retail area or entering into updated lease arrangements in their current location with another 2 being extinguished voluntarily, as at 29 May 2018. The Council is closely monitoring progress in this matter and will assist in brokering where required.

- 10.45 Where appropriate, HARCA/CSDL will also rely on Landlord and Tenant Act powers in order to recover retail premises.

Commercial Licensees in Lock Ups

- 10.46 There are 27 occupied Lock Ups on the Street Market concourse (excluding voids). Three are hot food outlets and are to be relocated to purpose-built units to be built on the Council's Street Market site. Options for the remaining 24 occupiers in the Lock Ups include new premises within the scheme (including 3 units on the ground floor of Cygnet House acquired by CSDL that can be configured to 4 units) on the eastern side of Chrisp St; new premises on the ground floor of Block M (eight units ranging from 25 sqm to 57 sqm in size) on the eastern side of Chrisp St (currently the Co-op Car Park); new/existing premises on Chrisp St Market area proper; or a Market Stall, subject to agreement with the Council's market trading team. The lock up occupiers will need to be temporarily relocated for the period between the demolition of the old lock ups and when the permanent units are ready. Temporary relocation arrangements will be arranged and be the subject of consultation at least six months before the resurfacing and canopy works are due to occur. The outline of where Lock Up licensees are to be presently intended to be relocated is shown in Appendix 12.

Street Market Traders

- 10.47 Apart from a temporary relocation anticipated to be in 2020 to elsewhere on the Order Land, there will be no change in the status of Street Market licensees in Chrisp Street and licences will continue to be issued by the Council both during the regeneration works and after them. Temporary relocation arrangements will be arranged which will be the subject of consultation at least six months before the resurfacing and canopy works are due to occur. The outline of where Street Market Traders are presently intended to be relocated is set out in Appendix 12. An information brochure titled Market Stalls Offer was distributed to stall holders during June 2018 and can be found in Appendix 11a. A more detailed approach to how the Street Market will form part of the wider marketing approach to Chrisp Street is set out in Appendix 11b.

Public Service Providers

- 10.48 The Council is the main public service provider on the Order Land. With regard to the:
- Idea Store (No 1 Vesey Path): This is staying in its current location and services will be provided throughout the scheme's progress. There is

likely to be some disturbance when the proposed Hub Building is constructed adjacent to (and oversailing) the northern end of the Idea Store building

- Children's Centre (No 9 and Nos 23-27 Market Way): Subject to the statutory consultation response, this is to be relocated to a new purpose built centre which is proposed to be constructed by the developer at Nos 50-52 Kerbey St. It is proposed that the Council maintains use of No 9 Market Way (used for office space) for the medium term, in agreement with HARCA/CSDL.
- One Stop Shop (No 15 Market Square): This is due to relocate to the ground floor of the Chrisp St Idea Store during early 2019 under the Council's *Local Presence* initiative. This move was not prompted by the proposed regeneration scheme
- Metropolitan Police Office (2 Market Way): The Police may have a requirement for new premises to be re-provided elsewhere in the scheme. CSDL/HARCA are investigating where they can they can be relocated to.

Other Service Providers

10.49 These include the following:

- Poplar Boys' and Girls' Club (No 75 Chrisp St) is to be relocated to Trussler Hall in nearby Kerbey St, adjacent to the Order Land
- Post Office (No 22 Market Square). Agreement has been reached with the Post Office with regard to options for their relocation
- HARCA Main Office (No 167A East India Dock Road) is to be relocated to George Green Building on the corner of Kerbey St and East India Dock Road (adjacent to the proposed scheme)
- Barclays Bank (159/165 East India Dock Road) is expected to relocate to new premises in the scheme with no break in service anticipated.

Summary of acquisitions by phase

10.50 The following table shows the position as at 5 September 2018 in relation to acquisition of residential and commercial properties in each phase. Any changes to this table will be verbally reported at the Cabinet meeting.

Table 10 – Acquisitions by Phase and property interest still to be acquired

	Phase 1	Phase 2
Residential properties acquired	6	12
Residential properties - terms agreed	3	0
Residential properties – terms not agreed	1	23
Residential tenants to be rehoused	0	26
Commercial Units terms agreed	28	13
Commercial Units terms not agreed	5	5

Date: 5 September 2018

11. COUNCIL LAND INTERESTS AND ASSOCIATED ISSUES

11.1 The Order Land includes land parcels currently in the ownership of the Council (see Appendix 2). These are proposed for inclusion within the CPO boundary to ensure that all third party interests or rights over such land are acquired. However, the Council's interest in the land will be excluded from the CPO and in order to facilitate the scheme, the Council will need to transfer certain interests to HARCA and/or CSDL. The Council's freehold interests in the Idea Store and the Street Market are unaffected.

11.2 The Council has retained external valuers to advise on the value of the various land parcels for the purpose of negotiating the terms and conditions, including any consideration, for the transfer of interests to HARCA who will in the first instance lease the land onto CSDL for development. The Council intends to dispose of its interests in accordance with legislation and policy requirements.

11.3 There are also some property related issues that need to be addressed to help ensure that all land, property and outstanding legal issues are resolved. In respect to recommendation 2.2 and subject to legislative and policy requirements concerning dealings with Council land, the Mayor in Cabinet is recommended to delegate to the Corporate Director of Place the authority to agree the terms of, and enter into any documentation required to:

11.4 Vary existing leases on Nos 1-15 Vesey Path

In order to construct the scheme around the existing retail units under the Idea Store and enhance them to a standard commensurate with the remainder of

the Scheme, HARCA/CSDL will require a variation to the leases of Nos 1-15 Vesey Path. The proposed terms are to enable the retail units to be upgraded, harmonise the length of head leases across the scheme and to extend the term of the leases from 89 unexpired years to a longer term.

11.5 Grant a lease in respect to the Community Hub Building oversailing council owned land

The proposed Community Hub Building will be built adjacent to the northern end of the Idea Store. The new building's 3rd floor will oversail the current building, the market square and the Idea Store and therefore a lease needs to be granted to CSDL to allow them to occupy the airspace required for the Hub Building, and any rights of light and air affected by this need to be considered for possible inclusion or extinguishment

11.6 Settle any sums which may be due to the Council arising under a pre-existing Development Clawback Agreement before the Council will make the Compulsory Purchase Order. The Council will not make the CPO until the Agreement has been reviewed and agreement reached.

Stock transfer agreements between the Council and new (or existing) social landlords included an agreement that the Council should receive a financial share of any future uplift in development values if a redevelopment scheme was proposed. There are development clawback provisions originating from the transfer agreement between the Council and HARCA. These will be reviewed and agreement will be reached on whether those provisions are triggered by the proposals and, if so, the sums which are or may be due to the Council under the agreement (if any).

11.7 Consult with users of the Children's Centre (formerly known as the Sure Start Centre) on the proposed relocation of services from No 9 and Nos 23-27 Market Way to a new purpose built centre at No 50-52 Kerbey St (adjacent to the Crisp St site) and, subject to the outcome of that consultation, to take a lease of the new Children's Centre. It is proposed that the Council maintains use of No 9 Market Way (used for office space) for the medium term, in agreement with HARCA/CSDL. The Council will also need to approach the Department for Education to clarify whether grant funding provided to create the original Sure Start Centre facilities is subject to clawback. Based on current government funding guidance, as the service is to be re-provided, this clawback requirement may be waived. Until this is confirmed, the financial costs associated with this risk, if it becomes an issue, will be treated as a cost that must be met by the developer under the terms of the Indemnity Agreement (See Appendix 8)

It is proposed that approximately a third of the current Children's Centre premises at Nos 23-27 Market Way will be demolished as a consequence of the regeneration scheme. It was not considered feasible that services could continue to be provided given the loss of space and the proximity of the

demolition and redevelopment works. The Council concurred with the view that an alternative location needed to be considered. Discussions between LBTH Children's Services and HARCA/CSDL began in February 2016 concerning the proposed relocation of the Children's Centre services currently provided from the retail units at No 9 and Nos 23-27 Market Way to Nos 50-52 Kerbey St. Following design discussions with officers, a planning consent was granted on 11 October 2016. The Council is consulting with stakeholders, in accordance with the statutory requirements necessary for such a proposal, on the proposed relocation. Consultation feedback is in the process of being considered on whether or not the services should be relocated to the proposed location above, or further design revisions are necessary to make the proposed move acceptable. If it is decided to relocate, a new lease will need to be agreed between the Council and HARCA/CSDL which will be broadly on similar terms to those at the current locations identified above. HARCA/CSDL would also meet the fit out and relocation costs associated with any agreed move.

11.8 Release a restrictive covenant on Amenity Land

There is a small area of grass to the rear of Fitzgerald House where development is not permitted by a restrictive covenant on the title. This covenant formed part of the original transfer of the land in 2006 to HARCA. A release of this covenant is sought to allow development on the basis that that new amenity space is provided as part of the proposed scheme.

11.9 Take a lease of the Idea Store Building

The developer intends to offer the first floor of the community hub building for the purpose of extending the first floor of the Idea Store. Agreement will need to be reached with CSDL on the lease term; fixtures and fittings; and service charges, which will be subject to a business case.

11.10 Enter into a management agreement in respect of the Clock Tower

The Clock Tower is a local and borough architectural asset and was recently the subject of Grade II listing (along with the Festival Inn) by Historic England. It is in a poor state of repair and requires refurbishment. CSDL considers the Tower as an important part of promoting the scheme, the Street Market and the broader retail and leisure offer and therefore both wish to invest in the Tower and take responsibility for refurbishing and managing it, with detailed management arrangements subject to the Council's agreement.

11.11 Grant a deed of easement in respect to Water Attenuation Tanks

Occasional heavy downpours of rain can cause localised flooding where local drainage infrastructure is overwhelmed. The installation of such water tanks allows for such a downpour to be collected and drained off at a more measured rate avoiding localised flooding. Council officers will need to approve the location and specification of the water attenuation tanks and access and maintenance arrangements. The Council must also be assured,

contractually and practically, that the value of the land is protected and that there will not be diminution in value caused by the subsistence of the tanks. It may also be necessary to consult with the statutory undertaker to make installation arrangements.

11.12 Permit seating for Food and Drink in the Street Market Area, subject to any planning restrictions

Using the market space during the day and in the evening for the serving of food and drink from retail premises while the Street Market is not operating is considered a helpful means to make the market an attractive leisure destination. Consultation will need to be undertaken with residents nearby (principally in the Festival of Britain homes) to ensure any possible noise generated does not disturb their quiet enjoyment of their home. The Council is in principle supportive of such uses and any planning considerations that arise must be conditioned and upheld, e.g., hours of operation.

11.13 Repayment of the LDDC Burden Payment

The LDDC funded some refurbishment works to the market, set out in an agreement in 1992 (varied in 2006). Due to the development proposals, payments will be due by both the Council and HARCA. The Council's element of this payment would have been £71,250 had it been payable in December 2016. The amount will reduce annually. This payment will be paid by CSDL in accordance with the Indemnity Agreement.

11.14 Disposal of a parcel of freehold land, currently used as a Loading Bay

A small parcel of land used as car parking to the north east of the Co-op is in the ownership of the Council, which the Land Registry omitted from HARCA's title following the stock transfer to HARCA. HARCA/CSDL has requested that this land registry error is corrected. Instances of such amendments to Title to correct such errors identified on other stock transfer schemes have been made previously by way of a Deed of Variation. Alternatively, it may be necessary to liaise with the Land Registry in regards to rectification of the register.

Note: The investigation of the title to the Site has identified that there may be a small parcel of land within the loading bay area lying to the south of the Co-op store (the "Loading Bay") as shown hatched blue on the plan attached at Appendix 3 which remains within LBTH's title to the residue of Lansbury Estate registered under title number NGL224982. This parcel of land was intended to form part of the transfer of land by LBTH to HARCA in 2006 now registered under title number EGL509916 but it is not registered within this title, although it has been excluded from the title plan to NGL224982 and is shown on this plan as being within title EGL509916. The position is currently being clarified with the Land Registry in order to rectify the register if possible. However, to the extent that the parcel of land correctly remains within LBTH's ownership, it is proposed that this is transferred to HARCA in order to simplify the title position.

11.15 Transfer of minor land and property interests by LBTH to CSDL

The Council has a small number of freehold and leasehold interests in the site and has appointed external valuers (funded by CSDL) to negotiate on its behalf to ensure best consideration is secured for any interests the Council chooses to dispose of. Any disposal will exclude the Council's freehold interests in the Street Market and the Idea Store.

11.16 Grant a Lease(s) to HARCA and/or CSDL for 3 Hot Food Kiosks from the Council's freehold of the Market Square

HARCA/CSDL proposes to create a new 3 unit hot food outlet on the Market Square. A lease will need to be agreed between the Council and HARCA/CSDL on satisfactory terms and any necessary planning consents and licences obtained.

11.17 Grant a building licence to CSDL to undertake works to the Council-owned Market Square and Clock Tower, which shall require as a minimum the Council's approval of the scope of works proposed and materials to be used in line with the planning permission and relevant planning condition.

Part of the regeneration scheme involves the resurfacing of the Market Square; installation of services; installation of a new canopy; and the refurbishment of the Clock Tower. These works will be paid for by the developer but will nonetheless require the Council's permission and due diligence before being undertaken.

12. OTHER LAND INTERESTS

12.1 The Order Land includes electricity substations where land has been leased to the statutory undertaker(s). Whilst it is likely that agreement will be reached with the statutory undertaker(s) for the relocation and/or enhancement of this service, a CPO resolution will reinforce the necessity to reach such an agreement. Additional statutory and/or Parliamentary procedures may be required if agreement with the relevant statutory undertaker(s) cannot be reached.

12.2 There are likely to be other land interests and rights which will need to be extinguished or acquired by CPO or the proposed follow-up use of the Council's powers under s203 of the Housing and Planning Act 2016. These will include:

- Wayleaves
- Rights of way/access
- Third party rights
- Rights to light
- Over-sailing rights
- New rights required

- Mortgage interests
 - Other interests
- 12.3 All land interests will be identified via a referencing process and, where appropriate, negotiated settlements will be reached to allow the redevelopment to proceed unhindered.
- 12.4 The fact that the Order Land is proposed to be vested in or acquired by the Council (whether through private treaty or a CPO) prior to its transfer to CSDL is important because it will trigger the operation of section 203 of the Housing and Planning Act 2016, the effect of which is to permit the carrying out building or maintenance work even if it involves:
- (a) interfering with a relevant right or interest, or
 - (b) breaching a restriction as to the user of land arising by virtue of a contract.
- 12.5 This provision does not apply to the rights of statutory undertakers and certain other protected rights. However, where it is available, development may commence in spite of the existing right, which will be converted into a right to claim compensation. This prevents an injunction being brought for interference with a right through the construction or use of a development. The Council should take into account the potential consequential effects of section 203 on affected parties when deciding whether to make the CPO, including any potential claims for compensation.

Rights to Light

- 12.6 One of the implications of high-density development is the potential to reduce the light reaching windows of surrounding homes; this is an important consideration in the planning process, where there are well-established methodologies for calculating Daylight/Sunlight penetration. However, there are some instances where, even when a development has planning consent, there are still adverse implications to some neighbouring homes.
- 12.7 Where there is a significant impact upon right to light there may, in certain circumstances, be an entitlement to injunct against the proposed development. Any private properties affected in this way will be outside the red-line CPO area. However, one of the effects of enabling regeneration by compulsory purchase of land through the use of planning powers is the potential to rely on s203 of the Housing and Planning Act 2016 to override private third party rights, as described above. This can include overriding interference with any rights to light.
- 12.8 Rights to light only impacts on certain freehold or long leasehold interests and not on tenancies, where the interest is usually of limited duration.
- 12.9 CSDL have commissioned a specialist rights of light surveyor, EB7, to undertake a preliminary assessment of the Scheme using the submitted planning application, to establish how many properties around the Order Land will potentially be affected by rights of light impacts. The assessment has

identified a number of different premises (including land owned by the Council) that surround the site and could potentially be impacted.

Phases 1 and 2

Site No	Addresses
1	1-11/15 Susannah Street
2	Poplar Baths
3	Station cars
4	10 Chrisp Street
5	Fusion Building
6	Poplar Fire Station
7	Chrisp Street Health centre
8	Norwich House
9	Equinox development
10	62-70 Chrisp Street
11	Balsam House
12	Salvation Army Hall
13	Lansbury Lawrence School
14	156 East India Dock Road
15	George Green Building

- 12.10 The effect of the proposed CPO on any such owners would be to override any entitlement to injunct against the proposed scheme. They may instead be entitled to compensation once any impact upon the Right to Light is fully determined.
- 12.11 The Council and HARCA/CSDL, as landowners, are entitled to take precautionary measures such as issuing Light Obstruction Notices in respect to certain neighbouring properties which have not acquired a qualifying right. HARCA/CSDL has advised the Council that they have served Light Obstruction Notices to surrounding properties to the development to prevent future rights of light claims arising from the proposed development.
- 12.12 HARCA and CSDL have undertaken that once infringement of qualifying rights of light of any rooms in properties adjoining the Order Land become ascertainable and quantifiable (both in the extent of the interference and the calculation of entitlement to compensation) they will use reasonable endeavours to reach voluntary settlements with those affected. This process has been written into the draft CPO Indemnity Agreement, to require the assessment of the detailed design scheme with the above objectives in mind and to ensure that Council officers will be able to regularly review and monitor CSDL's ongoing negotiations with rights of light claimants, just as they will do for other affected land interests.
- 12.13 By way of action, HARCA/CSDL have appointed a specialist rights of light surveyor (EB7) who have undertaken a preliminary assessment of the scheme as submitted using the planning application scheme. The details of the initial assessment has been reviewed by the Council's appointed rights of

light consultant (Delvar Patman Redler) who are satisfied with the initial assessment.

12.14 HARCA/CSDL have confirmed that post cabinet resolution, they will undertake a further detailed analysis with affected parties and endeavour to reach a negotiated settlement based on the statutory measure of compensation. The calculations will be checked by the council's own independent rights to light consultant to ensure that the figures are appropriate and consistent with market value.

12.15 It is proposed that, following the confirmation of the CPO, land interests will be vested by the Council in a number of phases according to the development requirements. At this point actionable rights will cease, whilst remaining fully compensatable. The Council will be able to request the following information at each vesting stage, to ensure that HARCA/CSDL are engaging appropriately with all affected claimants:

- Disclosure of technical rights of light assessments, including actionable claims
- Details of the estimated compensation schedule and HARCA/CSDL's current offers
- Details of any covenants in leases which prohibit rights of light entitlements, i.e. in some right to buy/transferred Council homes which would otherwise have been affected
- Details of ongoing negotiations with all those owners who have actionable rights of light claims and evidence that injunction has been threatened and/or is a real risk
- Update on general negotiations with other land interests to date, including leaseholders, etc
- confirmation that reasonable alternatives to the extinguishment of rights of light have been fully explored by HARCA/CSDL, e.g. design solutions considered in liaison with Planners and, where applicable, evidence of revised designs and non-material amendments, to avoid the necessity of using the powers

Road Closure

12.16 HARCA/CSDL have advised that an adopted road called Southill Street (Appendix 2, Plot 16) will be the subject of a road closure which will require a Stopping Up Order under section 247 of the Town and Country Planning Act 1990, authorising the stopping up of the areas of highway including rights obtained by prescription.

12.17 HARCA/CSDL advise that they intend to utilise Highways Act powers for stopping up of part of the service road. The land is owned by HARCA. HARCA/CSDL also advise that all necessary applications will be made to the Council Highways Department who will serve the appropriate notices and carry out the statutory consultation. This application will run concurrently with the CPO process.

Asset Protection Agreements

- 12.18 On a scheme such as Chrisp Street, it is likely that statutory utilities such as National Grid, UK Power Networks will have equipment (such as electricity substations) or services running through the site.
- 12.19 CSDL/HARCA advise that their approach to engaging with the statutory utilities is that prior to the Cabinet meeting they will notify all statutory utilities of the proposal for a CPO, when this is to be considered by the Council's Cabinet and to request that they advise if they have any land interests or services within the proposed CPO area.
- 12.20 Once any interests in the land have been identified through the above process CSDL/HARCA will enter into negotiations with a view to providing Asset Protection Agreements or other suitable agreements to protect the statutory utilities interests and to avoid the necessity for the statutory utilities to formally object to the CPO. Any costs in relation to this agreement will be met by the HARCA/CSDL in line with the Indemnity Agreement.

Open Space

- 12.21 Section 19 of the Acquisition of Land Act requires that any areas of open space within a CPO area are subject to a special parliamentary procedure unless the Secretary of State is satisfied and certifies that certain conditions prevail. Key to this in relation to this specific scheme is that land of at least the same size and quality will be returned to use as open land.
- 12.22 HARCA/CSDL have identified that there are areas of land within the proposed CPO that could constitute open space. More detailed assessment of these areas will be made during the detailed land referencing process and it will be established at this point whether an application for a Section 19 Certificate needs to be made. When the CPO documentation is submitted to the Secretary of State, a statutory certificate process will follow (unless the Secretary of State calls for a parliamentary process), which will involve securing approval from the Secretary of State on the basis that the re-provision of open space is appropriate.

13. FUNDING

Poplar HARCA

- 13.1 HARCA has secured funding from the GLA's Affordable Housing Programme of £9.196m to fund the 124 re-provided new homes at GLA Affordable Rent, plus additional 12 GLA Affordable Rent homes.
- 13.2 HARCA has also secured funding to the GLA's 2016/21 Affordable Housing Programme of £1.036m to fund the provision of 37 Shared Ownership affordable homes.

- 13.3 Further Right to Buy (RTB) funding support is likely to be sought from the Council for 27 additional affordable housing charged at Tower Hamlets Living Rents, subject to a grant application and satisfactory agreement between HARCA and the Council. Any decision to award RTB receipts as grant to a Registered Provider rests with the Grants Determination (Cabinet) Sub-Committee and the availability of funding for this programme is determined by Full Council in setting the overall capital budget and strategy.

GLA Estate Regeneration Policy and GLA 2016/21 Affordable Housing Programme

- 13.4 Since HARCA secured the £9.196m funding above, the GLA in July 2018 announced details of the criteria by which they were going to require resident ballots for estate regeneration schemes where GLA Affordable Housing Programme funding is sought.

Source: Poplar HARCA (4 June 2018)

- 13.5 The GLA Guidance on estate ballots is detailed in Chapter 8 of the GLA's Affordable Housing Capital Funding Guide. Under Exemption 5, where GLA funding was committed on or prior to 18 July 2018, such schemes will be exempt from the requirement to hold resident ballots. The Chrisp Street scheme had its funding confirmed well before this date and therefore the scheme is expected to be exempt from the requirement to hold a residents' ballot. Poplar HARCA as the Investment Partner will need to apply for this exemption and the GLA will need to confirm the exemption in writing. Consultation and engagement undertaken to date and planned for the future with residents and other local stakeholders is detailed in Section 7 of this report.

Telford Homes PLC

- 13.6 Telford Homes PLC who own CSDL were asked to provide a statement of their financial capacity to deliver this project which is set out below:

Telford Homes Plc is an AIM listed developer of residential-led, mixed use sites in London, where the need for homes far exceeds supply. The company's customers include individual investors from the UK and overseas, owner-occupiers and housing associations. Increasingly they are working with institutional investors in the build to rent sector, a growing market in London. Founded in 2000, the company now directly employ 248 people and have a development pipeline of over 4,000 homes.

They are a respected partner to landowners, housing associations, local authorities, build to rent investors and their supply chain. They are investing in the communities they create via their new sustainability strategy and they look after their people, who they regard as the real heart of their business.

The business has traditionally focused on East London and is skilled in all aspects of London development. The company develops in non-prime locations to maintain an affordable price point for individual customers and the

strategic move into build to rent which provides scope to work with investment partners across London.

Telford Homes Plc reported on 31st March 2017 net assets of £204 million and an annual revenue of £291 million. The company has a £210 million club banking facility with four banks RBS, HSBC, Santander and Allied Irish Bank. There is significant headroom to fund this project which has a gross development value of £321 million. Telford Homes has the financial capability and experience to complete this project over the eight year projected programme.

Source: Telfords PLC Note – 16 January 2018

- 13.7 In view of the above information, Officers are satisfied that funding sufficient to carry out the scheme (including acquiring land interests and paying other compensation) is available to HARCA/CSDL.

14. POTENTIAL IMPEDIMENTS

- 14.1 The Scheme is not currently considered to have any significant planning, resourcing (including financial), legal or other impediments. An outline of issues that need to be factored into the Risk Management Plan that is developed for the project is set out below. A summary of the potential impediments, and the likelihood of the impediments arising, and proposals for removing such impediments are summarised below.
- 14.2 **Developer's Capacity to Deliver** – both HARCA and Telford Homes PLC, the owner of CSDL, have a significant track record of housing and broader regeneration delivery. Their respective capacity to deliver this scheme is referenced in Section 9.3 – 9.7. No impediments are expected to arise.
- 14.3 **Planning** – the Scheme was submitted for the local planning authority's consideration in June 2016. The scheme was approved on 12 July 2018 subject to a number of planning conditions. It will be for the HARCA/CSDL to ensure that planning conditions are addressed to ensure the scheme progresses. The GLA in its strategic planning authority role may also have comments to make on the planning conditions set by the Council.
- 14.4 **Compulsory Purchase Order** – The implementation of the recommendations of this Cabinet Report are intended to remove impediments to acquiring all necessary land interests in the site to progress the scheme.
- 14.5 **Other Orders** – As set out in Section 12 above, other orders may be required in order to authorise the stopping up of highways as set out. These orders will be progressed alongside the CPO and the Council is not aware of any reason why such an order would not be likely to be forthcoming.
- 14.6 **Special Parliamentary Procedure (SPP)** – As there is potential for public open space to be included in the Order, there is a risk of engaging a SPP.

However the intention is that any open space that is lost will be re-provided. As such a S19 Certificate should be capable of being obtained.

15. HUMAN RIGHTS AND EQUALITIES IMPLICATIONS

- 15.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights. Various convention rights are likely to be relevant to the Order, including:
- ***Entitlement to a fair and public hearing in the determination of a person's civil and political rights*** (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process.
 - ***Peaceful enjoyment of possessions*** (First Protocol Article 1). This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.
 - ***Right to respect for, private and family life***, in respect of which the likely health impacts of the proposals will need to be taken into account in evaluating the scheme (Convention Article 8).
- 15.2 The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Any interference with a Convention right must be necessary and proportionate.
- 15.3 The Council is therefore required to consider whether its actions would infringe the human rights of anyone affected by the making of the CPO. The Council must carefully consider the balance to be struck between individual rights and the wider public interest. In the present case the CPO would amount to an interference with the property rights of those individuals whose property or interests are to be acquired compulsorily. It is considered that any interference with the Convention rights caused by the CPO will be justified in order to secure the social, physical and environmental regeneration that the project will bring. There is a right for those individuals to object and have their objection heard at a public inquiry and, additionally, appropriate compensation will be available to those entitled to claim it under the relevant provisions of the CPO Compensation Code.
- 15.4 Before making a CPO, the Council must also have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. An Equalities Impact Assessment (EIA) has been carried out to assess the impact of the CPO and the Scheme on individuals or communities.

- 15.5 This EIA has been completed by an independent consultant using the LBTH EIA guidance and format and has included a comprehensive desktop review of equalities policy and legislation, regeneration priorities and other core Council documents. Central was a review of the scheme proposals, the planning application, the proposed CPO, offers for tenants and leaseholders and the CSDL retail strategy. For the purposes of this report, the EIA is described as an EqIA, to distinguish it from an Environmental Impact Assessment.
- 15.6 In addition, to support the evidence base to assess the likely positive and negative impacts, there has been a review of equalities data, in part held by the developer and HARCA and supported by a primary research programme, which was completed between May and June 2017. Specifically this research addresses the equalities profile of tenants, leaseholders, businesses and other property interests. This data has been analysed and sets out the core basis of the profile of key equality groups and protected characteristics being assessed through this EqIA.
- 15.7 A central component of the EqIA is the need to distinguish between regeneration impacts per se and specific impacts on particular protected characteristics. The EqIA highlights specific Equalities Impacts and reviews these against the 9 protected characteristics of the Equality Act 2010. It also addresses issues of language, health and wellbeing and socio economic inequality.
- 15.8 The EIA report highlighted 'positive' and 'negative' equality impacts and set out a series of recommendations to mitigate negative impacts. The impacts are summarized below. The full report can be found at Appendix 7 and includes an action plan which identifies mitigation activities to address the identified impacts, which can be carried out.

Equalities Impact Assessment (EqIA) highlighted positive impacts

- 15.9 The design of the regeneration programme has sought to deliver a range of positive impacts. A summary of these positive impacts, specifically in terms of equality, is set out below.

15.10 Housing

- Housing needs that respond to a wide range of protected characteristics will be positively enhanced through the development of these new units providing opportunities for housing.
- There will be more homes designed to lifetime homes standards and with disability access.
- Improving the housing stock will provide more homes for more people, to higher standards and hence improve the quality of accommodation for residents currently on the estate.

- Fabric First approach will use sustainable forms of energy such as centralized heating and hot water and photovoltaics to generate electricity. This should mean lower running costs.
- Application of Considerate Contractor requirements to minimise negative impact during construction period
- There will be an expansion of housing offer (additional units) for those on the waiting list, many of whom come from protected characteristics.
- The needs of older people and those with disabilities will be enhanced by the development of properties built to lifetime homes standards.
- Families will have units that are in much better condition than they are currently.
- There will be more two and three bed units which will address local and community housing needs

15.11 Business

- CSDL/ HARCA have confirmed that all retailers who had a right to renew their lease will be offered the option to stay within the scheme if they so wish.
- Alternatively, if any retailer wishes not to remain and surrender their lease to CSDL/HARCA, they will compensate them accordingly in line with the CPO compensation code.
- Retailers who are not being relocated will be provided with new shop fronts and unit improvements in line with the proposals submitted for planning.
- New signage and improved security arrangements will also be provided.
- CSDL/HARCA will meet the reasonable costs associated with either the granting of a new lease, an agreement to lease or the amendment to their current lease.
- CSDL will also pay reasonable professional costs (surveyor) if required up to an initial 10 hours, reviewable depending upon the complexity of the matter, plus reasonable legal costs associated with the transaction.
- For retailers who are required to relocate to another unit within the scheme CSDL/HARCA will offer the following in addition to that described above:
 - Retailers will be offered a unit of the same floor area or slightly smaller as they currently occupy unless a different size unit is more appropriate to their business performance and aspirations.
 - CSDL/HARCA will pay for the shop fit of the unit to, at minimum equivalent standards of their existing unit, and ensure all units meet current regulatory requirements.
 - CSDL/HARCA will also pay reasonable relocation costs associated with the move.
- CSDL will specify a mechanism to agree reasonable fees between the parties if agreement cannot be reached by referral to an independent surveyor / shopfitter. This store fit out is in addition to the new shop fronts and signage detailed above. CSDL / HARCA also will give personal rent

concessions to independent retailers. This concession will last up to 5 years and be subject to them meeting reasonable criteria as detailed in the Retail Management Strategy Addendum.

15.12 Community / District Centre Users

- New facilities
- Night-time economy
- Cinema
- Improved public amenity space
- Sustainable injection the longevity of the district centre
- New Children's Centre being built adjacent to site
- Additional community space
- Increase in parking provision for disabled people from 3 parking spaces currently to 10 in the new development a growth of 330%
- Design of new community facilities to address the access needs of disabled shoppers and those people with mobility scooters, prams, buggies and physical access needs
- Whilst there are no tenants to be rehoused in phase one of the scheme, those tenants in phase two will have the ability to move into completed phase one homes and as a result they would have the choice to remain in the locality should their children need to attend local schools, thus mitigating any possible educational disruption.

15.13 EqIA Highlighted negative impacts

15.14 A summary of the potential negative impacts is set out below.

15.15 Generic Regeneration Impacts:

- The CPO process does have a direct impact on leaseholders and other land holding interests as their homes/businesses will be compulsorily purchased if it has not been possible to agree a voluntary settlement. This is universal to all leaseholders and is not in itself an equality impact.
- What residential leaseholders and businesses choose to do next will be their decision, as they have the options of taking their sale value and buying elsewhere (if possible), porting their mortgage and rebuying in the new estate, or entering a shared ownership or shared equity as per the relocation offer.
- The CPO process may have a disproportionately negative impact on non-resident leaseholders who have no option to stay, however resident leaseholders have options under the relocation offer.
- For some, the relocation offer of porting mortgages and entering shared ownerships may cause financial burdens, particularly for people with low earning capability and/or ineligible to take on a mortgage.

- There will be less 4 plus bedroom units on site i.e. 30 down to 13. Although this is made up by significantly more 2 and 3 bedroom units.

15.16 Equality specific negative impacts:

- Some burden may arise from households where their married status has changed since the property has been purchased and this may cause legal costs to clarify ownership and to agree the way forward for that household.
- The CPO process may have disproportionate impacts for leaseholders who are either older people and single parent families as their capacity to meet the increased values will impact against them. Similarly, this will have impacts on all leaseholders who find difficulty in meeting any possible increased cost of home ownership on the estate.
- Potential negative health impacts of the construction process including noise, dust, construction debris and environmental impacts, often negatively impacting more disproportionately on people with poor health and disability
- Households with children and older people may find the regeneration process and construction harder to live with.
- Language is potentially an issue for residents (leaseholders and tenants alike), businesses and market traders and in some cases residents who did not speak English as their first language may have felt that their understanding of the impact of the regeneration scheme had suffered because of this.
- Much of the interaction with residents will be through Poplar HARCA development team staff and those negotiating with leaseholders. In these cases, there is a real concern that the borough's equalities commitments are maintained in the negotiations process (training of staff to recognise equalities issues of those in negotiation).
- The decant process must address the equality needs of residents. These are most likely to be affecting those who are older, disabled or who have health conditions.
- The rehousing of the social tenanted properties should seek to retain the local feel for Chrisp Street particularly the BAME profile to reflect the local community and to sustain community cohesion.
- Wellbeing is a critical factor, as is the support network previously available pre-regeneration.
- Sense of community particularly those of immediate neighbours will have negative impacts on residents reliant on a local/neighbour care network, this is most likely to impact on older people, disabled and those with health conditions.

15.17 Recommended Mitigation activity

- 15.18 Below are the headline mitigation activities that are recommended to address the impacts highlighted above, which will be incorporated into a Mitigation Plan, which will form part of the Risk Management Plan referred to in Section

22.11 of this report. More detailed activities are set out in the action plan set out in the Full EIA.

- Generic Mitigation Activity
- Ethnic Mitigation
- Disability Mitigation
- Age Mitigation
- Socio-Economic Mitigation
- Language Mitigation
- Health Mitigation

16. STREET MARKET ARRANGEMENTS

- 16.1 Two specific proposals relating to the day to day management of the Chrisp Site are detailed here. The section on Street Market Management Arrangements sets out how the Council intends to work with the developer's new Chrisp Street Management Company Limited (CSML) to help ensure the Street Market becomes more successful. More detail is provided in Appendix 11b.
- 16.2 The second section focuses on how the wider Site can be managed, led by a Town Centre Manager employed by the Chrisp Street Management Company, established by HARCA/CSDL.

Future Street Market Management Arrangements

- 16.3 The market within the Chrisp Street district centre is a vital part of the retail offer and will continue to be so throughout and after the regeneration works. The LBTH Markets Team, HARCA and Chrisp Street Developments Ltd have been working together to produce a shared vision for the operation of the market. The Chrisp Street Market Proposal represents this shared vision and explains the changes required to the existing management agreement. The market will remain a Council-owned market where the Council receives licence fee income. However the LBTH Markets Team, HARCA and Chrisp Street Developments Ltd would like to:
- Improve and expand the trading space by installing new infrastructure for the market
 - Increase the variety and occupancy within the market area
 - Improve the aesthetics
 - Establish a long-term management plan to promote and sustain the market
- 16.4 These objectives will be achieved through a partnership approach with the Council, whilst ensuring that the market remains open for trading. More detail on the proposed approach is set out in Appendix 11b.

Future Management of the Wider Chrisp Street Site

16.5 A draft proposal for the long-term estate management of the Site from HARCA/CSDL is attached as Appendix 9. It is considered to be a well-developed proposal which sets out how the newly created management company, CSML will be contractually responsible for the estate management of the site and will be led by a Town Centre Manager. CSML will be funded by service charges paid proportionately by all retail and residential occupiers. CSML will have four distinct objectives:

- Facilities Management – Effective day to day management of the physical aspects of the estate
- Transitional Co-ordination – To provide and co-ordinate all aspects of the centre during the construction period and provide the key contact point and co-ordination for all stakeholders
- Marketing and Promotion – To animate the centre with a range of activities appealing to different audiences in order to increase footfall and also support the promotion of business located in Chrisp Street both before during and after construction
- Business support – To promote the take-up of business support and co-ordinate stakeholder engagement.

Appointment of Council Representatives to the Estate Management Company (CSML)

16.6 The draft proposal states that parties with a significant property interest, including the Council, will be eligible to nominate up to two directors and to have voting rights on estate management matters through the Company's Annual General Meeting. The Council proposes to delegate to the Acting Corporate Director of Place authority to nominate and appoint two officer(s) or one officer and one Council Member on behalf of the Council to act as director(s) of the Chrisp Street Management Company, after consultation with the Mayor, subject to review of the governing documents of the company, and to do all required, including execution of documentation, to give effect to that decision. This proposal is detailed in recommendation 2.3.3 of this report.

17. COMMENTS OF THE CHIEF FINANCIAL OFFICER

17.1 This report updates Members on the Poplar HARCA / CSDL partnership's progress on the acquisition of land and properties on the Chrisp Street element of the Lansbury (South) Estate, and seeks the approval of the Mayor in Cabinet for CPO proceedings to be initiated and any resulting order implemented should efforts to acquire all of the appropriate property interests by agreement fail. Arranging for these back-up procedures to be put in place now will reduce any subsequent delays in the regeneration programme that will arise if agreements cannot be reached with individual owners.

17.2 The report also seeks approval to enter into a CPO Indemnity Agreement with Poplar HARCA/CSDL. Subject to this being approved, there are no overall financial implications for the Authority arising from the CPO process because the costs of the purchases and associated compensation packages will be borne by Poplar HARCA/CSDL, with the cost of all officer time involved in the

CPO process also being recharged to the organisations. As part of the indemnity arrangements it will be necessary for the financial standing of Poplar HARCA/CSDL to be assessed.

- 17.3 The costs of officer time and legal fees to be met by Poplar HARCA/CSDL will be dependent on whether or not the CPO is challenged at a public inquiry. In that case, the reimbursement for staff and legal costs incurred could exceed £100,000 which will be met by Poplar HARCA/CSDL subject to the draft Indemnity Agreement being signed.
- 17.4 On completion of the CPO process, any properties that were not acquired via negotiation will ultimately be vested in the Council, although all costs will have been financed by Poplar HARCA/CSDL. At that stage it will be necessary to formally agree to transfer the interests of these properties to Poplar HARCA or CSDL at nil consideration in accordance with the terms of the proposed indemnity agreement.
- 17.5 It should be noted that the Council has property interests within the redevelopment area, and it is proposed that ultimately these will be disposed to Poplar HARCA or CSDL. Details are provided within Section 11 of this report. Any disposal will be at market value as assessed by external valuers commissioned by the Council, and will take place in accordance with Council procedures.
- 17.6 It is proposed that the Council acquires a leasehold interest in the proposed Community Hub building in order that the existing Chrisp Street Idea Store can be extended. This will be subject to a business case being assessed and the financial terms being consistent with the available budget that has been set aside for the expansion of the current Idea Store.
- 17.7 In certain cases it will be necessary for Council services to relocate as part of the regeneration scheme. The Children's Centre will move to a new purpose built centre, with fit out and relocation costs funded by CSDL. The new centre will be let on similar terms as the current buildings. It should be noted that the original Sure Start Centre was part financed through Department for Education grant which may be subject to clawback if the service relocates. As a new purpose built centre will be provided, it is hoped that the any clawback will be waived, however if the previously received grant does need to be paid back, this cost must be met by the developer under the terms of the Indemnity Agreement (see section 11.7).
- 17.8 While the regeneration works are being undertaken, the existing market will have to temporarily relocate before moving back to an improved site with better facilities. It is proposed that although the Council will continue to own the Market Square, a partnership approach will be developed with Poplar HARCA/CSDL to further improve the facilities and to establish a long term plan to sustain the market. Costs will be contained within existing budgetary provision.

- 17.9 The overall Chrisp Street Regeneration scheme is likely to benefit from grant funding of £9.196m from the GLA's Council Affordable Housing Programme, with a further bid of approximately £1 million likely to be submitted in respect of the shared ownership affordable homes (Section 13). The grant will be payable to Poplar HARCA and will not impact upon the authority. There is potential for the Council to support the provision of additional affordable housing within the scheme through its Affordable Housing Grant Programme which uses retained Right to Buy receipts to finance grants to Registered Providers towards the delivery of affordable housing units for rent. These properties are let to housing applicants on the Council's housing waiting list. Any decisions on grant allocation will be considered in accordance with the Council's Grants Determination Sub-Committee procedures.
- 17.10 Due to the scale of the regeneration scheme, consideration must be given to rights of light issues affecting neighbouring properties (sections 12.6 to 12.15). CSDL has commissioned a specialist rights of light surveyor to advise on the process which could ultimately result in compensation being due to property owners. In the event that this occurs, the liability for compensation payments will rest with Poplar HARCA/CSDL.

18. LEGAL COMMENTS

- 18.1 The report seeks approval on various recommendations relating to the facilitation of the scheme, including:
- i. The making, confirmation and implementation of a CPO;
 - ii. Disposal of Council interests (both those acquired pursuant to the above CPO and others);
 - iii. Acquisition of property interests; and
 - iv. The nomination of a Council Officer to the board of directors of Chrisp Street Management Limited, the new estate management company.

The Compulsory Purchase Order

- 18.2 The Council's power to make a CPO pursuant to section 226(1)(a) of the TCPA is accurately described at section 3 above.
- 18.3 As also described, the Acquisition of Land Act 1981 ("the 1981 Act") governs the procedures which apply to such an acquisition, the Compulsory Purchase Act 1965 ("the 1965 Act") governs post-confirmation procedures and the Land Compensation Act 1961 ("the 1961 Act") governs the amount and assessment of compensation. In addition, Councils are strongly expected to have regard to the Central Government's non-statutory "Crichel Down Rules" relating to the management and disposal of land that is compulsorily acquired.
- 18.4 The 1981 Act provides that the authorisation of a compulsory purchase is to be conferred by an order, called a compulsory purchase order ("CPO"). A CPO is required to be made in a prescribed form and must describe by reference to a map the land to which it applies. If the Council makes a CPO, it

must submit the CPO to the Secretary of State for confirmation. Prior to submission to the Secretary of State, the Council must publish notice of the making of the CPO specifying that the order has been made, describing the land and the purpose for which it is required, naming a place where the order and map may be inspected and specifying a time which (and the manner in which) objections may be made. The Council must also serve a notice in prescribed form on affected owners, lessees, tenants or occupiers of the land allowing them the opportunity to object. The procedure for confirmation is specified in the 1981 Act and may require the conduct of a public inquiry if there are objections.

- 18.5 In exercising its powers to make and give effect to a CPO, the Council will need to take care that it does not contravene the rights of individuals under the European Convention on Human Rights (“ECHR”). Before making a CPO, the Council must also have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not.
- 18.6 Human Rights and Equality issues arising from the CPO and the scheme generally are set out in detail in the Equality Impact Assessment at Appendix 7 and section 15 of the report. The report confirms any interference with human rights would be justified and that the potential negative equalities impacts arising from the proposals can be mitigated by the identified measures.
- 18.7 The making of a CPO is an executive function, by virtue of section 9D of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Pursuant to section 9E(2) of the Local Government Act 2000, the Mayor may arrange for the discharge of an executive function by an officer of the authority.
- 18.8 Relocation of the street market may require steps to be taken in accordance with the legal framework under which the market operates. This is being established and officers will be advised of any necessary steps.

Disposal of Council land/interests and acquisitions

- 18.9 The Council may dispose of the land under section 233 of the TCPA for the purpose of bringing it forward for development or otherwise facilitating development. Any such disposal must be for the best consideration that can reasonably be obtained, unless the Secretary of State’s consent is obtained. By a combination of sections 226 and 233 of the TCPA, it is open to the Council to compulsorily acquire land for planning purposes and then transfer it to a developer.
- 18.10 In respect to land which is not acquired through the CPO process, the Council has various powers to dispose of it. The process for disposal and the legislative requirements with which the Council must comply varies according to how the land is held.

- 18.11 Where the land is held in the General Fund, Section 123 of the Local Government Act 1972 enables the Council to dispose of it in any matter that it may wish. However, except in the case of a short tenancy (i.e. leases of less than 7 years), the consideration for such disposal must be the best that can reasonably be obtained. Otherwise the Council requires consent of the Secretary of State for the disposal. Scope exists for the Council to dispose of such land at less than best consideration and without the specific consent of the Secretary of State if it can bring itself within the provisions of the General Disposal Consent (England) 2003. The Consent provides that the Council can dispose of the land if it considers it will help to secure the promotion or improvement of the economic, social or environmental well-being of its area, and the undervalue is at less than £2m. In this regard, proper advice must be obtained in respect to the value in accordance with the Consent.
- 18.12 Where the land is held in the Housing Revenue Account (HRA), section 32 of the Housing Act 1985 provides the power to dispose of housing land. However, such disposal shall not be made without the consent of the Secretary of State. The General Housing Consents 2013 allow certain disposals to be made without the specific consent of the Secretary of State provided such disposals are at market value, except in the case of vacant land which can be disposed of at a price determined by the Council. In so doing, the Council must be mindful that it is acting in its capacity as the trustee of public assets.
- 18.13 Disposal of land from the HRA will require an assessment to be made of the market value of the land and a corresponding adjustment is required to be made to the HRA. Section 122 of the Local Government Act 1972 provides that a Council may appropriate for any purpose for which it is authorised any land which belongs to the Council and is no longer required for the purpose for which it is held immediately before the appropriation.
- 18.14 The general power under section 122 of the Local Government Act 1972 must be read subject to section 19(2) of the Housing Act 1985 (the "1985 Act") which states that where a local housing authority has acquired or appropriated land for the purposes of Part II of the 1985 Act, it will require the consent of the Secretary of State to appropriate any part of the land consisting of a house, or any part of a house, to any other purpose. The report explains that this does not apply in this instance.
- 18.15 Circular 8/95 (the "Circular") was issued by the then Department of the Environment in 1995 to provide guidance on the operation of the housing revenue account ring-fence, but it remains in force today. It provides that the Council should consider removing properties which have been provided under specified powers (including Part II of the 1985 Act) but which may no longer fulfil their original purpose. In these circumstances, the Council should consider their removal from the housing revenue account. The decision is for the Council to take, although it should be able to explain the basis of the decision to the external auditor and tenants, if called upon to do so.

- 18.16 In respect to leasehold or freehold acquisitions, the Council has the powers pursuant to section 120 Local Government Act 1972 to acquire land for the purposes of exercising its statutory functions. The relevant statutory functions are set out in the report and the Council may therefore rely on this power to acquire the interests identified on the terms to be agreed.

Appointment of a Council Officer to the Estate Management Company (CSML)

- 18.17 The report seeks a recommendation in respect to the appointment of Council Officer(s) and/or a Member to CSML, the newly created estate management company.
- 18.18 Under para 3.2.2 of part 3 of the constitution (Responsibility for Functions), in relation to executive functions, an appointment of an Officer and/or a Member to an external body is permitted where the position is unpaid.
- 18.19 Officers and Members of a local authority, who are also directors of an external body, must be aware of their duties in respect to each role. Conflicts of interest may arise in a number of areas for an officer who is also a director of the company and the person appointed must be mindful of their responsibilities, including those under the Local Government Act 1972, the Local Government Act 2000, the constitution and the Codes of Conduct.
- 18.20 The Local Authorities (Indemnities for Member and Officers) Order 2004 gives a specific power for authorities to grant indemnities and/or take out insurance to cover the potential liability of Members and Officers in a wider range of circumstances, including the above appointments.
- 18.21 In doing so, the Council will take out insurance to cover a situation where the actions of an Officer or Member, acting within their powers, gives rise to a claim. The 2004 order also allows the Council to indemnify Officers and Members where they are acting on outside bodies for the Council.

19. ONE TOWER HAMLETS CONSIDERATIONS

- 19.1 The Council has a range of statutory duties to facilitate development in the borough and provide affordable homes for local residents. Regeneration and development is a key factor to ensuring economic prosperity for the individual and for the community. The Council has to plan for the overall social infrastructure to meet the needs of the rising local population.

20. BEST VALUE (BV) IMPLICATIONS

- 20.1 The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The proposed regeneration scheme will be funded largely by private investment from the developers. In addition there will be £9.196m GLA funding to fund the delivery of 136 social rent/GLA Affordable Rent and 37 shared ownership homes. A bid submission is due from HARCA to fund the development of 27

Tower Hamlets Living Rent homes. Subject to a successful bid submission, the secured Right to Buy funds will deliver value for money in terms of the Council's investment, as this will contribute to the delivery of 27 additional affordable units as part of the scheme. The scheme will also attract New Homes Bonus and additional Council Tax and Business Rates for the Council.

- 20.2 The Council has considered and is satisfied that its duty to secure best value under section 3 of the Local Government Act 1999 in respect of the land transfer and property related issues set out in Section 11 above will be met by the satisfaction of the obligations upon HARCA/CSDL that will be secured through the parties entering into the CPO Indemnity Agreement.

21. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 21.1 The housing stock transferred from the Council to HARCA was designed to an environmental performance consistent with standards for build in place at the time the properties were built (mid 1960s). The performance standards will have been improved to a limited degree in the social housing properties through investment to bring them to the Decent Homes standard, but these improvements will not have been applied to all of the leasehold properties.
- 21.2 The proposed new scheme will provide homes built to a far higher standard of environmental performance, which will mean they are far more cost effective to run, thereby reducing the potential for fuel poverty for households that are expected to occupy the new homes within the scheme. The development will maximise reductions in carbon dioxide emissions through the implementation of Be Lean, Be Clean and Be Green energy efficiency measures. The development has been designed to achieve a 35.9% regulated carbon reduction on 2013 Building Regulations through on site measures.

22. RISK MANAGEMENT IMPLICATIONS

- 22.1 The Council is working with CSDL and HARCA to progress the regeneration proposal. The programme bears some time risks due to the need for occupiers to vacate the residential and commercial properties. The programme is being monitored closely. The CPO resolution for Chrisp Street will support the programme delivery if the need arises.
- 22.2 Failure to acquire the land interests through negotiation could jeopardize the Chrisp Street regeneration proposals unless this risk is off-set by taking steps to make a precautionary CPO, to acquire the land interests identified in this report.
- 22.3 Considering the risk management implications in more detail, there are a number of thematic risks associated (set out below) with this project which will be the subject of a detailed risk register which will need to be assembled, implemented and monitored following the adoption of this Cabinet Report.

Strategic Risks

- 22.4 This Cabinet Report is intended to support the delivery of a longstanding regeneration priority identified in the Local Plan and a priority in the Council-sponsored Poplar Housing Zone. The over-arching strategic risk relates to whether the intervention being sought is the correct one required to deliver the outcome sought. Ultimately, the regeneration scheme is being proposed by the landowner, HARCA in conjunction with a developer, CSDL, to deliver a strategic priority of the Council.

Compliance Risks

- 22.5 The key compliance risk relates to the making of the CPO and ensuring that the regeneration case for the scheme is robust, whether a CPO Inquiry becomes necessary or not. The Council also needs to be mindful of any potential negative impacts on protected equality groups identified in the 2010 Equality Act together with the impacts on the human rights of those affected. A full Equalities Impact Assessment has been undertaken and forms Appendix 7 of this Cabinet Report.

Financial Risks

- 22.6 These are considered to be relatively small to the Council given that the large proportion of this risk is to be borne by the developer, CSDL. All the Council's scheme enabling costs are being met by CSDL through the Indemnity Agreement (Appendix 8). Financial risks may arise from falling revenue from the Street Market, if market activity falls. However, it is expected that market activity will increase after the scheme is complete and therefore this may not be a risk that becomes an issue.

Operational Risks

- 22.7 The Council's own direct interests relate to services currently provided by the Idea Store; Street Market; Children's Centre and One Stop Shop. In turn, the Idea Store is not going to be relocated, but there is an intention to extend the first floor of the proposed Community Hub Building. Therefore there is likely to be some disturbance to service provision during this time. The Street Market is to be temporarily relocated for one year to the south of the Order Land in order to facilitate the resurfacing of the Market Precinct. The One Stop Shop is to be relocated to the ground floor of the Idea Store under an initiative sponsored by the Council, independent of the scheme proposed by CSDL.

Reputational Risks

- 22.8 The making of the CPO and associated actions identified in the reports raises significant potential reputational risks to the Council. The temporary and permanent relocation of moving residents (i.e. tenants and leaseholders); retail businesses; market traders; and employees from the place of living and/or work will involve significant upheaval and disturbance to the stakeholders identified. This will mean that the potential for negative coverage through, for example, Members' Enquiries; local press coverage; social media coverage is considered high. Delivering the CPO and the ensuring

regeneration objectives in the long term should justify a limited degree of disturbance for people living, working or spending recreational time in the areas. Where there is an unjustifiable degree of disturbance, then the use of Members' Enquiries; local media; social media may prove a useful means of establishing where interventions have gone wrong and what can be done to correct them.

- 22.9 However reputational risks for the Council are considerably reduced by the fact that HARCA are experts at regeneration having carried out the following successful strategic regeneration schemes in Tower Hamlets in partnership with the Council and also making use of their CPO powers for HARCA projects at Aberfeldy Estate and Bow Bridge.
- 22.10 In the past, HARCA have successfully managed to relocate affected parties by negotiation without the need of recourse to use of CPO powers. The Council will further have oversight of the CPO process to ensure the risk of behaviours that might give rise to reputational harm are avoided.

Concluding Risk Points

- 22.11 A proactive risk management approach with all the risks identified in a Risk Management Plan can reduce the likelihood of such risks becoming issues and mitigate the negative impacts where they so become issues.

23. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 23.1 Historically, the Site has experienced significant issues of crime and anti-social behaviour (ASB). These issues are exacerbated by the design and isolated nature of parts of the estate, caused by being surrounded by rear building elevations, lack of natural surveillance and by major roads. This enables those committing ASB to easily evade police and other enforcement activities.
- 23.2 This has been evidenced by Poplar HARCA reporting in late 2017 that Fitzgerald, Ennis & Kilmore Houses have been the subject of ASB and criminal behaviour including drug use and problems with groups of people congregating in communal areas behaving anti-socially. The Police have also reported in late 2017 that Chrisp Street Market suffers from a range of issues including: criminal damage; shoplifting; robbery/attempted robbery; actual bodily harm; grievous bodily harm; and harassment.
- 23.3 The proposed scheme intends to address those issues. Section 9.160 of the Planning Officer's report to the Strategic Development Committee meeting of 15 February 2018 on the planning application for the scheme (Ref No PA/16/161) states the following:

Secure by Design

- 23.4 *The applicant has engaged with the Metropolitan Police's Secure by Design team as part of the design process and they have been consulted with as part*

of the planning application process. The Secure by Design officer raised no objection to the proposed design of the scheme and has requested that a condition be imposed (in the event that planning permission is granted) which requires the applicant to achieve Secure by Design accreditation prior to the commencement of the development. Furthermore, the applicant has committed to providing CCTV on the site and this would be secured via condition. With the inclusion of the abovementioned conditions, the development would incorporate measures to increase safety and reduce antisocial behaviour on the site.

- 23.5 In addition to the above, the site's 24 hour CCTV will be monitored onsite complemented by a 24 hour onsite security presence. The new scheme will also be well lit during night time which with the benefit of the redesign will help ensure that those perpetuating crime and anti-social behaviour will have fewer opportunities to negatively impact individual and community safety in the future.

24. SAFEGUARDING IMPLICATIONS

- 24.1 Not applicable to this report.

25. REASONS FOR THE RECOMMENDATIONS

Reasons for the CPO

- 25.1 The Council has previously made CPOs to support its own, or its Registered Provider partners' regeneration projects. The need for this provision arises where acquisition of land interests (e.g., residential dwellings, shops, rights of way etc.) is necessary to fulfil commitments to deliver new social/affordable homes, new retail provision, and new leisure facilities and/or to achieve wider regeneration benefits, such as the provision of related infrastructure or community facilities. There are two main phases to this scheme as described in Section 9.1, Table 1, of this report which will take around 9 years to deliver. Good progress has already been made in securing possession of the residential properties required to deliver Phase 1 of the scheme. To provide certainty to CSDL/HARCA in regard to land assembly, it is proposed to make a single CPO encompassing land interests in both Phase 1 and 2.
- 25.2 This report seeks the Mayor's approval to make a CPO resolution now. For the reasons set out in Sections 3 and 4 of this report, it is important to commence the CPO process for all the non-acquired land interests included in, or affected by, the CPO land within the red-line boundary shown in Appendix 1. The report explains why the proposed CPO is needed to support the housing, retail and wider regeneration work proposed at Crisp Street, which will provide a revitalised district centre and crucial new homes for people in housing need.

- 25.3 The CPO Guidance dictates that the Council needs to demonstrate that compulsory purchase is used as a method of last resort and only implemented once all reasonable efforts to acquire by agreement have been exhausted.
- 25.4 Before making a CPO, Council officers require that HARCA/CSDL demonstrate that they have and will continue to actively seek voluntary negotiated settlements with all those whose interests are to be acquired, offering the full market value applicable and compensation in accordance with statutory requirements. This includes reimbursement by HARCA/CSDL for independent valuation and legal support, payment of the full market value for their property interest, and a compensation package to fulfil the claimant's statutory entitlement. The Council ensures that this is achieved through regular meetings with HARCA's/CSDL's team as well as review of documentary evidence that supports the information provided during meetings.
- 25.5 Council officers have regularly met HARCA/CSDL's representatives to monitor progress in securing acquisition through voluntary negotiation and are satisfied with the efforts being made.
- 25.6 Prior to making the CPO, the Council will carry out further due diligence in its monitoring and review role. In particular, the Council in partnership with HARCA/CSDL will engage with all owners of the known affected land interests to allow for negotiations and offers to date to be collectively reviewed and also for the Council to explain the CPO and compensation process. This will provide an opportunity for the Council and HARCA/CSDL to answer any additional concerns and questions affected land owners may have.
- 25.7 The proposed CPO resolution will progress the Council's regeneration aims by enabling HARCA/CSDL to deliver a major regeneration scheme on the site. HARCA/CSDL have requested that the Council exercise its powers to make a single CPO to safeguard land assembly across the proposed regeneration area. This will help facilitate delivery of the scheme in a timely and cost effective way, thus guaranteeing delivery of the new social/affordable housing, retail provision, leisure facilities and other associated regeneration and wellbeing benefits for the community. It will also minimise delays and additional costs to future phases.
- 25.8 HARCA/CSDL will continue to negotiate to acquire all of the affected land interests on a voluntary basis. The CPO process will run in tandem with HARCA/CSDL's efforts to secure acquisition voluntarily, thus enabling the proposed re-development scheme to progress without indeterminate delays.
- 25.9 Under the single CPO approach it is expected that any land acquired through the CPO will be vested at a time when it is needed to enable the next phase to proceed. This will allow HARCA/CSDL to secure voluntary settlements wherever possible, alongside the CPO process. This is in line with the approach that the Council has adopted in recent years for itself and on behalf of regeneration partners.

- 25.10 The draft CPO Indemnity Agreement in Appendix 8 will be entered into between the Council and HARCA/CSDL to govern the relationship between the parties during the CPO process. The Agreement confirms that CSDL will be responsible for the payment of compensation and all administrative and other costs associated with the CPO. As the Agreement has not yet been executed, an interim undertaking for legal and other related costs in the sum of £100,000 has been given by the solicitors acting on behalf of CSDL for all work carried out since the 1st December 2016. It is envisaged that this sum should be sufficient to underwrite costs until the Agreement is completed.
- 25.11 A Statement of Reasons will be published after the Order is made providing the justification for the making of the CPO. This will be prepared in consultation with HARCA/CSDL.

Reasons for the decisions on Council Land and Property interests:

- 25.12 The Council is a key landowner on the Site and therefore is both an interested party in the scheme as well as being the enabler for it. HARCA/CSDL has requested the Council make a number of decisions regarding its own land and property interests in the Order Land, as well some amendments to legal documents that date back to the transfer of the Chrisp Street housing stock (part of the Lansbury (South) Estate) and associated land in 2006. These are set out at Section 11 of the report.

Reasons for the decisions on Street Market Management Arrangements:

- 25.13 The scheme will provide a new market canopy and an enhanced public realm with improved servicing for a similar number of market stalls. Whilst this has the potential to generate additional market stall revenue for the Council, it requires substantial investment by HARCA/CSDL. Therefore the Council's support is sought for the following:
- CSDL to have a longer term management agreement than the current market management agreement which is terminable without fault at 12 months' notice by either party
 - The proposed food and beverage businesses to be permitted to have tables and chairs adjacent to their units on the edges of the market
 - CSDL to be granted a lease of the proposed kiosks in the market square
 - To include the Clock Tower in the management agreement to enable it to be brought into active use
 - Extension of the scope of the management agreement following further negotiation

Linked Reports, Appendices and Background Documents

Linked Report

Strategic Development Committee Planning Report, Item 7.1, 24 July 2018

<http://democracy.towerhamlets.gov.uk/mgChooseDocPack.aspx?ID=9268>

Appendices

Appendix 1 - Chrisp Street - Order Land Location & CPO Boundary Plan

Appendix 2 - Chrisp Street - Schedule of all Land Interests to be acquired (Sept 2018)

Appendix 3 – Statement of Community Involvement (June 2016)

Appendix 4a – Chrisp Street Retail Management Strategy (June 2016)

Appendix 4b – Retail Leasehold Offer (June 2018)

Appendix 5 – Residential Leasehold Buyback Offer (June 2018)

Appendix 6 – Residential Tenants Offer (June 2018)

Appendix 7 - Equalities Impact Assessment (June 2018)

Appendix 8 - DRAFT CPO Indemnity Agreement

Appendix 9 – Long Term Estate Management Proposal (June 2018)

Appendix 10 – Extract from Tower Hamlets Council Town Centre Strategy 2017-2022 (March 2017)

Appendix 11a – Market Stalls Offer (June 2018)

Appendix 11b - Future Chrisp Street Market Management Arrangements (16 October 2017, Updated June 2018)

Appendix 12 – Temporary Relocation Plan for Chrisp Street Market Traders and Lock Ups

Appendix 13 - Lock Ups Offer document (June 2018)

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

- None

Officer contact details for documents:

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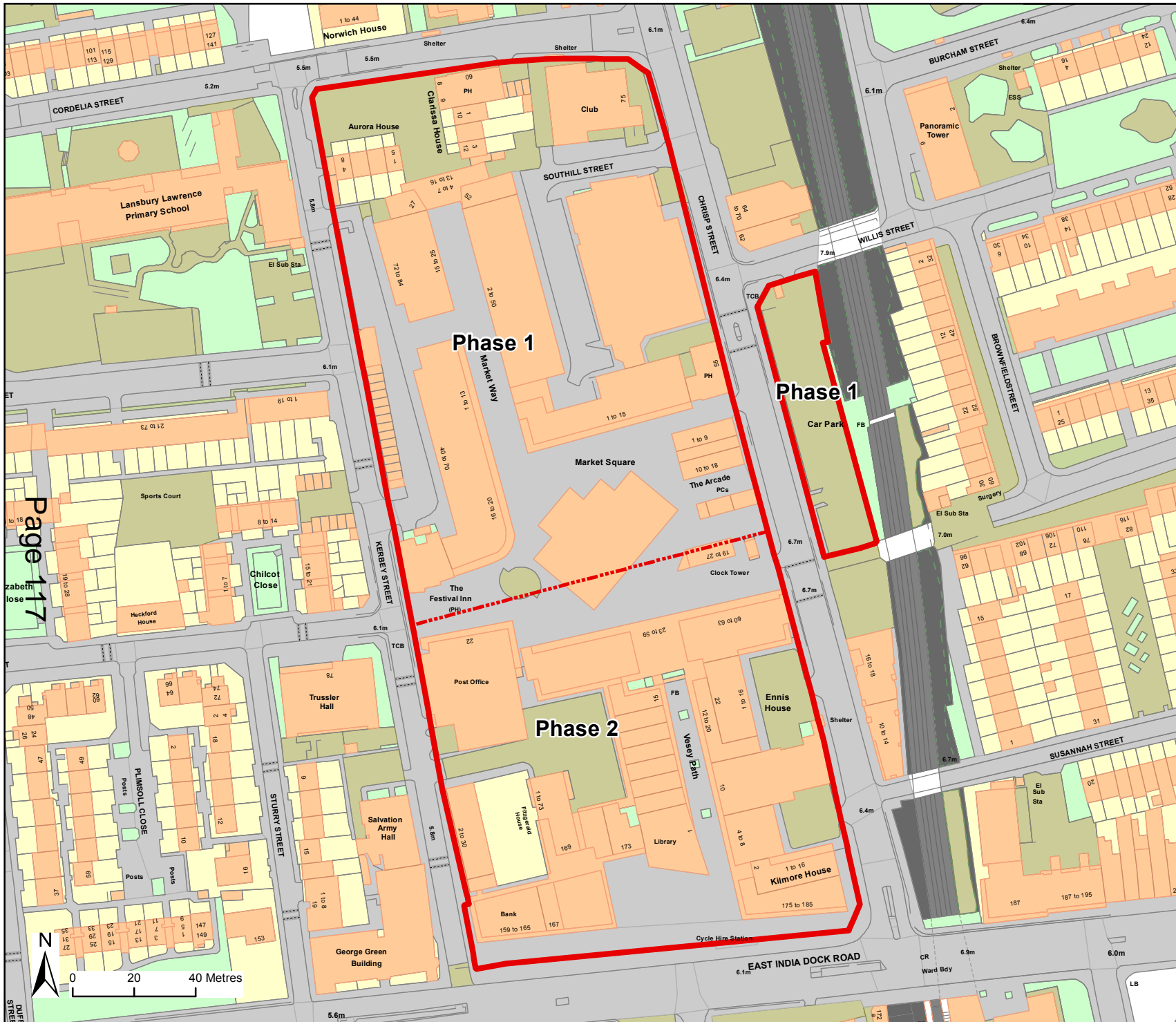
Monju Ali (Housing Regeneration Project Officer)


monju.ali@towerhamlets.gov.uk / 0207 364 2962



Chrisp Street CPO and Site Plan

GIS for Place Directorate



 CPO and Site Plan



Scale @ A4: 1,700

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Land interests to be purchased: Listed for inclusion in the proposed Compulsory Purchase Order

The Leasehold Properties known as:-

2 Aurora House Kerbey Street Poplar London	E14 6AP
3 Aurora House Kerbey Street Poplar London	E14 6AP
4 Aurora House Kerbey Street Poplar London	E14 6AP
6 Aurora House Kerbey Street Poplar London	E14 6AP
8 Aurora House Kerbey Street Poplar London	E14 6AP

1 Clarissa House Cordelia Street Poplar London	E14 6AR
2 Clarissa House Cordelia Street Poplar London	E14 6AR
3 Clarissa House Cordelia Street Poplar London	E14 6AR
4 Clarissa House Cordelia Street Poplar London	E14 6AR
11 Clarissa House Cordelia Street Poplar London	E14 6AR

4 Ennis House Vesey Path Poplar London	E14 6BW
10 Ennis House Vesey Path Poplar London	E14 6BW
11 Ennis House Vesey Path Poplar London	E14 6BW
15 Ennis House Vesey Path Poplar London	E14 6BW

12 Fitzgerald House East India Dock Road Poplar London	E14 0HH
17 Fitzgerald House East India Dock Road Poplar London	E14 0HH
22 Fitzgerald House East India Dock Road Poplar London	E14 0HH
27 Fitzgerald House East India Dock Road Poplar London	E14 0HH
32 Fitzgerald House East India Dock Road Poplar London	E14 0HH
37 Fitzgerald House, East India Dock Road Poplar London	E14 0HH
44 Fitzgerald House East India Dock Road Poplar London	E14 0HH
48 Fitzgerald House East India Dock Road London	E14 0HH

12 Kerbey Street Poplar London	E14 6BS
16 Kerbey Street Poplar London	E14 6BS

1 Kilmore House Vesey Path Poplar London	E14 6BP
3 Kilmore House Vesey Path Poplar London	E14 6BP
4 Kilmore House Vesey Path Poplar London	E14 6BP
5 Kilmore House Vesey Path Poplar London	E14 6BP
7 Kilmore House Vesey Path Poplar London	E14 6BP
36 Market Square Poplar London	E14 6BU
37 Market Square Poplar London	E14 6BU

Please note: The land interests above have been identified because they are located in the Crisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

38 Market Square Poplar London	E14 6BU
40 Market Square Poplar London	E14 6BU
42 Market Square Poplar London	E14 6BU
43 Market Square Poplar London	E14 6BU
44 Market Square Poplar London	E14 6BU
45 Market Square Poplar London	E14 6BU
47 Market Square Poplar London	E14 6BU
48 Market Square Poplar London	E14 6BU
49 Market Square Poplar London	E14 6BU
50 Market Square Poplar London	E14 6BU
52 Market Square Poplar London	E14 6BU
54 Market Square Poplar London	E14 6BU
55 Market Square Poplar London	E14 6BU
59 Market Square Poplar London	E14 6BU

3 Market Square Poplar London	E14 6AQ
4 Market Square Poplar London	E14 6AQ
6 Market Square Poplar London	E14 6AQ
7 Market Square Poplar London	E14 6AQ

44 Kerbey Street Poplar London	E14 6AW
52 Kerbey Street Poplar London	E14 6AW
56 Kerbey Street Poplar London	E14 6AW
58 Kerbey Street Poplar London	E14 6AW
62 Kerbey Street Poplar London	E14 6AW
66 Kerbey Street Poplar London	E14 6AW
70 Kerbey Street Poplar London	E14 6AW
72 Kerbey Street Poplar London	E14 6AW
76 Kerbey Street Poplar London	E14 6AW
78 Kerbey Street Poplar London	E14 6AW
80 Kerbey Street Poplar London	E14 6AW
84 Kerbey Street Poplar London	E14 6AW

26 Market Way Poplar London	E14 6AH
28 Market Way Poplar London	E14 6AH
32 Market Way Poplar London	E14 6AH
38 Market Way Poplar London	E14 6AH
46 Market Way Poplar London	E14 6AH
48 Market Way Poplar London	E14 6AH

Please note: The land interests above have been identified because they are located in the Crisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Chrisp Street Estate - Schedule of Tenanted Interests to be decanted

Residential tenanted interests to be decanted: Listed for inclusions in the proposed Compulsory Purchase Order

The tenanted properties known as:-

1 Aurora House Kerbey Street Poplar London	E14 6AP
5 Aurora House Kerbey Street Poplar London	E14 6AP
7 Aurora House Kerbey Street Poplar London	E14 6AP

5 Clarissa House Cordelia Street Poplar London	E14 6AR
6 Clarissa House Cordelia Street Poplar London	E14 6AR
7 Clarissa House Cordelia Street Poplar London	E14 6AR
8 Clarissa House Cordelia Street Poplar London	E14 6AR
9 Clarissa House Cordelia Street Poplar London	E14 6AR
10 Clarissa House Cordelia Street Poplar London	E14 6AR
12 Clarissa House Cordelia Street Poplar London	E14 6AR
13 Clarissa House Cordelia Street Poplar London	E14 6AR
14 Clarissa House Cordelia Street Poplar London	E14 6AR
15 Clarissa House Cordelia Street Poplar London	E14 6AR
16 Clarissa House Cordelia Street Poplar London	E14 6AR

1 Ennis House Vesey Path Poplar London	E14 6BW
2 Ennis House Vesey Path Poplar London	E14 6BW
3 Ennis House Vesey Path Poplar London	E14 6BW
5 Ennis House Vesey Path Poplar London	E14 6BW
6 Ennis House Vesey Path Poplar London	E14 6BW
7 Ennis House Vesey Path Poplar London	E14 6BW
8 Ennis House Vesey Path Poplar London	E14 6BW
9 Ennis House Vesey Path Poplar London	E14 6BW
12 Ennis House Vesey Path Poplar London	E14 6BW
13 Ennis House Vesey Path Poplar London	E14 6BW
14 Ennis House Vesey Path Poplar London	E14 6BW
16 Ennis House Vesey Path Poplar London	E14 6BW

1 Fitzgerald House East India Dock Road Poplar London	E14 0HH
2 Fitzgerald House East India Dock Road Poplar London	E14 0HH
3 Fitzgerald House East India Dock Road Poplar London	E14 0HH
4 Fitzgerald House East India Dock Road Poplar London	E14 0HH
5 Fitzgerald House East India Dock Road Poplar London	E14 0HH

Please note: The land interests above have been identified because they are located in the Chrisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

6 Fitzgerald House East India Dock Road Poplar London	E14 0HH
7 Fitzgerald House East India Dock Road Poplar London	E14 0HH
8 Fitzgerald House East India Dock Road Poplar London	E14 0HH
9 Fitzgerald House East India Dock Road Poplar London	E14 0HH
10 Fitzgerald House East India Dock Road Poplar London	E14 0HH
11 Fitzgerald House East India Dock Road Poplar London	E14 0HH
13 Fitzgerald House East India Dock Road Poplar London	E14 0HH
14 Fitzgerald House East India Dock Road Poplar London	E14 0HH
15 Fitzgerald House East India Dock Road Poplar London	E14 0HH
16 Fitzgerald House East India Dock Road Poplar London	E14 0HH
18 Fitzgerald House East India Dock Road Poplar London	E14 0HH
19 Fitzgerald House East India Dock Road Poplar London	E14 0HH
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21 Fitzgerald House East India Dock Road Poplar London	E14 0HH
23 Fitzgerald House East India Dock Road Poplar London	E14 0HH
24 Fitzgerald House East India Dock Road Poplar London	E14 0HH
25 Fitzgerald House East India Dock Road Poplar London	E14 0HH
26 Fitzgerald House East India Dock Road Poplar London	E14 0HH
28 Fitzgerald House East India Dock Road Poplar London	E14 0HH
29 Fitzgerald House East India Dock Road Poplar London	E14 0HH
30 Fitzgerald House East India Dock Road Poplar London	E14 0HH
31 Fitzgerald House East India Dock Road Poplar London	E14 0HH
33 Fitzgerald House East India Dock Road Poplar London	E14 0HH
34 Fitzgerald House East India Dock Road Poplar London	E14 0HH
35 Fitzgerald House East India Dock Road Poplar London	E14 0HH
36 Fitzgerald House East India Dock Road Poplar London	E14 0HH
38 Fitzgerald House East India Dock Road Poplar London	E14 0HH
39 Fitzgerald House East India Dock Road Poplar London	E14 0HH
40 Fitzgerald House East India Dock Road Poplar London	E14 0HH
41 Fitzgerald House East India Dock Road Poplar London	E14 0HH
42 Fitzgerald House East India Dock Road Poplar London	E14 0HH
43 Fitzgerald House East India Dock Road Poplar London	E14 0HH
45 Fitzgerald House East India Dock Road Poplar London	E14 0HH
46 Fitzgerald House East India Dock Road Poplar London	E14 0HH
47 Fitzgerald House East India Dock Road Poplar London	E14 0HH
49 Fitzgerald House East India Dock Road Poplar London	E14 0HH
50 Fitzgerald House East India Dock Road Poplar London	E14 0HH
51 Fitzgerald House East India Dock Road Poplar London	E14 0HH
52 Fitzgerald House East India Dock Road Poplar London	E14 0HH
53 Fitzgerald House East India Dock Road Poplar London	E14 0HH
54 Fitzgerald House East India Dock Road Poplar London	E14 0HH

Please note: The land interests above have been identified because they are located in the Crisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

55 Fitzgerald House East India Dock Road Poplar London	E14 0HH
56 Fitzgerald House East India Dock Road Poplar London	E14 0HH
57 Fitzgerald House East India Dock Road Poplar London	E14 0HH
58 Fitzgerald House East India Dock Road Poplar London	E14 0HH
59 Fitzgerald House East India Dock Road Poplar London	E14 0HH
60 Fitzgerald House East India Dock Road Poplar London	E14 0HH
61 Fitzgerald House East India Dock Road Poplar London	E14 0HH
62 Fitzgerald House East India Dock Road Poplar London	E14 0HH
63 Fitzgerald House East India Dock Road Poplar London	E14 0HH
64 Fitzgerald House East India Dock Road Poplar London	E14 0HH
65 Fitzgerald House East India Dock Road Poplar London	E14 0HH
66 Fitzgerald House East India Dock Road Poplar London	E14 0HH
67 Fitzgerald House East India Dock Road Poplar London	E14 0HH
68 Fitzgerald House East India Dock Road Poplar London	E14 0HH
69 Fitzgerald House East India Dock Road Poplar London	E14 0HH
70 Fitzgerald House East India Dock Road Poplar London	E14 0HH
71 Fitzgerald House East India Dock Road Poplar London	E14 0HH
72 Fitzgerald House East India Dock Road Poplar London	E14 0HH
73 Fitzgerald House East India Dock Road Poplar London	E14 0HH

2 Kerbey Street Poplar London	E14 6BS
4 Kerbey Street Poplar London	E14 6BS
6 Kerbey Street Poplar London	E14 6BS
8 Kerbey Street Poplar London	E14 6BS
10 Kerbey Street Poplar London	E14 6BS
14 Kerbey Street Poplar London	E14 6BS
18 Kerbey Street Poplar London	E14 6BS
20 Kerbey Street Poplar London	E14 6BS
22 Kerbey Street Poplar London	E14 6BS
24 Kerbey Street Poplar London	E14 6BS
26 Kerbey Street Poplar London	E14 6BS
28 Kerbey Street Poplar London	E14 6BS
30 Kerbey Street Poplar London	E14 6BS

2 Kilmore House Vesey Path Poplar London	E14 6BP
6 Kilmore House Vesey Path Poplar London	E14 6BP
8 Kilmore House Vesey Path Poplar London	E14 6BP
9 Kilmore House Vesey Path Poplar London	E14 6BP
10 Kilmore House Vesey Path Poplar London	E14 6BP
11 Kilmore House Vesey Path Poplar London	E14 6BP
12 Kilmore House Vesey Path Poplar London	E14 6BP

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

13 Kilmore House Vesey Path Poplar London	E14 6BP
14 Kilmore House Vesey Path Poplar London	E14 6BP
15 Kilmore House Vesey Path Poplar London	E14 6BP
16 Kilmore House Vesey Path Poplar London	E14 6BP

35 Market Square Poplar London	E14 6BU
39 Market Square Poplar London	E14 6BU
41 Market Square Poplar London	E14 6BU
46 Market Square Poplar London	E14 6BU
51 Market Square Poplar London	E14 6BU
53 Market Square Poplar London	E14 6BU
56 Market Square Poplar London	E14 6BU
57 Market Square Poplar London	E14 6BU
58 Market Square Poplar London	E14 6BU

1 Market Square Poplar London	E14 6BQ
2 Market Square Poplar London	E14 6BQ
5 Market Square Poplar London	E14 6BQ

40 Kerbey Street Poplar London	E14 6AW
42 Kerbey Street Poplar London	E14 6AW
46 Kerbey Street Poplar London	E14 6AW
48 Kerbey Street Poplar London	E14 6AW
50 Kerbey Street Poplar London	E14 6AW
54 Kerbey Street Poplar London	E14 6AW
60 Kerbey Street Poplar London	E14 6AW
64 Kerbey Street Poplar London	E14 6AW
68 Kerbey Street Poplar London	E14 6AW
74 Kerbey Street Poplar London	E14 6AW
82 Kerbey Street Poplar London	E14 6AW

30 Market Way Poplar London	E14 6AH
34 Market Way Poplar London	E14 6AH
36 Market Way Poplar London	E14 6AH
40 Market Way Poplar London	E14 6AH
42 Market Way Poplar London	E14 6AH
44 Market Way Poplar London	E14 6AH
50 Market Way Poplar London	E14 6AH

Please note: The land interests above have been identified because they are located in the Crisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Chrisp Street Estate – Schedule of Commercial Interests to be acquired

The Commercial Interests known at Chrisp Street are:

Trading As	Nature of Business	No	Street & Post Code
Barclays Bank	Bank	159/165	East India Dock Road E14 0EA
Vacant	N/A	173	East India Dock Road E14 0EA
Poplar Harca	Housing Association	167a	East India Dock Road E14 0EA
East Enders Pie and Mash	Food	171	East India Dock Road E14 0EA
Poplar Oriental	Grocers	181	East India Dock Road E14 0EA
Emmaus	Social enterprise	175/179	East India Dock Road E14 0EA

Please note: The land interests above have been identified because they are located in the Chrisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Zane Clippers	Barbers	183	East India Dock Road E14 0EA
Poplar Spice	Chicken & chips	185	East India Dock Road E14 0EA
Ali's Meat & Poultry	Butchers	3	Vesey Path E14 6BT
Kafe 1788	Café	4	Vesey Path E14 6BT
Vacant	N/A	5	Vesey Path E14 6BT
Gates	DIY	6	Vesey Path E14 6BT
Bright clean	Drycleaners	7	Vesey Path E14 6BT
Market lock and Safe	Locksmith	9	Vesey Path E14 6BT

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Iceland	Food	10	Vesey Path E14 6BT
Pauls deli	Butchers	11	Vesey Path E14 6BT
Chrisp Street Exchange	Workspace	12-14	Vesey Path E14 6BT
Brow Lounge	Beauty shop	13	Vesey Path E14 6BT
Percy Ingle ltd	Food	15	Vesey Path E14 6BT
Credit union	Bank	16	Vesey Path E14 6BT
Boots	Chemist	20	Vesey Path E14 6BT
Ginos	Jeweller	8	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Nozmul	Launderette	9	Market Square E14 6AQ
COOP	Food	10	Market Square E14 6AQ
Pet paradise	Pet shop	11	Market Square E14 6AQ
Vacant	N/A	12	Market Square E14 6AQ
Jannah Fabrics	Retail (Asian clothes)	13	Market Square E14 6AQ
JP's café	Café	14	Market Square E14 6AQ
LBTH One Stop Shop (Identified for information only)	Council Office	15	Market Square E14 6AQ
Greggs plc	Food	16	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

London Musk	Perfume	17	Market Square E14 6AQ
Maz Bazaar	Butcher	18	Market Square E14 6AQ
Knight Frank	Management office	19	Market Square E14 6AQ
Broomfield Furniture	Furniture shop	20	Market Square E14 6AQ
Royal Mail	Post office	22	Market Square E14 6AQ
Shoe zone	Retail	23	Market Square E14 6AQ
J Miller	Furniture shop	26/28	Market Square E14 6AQ
Best sellers	DIY	29/34	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Eye world	Opticians	1	Market Way E14 6AQ
Bargain Zone	DIY	3	Market Way E14 6AQ
Rose London	Retail (Asian clothes)	4	Market Way E14 6AQ
Maureen's Café	Café	6	Market Way E14 6AQ
Lalbagh halal food	Halal food	7	Market Way E14 6AQ
Premier bakes	Confectionery	8	Market Way E14 6AQ
LBTH Children's Centre (Identified for information only)	Office	9	Market Way E14 6AQ
Anthony Lewis	Beauty shop	10	Market Way E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Telford Homes	Site Office	11	Market Way E14 6AQ
Spitalfields Crypt Trust Charity shop	Charity shop	12	Market Way E14 6AQ
H & H	Newsagent	13	Market Way E14 6AQ
Market wines	Off licence	14	Market Way E14 6AQ
Sweet and spice	Retail (Indian sweets)	15	Market Way E14 6AQ
The Captains Table	Fish and chips	16	Market Way E14 6AQ
Medina Noya Bazar Grocer	Grocers	17	Market Way E14 6AQ
Myesha Ladies wear	Retail (Asian clothes)	18	Market Way E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Photo Genesis	Photo shop	19	Market Way E14 6AQ
Sun Trap	Tanning salon	20	Market Way E14 6AQ
Professionals	Drycleaners	21	Market Way E14 6AQ
H & T Pawnbrokers	Pawn Brokers	22	Market Way E14 6AQ
LBTH Children's Centre (Identified for information only)	Children's and Adults' Services	23-27	Market Way E14 6AQ
Vacant	N/A	24	Market Way E14 6AQ
William Hill	Betting shop	52	Market Way E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Lock Up Units

Trading As	Nature of Business	No	Street & Post Code
Ivy's	Café	1	Market Square E14 6AQ
Mahair Clothes	Asian clothes	2	Market Square E14 6AQ
Nails by Ramses	Nail salon	3	Market Square E14 6AQ
Ebony and Ivy's	Barber shop	4	Market Square E14 6AQ
Vacant	N/A	5	Market Square E14 6AQ
No Name	East African wares	6	Market Square E14 6AQ
Phone shop	Retail	7	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

No Name	Rugs	8	Market Square E14 6AQ
Sly	Barbers	9	Market Square E14 6AQ
Curry hut	Indian Food	10	Market Square E14 6AQ
Nice Collection	Islamic Clothes	11	Market Square E14 6AQ
No Name	Clothes	12	Market Square E14 6AQ
Sly Barbers	Barbers	13	Market Square E14 6AQ
Empty	N/A	14	Market Square E14 6AQ
No Name	Men's Clothes	15	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

No Name	Barber	16	Market Square E14 6AQ
No Name	Somalian Tailor	17	Market Square E14 6AQ
Coffee corner	Coffee shop	18	Market Square E14 6AQ
Wangs	Chinese food	19	Market Square E14 6AQ
No name	Clothes	20	Market Square E14 6AQ
Empty	N/A	21	Market Square E14 6AQ
Hussain/Hoque	Phones	22	Market Square E14 6AQ
Evelyn cards	Card shop	23	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Clothes	Children's Clothes	24	Market Square E14 6AQ
Vacant	N/A	25	Market Square E14 6AQ
No Name	Tailor	26	Market Square E14 6AQ
Poplar HARCA	Museum	27	Market Way E14 6AQ
Metropolitan and Crowne	Estate Agent	60A	Market Square E14 6AQ
No Name	Somalian Accessories	61B	Market Square E14 6AQ
No Name	Money transfer	62C	Market Square E14 6AQ
Internet	Internet Café	63D	Market Square E14 6AQ

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

Other Land Interests: Listed for inclusion in the proposed Compulsory Purchase Order (to be reviewed by HARCA/CSDL):

Extent, description and situation of the land	Owners or reputed owners
All interests in approximately 3 square metres of adopted highway and footway known as Cordelia Street situated north west of Aurora House, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
All interests in approximately 71 square metres of adopted highway and footway known as Kerbey Street situated north west of Aurora House, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
Approximately 854 square metres of land and community centre premises known as 75 Chrisp Street	Poplar Housing and Regeneration Community Association Limited 167A East India Dock Road London E14 0EA (EGL509916)
All interests in approximately 132 square metres of adopted footway known as Kerbey Street situated on the eastern side and to the south of Aurora House and west of 72 to 84 Kerbey Street, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

All interests in approximately 2,535 square metres of land and pedestrianised plaza known as Market Square, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
All interests in approximately 1,139 square metres of land and market stalls situated at Chrisp Street Market, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
All interests in approximately 320 square metres of land and 18 market stalls (1 to 18) known as The Arcade, Market Square, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
All interests in approximately 102 square metres of land and public conveniences situated south of the Arcade and north of the clock tower, Market Square, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)
All interests in approximately 104 square metres of land and 9 market stalls (19 to 27) known as The Arcade, Market Square, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

<p>All interests in approximately 25 square metres of land and clock tower, Market Square, except those owned by the acquiring authority</p> <p>[Note: Status of clock tower not known at this stage]</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)</p>
<p>All interests in approximately 31 square metres of adopted highway known as Chrisp Street situated east of Market Square, except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (NGL224982)</p>
<p>All interests in approximately 207 square metres of the eastside of adopted footway known as Chrisp Street, situated opposite Market Square, except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (NGL224982)</p>
<p>Approximately 341 square metres of land and 73 flats (1 to 73), gardens, housing amenity land, walkways and communal areas known as Fitzgerald House, 169 East India Dock Road, except those owned by the acquiring authority</p>	<p>Poplar Housing and Regeneration Community Association Limited 167A East India Dock Road London E14 0EA (EGL509916)</p>
<p>Approximately 2,858 square metres of land and pedestrianised plaza known as Vesey Path</p>	<p>Poplar Housing and Regeneration Community Association Limited 167A East India Dock Road London E14 0EA (EGL509916)</p>

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

<p>All interests in approximately 215 square metres of land and part of premises known as the Idea Store and Library Chrisp Street, 1 Vesey Path, except those owned by the acquiring authority</p>	<p>Unknown</p> <p>Poplar Housing and Regeneration Community Association Limited 167A East India Dock Road London E14 0EA (as adjoining owner)</p> <p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (as adjoining owner)</p>
<p>All interests in approximately 142 square metres of land and part of premises known as the Idea Store and Library Chrisp Street, 1 Vesey Path, except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)</p>
<p>Approximately 564 square metres of land and part of commercial premises known as 10 Vesey Path</p>	<p>PCI (UK) Limited 130 Ridley Road London E8 2NR (NGL255204)</p>

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APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

<p>Approximately 90 square metres of land and part of commercial premises known as 10 Vesey Path</p>	<p>Unknown</p> <p>PCI (UK) Limited 130 Ridley Road London E8 2NR <i>(as adjoining owner)</i></p> <p>Poplar Housing and Regeneration Community Association Limited 167A East India Dock Road London E14 0EA <i>(as adjoining owner)</i></p>
<p>All interests in approximately 218 square metres of adopted highway and footway known as Chrisp Street situated to the east of Kilmore House, except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (262317, LN167177, LN252030)</p>
<p>All interests in approximately 623 square metres of adopted footways known as East India Dock Road situated between Kerbey Street and Chrisp Street, except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)</p>
<p>All interests in approximately 36 square metres of adopted footways known as Kerbey Street situated at the junction with except those owned by the acquiring authority</p>	<p>London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (EGL306340)</p>

Please note: The land interests above have been identified because they are located in the Chrisp Street area which is the subject of the proposed regeneration scheme. Not all land interests will need to be acquired, specifically those where residential and business premises need new leases because of proposed changes in access arrangements. The Council expects any land interests that need to be acquired will be done so by negotiation with the developer in consultation with the Council. If the Compulsory Purchase Order is made by the Council, such powers will only be used as a last resort where negotiations have not succeeded.

APPENDIX 2 – CURRENT SCHEDULE OF ALL LAND INTERESTS TO BE ACQUIRED

All interests in approximately 1,189 square metres of adopted highway known as East India Dock Road situated between Kerbey Street and Chrisp Street, except those owned by the acquiring authority	London Borough of Tower Hamlets Mulberry Place 5 Clove Crescent London E14 2BG (as adjoining owner)
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Other Land Interests:

Rights of way
Over sailing
Wayleaves
Telecommunications equipment

Other non-residential interests as identified during the land referencing process within the red line boundary shown on the plan in Appendix 1

End.

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CRISP STREET, POPLAR, LONDON

STATEMENT OF COMMUNITY INVOLVEMENT

PoplarHARCA & Telford Homes

June 2016



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1. INTRODUCTION

This Statement of Community Involvement has been compiled by specialist community consultation group Your Shout, part of Thorncliffe, on behalf of Telford Homes and Poplar HARCA ('the Applicant'). This report supports a planning application for the redevelopment of Chrisp Street Market, including a new flexible market square, the demolition of existing housing (except the Festival of Britain buildings) to be replaced by 649 new homes, and related improvements to public amenity space.

This report details the public consultation the Applicant has undertaken in order to inform the evolution of the proposals. Consultation has been carried out in accordance with national and regional policies, as set out in the following section of this report, and exceeds the requirements of the London Borough of Tower Hamlets current Statement of Community Involvement (adopted 2012).

Your Shout has also signed up to the Consultation Institute Charter, which sets out the best-practice principles for consultation. A copy of the charter can be found at www.consultationinstitute.org.

The key aims of the pre-application stage of public consultation, which this report documents, were:

- 1. To inform local residents, businesses, councillors and other stakeholders about the redevelopment aspirations for the site.**
- 2. To gain a full understanding of local views of the proposals, engage with the local and wider community throughout the design development stage, and use these views to identify concerns and opportunities, and where possible inform the evolving final proposals.**
- 3. To demonstrate how the Applicant has responded to the issues raised by the community and stakeholders and identify how changes have been made to the proposals to address them.**

In addition, this report demonstrates the Applicant's continued commitment towards consultation and engagement throughout the statutory planning process.

2. POLICY FRAMEWORK

National Context

Pre-application consultation has long been seen as a positive process and a key part of ensuring local communities have a say in proposed developments. Many large scale planning applications are the subject of extensive pre-application consultation as a matter of course.

However, prior to the Localism Act 2011, there was no legal requirement for applicants to undertake any pre-application consultation with communities nearby.

The Localism Act 2011 introduced “a new requirement for developers to consult local communities before submitting planning applications for certain developments. This gives local people a chance to comment when there is still genuine scope to make changes to proposals... to further strengthen the role of local communities in planning.” (*A plain English guide to the Localism Act, p.13*)

This amends the Town and Country Planning Act 1990 and creates several obligations for potential applicants. There is a requirement to carry out pre-application consultation for all “large scale major applications”, and applicants must:

- Publicise the proposal and consult with residents in the vicinity of the site concerned.
- Give local people a chance to comment when there is still genuine scope to make changes to proposals.
- Have regard to the local planning authority about local good practice.
- Take account of responses to the consultation.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines “major development” as involving any one or more of the following:

- a) The provision of dwelling houses where—
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i).
- b) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- c) Development carried out on a site having an area of 1 hectare or more.

However, it is best practice to consult stakeholders and the local community on all significant developments before a planning application is submitted.

Additionally the Government has used the Localism Act 2011 to clarify the rules on 'predetermination'. Previously in some cases councillors were warned off doing such things as campaigning, talking with constituents, or publicly expressing views on local issues, for fear of being accused of bias or facing legal challenge. The Localism Act 2011 makes it clear that it is proper for councillors to play an active part in discussions on developments prior to submission of a planning application, and that they should not be liable to legal challenge as a result. This will help them better represent their constituents and influence the development proposed.

The National Planning Policy Framework (NPPF), published in March 2012, says that local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The NPPF adds that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties." (*NPPF, p. 45, 118*)

Regional Context

The Mayor of London's 'London Plan' (adopted March 2015), does not directly advise on how developers should engage with local communities about proposed development. However, several sections relate to the principle of involving both residential and business communities in new development:

8.2 The Mayor recognises the complexities of delivering new development in London, with a wide range of organisational, infrastructure and other issues that have to be considered. The most effective way of achieving delivery is to work together in a collaborative manner towards agreed goals. The Mayor is committed to engagement with all groups and individuals concerned with planning for London, including:

- Government from national to local level.
- Other public bodies/agencies.
- Private businesses and trade/ representative bodies.
- Voluntary and community sector groups.

8.4 The Mayor will work with boroughs, other agencies with planning responsibilities, enterprises and their organisations and other stakeholders to ensure that planning decisions are taken as close as to the communities and interests they affect, and in as inclusive a way, as is appropriate having regard to the planning system and the nature of the decision concerned. He recognises that community and voluntary groups, local business organisations and other interest groups have particular contributions to make to planning decisions, plans and strategies to shape neighbourhoods (see Policy 7.1 and paragraph 7.6) and will support their involvement. He will also consider what guidance and support it would be appropriate for him to offer to aid neighbourhood planning.

8.5 In the same way, the Mayor supports approaches to planning, regeneration and development that harness the knowledge, commitment and enthusiasm of local communities, enterprises and other groups. In particular, he will encourage use of tools such community land

trusts, which enable communities to shape their own neighbourhoods through the management and development of land and other assets (including those transferred from public sector organisations). He recognises the importance of development trusts, other community organisations and local business partnerships and bodies in helping to shape and develop neighbourhoods, sometimes in ways that the public sector cannot.”

Local Context

LB Tower Hamlets Statement of Community Involvement (adopted 2012)

“10.7 We normally go beyond the minimum notification requirements where a development may give rise to significant local controversy, or is on a particularly sensitive site or is of a large-scale. In these cases a range of additional consultation techniques will be used to ensure that the development receives appropriate publicity so people know about it and can have their say. This may include the following:

- Pre-application consultation by the developer to help inform the design of his/her proposals (we encourage developers to do this and but cannot force them to do so)
- Holding public exhibitions on the development proposals when the planning application is submitted. This will help local residents understand the proposals so that they can formulate their views
- The right to address the Development or Strategic Development Committees before they determine an application (see below for more details)

10.8 Where appropriate an independent chair or facilitator may oversee consultation meetings and events.

10.9 These additional requirements are likely to be used when an application is a major development: dwellings where 10 or more are to be constructed (or where the site area is more than 0.5 hectares) or any other use where the floor space will be 1000 sq. metres or more or the site is 1 hectare or more.”

Tower Hamlets indicates that it expects developers to undertake pre-application consultation on planning applications that are deemed ‘major developments’ and clearly sets out some of the measures it hopes developers will undertake. The Applicant has therefore set out to meet and exceed the suggested level of engagement. Full details of the public consultation are set out in the following sections of this report.

3. SUMMARY OF PROPOSED APPLICATION

The current site

Chrisp Street Market has an active pedestrianised market square with around 90 market pitches under a canopy. The square itself is surrounded by housing with commercial units at ground floor level. There are 212 residential units currently on site. The majority of the residential units were built as local authority homes in the 1960s and are in below average to poor condition. To the north of the square are three storey rows of housing built as architectural showcases for the Festival of Britain in 1951. The market is one of only two locations of surviving Festival of Britain buildings in London, and is protected by the Lansbury Conservation Area. The Clock Tower is also a local landmark which will be retained and enhanced in the proposals.

The site is bounded by East India Dock Road to the south, Chrisp Street to the east, Cordelia Street to the north, and Kerbey Street to the west. Nearby developments are the Brownfield and Lansbury estates, both owned and operated by Poplar HARCA. The proposals also seek to develop an area adjacent to Chrisp Street that is currently in use as a car park for the Co-op supermarket. It has long been a desire of both LB Tower Hamlets and Poplar HARCA to redevelop and improve Chrisp Street Market. Telford Homes joined as partner in September 2015.



Above: Chrisp Street Market Square

The proposals

Planning permission will be submitted for the redevelopment of the site and the development of the Co-op car park site, to provide a reconfigured market square with improved facilities, 649 new homes, the refitting of the site shops, and improvements to the public amenity space. Sheppard Robson, a firm recognised for the sustainability of its developments, are the architects on this project, with Savills acting as planners.

The development description agreed with LB Tower Hamlets for planning purposes is:

Comprehensive redevelopment of the site (including existing car park) comprising the demolition of existing buildings with the exception of the Festival of Britain buildings, Clock Tower and Idea Store; erection of 19 new buildings ranging from 3 to 25 storeys providing 649 residential units (C3 Use

Class) (including re-provision of 124 affordable residential units); existing market enhancement, including new canopy and service building; refurbishment of retained Festival of Britain buildings; reconfiguration and replacement of existing and provision of new commercial uses including new cinema (D2 Use Class); alterations and additions to existing Idea Store for community use and multi-function space (D1 Use Class); flexible workspace (B1 Use Class); retail floor space (A1 - A3 Use Class), including A1 food store; public house (A4 Use Class); hot food takeaway floor space (A5 Use Class); upgrade and provision of new public open space including child play space; new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking); and provision of disabled car parking spaces.



Above: Proposed Chrisp Street Market Square

4. THE CONSULTATION PROCESS

The consultation process for this scheme exceeds the requirements of the Council's Statement of Community Involvement.

Specifically, we have:

1. Made sure the consultation takes place as early as practically possible in the design development process, and is therefore 'front-loaded'.
2. Conducted appropriate engagement that fits the community's needs.
3. Conducted an accessible and visible exhibition.
4. Used Plain English and adequate response mechanisms.
5. Explained clearly what the scope of the consultation is, and what can and cannot be changed.
6. Analysed the results from the consultation objectively.
7. Publicised collective responses, with due regard to the Data Protection Act.
8. Summarised how these responses have affected the proposals.
9. Ensured feed-back, analysis and our response is available to the public and consultation participants.

Background

Prior to this application being progressed, there have been several consultations over the years about the future development of the site. Earlier consultations took place in 2009, 2011, 2013, in the spring and summer of 2014, and in September 2015 as part of the Chrisp Street Festival.

Previous exhibitions have included historical photographs, stalls on the market square, opportunities to view the proposals for Chrisp Street as well as Poplar as a district centre, including nearby developments on the Lansbury estate.

Across previous exhibitions, the following suggestions for the development of Chrisp Street emerged most clearly:

- Improved market layout.
- Better maintenance of public spaces.
- Better quality open spaces and improved security.
- Enhanced food offering.
- Evening activities.



Above: Poplar HARCA exhibition, 2009

The Applicant team addressed these desires by making a redesigned market square and improved retail offering including evening activities central to the proposals. The improvements for public space involve extensive redesign and better use of space to eliminate dead-end and poorly lit or dangerously configured space.

The May 2016 exhibitions included a panel explaining how feedback gathered at previous consultations had informed the current plans. This panel is included in this report at **Appendix 3**.

As well as the public consultations the Applicant team has made regular reports to the local estate board, a local faith consortium, and other interested parties. Articles were published in the quarterly HARCA newsletter that goes to 9000 Poplar households. Regular (every six weeks) meetings were held with shopkeepers. The project team are also members of the Chrisp Street Town Team and regularly update that forum. Site specific updates have been sent out as appropriate over the last six years.

The same team at Poplar HARCA have worked on this project since its inception, providing a reassuring continuity for residents and retailers.

Summaries of survey responses at a selection of previous consultation events are below:

Chrisp Street Regeneration Public Information Event, 28-29 May 2010

This residents' drop-in event was held at Poplar HARCA's head office with 1000 invite leaflets going out to the surrounding area. It was an opportunity to meet the development team and including the potential partner and architects for the scheme.

- 150 people attended.
- A questionnaire asked respondents what their expectations and aspirations were for a new Chrisp Street Shopping Centre, which services they used most often, and whether they would like those services all in one place.
- 32 people responded to the questionnaire. 24 said they wanted larger, better shops and a supermarket emerged as crucial for many respondents. Only one respondent said they liked the market the way it was.
- Of those mentioning housing, a majority wanted new houses with good quality amenity space.

Chrisp Street Market Festival, 8 September 2013

At this event residents were asked what they liked about Chrisp Street Market and what they would like to see. They were also asked to score the market out of ten.

- 114 people visited the market stall.
- More than 70% scored the market in the 6-10 range, suggesting that around twice as many people liked the market as didn't.
- Respondents liked the variety of shops and stalls at Chrisp Street, in particular the pie and mash shops, and the community feeling.
- Respondents wanted bars, coffee shops, and a brand clothes outlet such as Primark, and many stressed the need for affordability.

Drop-in session at Poplar HARCA, 31 March 2015

A questionnaire at the exhibit at asked what people liked about Chrisp Street, what could be better about Chrisp Street, and what they would like to see at Chrisp Street.

- 18 people filled out the questionnaire.
- The most popular response for what people thought could be better was the cleanliness of the market.
- Aspirations for what people would like to see included a meeting place, a pub, more food shops or restaurants, and a greater range of retailers in general. Again, affordability of the retail offer was a central concern to a number of respondents.
- 2 people said they wanted nothing about the market to change.

Pre-application discussions with planning officers

A series of pre-application meetings have been undertaken with LB Tower Hamlets since September 2012. Meetings were also held with the GLA. Discussions have been ongoing for the duration of the pre-application period. Over the course of these meetings the design of the scheme has been refined. Information about this process is further detailed in the planning application.

Pre-application meetings with Councillors

The Applicant team met with the Mayor of LB Tower Hamlets on 12 May 2016. The Applicant team was able to convey the key elements of the Chrisp Street Vision which seeks to keep the good bits and improve the bad aspects of Chrisp Street:

- Commercial infrastructure strategy that supports independent retailers, retains a Post Office and supermarket, encourages a night-time economy, and creates an uplift in jobs on the site.
- New community facilities: a new community hub and a new Sure Start Centre.
- All demolished affordable housing will be re-provided as social rent homes.
- The retention and enhancement of the Festival of Britain heritage assets.
- The reduction in the number of dwelling from about 850 to 649, reducing the site density.

Pre-application contact with individuals and groups

Prior to the public exhibition, we identified the community groups and other key stakeholders in the area of the application site. We contacted individuals and community groups to invite them to the public exhibition.

The community groups we contacted included:

- Stallholders.
- Shopkeepers.
- Poplar HARCA residents' associations.

We will continue to maintain contact with these individuals and groups as the planning application progresses.

In addition to these community groups, consultation was undertaken with the GLA, Historic England, and the Twentieth Century Society.

GLA response:

The GLA consultation response strongly supported the principle of redevelopment of the site, and welcomed the positive engagement from the Applicant.

- The GLA supported in principle the estate renewal providing up to 650 new units, and recommended that “the application documentation should clearly set out the number, floorspaces, and tenure of both the existing and proposed units”.
- The temporary relocation of the market during development was strongly welcomed, with a recommendation that further information be provided in the full planning application.
- The retention of the Festival of Britain buildings was welcomed with the pre-application documentation on this noted as “thorough”.
- The demolition of the 1970s phases of the estate including Fitzgerald House was said to “not raise any concerns”.
- The proposed 23 storey tower did not raise any concerns, being of a “similar height and location to the existing Fitzgerald house”.
- The report states that given the proposed heights and massing, and the retention of heritage assets, “GLA officers consider that the proposed development would enhance the Conservation Area”.
- The report welcomed the overall approach to design, noting that a key priority is to improve the relationship of the currently inward looking site to Chrisp Street and Kerbey Street.

Historic England:

Historic England was supportive of the proposals, issuing a short consultation:

“In our view, the approach to development here correctly identifies the historic Festival of Britain core buildings as the main focus of the area, and seeks to enhance these buildings and their settings. New buildings are designed to strengthen the focus on the market, provide new routes through the site and give definition to the streets at the perimeter.

Overall, Historic England strongly supports the principle of the development, which we believe has potential to provide very significant enhancement to the conservation area.”

Twentieth Century Society:

There was general support for the proposals as a means of reinforcing the heritage values of the Festival of Britain buildings but noted that they considered that Kilmore and Ennis Houses (at the junction of Chrisp Street and East India Dock Road) had some architectural merit given their design by the LCC Architects Department. They suggested exploring whether these could be retained by any development proposals.

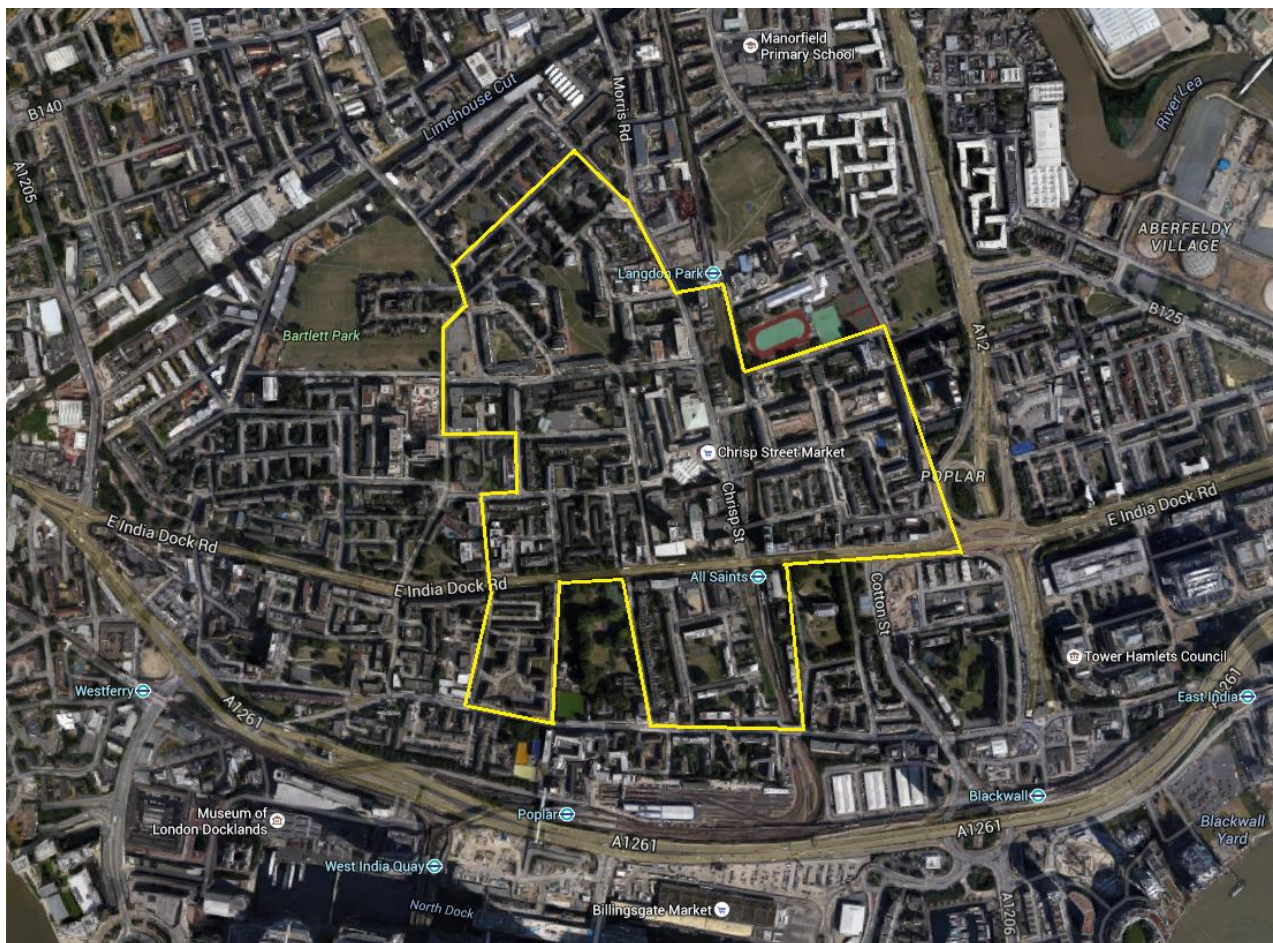
In response to this, our heritage statement addresses the principle of demolition within the site. An early scoping stage was undertaken by Poplar HARCA and LB Tower Hamlets to review the potential for demolition and it was agreed that these two buildings formed a later stage of the development and did not contribute to the significance of the conservation area.

Furthermore, there was general agreement that, in terms of townscape, the junction of East Indian Dock Road and Chrisp Street, is a suitable location for a taller building.

Publicising the consultation

We publicised the 2016 public consultations to the residents on and surrounding the site by distributing an information leaflet. The objective of the leaflet was to invite the local community to the public exhibition, to communicate information about the scheme, and to seek feedback from those not able to attend the public exhibition. We distributed approximately 4500 copies of the leaflet, which were distributed by our in-house team to ensure correct delivery. The leaflet was delivered to all homes and businesses in the area highlighted in the map below. A copy of this leaflet is available in **Appendix 1**.

Invitations were also sent to all LB Tower Hamlets councillors. This took the form of a formal letter from the Chief Executive of Poplar HARCA Steve Stride that was delivered to each councillor at the Town Hall, and an emailed version of the same. A copy of this invite is available in **Appendix 2**.



Above: Leaflet invite delivery zone

Promoting the exhibition

Poplar HARCA issued press releases to local media to promote the events, and also advertised it on their own website:

The screenshot shows the Poplar HARCA website. At the top, there is a navigation menu with links for Home, About us, Jobs, and Your home online. A search bar is located on the right. The main header features the Poplar HARCA logo and the tagline "Making Poplar a place where people choose to live, work & enjoy life". Below the header is a secondary navigation menu with links for Pay & Report, Residents, Community Life, Your Estate, New Homes, and Contact Us. The main content area displays a news article titled "Join the Consultation on the Future of Chrisp Street Market" dated 11/05/2016. The article text includes: "Local residents and businesses are invited to have their say on the future of Chrisp Street Market at a series of events to celebrate its rich history and to view the current regeneration proposals." It lists three events: "The Heart of Poplar" (11am-3pm Saturday 14th May & Wednesday 18th May), "Past, Present, Future" (5-8pm on Monday 16th May at 11 Market Way, E14 6AH), and "Design a Playground" (3pm - 6pm Tuesday 17th May at the Idea Store). A photograph of a building under construction is shown. At the bottom of the article are social media sharing buttons for Facebook, Twitter, and Google+, along with a "Find out more on the new Chrisp Street website" link. On the right side of the page is an "Archive" section listing months from 2015 to 2016 with the number of articles in each month.

Text Size A A A Home About us Jobs Your home online

Search Q

POPLAR HARCA Making Poplar a place where people choose to live, work & enjoy life

Pay & Report Residents Community Life Your Estate New Homes Contact Us

Home / News / Join the Consultation on the Future of Chrisp Street Market

Join the Consultation on the Future of Chrisp Street Market

11/05/2016 - 13:47

Local residents and businesses are invited to have their say on the future of Chrisp Street Market at a series of events to celebrate its rich history and to view the current regeneration proposals.

The Heart of Poplar: 11am-3pm Saturday 14th May & Wednesday 18th May

This exhibition stall in Market Square will showcase images of the proposals and provide a chance to speak to the architects and Poplar HARCA team.

Past, Present, Future: 5-8pm on Monday 16th May at 11 Market Way, E14 6AH

This special reception will be an opportunity for local people to find out the latest and to meet members of the project team and scheme architects.

Design a Playground: 3pm - 6pm Tuesday 17th May at the Idea Store

An afternoon of children's activities at the Idea Store.

[Find out more on the new Chrisp Street website](#)

Like 0 Tweet 0 G+ 0

<< Older

Archive

2016

- May 2016 (4)
- April 2016 (3)
- March 2016 (5)
- February 2016 (6)
- January 2016 (4)

2015

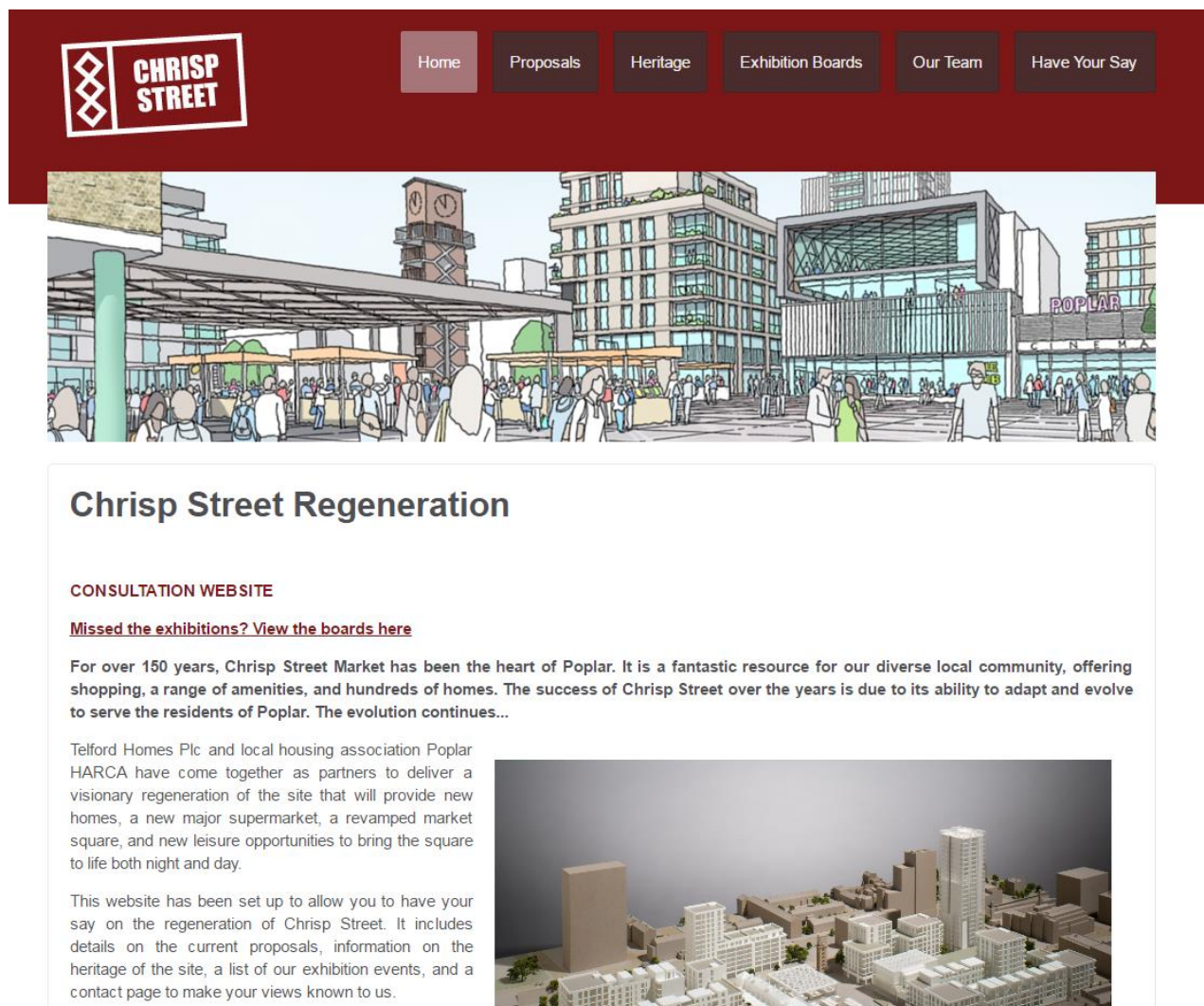
- December 2015 (3)
- November 2015 (7)
- October 2015 (5)
- September 2015 (5)
- August 2015 (4)
- July 2015 (8)
- June 2015 (6)
- May 2015 (9)
- April 2015 (4)
- March 2015 (2)
- February 2015 (8)
- January 2015 (5)

Above: Poplar HARCA website promotion of the exhibition events

Project website

A dedicated project website was set up to communicate information and seek feedback on the scheme. The website has a unique URL at chrispstreetregen.com.

Before the exhibition events, the website gave people information on the proposals and the location and timings of the exhibition events, allowing them to RSVP for the various events. When the exhibition events had been completed, the website was updated to allow people to access the display boards for the consultation events and provide their feedback on the scheme. A feedback system asking the same questions as were asked at exhibitions was available throughout. The website will continue to be updated and maintained throughout the planning application process.



Chrisp Street Regeneration

CONSULTATION WEBSITE

[Missed the exhibitions? View the boards here](#)

For over 150 years, Chrisp Street Market has been the heart of Poplar. It is a fantastic resource for our diverse local community, offering shopping, a range of amenities, and hundreds of homes. The success of Chrisp Street over the years is due to its ability to adapt and evolve to serve the residents of Poplar. The evolution continues...

Telford Homes Plc and local housing association Poplar HARCA have come together as partners to deliver a visionary regeneration of the site that will provide new homes, a new major supermarket, a revamped market square, and new leisure opportunities to bring the square to life both night and day.

This website has been set up to allow you to have your say on the regeneration of Chrisp Street. It includes details on the current proposals, information on the heritage of the site, a list of our exhibition events, and a contact page to make your views known to us.

Above: The home page of the project website

Conducting a visible and accessible public exhibition

The 2016 public exhibitions took place on-site at the shop unit at 11 Market Way on Saturday 14 May (11am-3pm), Monday 16 May (5-8pm), and Wednesday 18 May (11am-3pm) as well as at the Idea Store on East India Dock Road on Tuesday 17 May (3pm-6pm). An exhibition market stall was also present at the Saturday and Wednesday sessions, providing information and questionnaires, and people who visited the stall were directed to the main exhibition space. In addition to these public events, selective preview events were held for stallholders and retailers (16 May, 11am-3pm), and councillors and residents' associations (17 May, 5-8pm). The busiest session was on 16 May, with over 75 people attending.

The times and date of the exhibition were chosen to encourage the maximum number of people to attend the exhibition, including those in full-time employment and those with parental responsibilities. We ensured the exhibition date did not fall on any locally observed religious or cultural festivals.

The venues were accessible to people with limited mobility as they were on the ground floor and in the market square. Play materials were available at the exhibition at the Idea Store for young children.



Above: The exhibition market stall

Posters and a large Chrisp Street banner were placed at the entrance of the exhibition so people could easily find it. Posters were also displayed in nearby shops. Visitors had the opportunity to view fourteen display panels containing details of the scheme, including site layout and overall vision, as well as contact details and a panel introducing the team (Poplar HARCA, Telford Homes, Sheppard Robson, Savills). A copy of the display panels is available in **Appendix 3**. Members of the project team were available to answer any questions visitors had about the plans and wore name badges to identify themselves. Representatives from each of the Applicant, the housing association, the architect, the planning consultant, and Your Shout were present throughout the exhibitions.

Visitors were encouraged to fill out a response card during the public exhibition and some attendees also took the original invite leaflet away with them to fill in at home and return via Freepost. A copy of the response card is available in **Appendix 4**.



Above: The Exhibition at 11 Market Way

Using appropriate response channels

We maintain several response mechanisms for the local community and stakeholders to give their feedback and comments about the scheme, including:

- A Freephone number, staffed during office hours: 0800 458 6976

- A bespoke email address: chrispstreetmarket@yourshout.org
- A project website: chrispstreetregen.com

The feedback form contained information on how the responses provided would be used, which read as follows:

"Data will only be held by Your Shout and Telford Homes and a summary may be sent to LB Tower Hamlets By giving us your details, you authorise us to send periodic updates about this site. If you would rather not receive any information about this development, please tick this box"

Quantitative and qualitative response mechanisms

The consultation included questions which allowed us to assess the response in a quantitative way. The qualitative responses were gathered from appropriate questions on the comment cards, listening to individuals and groups in meetings, on the Freephone hotline, and at the public exhibition.

The feedback form asked for written comments about the scheme and the email service also gave an opportunity for people to send in written comments.

The quantitative and qualitative comments have been recorded and analysed objectively by team members from Your Shout.

Feeding-back to participants and the wider community, and opportunities for continuing involvement

One of the main objectives of this Statement of Community Involvement is to help record individual and collective responses to the proposals and how these responses have affected our proposals.

This report also allows us to feed back this information, in a more readily digestible form to the local community, respondents, other stakeholders and councillors.

This Statement of Community Involvement will be made available, alongside other planning documents, as part of the planning submission to LB Tower Hamlets.

The Freephone, Freepost, email address and website will all be maintained until the planning application is determined by the local planning authority.

We remain committed to keeping in touch with local groups, individuals and all those that have participated throughout this consultation exercise. We plan to periodically update all those participants who have not indicated they do not wish to be contacted regarding the progress of the scheme. We will be available to meet consultees again as appropriate.

5. THE RESPONSE TO THE CONSULTATION

An estimated 170 people attended the exhibition events with 29 of them signing in. 55 people provided feedback on the day with 45 sending in comments via Freepost and 13 people commenting via the website.

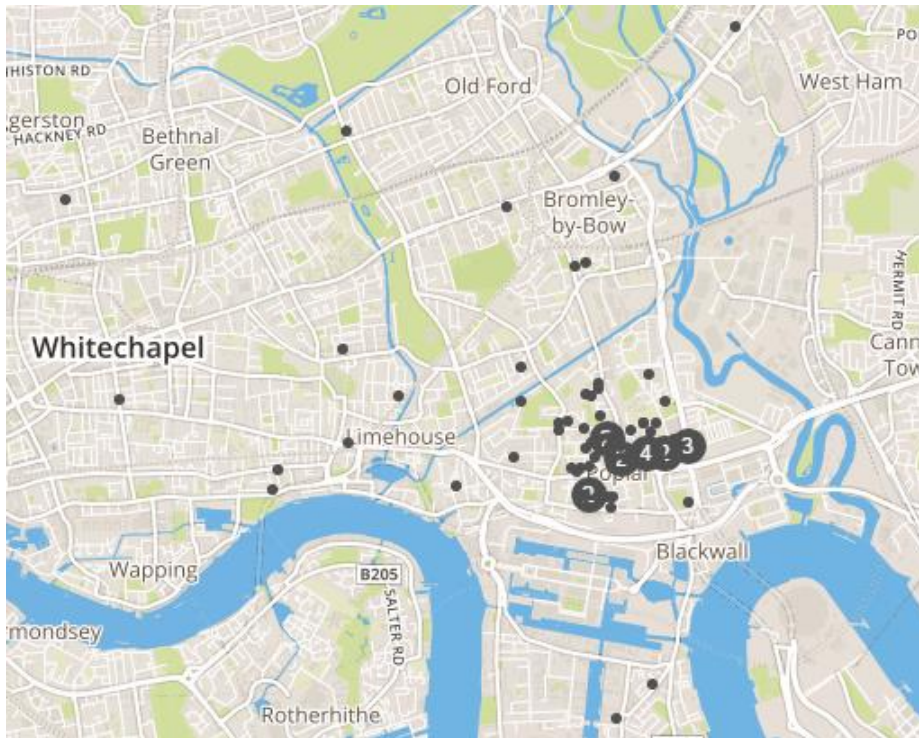
To gain information about respondents, we asked them two questions about how they use the market.

How often do you use the market?		
More than once a week	Once a week	Occasionally
50	12	17

Are you:		
A user of the market	A retailer at the market	Neither
83	9	6

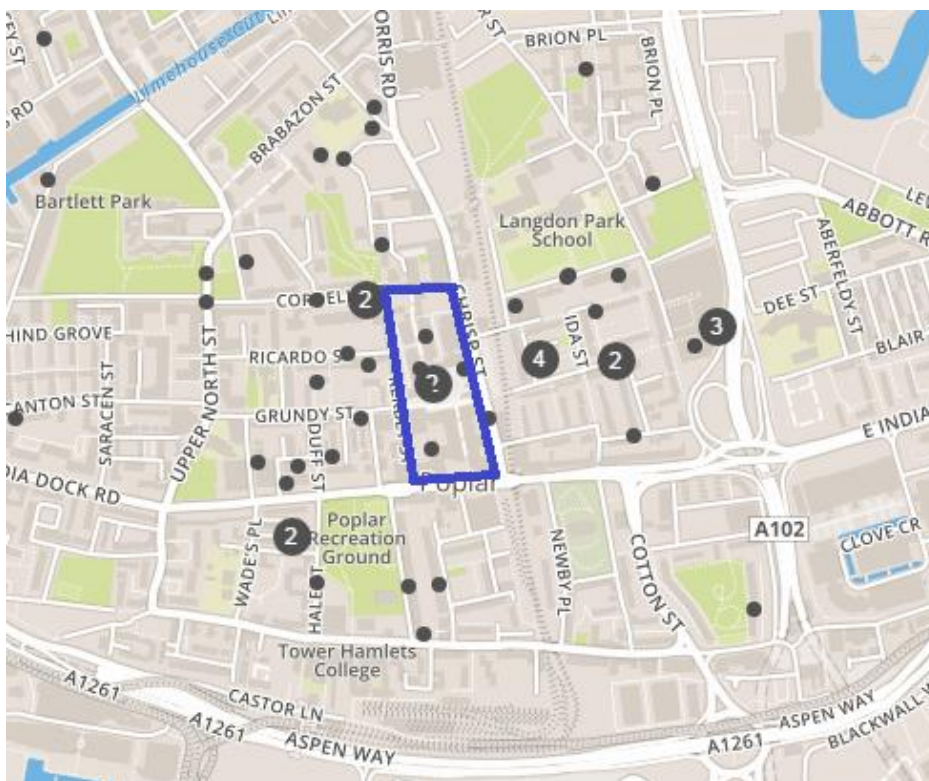
Our respondents are therefore mainly regular users of the market. While the number of responses from retailers is low in this case, as a group they have been involved in a separate targeted consultation with specialist retail consultants from the Applicant team. This has taken place over a significant period of time and has covered desires for the market, temporary trading locations, and individual settlements for traders. Between the two approaches, we have consulted the people most affected by this scheme, and the proposals have been drawn up with them in mind.

We have also put together a map to show the locations of the addresses and postcodes given by people who responded to the consultation. The map shows that the vast majority of the respondents to the consultation are within several minutes' walk of the site. There is also a significant contingent from other areas in the eastern half of Tower Hamlets, along the DLR in either direction from All Saints station.



Above: The addresses of respondents across Tower Hamlets. Numbers indicate multiple respondents from a single postcode

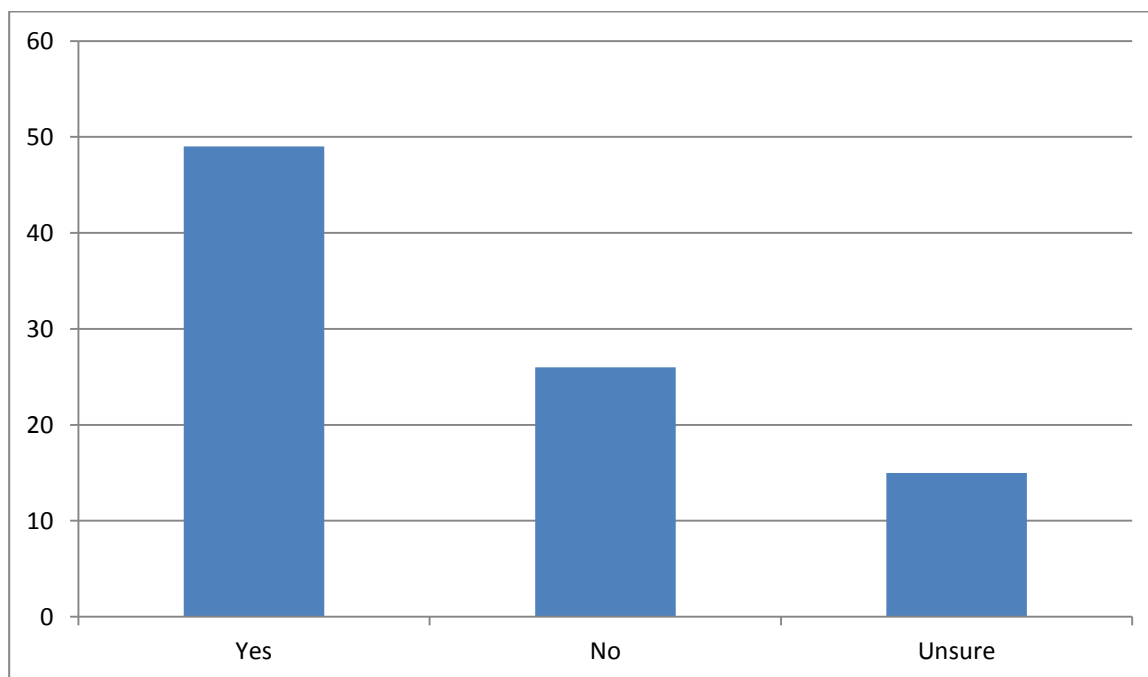
A larger scale map of the area immediately surrounding the site (in blue) shows clustered distribution of the respondents who live on and closest to Chrisp Street Market.



Above: The cluster of respondents living closest to the site. Numbers indicate multiple respondents from a single postcode

To get the clearest indication of how respondents felt about the proposals they had seen, we asked a direct quantitative question:

Do you support these new plans?



Above: Chart of quantitative results for the question "Do you support these new plans"

The results show a clear majority feel positively about the current plans. The reasons for this become apparent in the responses to the qualitative questions.

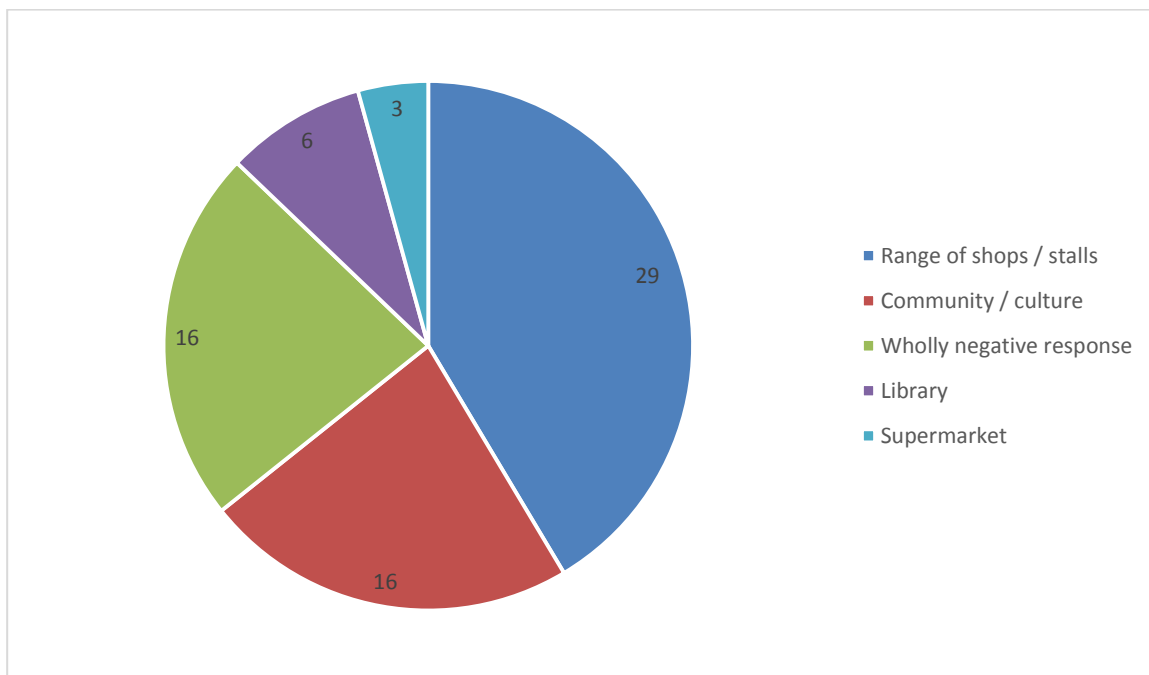
Qualitative response

People who attended the exhibition, recipients of the leaflet and other local residents had the opportunity to provide qualitative responses to our consultation. They were asked two questions related to the market site. These responses have been collected and collated and this will continue throughout the application process. The main points raised are outlined below, along with details of how the Applicant has responded to each comment. A total of 70 people left comments. The comments which were accompanied by postcodes are included in **Appendix 5**.

The feedback received covered a number of themes. The results are below.

What do you love about Chrisp Street?

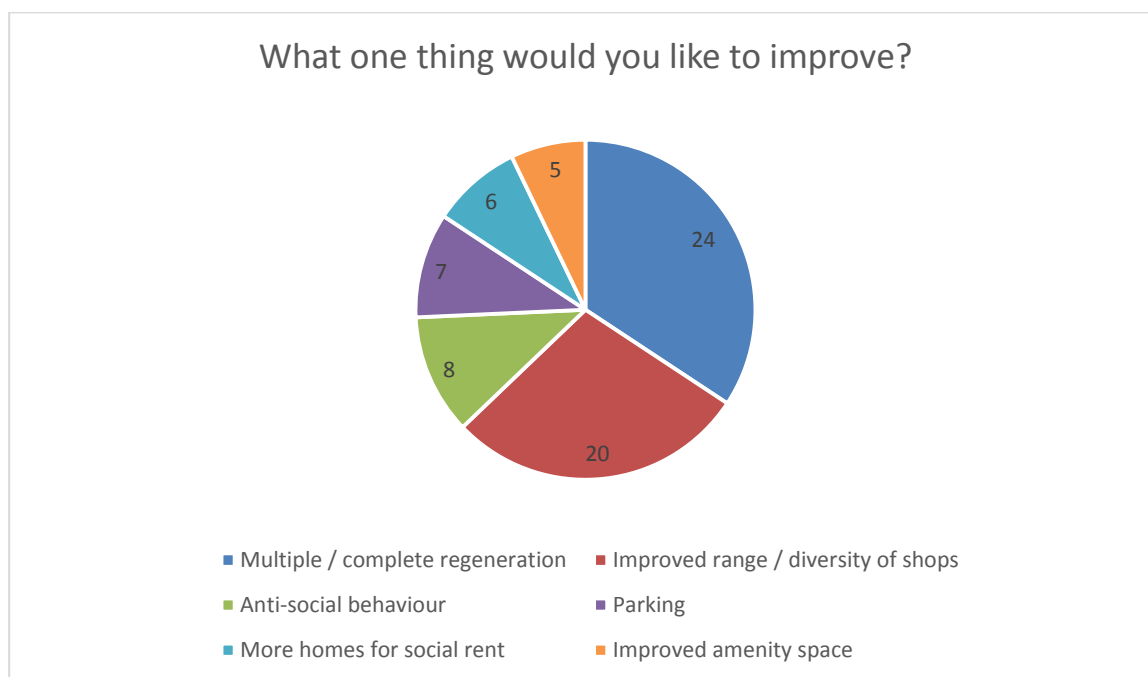
This question was devised to elicit positive responses about Chrisp Street to inform a choice of what should be kept and enhanced in the development. The largest number of respondents cited the range of retailers, with another three respondents mentioning the supermarket. 16 respondents expressed the view that there was “nothing” or “not much” that they liked about Chrisp Street currently, mentioning the poor condition of public areas and shops. These have been grouped as having a “wholly negative response” to the question.



Above: Chart of responses to “What do you like most about Chrisp Street?” grouped by subject.

What one thing would you like to improve?

We asked this question to get an impression of what users of the market thought the weaknesses of Crisp Street were. People were asked to name one thing to make the question simple and narrow to gain the clearest results. The largest number of respondents mentioned several issues including refitting shops, new housing, a greater range of shops, or explicitly said that they wanted large-scale redevelopment of the site. The greatest desire overall was the desire for an increased diversity of retail offer at Crisp Street, which was the only issue mentioned by 20 respondents, as well as by many of the respondents seeking greater redevelopment.



Above: Chart of responses to “What one thing would you like to improve?” grouped by subject.

Concerns raised

From the qualitative responses we can see that several areas of concern have been raised by respondents. These include:

- Provision of parking.
- Affordable housing.
- Anti-social behavior.
- Current traders.

The proposals have been responsive to these concerns which are consistent with issues that were also raised at previous consultations.

There is no customer parking on-site currently and there are no plans to change that. Loading and delivery areas as well as nearby off-site parking will be provided for traders. The scheme is

car-free for customers and residents in accordance with the Local Plan of LB Tower Hamlets, discussions the Applicant team has had with LB Tower Hamlets, the GLA, and the general trend of contemporary development in London. Market research on this issue was also commissioned, finding that a large majority of market users walk to the market, and that only 1% of those that ever travel by car would no longer use the market if they could not come by car.

The proposal is that there is no net loss of affordable housing and a significant number of affordable units will be replaced with new affordable units. There will be units for both sale and social rent, a range of unit sizes on site, and a greater percentage of the larger family units will be affordable, in line with local demand and the desire LB Tower Hamlets have set out for developments in the borough.

Anti-social behavior at Chrisp Street Market was raised as a concern by several respondents, both as a reason they do not like the market currently, and as the one thing they would like improved. This is dealt with by the plans in two ways. Firstly, the redesign of the public space over the whole site means potential anti-social behaviour hotspots can be designed out to some extent. The site will also become more self-policing when the development is complete as there will be much greater footfall, and extensive public use of the square for leisure activities in the evening will make anti-social behaviour at that time more unacceptable and more difficult to undertake.

Poplar HARCA has undertaken extensive proactive and supportive work with stallholders and shopkeepers. The market will be in continual operation during the two phases of development, with space found on nearby areas on the site and adjacent to it. Poplar HARCA is working with LB Tower Hamlets to ensure stallholders who wish to stay are able to. For those shops that will need to relocate, shops of similar size and cost will be offered. Poplar HARCA is also offering business support to those businesses that would like it.

In addition, via the Mayor of London's High Street Fund, new and existing businesses in the market are benefitting from £ 283,000 to support enterprise. The amount is specifically for a new coworking and enterprise space and tailored business support and loans. The following has been already been delivered since the award in March 2015:

- Chrisp Street Exchange - a new coworking and community hub for up to 60 members, which opened in May this year.
- A Pop-Up Business School start up programme for 45 attendees · 1-2-1 business support for 10 existing traders to boost their business.
- A Poplar & Bow Enterprise Network comprising 300 members · £50,000 available in HACT (Housing Association Charitable Trust) /Responsible Finance loans for SME investment.
- Six Makers Exchange markets attracting 49 traders, 20 of them first-timers.
- New market stalls designed by RIBA (Royal Institute of British Architects) in collaboration with 24 existing traders · Whitebox improvements to four shop units.
- Space for under 25s to test market ideas via Somewhere_To.

- A LBTH Public Health/Chrisp Street Town Team initiative to encourage traders to accept Healthy Start vouchers.

6. SUMMARY AND CONTINUED CONSULTATION

The Applicant has undertaken public consultation to ensure local stakeholders have had an opportunity to comment on the emerging proposals in advance of submission.

A list of key stakeholders has been put together to ensure that all interested parties have been kept informed of the plans and given a chance to ask questions and give feedback. This list included, but was not limited to, stakeholder groups that were suggested by LB Tower Hamlets planning officers, the GLA, Historic England, and the Twentieth Century Society. Where information has been requested, it has been supplied in an easy to understand way.

As well as several rounds of consultation events since 2009, the applicant held a public exhibition of the proposals on four dates in mid-May 2016 to give local residents the chance to view the proposals. The public exhibitions were well advertised with the delivery of information leaflets to the local area. Key stakeholders and councillors were notified with formal hardcopy and email invitations. In total, around 170 attended to view the plans in person.

The public exhibitions consisted of information panels that gave a clear indication of the proposals, and two centrally placed architectural models. Members of the Applicant's professional team were in attendance to answer any questions. A wide variety of ways to respond to the public consultation were available. Feedback could be given by using the Feedback form, Freephone number, a freepost address and a dedicated email address.

The key local stakeholders and councillors were contacted prior to the public exhibitions and have been given the chance to engage since.

This Statement of Community Involvement fully demonstrates the Applicant's commitment to thorough and meaningful public consultation and exceeds the requirements set out by LB Tower Hamlets. The submission of the planning application does not mark the end of this consultation and the Applicant will continue to meet with local groups and individuals as appropriate throughout this process.

27 May 2016



Appendix 1: Invitation leaflet for exhibition

telfordhomes  **HAVE YOUR SAY** SHEPPARD ROBSON 

CHRISP STREET E14
LONDON BOROUGH OF TOWER HAMLETS

THE HEART OF POPLAR
The Market
Sat 14 May & Wed 18 May
11am - 3pm

PAST PRESENT FUTURE
11 Market Way
Mon 16 May
5pm - 8pm

DESIGN A PLAYGROUND
The Idea Store
Tues 17 May
3 - 6pm

CHRISPSTREETREGEN.COM



SHEPPARD ROBSON

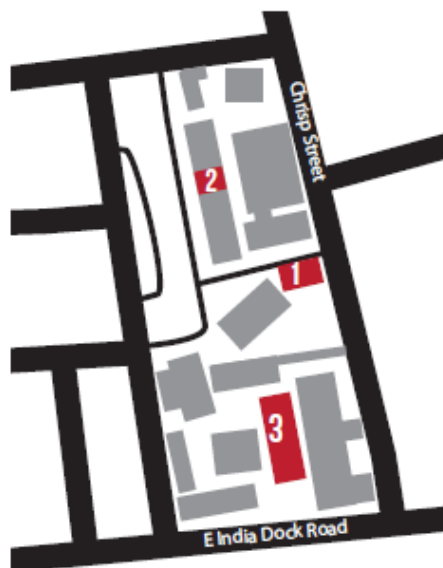


The future is looking bright for Chrip Street Market. Come and find out about the new regeneration plans shaped by your ideas and views.

Be the first to see the latest plans for the market site including:

- * Proposals to provide a variety of shops and new evening leisure facilities like a cinema and restaurants
- * New public buildings and first class open spaces
- * New market canopy and market stalls for traders
- * Approximately 650 new homes for Poplar

We look forward to see you there.



THE HEART OF POPLAR

1

WHEN: Saturday 14th May and
Wednesday 18th May
11am - 3pm

WHERE: Chrip Street Market

Drop by our exhibition stall on the Market Square to view images and models of the proposals and chat with the architects and Poplar HARCA team.

PAST PRESENT FUTURE

2

WHEN: Monday 16th May 5pm - 8pm
WHERE: 11 Market Way, E14 6AH

Chrip Street has a rich history from the Victorian Age to the Festival of Britain architecture. Come and view old photos of the market.

DESIGN A PLAYGROUND

3

WHEN: Tuesday 17th May 3pm - 6pm
WHERE: The Idea Store, 1 Vesey
Path, East India Dock Rd
E14 6BT

An afternoon of children's activities at the Idea Store.

CONTACT US:

PHONE: 0800 458 6976

EMAIL: chripstreetmarket@yourshout.org

WEB: www.chripstreetregen.com

HAVE YOUR SAY

Have your say on on this card and return it Freepost (no need for a stamp)

What do you love about Chrisp Street Market?

Name one thing you'd like to see improved in Chrisp Street?

Do you support these new plans?

Yes No Unsure

Are you:

- A user of the market
- A retailer at the market
- Neither

How often do you use Chrisp Street Market?

- More than once a week
- Once a week
- Occasionally

Name: _____

Address: _____

Postcode: _____

Tel: _____

Email: _____

Data will only be held by Your Shout and Telford Homes and a summary provided to LB Tower Hamlets. By giving us your details, you authorise us to send periodic updates about this development. If you would rather not receive any information about this development, please tick this box:



2



FREEPOST RTGB-KBZB-ZSKJ
Your Shout
1-45 Durham Street
London
SE11 5JH



Appendix 2: The invite to LB Tower Hamlets councillors



London Borough of Tower Hamlets
Town Hall
Mulberry Place
5 Clove Crescent
London, E14 2BG

167A East India Dock Road
London E14 0EA
020 7510 0500
0800 0351991
www.poplarharca.co.uk

09 May 2016

Dear Councillor

Chrisp Street Market: Past, Present and Future
5-8pm, Tuesday 17 May
11 Market Way, E14 6AH

Poplar HARCA would like to invite you to a special reception for councillors, residents and other stakeholders to celebrate the rich history of Chrisp Street Market and exhibit the current proposals for its redevelopment.

Please join us for an exhibition of the Past, Present and Future from 5-8pm on Tuesday 17 May at 11 Market Way, E14 6AH. This will be an opportunity to update you on progress with plans to regenerate Chrisp Street, and to meet members of our project team, along with our scheme architects.

Chrisp Street has been the heart of Poplar for over 150 years, and our current plans seek to respect the heritage of the site including the 1951 Festival of Britain housing, while providing a brand new Market Square, improved retail and nightlife opportunities, and 650 new homes across a mix of tenures.

As we prepare to make a planning application to the council, we are undertaking significant engagement with local residents. We have four public exhibition events scheduled for mid-May, the details of which you can find on the attached public invite leaflet.

Poplar HARCA is the trading name of Poplar Housing and Regeneration Community Association Ltd ■ Poplar HARCA is a company registered in England and Wales under registered number 3242944 ■ Housing Corporation registration number L4170 ■ Registered office: 167A East India Dock Road, London E14 0EA ■ Poplar HARCA is a registered charity number 1064397

We hope to see you at the special event on 17 May, however if this date isn't convenient the exhibition will be available to view for several dates in May. If you would like more details on the Chrisp Street scheme or consultation events and to RSVP, please contact Vincent Carroll on 02078405902 or vincent.carroll@yourshout.com.

Kind regards,

Stephen Stride
Chief Executive
Poplar HARCA

Appendix 3: May Exhibition Display Boards

WELCOME

The future is looking bright for Chrip Street. Poplar HARCA and Telford Homes have come together with architects, Sheppard Robson, to deliver a high quality development featuring an increased retail offer, a brand new market canopy, improved landscaping & community facilities, and hundreds of new homes for Poplar.

Before submitting a planning application to the London Borough of Tower Hamlets, we are sharing the proposals with as many people as possible. If you have any questions, please feel free to speak to a member of the project team on hand today.

You can also have your say on the proposals today using the following methods:

Freephone: 0800 458 6976
 Text: 07860 035 347
 Email: chripstreetmarket@yourshout.org
 Write to: FREEPOST RTGB-KBZB-ZSKJ
 Chrip Street Market Consultation,
 Your Shout,
 1-45 Durham Street,
 London,
 SE11 5JH

TIMELINE

We are aiming to submit a planning application to London Borough of Tower Hamlets in June this year.

The building work itself would take place over two phases. The first phase which is to the north of the market square, would run from September 2017 for a duration of three and a half years. The second phase, south of the market square, will commence in January 2021 with a duration of between four and six years.

More details of the sequencing of the project and how different elements of Chrip Street are affected will be provided in the planning application.



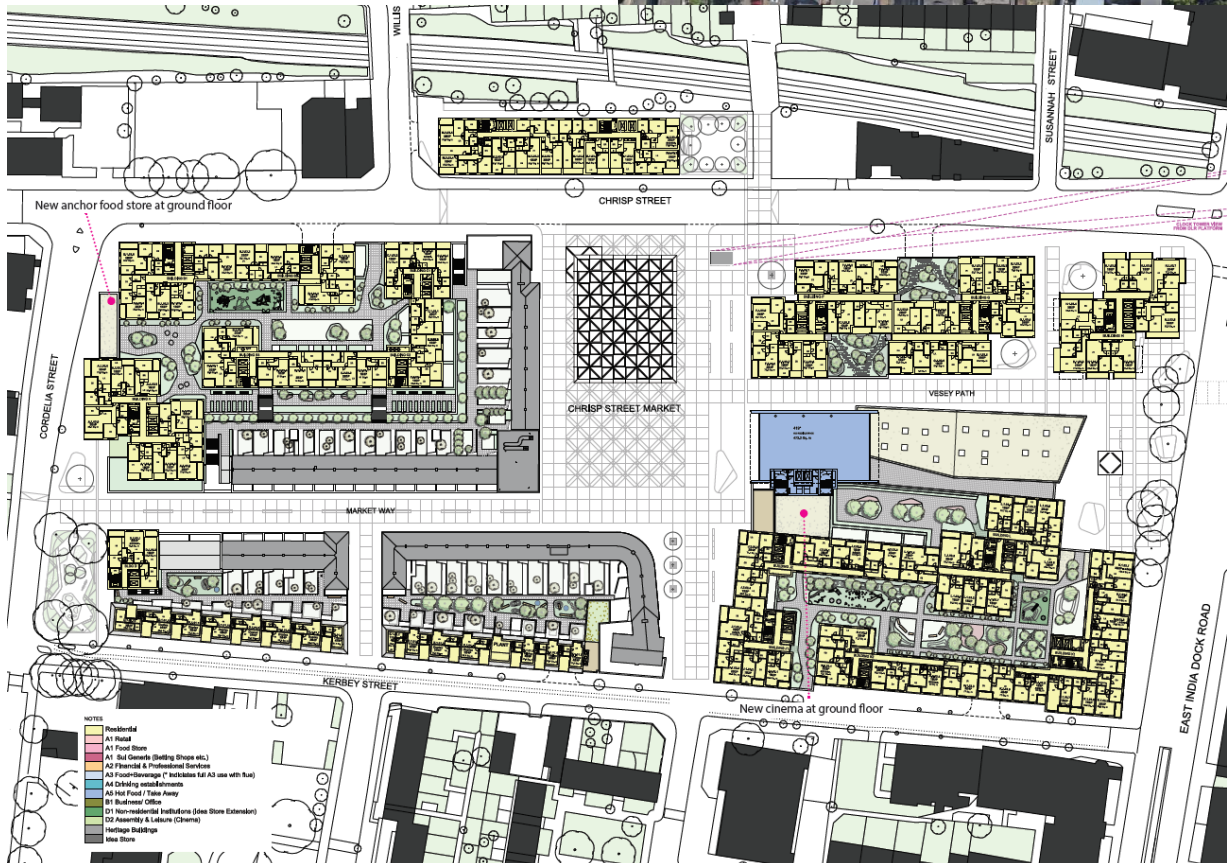
CHRISP STREET VISION

For over 150 years, Chrip Street Market has been the heart of Poplar. It was the first purpose-built pedestrian market in the UK. It is a fantastic resource for our diverse local community, offering shopping, a range of amenities, and hundreds of homes.

Our overall vision for the regeneration of Chrip Street is to re-establish Chrip Street as the heart of Poplar. The proposals drawn up with architects, Sheppard Robson, are as bold as the unfinished 1950s redesign of Chrip Street.

Our vision will achieve the following key improvements to Chrip Street:

- An improved and more flexible retail offer, offering support to the current retailers who will stay, and the creation of additional leisure facilities including a cinema and restaurants.
- Approximately 650 brand new high quality homes of all sizes, increasing the number of homes around the market and maintaining the "market feel".
- Improved public realm and community facilities with extensive landscaping, a new Sure Start centre, and community space building on the success of the Ideas Store.



RETAIL

Chrisp Street's success as a retail centre over the years is due to its ability to adapt and evolve to serve the residents of Poplar. In line with the London Borough of Tower Hamlets policy, our proposals seek to increase the retail capacity of Chrisp Street, expanding choice and creating new jobs associated with the market.

Our Chrisp Street vision includes:

- Retention of existing retailers and the addition of independent and established retailers.
- A new major food store at the north of the Market Square.
- A redesigned modern market canopy.
- New facilities for market traders.
- Regeneration of existing Market Square retail units.
- A new multi-use community space building on the success of the Ideas Store.

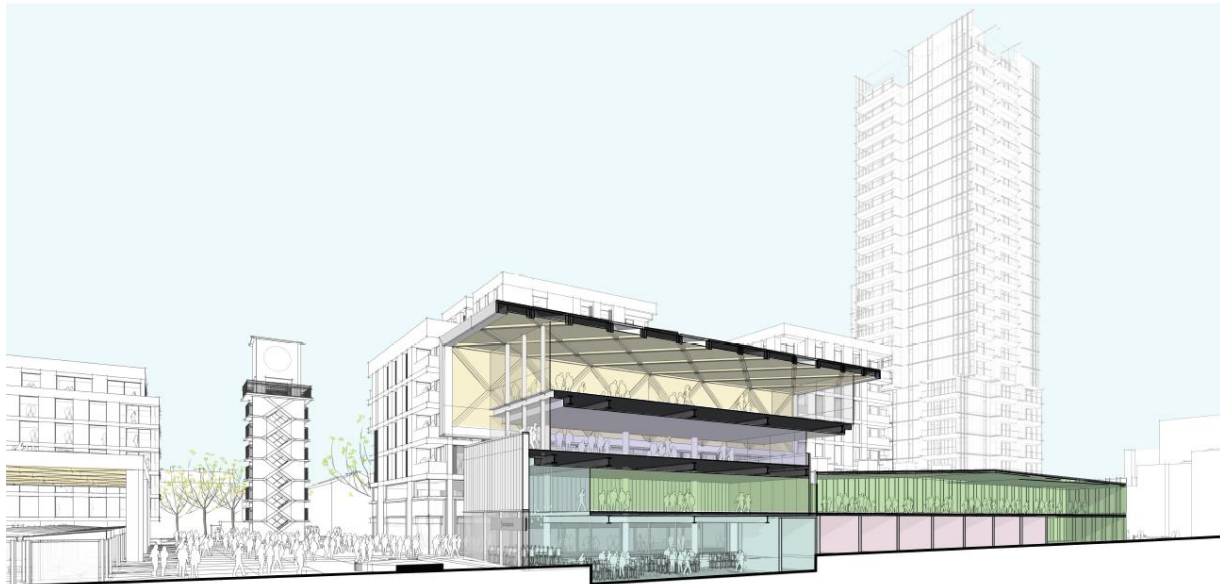


NIGHT LIFE

Chrisp Street is bustling during the day, six days per week. But with its central location and good transport links, the market can be used for so much more. As well as improving the daytime retail selection, our vision for Chrisp Street is to create a diverse set of evening leisure activities. Our proposals look to complete Gibberd's post-war plans for the site, and bring a cinema and entertainment to Chrisp Street.

Our Chrisp Street vision includes:

- A remodelled Market Square with the flexibility to accommodate non-market day events.
- A new multi-screen cinema.
- New restaurants, cafes, drinking, and meeting areas.
- A programme of non-market events such as live music, Eid celebrations, film festivals and seasonal ice skating.



A VIBRANT MARKET PLACE & COMMUNITY HUB

- NEW CANOPY FOR THE MARKET SQUARE & NEW 'HUB BUILDING' FOR COMMUNITY EVENTS / WEDDINGS etc.
- ENTERPRISE HUB WORKSPACE / ADDITIONAL SPACE FOR THE CHRISP STREET IDEA STORE
- FOOD & BEVERAGE OFFER TO MARKET SQUARE - NIGHT-TIME ECONOMY
- CHRISP STREET IDEA STORE - EXTENSION TO EXISTING FACILITY
- LOCAL CONVENIENCE - INDEPENDENT & COMMUNITY RETAIL

NEW HOMES

As well as being the heart of Poplar and a great place to shop, Chrisp Street is home to our diverse community. The redevelopment of Chrisp Street provides a fantastic opportunity for the provision of brand new homes for Poplar.

Our Chrisp Street vision includes:

- The retention of all of the yellow-bricked 1951 Festival of Britain housing, which is a key heritage asset.
- Approximately 650 new homes which will comply with the Mayor of London's residential unit size standards and local London Borough of Tower Hamlets policies.
- The replacement of the lower quality 60s and 70s housing.
- A mix of affordable housing tenures, most at social rent.
- Homes of all sizes, reflecting the range of local demands including family-sized units of 3 and 4 bedrooms.
- Podium and rooftop gardens providing communal areas, play space and green space for residents.



YOU SAID WE LISTENED

At the last public consultation event in September 2015, as part of the Chrisp Street Festival, we received the following suggestions from the public on what you would like to see at Chrisp Street:

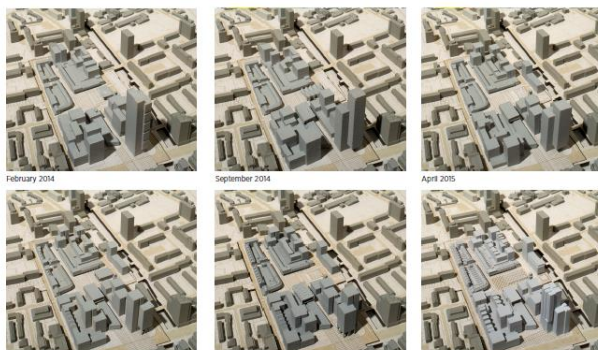
- Improved layout for market.
- Better maintenance of public spaces.
- Better quality open spaces and improved security.
- Enhanced food offering.
- Evening activities.

We have taken these comments on board and allowed these to inform the development of our detailed design proposals. We will address these matters with the following actions:

- Refurbished Market Square with new canopy and flexible capacity to adjust to the seasonal needs of the market.
- A 24/7 on site management company will manage the entire site, including the market and seek to create a safe and welcoming district centre.
- Widespread improvements to the public realm will include new paving, lighting, street furniture and children's play spaces. Dead end space within the public realm will be eradicated.
- Retained and newly constructed commercial units offer a range of uses from retail, restaurants and fast food outlets to pubs and community facilities.
- The introduction of a cinema to the site will encourage night time economy and life within the Market Square beyond market trading hours. The refurbished Market Square and new community Hub Building offer opportunities for night time events such as film screenings.



View to Market Square



Development of the Scheme Proposals

THE TEAM

Housing Association

Poplar HARCA is an award winning housing association based in the London Borough of Tower Hamlets. With their partners they are currently leading a regeneration programme for the Poplar area of east London. Attracting £2.1 billion investment to regenerate, build and create opportunities for their community.



Developers

Since its establishment in 2000, Telford Homes Plc has developed an enviable reputation within the industry for producing desirable new homes at affordable prices, and delivering integrated developments with high quality design and construction across the residential living range. Telford Homes' high standards and exceptional customer service have gained the company a number of awards including a 99.5% recommendation rate for 2015.



Architects

In the practice's 78-year history Sheppard Robson has designed award-winning and high-profile architecture, interior design and masterplanning projects, building a strong reputation across numerous typologies – including residential, office, education and retail projects. The practice's work – designed and delivered by a team of around 400 – is underpinned by fully integrating a sustainable design methodology that balances efficiency and performance with form.

SHEPPARD ROBSON

Planners

The Savills Planning Team is one of the country's leading planning practices. It has considerable experience advising on complex and challenging schemes across London and Tower Hamlets. Savills has over 200 chartered planners across 14 offices in the UK, making it one of the largest planning consultancies in the Country.



WORKING WITH OUR RETAILERS

We recognise the importance of the unique character of Chrisp Street, which has largely been built by independent traders, some of whom have family ties going back over 50 years. In developing our proposals we have ensured that current market traders benefit fully from the redevelopment. It is our intention to maintain this character by guaranteeing that all existing traders, both shops and stalls, affected by the regeneration will be offered a space in the new scheme.

Our Chrisp Street vision of the benefits to current market traders and retailers include:

- Temporary market space at Vesey Path and in front of the Ideas Store, while the building work is going on.
- An increase in the total number of market pitches.
- All shops will have new fronts and signage provided at no cost to retailers.
- Poplar HARCA is offering business support for those that request it.



PROTECTING HISTORIC BUILDINGS

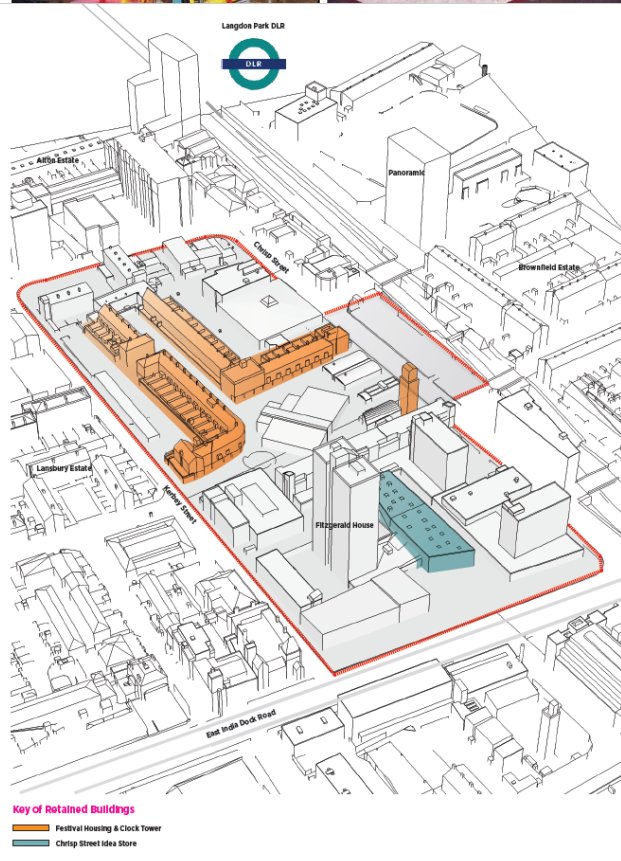
Chrip Street has been a market location since Victorian times. The current market square has an enviable heritage. It was the first pedestrianised shopping centre of its kind. In the 1950s, modernist architect Frederick Gibberd designed a market and housing complex to create a new district centre for Poplar to replace the original street market.

Chrip Street Market is now one of only two locations in London to retain buildings designed to showcase architectural achievement at the 1951 Festival of Britain, and was made part of a Conservation Area in 1997.

We recognise the value of this local heritage so we have made sure that our proposals protect and enhance Chrisp Street's heritage assets.

Our Chrisp Street vision includes:

- Retention of all Festival of Britain housing.
- Retention of the famous clock tower.
- High quality sustainable architecture that responds to the retained buildings, and limits impact on the Lansbury conservation area.
- Although not listed, the Chrisp Street Ideas Store will also be retained.



Appendix 4: Feedback Form



Hello, we'd welcome your feedback!

What do you love about Chrisp Street?

Name one thing you'd like to see improved in Chrisp Street.

Do you support these new plans?

Yes No Unsure

Are you a:

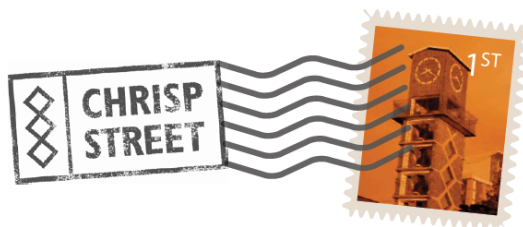
Retailer Market User Neither

How often do you use Chrisp Street Market?

More than 1/week 1/week Occasionally

Thank you

the story
CHRISP STREET



Name:

Address:

Postcode:

Email:

Tel:

Appendix 5: Comments from Consultation

Postcode	Q1. What do you love about Chrisp Street?	Q2. What one thing would you like to improve?
E14 6NZ	The clothes are good + at good prices.	I think there should be a Jewish snack stall/shops + keep the library open, demolish that old tower block it's full of drug dealers.
E14 0AA	Nothing - what's to like?	We need huge improvements for regeneration/refurbishment. Too many to categorise get rid of the beggars/alcoholics and drug users - around the park area and clean it up - dirty/rundown - awful!
E14 0TR	The deli. The market Co-op + Iceland for top-up shopping.	
E14 6EQ	I have everything on my doorstep from pound shop, to local market and supermarket + furniture shop to help save on spending lots and don't have to travel anywhere.	The Kid's playground.
E14 6 NB	I've lived here all my life & the standard has dropped.	I would like to see better shops & the improved community spirit. Nothing.
E14 0AD	Proximity, potential Social + economic hub, with cultural .. And the market is good.	Quality of the built market environment; as well as a dramatic improvement in green landscaping in the vicinity (sic), which is currently dreadful. I'm not very impressed with some of the Telford Homes developments I've seen in the borough to date.
E14 6ED	There is not much to love at the moment it's a bit behind times.	A really good supermarket a Decent shoe shop, a good underwear shop for ladies.
E14 0SL	A focal point for the community. It's independent.	A more diverse offer from market stalls. A weekend farmers market. An independent run coffee shop. No chains please! Keep it independent/local. A venue for pop-up restaurants. Studios for designers/artists. Concerned about heights of the development. Displacement of residents. Affordability of retail offer example (the cinema). Concerned about bland redevelopment with chain stores.
E14 6AZ	The library.	Completely demolish start again from scratch.
E14 6ND	The fact that everything is available i.e. post office, doctors, dentist, opticians, library, food clothing. It is spacious and well organised.	Less fried chicken shops and less Bangladeshi fruit and veg stalls.

E14 0AD	Variety of shops for all needs.	Cleanliness, less cycles, bigger One Stop shop.
E14 6DY	Nothing. No parking. No choice. 11 fruit and veg stalls.	Everything. Many have tried over the years, all have failed.
E14 6AU	Very quiet last 10 years shopping wise. Convenience of local shops + market..	More retail, more police and security, market stalls abused at night
E14 6EJ	People.	Cinema.
E14 6AH	It's different to all the shopping malls.	Weekend food market. (Hot Food)
E14 6GM	Co-op.	Modernisation & more up-scale offerings.
E1 2AX	The community + character of it. Would hate to lose it.	The amount of social housing <u>min 35%</u> . Assurances for residents + shopkeepers to return if they desire on comparable rents.
E14 6NN	Everything. Range of shops.	More shops.
E14 0RH	Our local market. The prices of fruit and vegetable are at reasonable prices.	The market and the houses around the market.
E14 6EG	Not much at the minute, too much of the same thing. Hopefully my opinion will differ once the changes have been made.	A better variety of shops & stalls a much improved car park to entice more happy shoppers
E14 6ND	I love the market stalls and shops.	I would love to have more buildings.
E14 0QS	The traders helping out and supporting each other.	Parking for my customers more opportunities for my customers the upkeep of the market kept as a reasonable rate so us traders could afford to stay at the market trading and supporting the local people.
E7 7IU	The fruit stalls the pie/mash shop card stall hotdog stall curry hut Iceland, Steve's.	Parking, cleaner toilets, hot water and toilet rolls.
E14 0QS	The convenience for shopping the local traders friendliness.	Better parking opportunities local people staying and supporting the traders already in the market. It will be more expensive for the local people.
E3 3HH	Walking distance and local its convenience.	Poplar market working and supporting the traders not working against us, raising the rents and rates every so often.
E1W 3AF	Yes, old Crisp St. M.	
E14 6FT	The local shops and community spirit.	The appearance and range of shops.
E14 6AX		everything Unka

E14 6AQ	Local people bringing humour in the square.	History. Security - parking. CCTV
E14 6AW	The people & history & great community vibe.	CCTV & security.
E3 4DL	Availability of needed stuff.	Bring back keep Britain tidy.
E1W 3DW	Variety of food products.	Precisely what the new plan already indicates.
E2 6AR	Affordable, accessible, community feeling.	More stalls, more affordable housing, less fancy, not a profit-making venture. Keep Canary Wharf out, don't attract them. Don't sell the neighbourhood.
E14 6PP	Kenny F&V, Pets Paradise. The market. Council For it to happen.
E3 3PD	Nothing.	Everything/shops/stalls/paving. Lighting. Also more mixed choice of shops & stalls.
E14 6AW	The advantages of living at '58' include: the open aspect and relative security, privacy, and quiet. The proposed high capacity, elevated town houses for Kerbey St will effect those advantages. Gone will be the view across London as far as the Shard and gone will be over 20 years of enjoying year round sunsets. The sudden increase in people having direct access to our patio gate reduces security and privacy. The enclosing of the new open space will have a courtyard effect on noise levels and the space will become a play area for the large families increasing noise levels further. We will oppose these developments!	
E14 6ED	Community (pubs, café, pie & mash)	Shops i.e. Primark, wine bar etc.
E14 6ED	History and community.	More facilities for teen's.
E14 6DJ	Not much at the moment. It looks old, ragged, unattractive, dirty & smells.	The whole market needs revamping with new stores, modern shop fronts, better brands & total makeover to bring into the 21st century. And also needs to be made safer to attract more professional shoppers.
E14 6DF	Accessible for me. Charity shops.	Extendable canopy over the rest of the market. Aldi/Tesco. Electrical store variety of shops.
E14 7BF	Captain's Table.	Introduce later opening times for stores, night culture.

E14 6DE	Location, but not much else!	Perhaps a McDonalds or alternative. Better Supermarket and more quality al fresco dining options. Cinema a good idea. But yet to see details. Shame it has 'listed status' would like to see it completely re-developed.
E14 6DR	Supermarket.	All of it.
E12 6AT		Advertisement for the market traders.
E3 3BE	The general atmosphere of a working class neighbourhood - mix of people, tradition.	SOME more variety of shops; more homes for social rent.
E14 6JR	It's a shopping centre which has a public library called IDEA store for people to meet each other in Poplar. I like and love shopping and using the library there.	Men's shop. The market has less men things to sell so I would love some new men's bags stores and men's clothes stores in Chrisp Street Market. Yes, it's so exciting. Poplar is changing fast to its brightest future.
E14 0TR	Nothing really. You can get cheap veg but the quality isn't great and the majority of the traders are unfriendly, many don't attempt to speak English.	Better quality produce.
E5 8LS	Prices, variety.	
E14 OHG	It is very convenient market everything available e.g. vegetable, fruits, etc. Very warmth and lively environment	More stalls and shops.
E14 0SL	There are local shops that local people want to use and not the usual "High Street" brands. Local people can afford to shop there.	The physical environment. I feel there are not enough social homes included within the plans.
E14 6AW		The area
E15 2LB	The shop "Steve's Bestsellers". You can find anything there. Browsing for second hand books in the charity shops.	Some slightly more upmarket outlets. Not complete gentrification, maybe, but a greater mix would be nice.
E14 6AW		Housing
E14 0QU	The market stalls, the local shops and cafes and the diversity.	Regeneration must provide a 50% share of new properties at social rent, otherwise it is social cleansing. I have a few concerns about the regeneration proposals is providing there is a fair share of new homes.
E14 6DF	I have lived in Poplar 35 years please leave the market alone just paint and clean the place up no fancy shops Chrisp Street is for normal people not for rich people. I shop at the stalls Iceland, Co-Op, Post Office, dry cleaner	Empty shops being used. Don't forget the old people have made the market and stallholders for selling there good if the plans go though we are the people going to shop. Also ask Sadiq Khan what his view about the market is can he come

	and other shop.	to the meeting so he can tel us what he think of it. New home for who the locaql people.
E14 0BQ	Fresh fruit and veg stalls.	The area underneath the market should be utilised for market stall storage.
E14 0DG	It is very locakl and has lots of amenities I use the fruit + veg stalls, bank and post office. I also use the Idea library.	The overall appearance needs to be improved currently the market is messy + dirty I would love to see colour and new ideas injected into the historic market.
E14 6PA	I like the fresh fruit and vegetable market and the curry huts and local butchers.	I would like to see more 'high-end' restaurants, cafes, and bars – not only chicken shops. I also would like to see possibilities for local entrepreneurs such as independent bakeries and others. Not chain stores!
E1 2QS	Social housing. Credit union (people's bank) stalls & shops. Cheap prices. It caters for local people + people on low incomes.	More social housing for families sheltered accommodation. Expand the market. Leave it as it is, but modernise & improve it. Do not privatise anything.

End of Appendices

Your Shout
The Old Marmite House
1-45 Durham Street
London
SE11 5JH

0800 458 6976

CRISP STREET, POPLAR, LONDON

RETAIL MANAGEMENT STRATEGY

PoplarHARCA & Telford Homes

June 2016



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Appendix One: Construction Phasing Plans

Appendix Two: Branding Identity Document

1. Context

- 1.1 Back in 2012 Poplar HARCA selected their development partner for the regeneration of the district centre at Chrisp Street. Work began to develop the strategy for the revitalised retail offer and these evolved into the new designs for the project. The planning submission is a major milestone in the process and allows the project team to share the work to date and our plans going forward.

2. Background

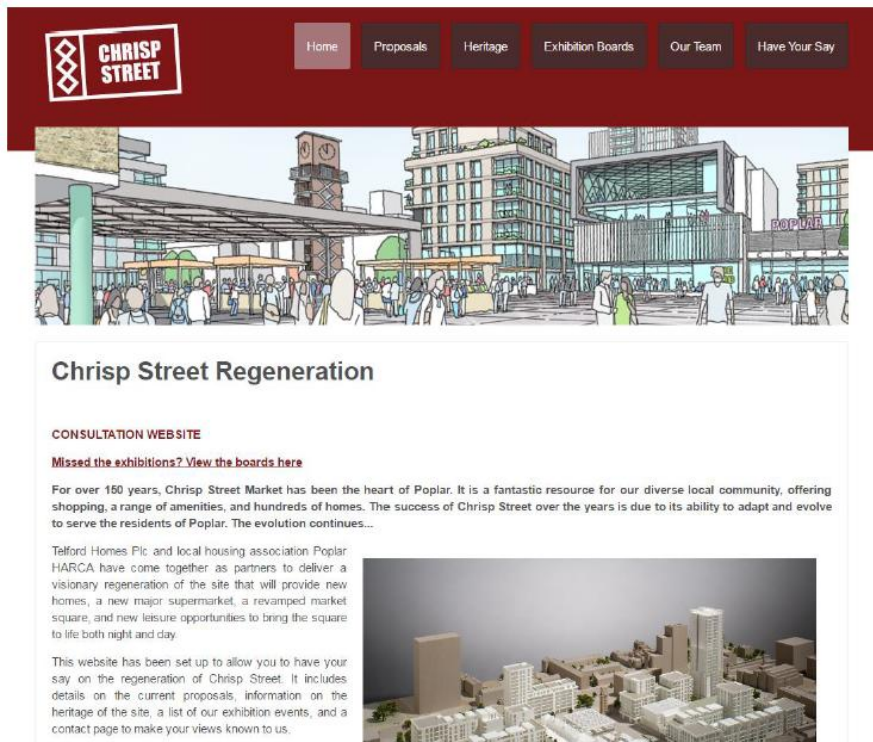
- 2.1 In 2006 Poplar HARCA became the owner of Chrisp Street as part of the stock transfer from Tower Hamlets. The Council's core strategy sets the vision for the regeneration of Chrisp Street.
- 2.2 Chrisp Street is defined as a District Centre by the Council's Core Strategy Policy SP01, which seeks to enhance existing centres, and ensure that the scale and type of uses are consistent with the hierarchy, scale and role of each centre. Policy SP01 further seeks to maintain, focus and increase the supply of town centre activity and retail floorspace within district centres.
- 2.3 In addition, the Council's Core Strategy Policy SO25 seeks to deliver successful placemaking for Poplar, aiming to regenerate the area into a place for families set around Chrisp Street. Core Strategy Policy 'LAP 7&8' seeks to regenerate Chrisp Street Market into a vibrant, thriving, and multi-purpose town centre, with a mix of uses including evening and night-time uses and an upgraded market.
- 2.4 Site Allocation 09 within the Tower Hamlets Managing Development Document seeks the regeneration of the district town centre to improve Chrisp Street's vitality and viability, through the provision of new commercial floorspace as well as new homes.

3. The Regeneration Opportunity

- 3.1 Some elements of Chrisp Street are fantastic; the market, the Festival of Britain heritage, and the diversity of the people living and working in the district centre. However, the centre suffers from the inward facing design of the retail units and from poor access to the residential units.
- 3.2 With the commitment to the regeneration from Tower Hamlets, Poplar HARCA and the development partner Telford Homes, the project team are committed to the following:
- Keeping the good bits of Chrisp Street and improving the bad bits;
 - The market is staying, will have more pitches, a better canopy and proper infrastructure;
 - A detailed lettings strategy (as noted below) that supports the independent retailers which includes offers of relocation and support in terms of rents and improved trading;
 - The Ideas Store is staying and there will be a new community hub building that can link into the Ideas Store;
 - There will be a new cinema and a new purpose built Sure Start Centre (subject of a separate planning application);
 - There will still be a Post Office and a supermarket;
 - There will be around 400 more full time jobs than existing; and
 - Chrisp Street will be a nicer, safer place to live and work.

4. Consultation

4.1 The project team have run a programme of consultation events over the years. These have taken the form of drop in events or a stall during the many festivals that are held in the market square. Some images of the recent consultation events are provided below.



Above: The home page of the project website

4.2 The programme of the recent consultation events undertaken were as follows:

- Saturday 14th May (11am–3pm): Exhibition at the shop unit on Market Way and market stall
- Monday 16th May (11am-3pm): Preview event for stallholders and retailers at the shop unit
- Monday 16th May (5-8pm): Exhibition at the shop unit on Market Way
- Tuesday 17th May (3-6pm): Exhibition at the Idea Store
- Tuesday 17th May (5-8pm): Preview event for Councillors and residents' association at the shop
- Wednesday 18th May (11am-3pm): Exhibition at the shop unit on Market Way and market stall

4.3 At the consultation events the project team shared the latest plans for the scheme and sought comments for the public. Some of the best feedback received was via the post cards with space for a response to a few simple questions. Please see an example postcard below.

HAVE YOUR SAY

Have your say on on this card and return it Freepost (no need for a stamp)

What do you love about Chrisp Street Market?

Name one thing you'd like to see improved in Chrisp Street?

Do you support these new plans?
 Yes No Unsure

Are you:	How often do you use Chrisp Street Market?
<input type="checkbox"/> A user of the market	<input type="checkbox"/> More than once a week
<input type="checkbox"/> A retailer at the market	<input type="checkbox"/> Once a week
<input type="checkbox"/> Neither	<input type="checkbox"/> Occasionally

Name: _____

Address: _____

Postcode: _____ Tel: _____

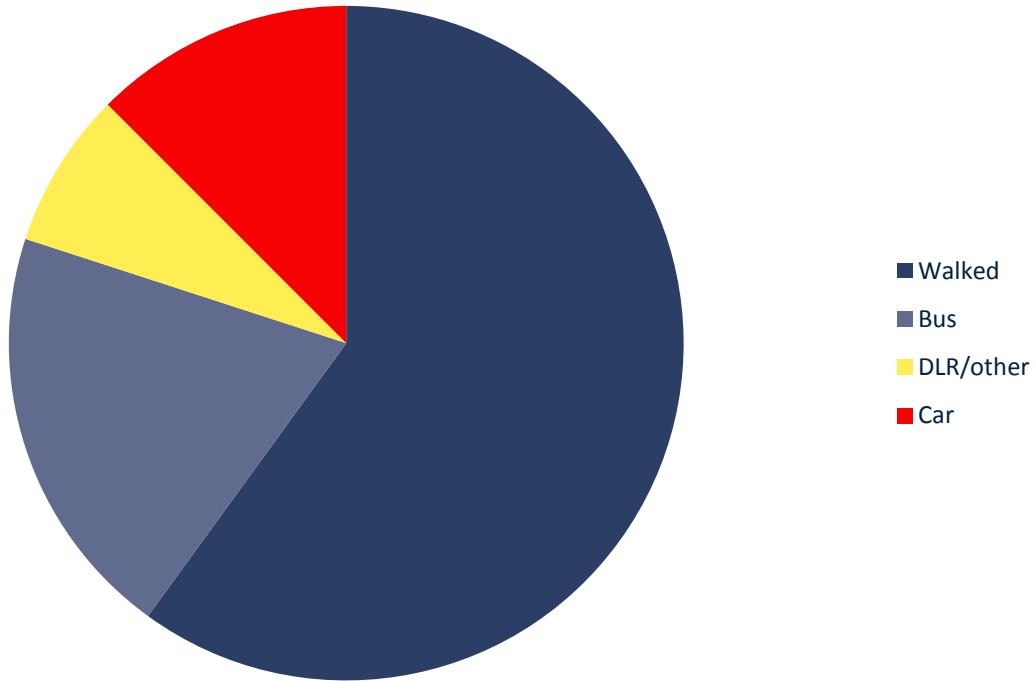
Email: _____

Data will only be held by Your Shout and Telford Homes and a summary provided to LB Tower Hamlets. By giving us your details, you authorise us to send periodic updates about this development. If you would rather not receive any information about this development, please tick this box:

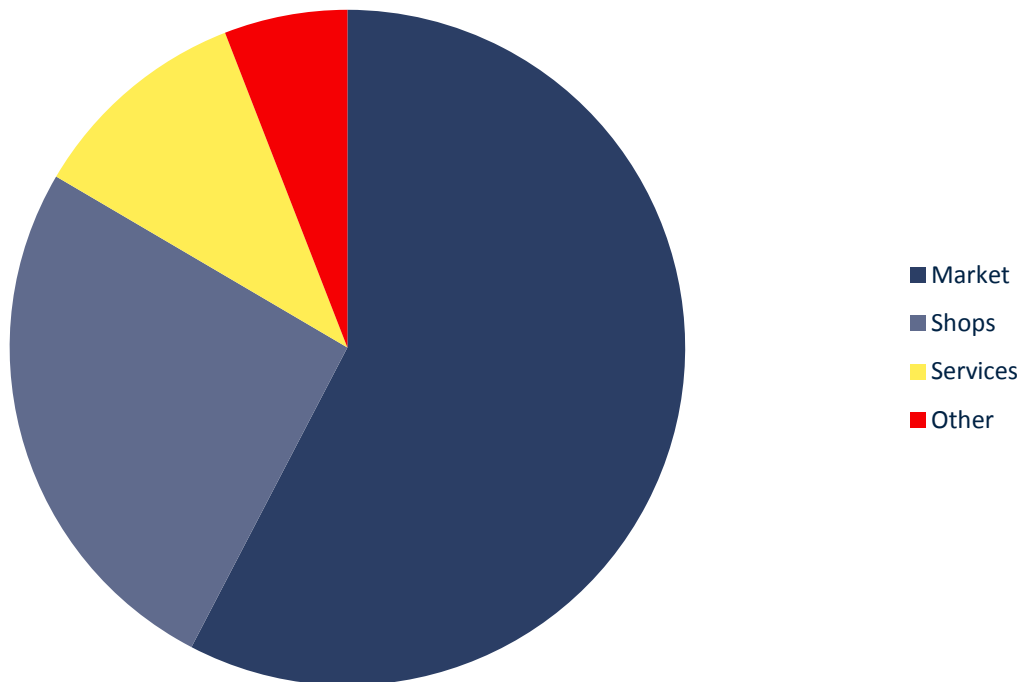
4.4 The feedback over the last seven years from the public enabled the project team to influence the designs and plans for the regeneration.

4.5 As part of our consultation we carried out a series of surveys to ascertain how people used the district centre. The findings of the Shopping Habits Surveys are summarised below:

How people travelled to Chrisp Street



Why people came to Chrisp Street



5. The Market

5.1 Chrisp Street Market is owned by Tower Hamlets Council. Via an agent, Poplar HARCA manage the physical aspects of the market on behalf of Tower Hamlets. Ownership of the market will always remain with Tower Hamlets Council as will the licensing and statutory responsibilities for the market traders. The management of the market subject to further agreement with the Council will continue through the managing agent who will be appointed by Telford Homes.

The Canopy

5.2 As part of the planning application a new canopy has been designed. It covers a larger area than the existing canopy and has a beautiful functional design. The canopy covers approximately half of the new area for the market stalls and will have purpose designed lighting.

Infrastructure

5.3 As part of the regeneration works the market will have new surface covering. This will include the following:

- Drainage channels
- Pop-up power and water supply
- Anchor points
- Refuse storage
- Wash down facility for the stalls selling fresh food
- Toilets and cleaning facilities housed in a new 'Hub' building adjacent to the market

Market Stalls

5.4 Poplar HARCA in cooperation with the Royal Institute of British Architects (RIBA) held a design competition called 'The Centre of the Market' to design new market stalls for Chrisp Street. A sketch image is provided showing how the Centre of the Market is being developed and could look upon completion.



5.5 There are 71 properties with commercial leases in Chrisp Street. With the exception of the Iceland and the Co-op stores, all of the existing shops are owned by Poplar HARCA. All of the shops that are in the Festival of Britain buildings and those underneath the Ideas Store will remain, the rest will be redeveloped and will ultimately be owned by the development partner. The buildings that will be retained as part of the regeneration are identified in green on the plan below.



5.6 The project team have had discussions with all of the retailers in the district centre to establish their requirements for the future. We have made the following commitment to the retailers:

All units

5.7 We will provide new shop fronts, signage and new public realm works at no cost.

Independents and Independent Chains

5.8 Where Poplar HARCA is the landlord and they want to stay we will seek to agree to accommodate them within the scheme or in close proximity.

5.9 We will provide business support if requested. Details are provided in Chapter 6.

Rent reviews

5.10 All outstanding rent reviews prior to 2015 will be settled at nil increase.

5.11 Rent reviews from 2015 will be at market rates. The comparable rents used to agree the rent at review will be from within the scheme

5.12 Any rent reviews which become due during the period of the construction works to the phase in which their premises is located will not be undertaken until, or effective from, 12 months following completion of that phase of works.

Lease Renewals

5.13 Lease renewals will be granted at market rates but will not be retrospectively applied. All new leases will have a landlord break clause allowing for relocation and works to facilitate the redevelopment. If existing leaseholders do not want to stay they can surrender their lease and we will negotiate a settlement based upon individual circumstances.

5.14 Those that need to be relocated will be offered a new lease for a shop of a similar size or smaller if required. The rent value of the new shop will be at the market rate at the time of the agreement to lease. However the rent payable for the new shop will be no more than that of the old shop, up to the date of the first review. We expect all new leases to be agreed before construction work starts on site. We will pay the reasonable fit out costs associated with the relocation. If existing leaseholders do not want to stay they can surrender their lease and we will pay twice the rateable value to the leaseholder.

- 5.15 We would expect trading conditions to improve after Phase 1 has been completed. For future rent reviews we expect the market rate to increase due to general market conditions and the improved trading conditions at Chrisp Street post redevelopment.
- 5.16 However we will give a personal concession that steps the rent up to the market rate over the subsequent 5 years to those individuals who need assistance and are willing to share their trading performance and accounts. We would also offer a tenant only break giving them the ability to break their lease during the period of the concession.
- 5.17 If a larger shop is required we will try but cannot guarantee to accommodate the requirement. A larger shop would not have any personal concessions on any additional floorspace.
- 5.18 We cannot guarantee space to businesses that are not direct tenants of Poplar HARCA.

Agreement to lease

- 5.19 For leases with unexpired terms where a relocation is necessary, we will offer a new lease in line with the lease renewal proposals above.

Lock-ups

- 5.20 Traders in the lock up units on the market are viewed as three categories:
1. The three food outlets will be provided with a new purpose built kiosk in the market square;
 2. There will be a number of new starter units within the new development that may be offered to existing lock-up licensees. Starter units will be offered to licensees on a business needs basis; and
 3. For the remainder we will seek to relocate the trader to a stall working with the Council.
- 5.21 Logistical support will be provided for the transition period.

Market Stalls

- 5.22 We are working with LBTH to ensure all market stall traders will be accommodated in the refurbished market. There will be an increased number of market pitches provided with access to power and wash down facilities. The market will need to be temporarily relocated within the scheme while the public realm works are completed.

Multiples

5.23 We will accommodate the multiple stores in the scheme if they want to stay on normal commercial terms.

Short Term Lets

5.24 We cannot guarantee the relocation of any traders who have taken space recently within the scheme. These traders have development break clauses within their leases. We will though, actively work with these traders to look at opportunities for them within the new development.

5.25 Community use

- Poplar HARCA Office – new lease adjacent to the scheme
- Post Office – new lease within the scheme
- Idea store - no change
- One Stop Shop - under Council review
- Police Shop - new lease within Poplar HARCA's new office
- Sure Start centre – new lease adjacent to the scheme
- Youth club - new lease adjacent to the scheme

5.26 We will continue to meet with all the retailers to achieve an amicable solution to accommodate the future plans for the business wherever possible.

6. Support to Retailers

6.1 The project team made a commitment to provide business support to the existing retailers to help them transition from the existing scheme to the new. This support took the following forms:

- Creation of Chrisp Street Exchange co-working space & enterprise hub; most affordable workspace in East London (flexi desks @ £99 per month + free business support on site)
- Twelve free monthly workshops delivering specialist and general business advice
- Pop Up Business School funded by Telford Homes
- Start up programme (7 day course, 45 attendees so far)
- 1-2-1 business support (12 existing businesses in Chrisp Street to focus on getting them online and marketing).
- Poplar & Bow Enterprise Network:
 - Quarterly networking and learning events
 - Mentoring programme (one Chrisp Street business mentored by Broadgate Estates Retail specialist—through ELBA)
- Small loans to start ups = £50,000 allocated, approximately £20,000 distributed including to two businesses who are starting up in Chrisp Street
- Healthy Start Voucher programme:
 - Partnership with LBTH public health
 - Getting local parents to shop at Chrisp Street fruit and vegetable traders
 - Two traders taking part and increasing sales

7. Enhancement

7.1 Overall it is considered the regeneration of the existing Chrisp Street Market and retail units will provide a number of important elements that will bring significant benefits to the town centre and Poplar as a whole:

- The comprehensive redevelopment proposals will revitalise and rejuvenate the existing declining district centre and market of Poplar by maintaining, enhancing and increasing the supply of town centre activity and floorspace to a total of approximately 18,000sqm;
- Providing a new night-time economy for Poplar by proposing a new cinema, food and drink premises and a new multi-use function/community centre at the heart of the site;
- A new anchor food-store situated at the northern end of the site to promote activity and permeability across the site;
- The comprehensive scheme seeks to celebrate and enhance the heritage features of the site, namely the existing Festival of Britain housing and the original 1950's Gibberd masterplan for the market. In this way, the proposals seek to be heritage led;
- Enhancement and improvements to the existing Festival of Britain retail units;
- The proposals will provide for significant public realm improvements and enhancements to the existing market, new and improved public routes through the site, new public squares and spaces across the site and significantly enhancing the public realm experience both at the site entrance and adjacent to the listed Poplar Baths;
- The layout of the new proposals will open up views into the site and the market square and heritage feature of the existing clock tower. It will also remove the existing unsympathetic canopy over the existing market;
- The layout of the comprehensive scheme will reinstate the existing fragmented streetscape, particularly along Chrisp and Kerbey Street by consolidating and reducing the number of vehicular access and servicing points; and
- Meeting DDA standards and facilitating movements and deliveries across the site.

8. Implementation

- 8.1 Continuity of trade is paramount in our planning for the implementation of the regeneration. The project team have carried out comprehensive logistical planning to ensure that a minimum of disruption is caused to the businesses operating in the Chrisp Street. Provided at **Appendix 1** is the sequencing that will be adopted during the implementation of the regeneration.
- 8.2 As the design progresses the detail of our sequencing plan will expand and each business that is affected will have a specific action plan. The action plan will have dates for the agreed implementation scheduled and the retailers will be kept up to date of construction progress.

9. Long term management

- 9.1. The project team have adopted a holistic approach to estate management. The estate manager will have a presence on the estate, as they do now, situated with an office within the Festival of Britain units. The following services will be centrally managed from the on-site office:
- Goods deliveries into service yards
 - Waste management
 - Security and CCTV
 - Cleaning of public realm
 - Distribution pipework for cooling of shops
 - Smart metering for water gas and electricity
- 9.2. The estate manager will also provide strategic advice and support to existing and new traders and retailers/occupiers.
- 9.3. Both Poplar HARCA and Telford Homes wishes to see the district centre become of a destination through the introduction of an evening economy, which will mean there will need to be careful consideration of the on-going operation of the market and security in the evening, whilst remaining a safe and attractive environment for visitors, as well as new and existing residents.
- 9.4. There are a number of residential access points proposed across the site, which in itself will increase the feeling of security within the site through passive surveillance and activity. There is extensive CCTV across the site as well as the residential concierge. It is hoped that a number of businesses will trade into the evening increasing the sense of vibrancy for the district centre. All of these matters will need to be carefully dialogued and implemented to ensure the traders understand and are comfortable with what is proposed.

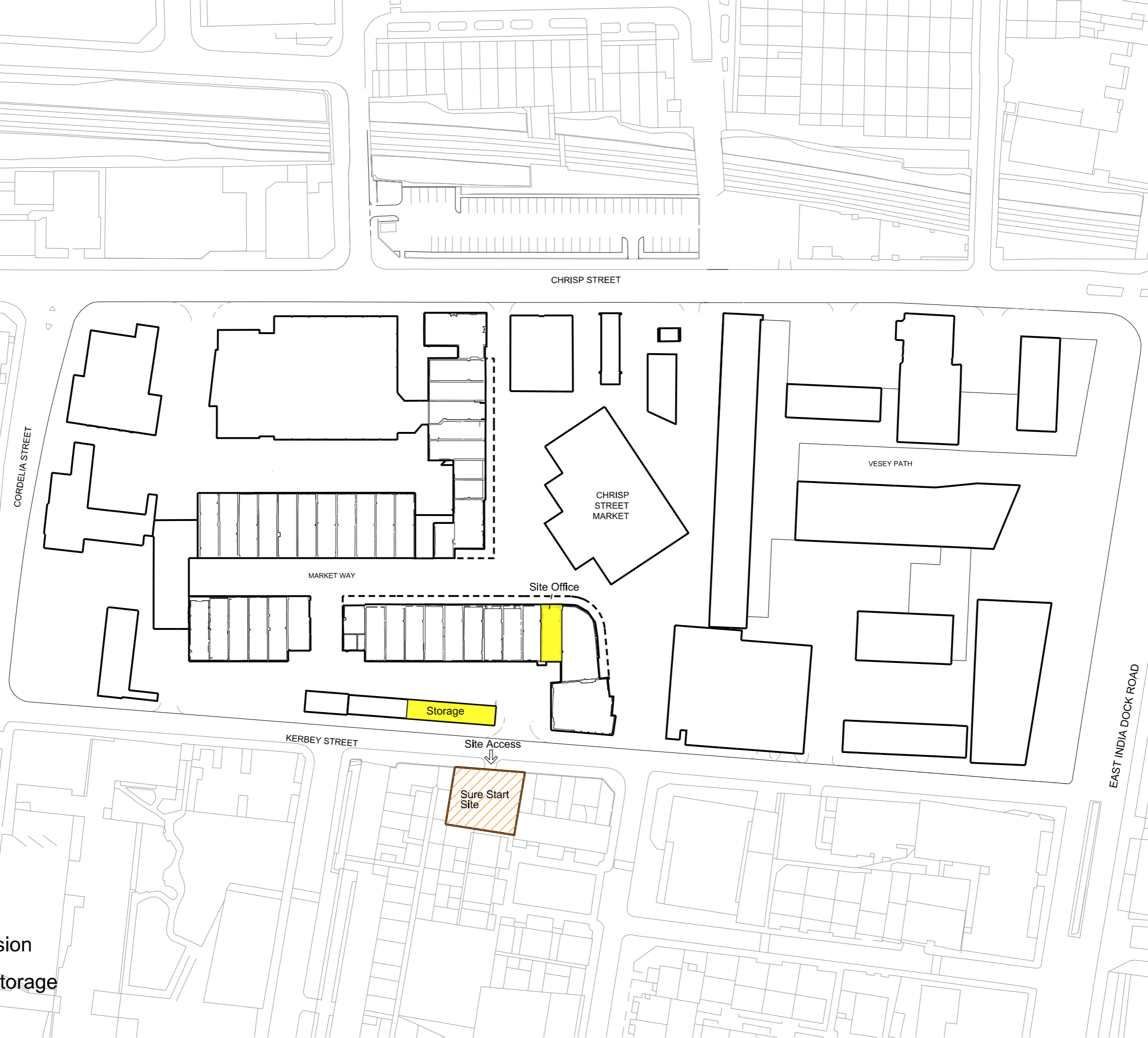
10. Marketing and promotions

10.1. The project team have been developing the branding ideas so that when the first phase of the project is complete there can be a relaunch of the Chrisp Street brand to help all the retailers and traders.

10.2. Our initial ideas are shown in **Appendix 2**.

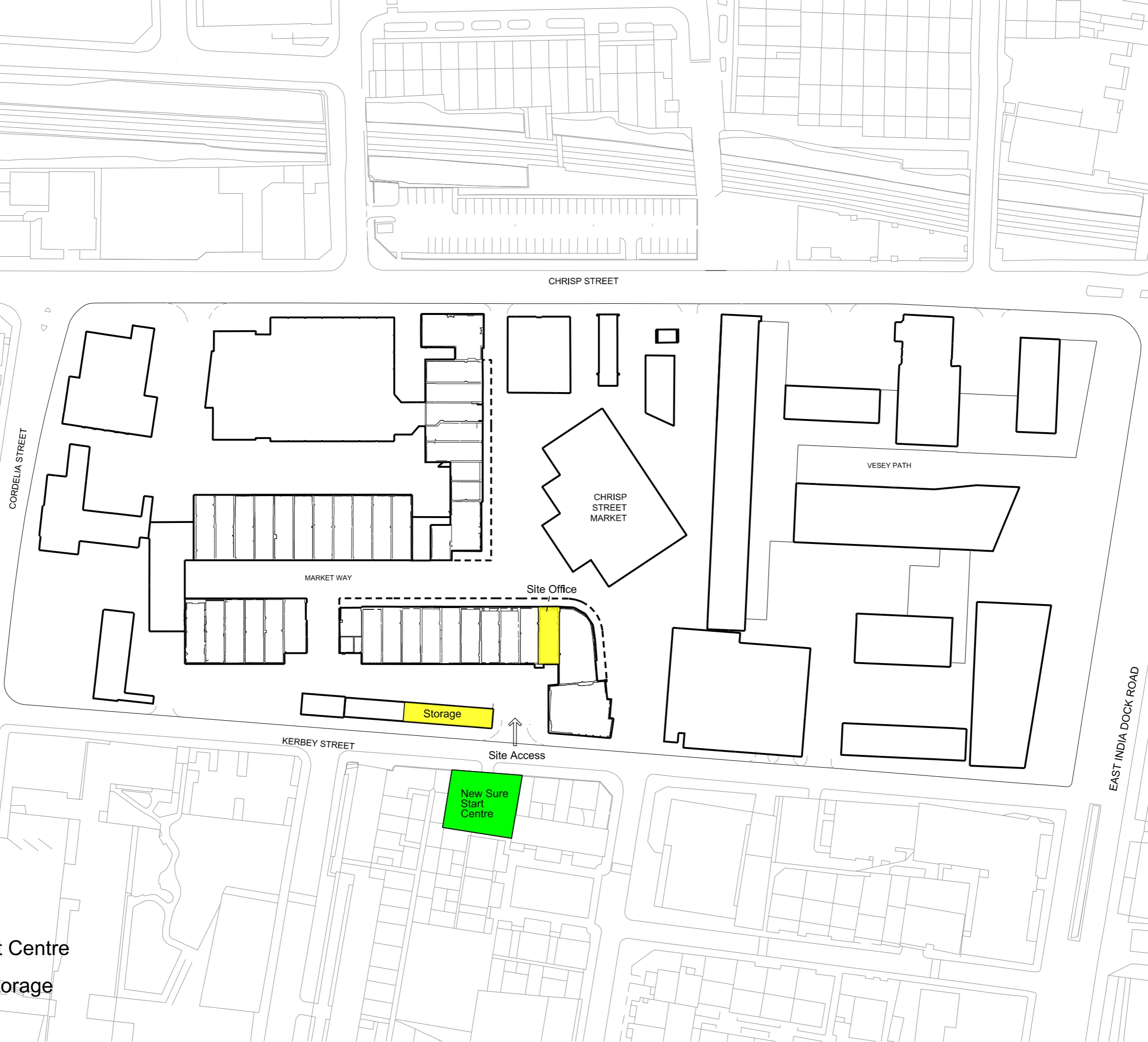




Appendix One: Construction Phasing Plans



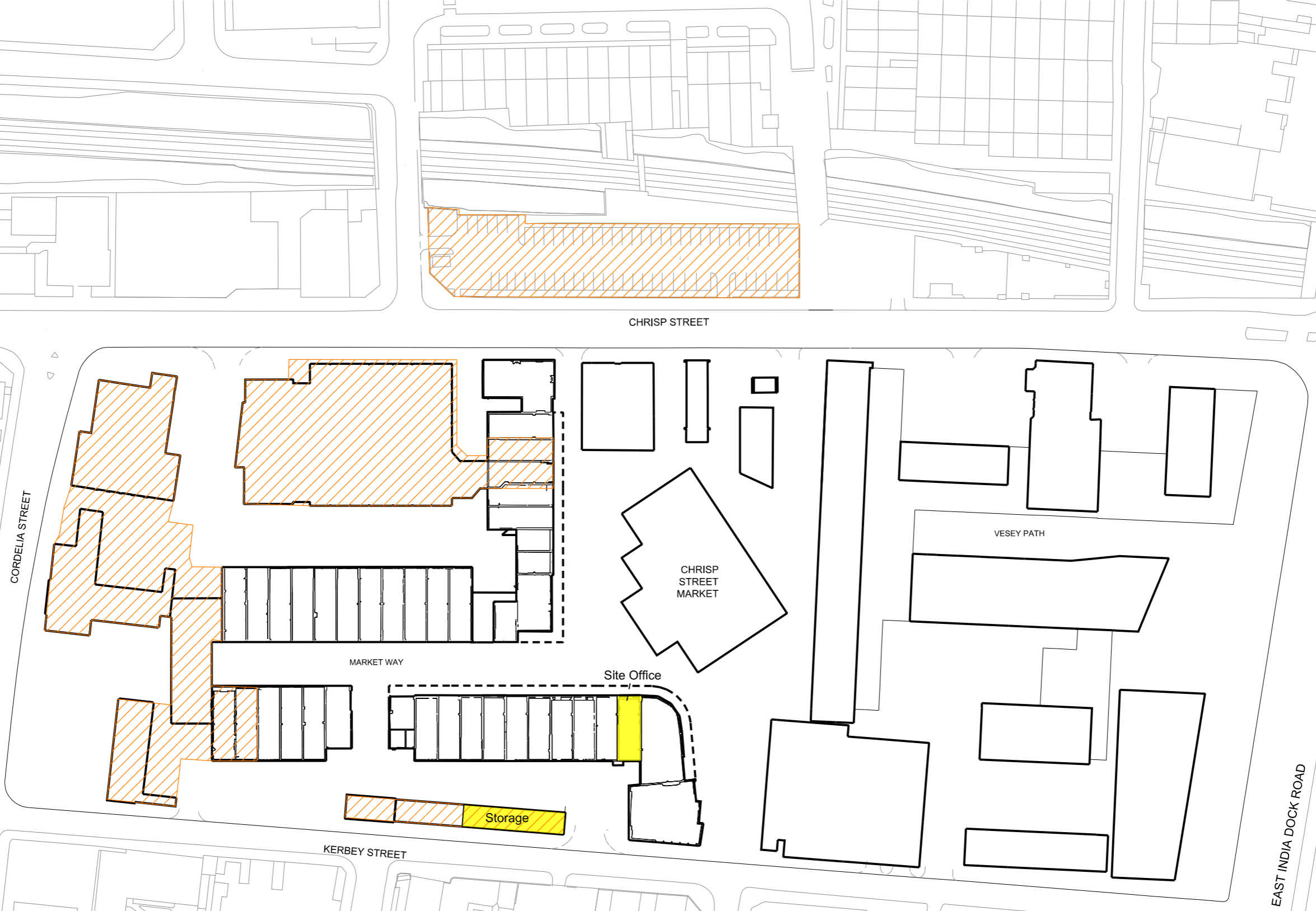
-  Vacant Possession
-  Site Office + Storage

Sure Start Centre Site Vacant Possession



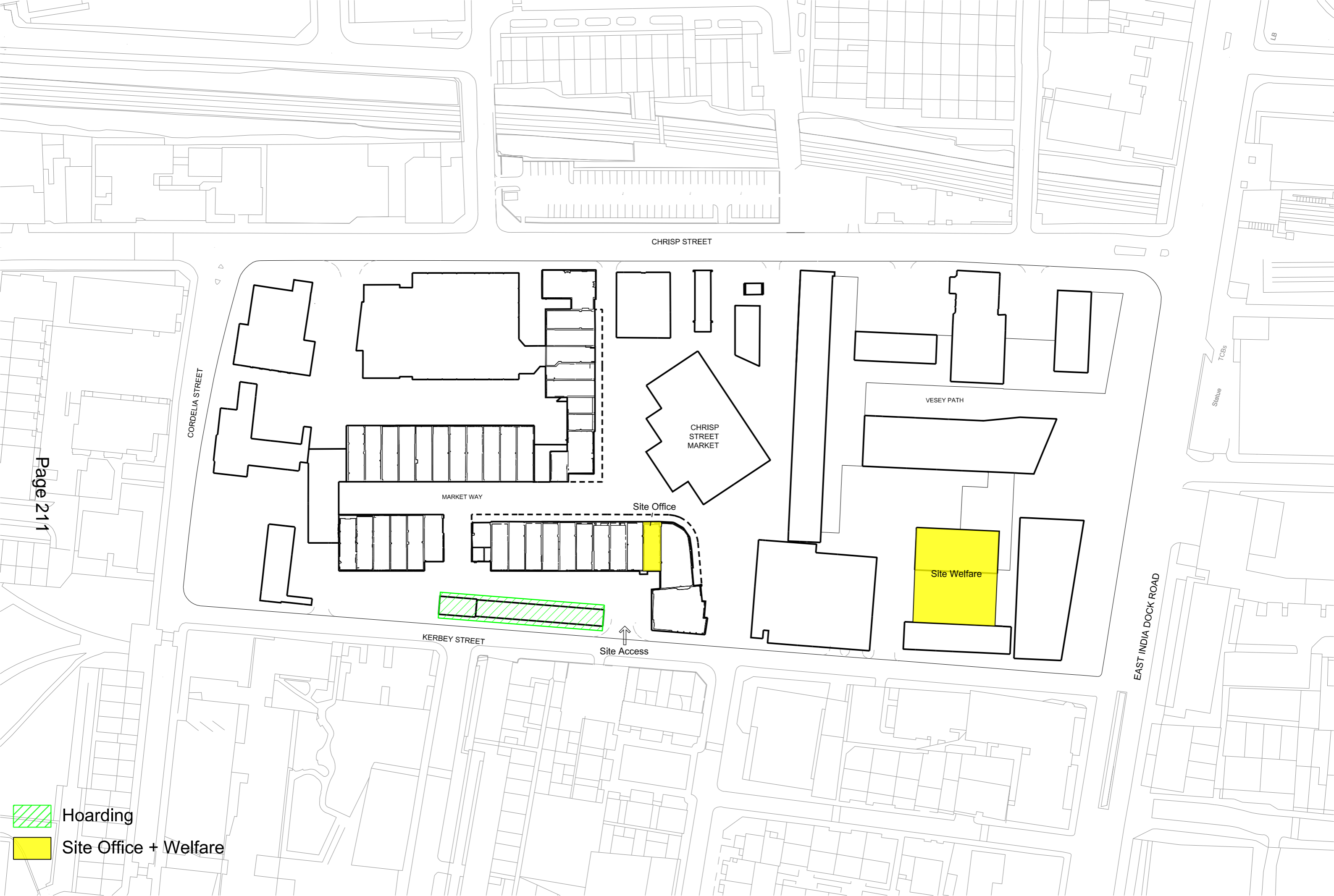
-  New Sure Start Centre
-  Site Office + Storage

Sure Start Centre Build



-  Vacant Possession
-  Site Office

Phase 1 Vacant Possession



-  Hoarding
-  Site Office + Welfare






Kerbey Street Garages Demolition



-  Resident's Access Stair
-  Hoarding
-  Parking for Servicing
-  Festival of Britain Housing Access Route (1st Floor)
-  Site Office + Welfare





Phase 1 Demolition



-  Covered Access Way
-  Resident's Access Stair
-  Groundworks and Frame Construction
-  Festival of Britain Housing Access Route (1st Floor)
-  Site Office + Welfare




Phase 1 Groundworks



-  Construction of Blocks A,B + C
-  Hoarding - Complete Internals of Blocks D+ E
-  Festival of Britain Housing Access Route (1st Floor)
-  Site Office + Welfare

Blocks D+E Internals



-  Hoarding - Complete Internals of Blocks A,B+C
-  Festival of Britain Housing Access Route (1st Floor)
-  Site Office + Welfare

Blocks A,B+C Internals



-  Vacant Possession
-  Site Office




Mid Phase 1 Vacant Possession



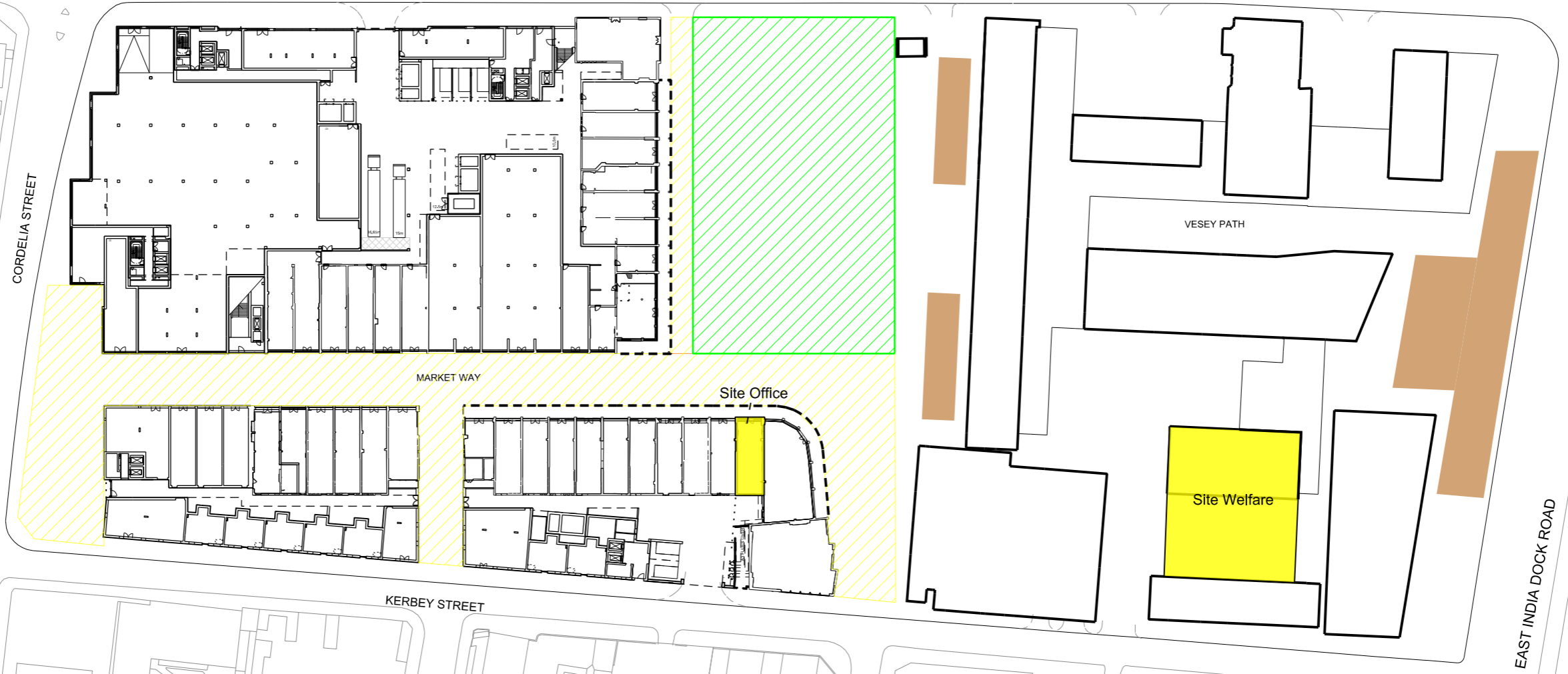
 Permanent Access
 Site Office





Permanent Access Blocks D+ E



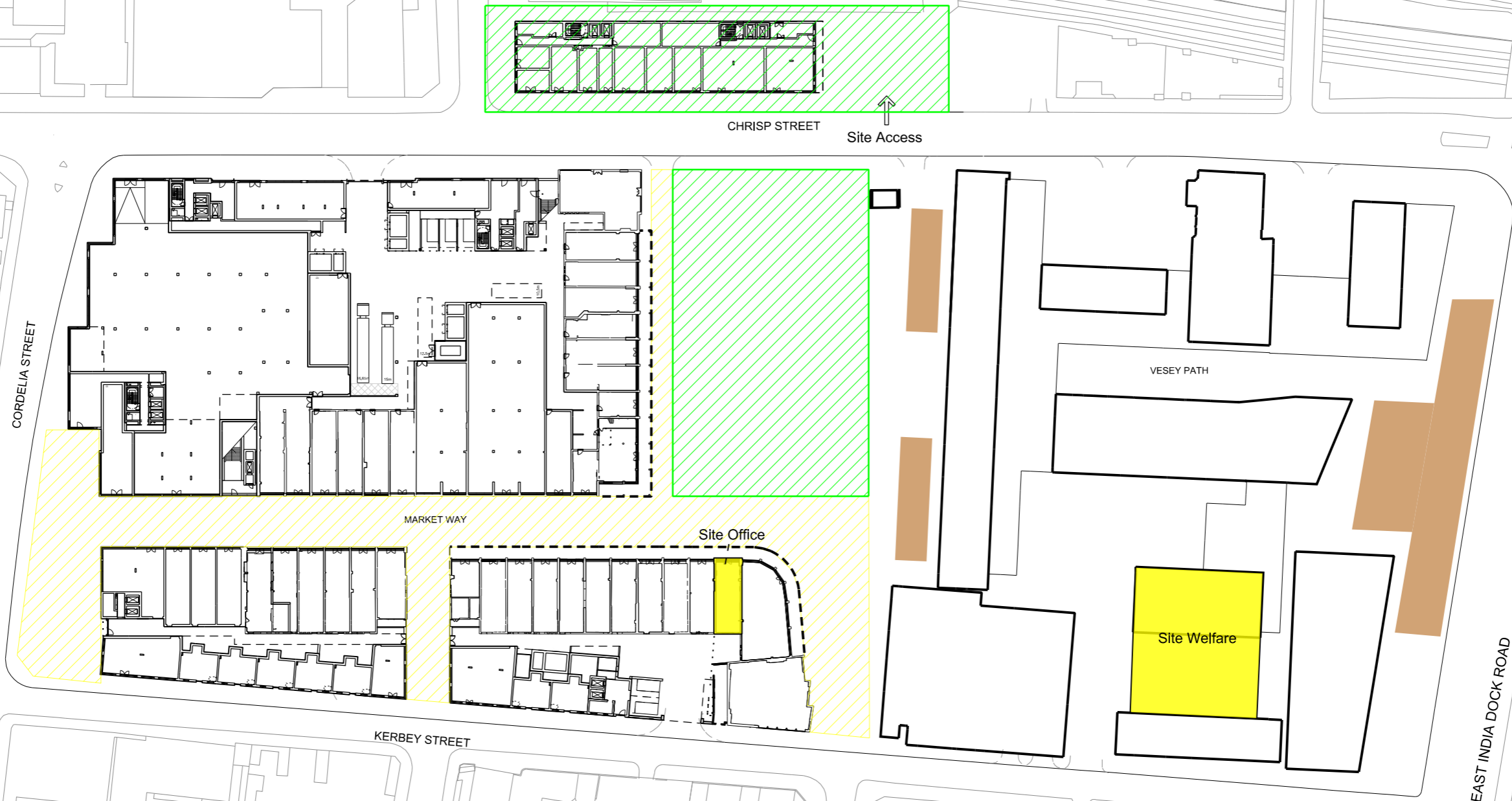
-  Hoarding - Reconfiguration of Ground Floor
-  Festival of Britain Housing Access Route (1st Floor)
-  Site Office + Welfare





Blocks A,B+C reconfiguration



-  Hoarding - Removal of Existing of Existing Market Canopy
-  Temporary Location of Market Stalls
-  Public Realm Works + Landscape - Stage 2
-  Site Office + Welfare





Public Realm Works (market in different location)



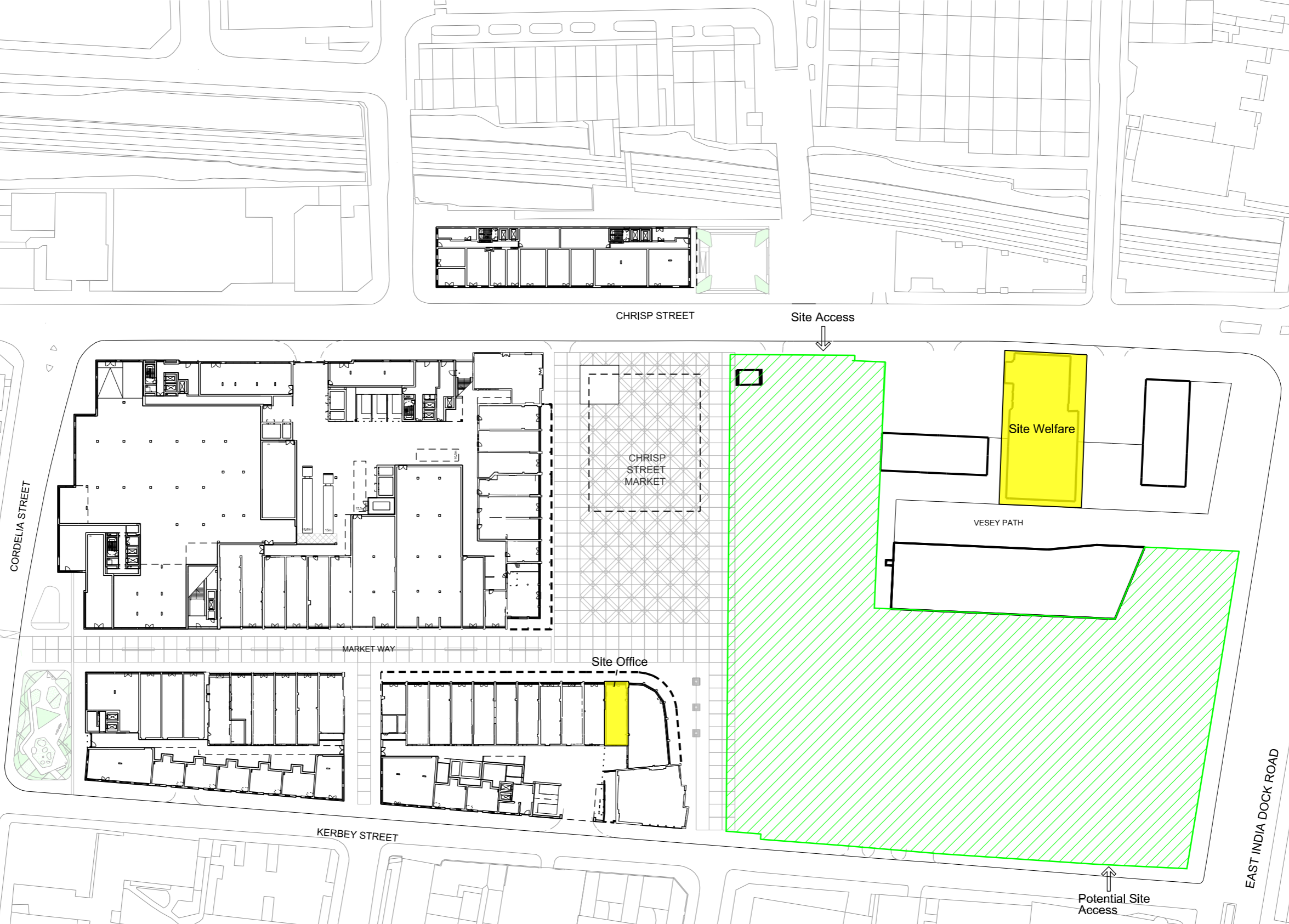
-  Hoarding
-  Public Realm Works - Stage 1
-  Temporary Location of Market Stalls
-  Site Office + Welfare

Block M Build



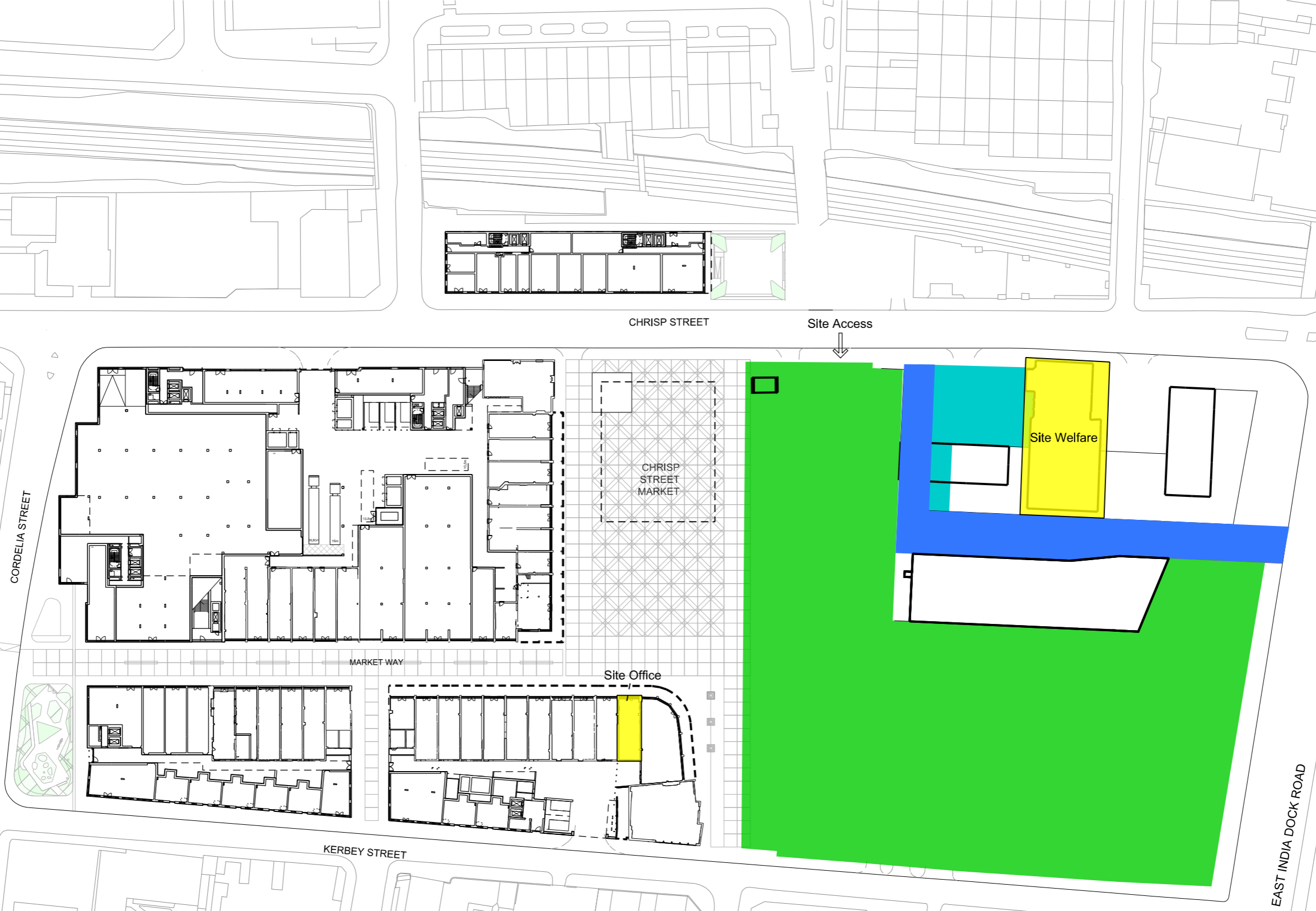
-  Hoarding - Market Canopy Constructed
-  Temporary Location of Market Stalls
-  Vacant Possession
-  Site Office + Welfare





Phase 2 Vacant Possession



-  Hoarding
-  Site Office + Welfare






Phase 2 Stage 1 Demolition



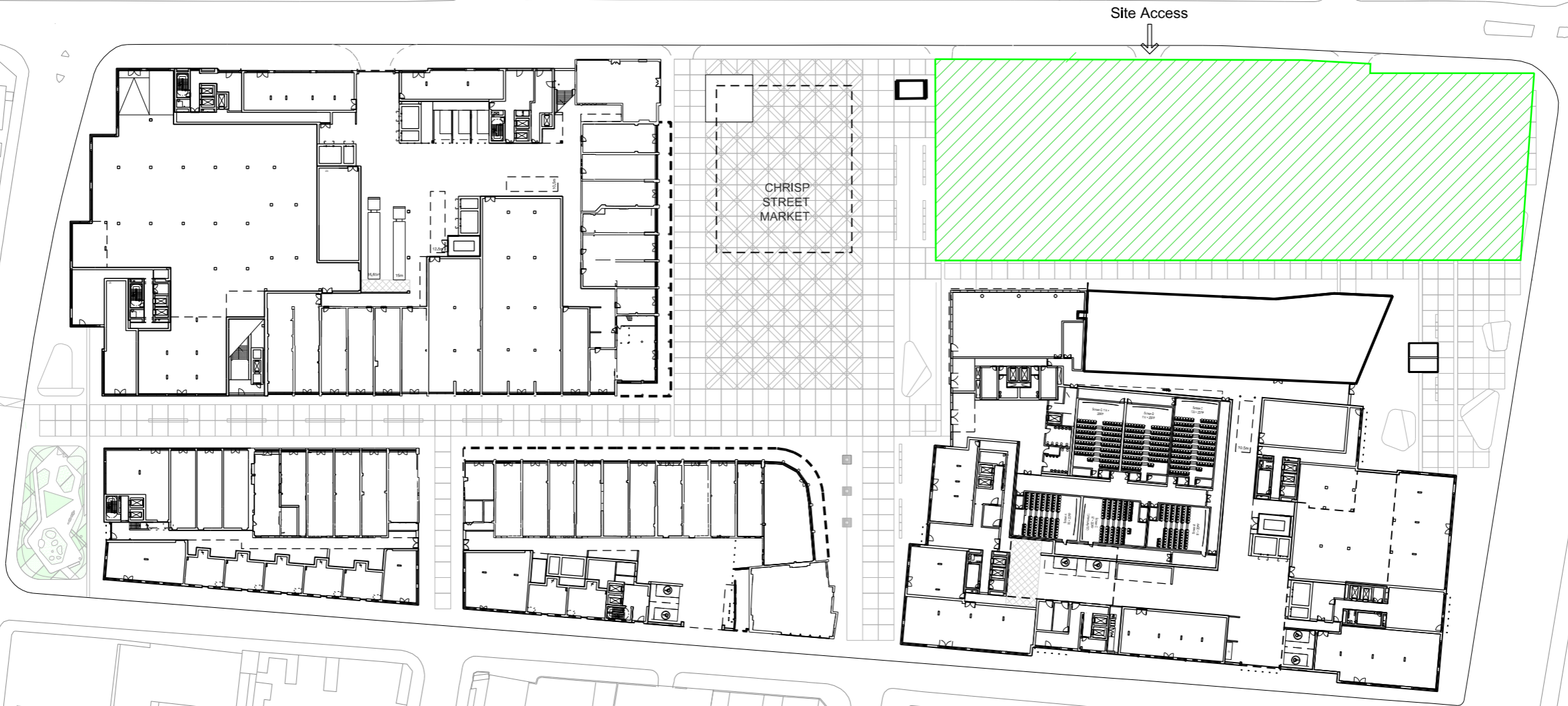
-  Pedestrian Access
-  Groundworks and Frame Construction J,K + L
-  Parking for Servicing
-  Site Office + Welfare

Blocks J-L Groundworks + Frame



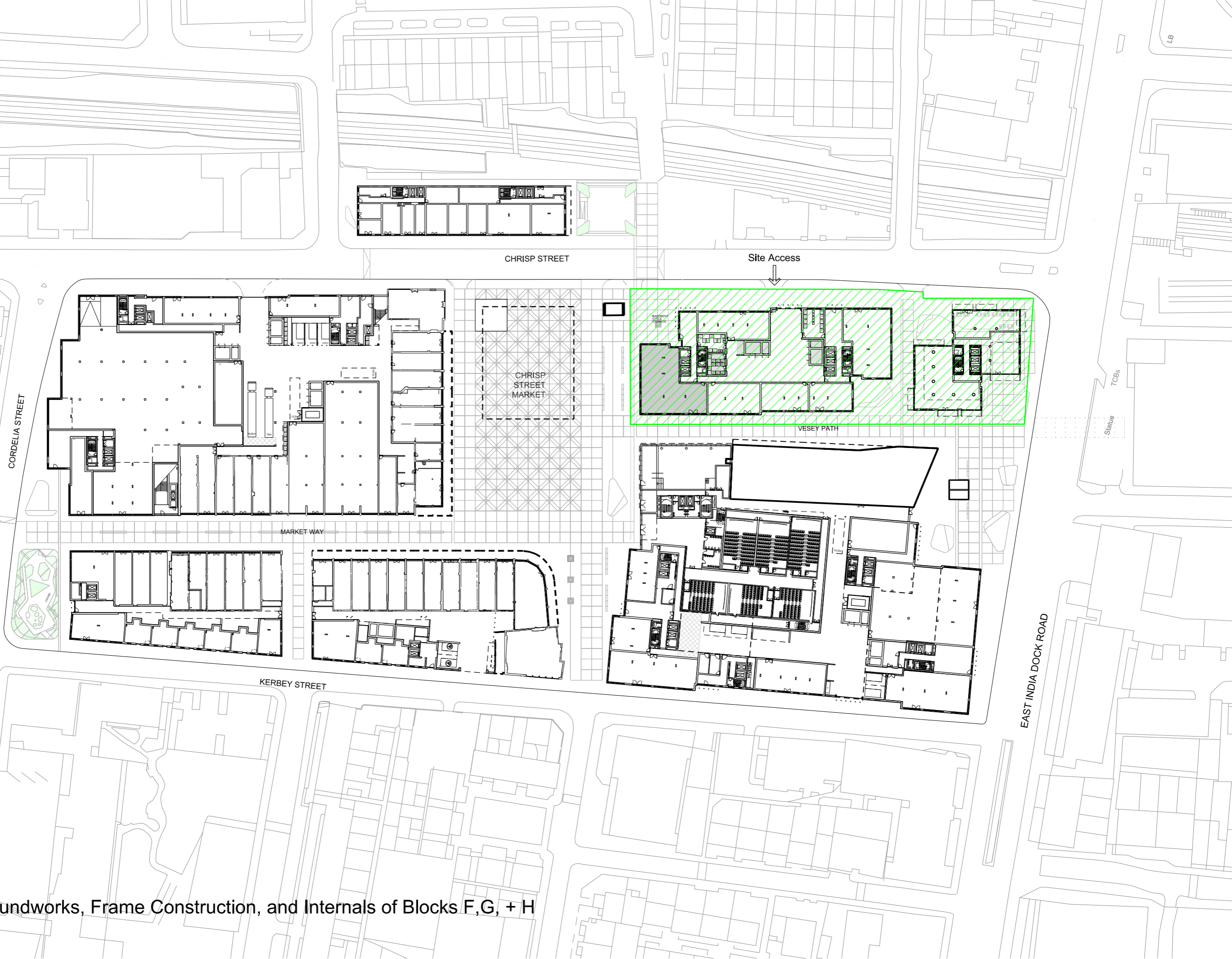
-  Demolition
-  Pedestrian Access
-  Hoarding - Internal Construction J,K +L
-  Parking for Servicing
-  Site Office + Welfare

Blocks J-L Internals



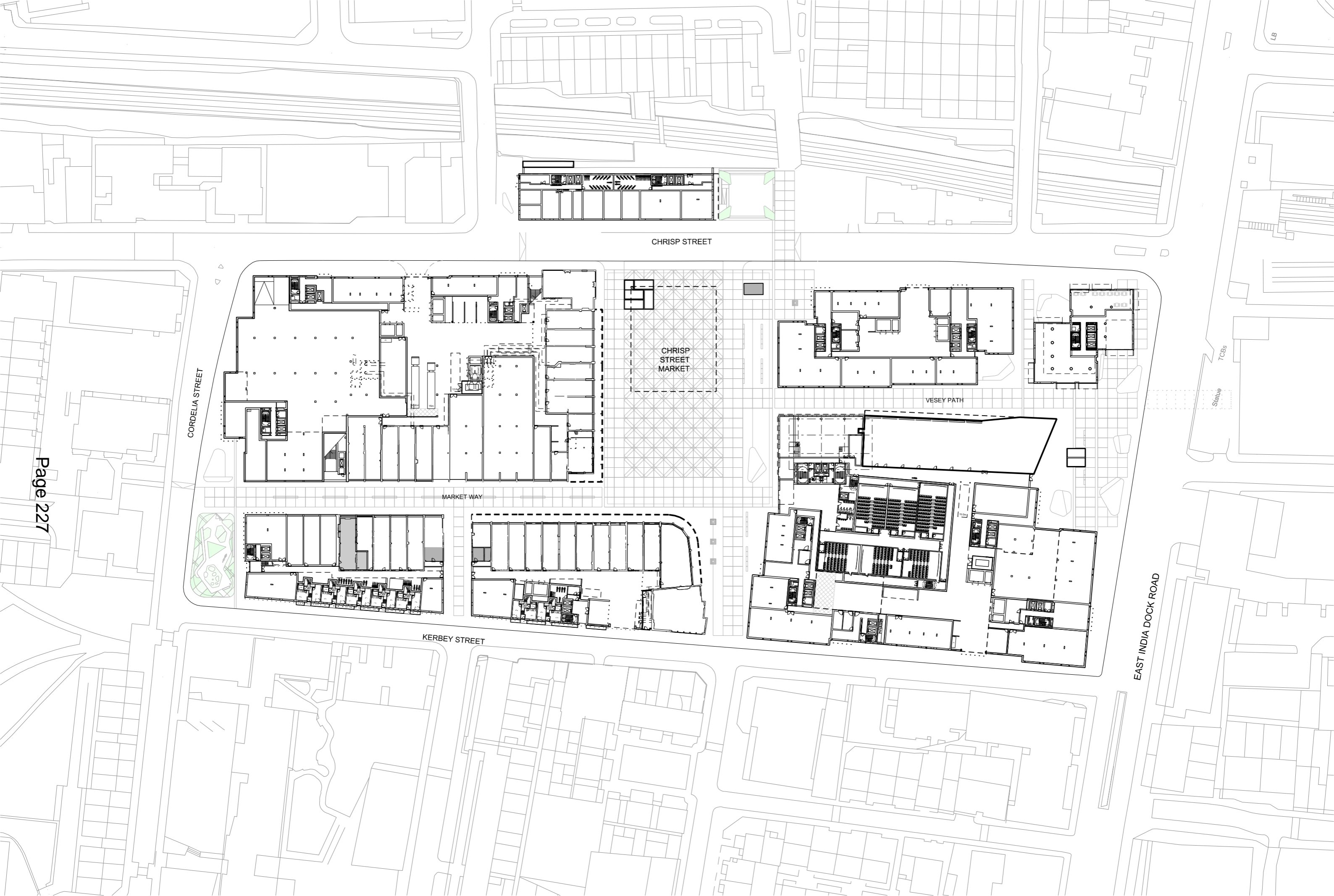
 Hoarding - Full Vacant Possession + Demolition of Blocks F,G, + H

Phase 2 Stage 2 Demolition



 Hoarding - Groundworks, Frame Construction, and Internals of Blocks F,G, + H

Blocks F - H Build





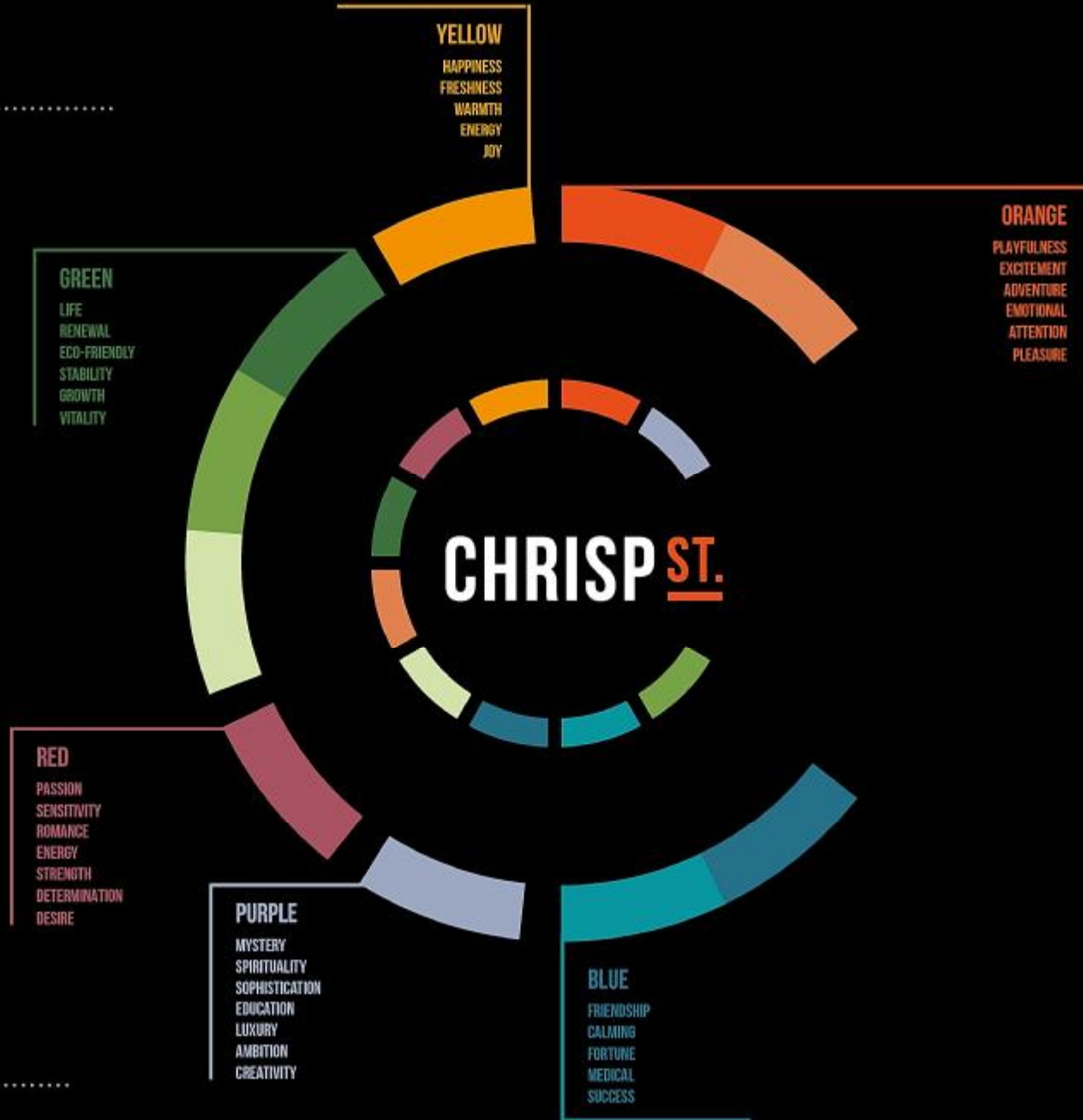
Appendix Two: Branding Identity Document



Page 229



Colour Palette















**Retail Leasehold
Offer**



FOREWORD

Chrisp Street is being regenerated. It's a fantastic opportunity for Poplar's district centre to gain the investment it needs. It's a chance to improve the centre but keep what's great. We are working hard to keep the community together in the new Chrisp Street by supporting residents and businesses through this process.

As part of the regeneration Poplar HARCA and Chrisp Street Developments Ltd (CSDL) which is owned by Telford Homes Plc, will need to acquire or relocate various individuals and businesses. Those affected will fall into one of five groups:

- Residential tenants
- Residential leaseholders
- Retail leaseholders
- Lock up units
- Market stalls

This document explains HARCA / CSDL's offer to the owners/occupiers of the business leases. There is a separate document for each group. Copies are available from the estate management office at 19 Market Square and are available on the chrispstreet.org website.



1. INTRODUCTION

HARCA/CSDL is committed to pursuing negotiated agreements with the retail community to deliver the regeneration of Chrisp Street. This document details its approach to reaching settlements based on the retailer's individual circumstances. It also provides worked examples.

HARCA/CSDL assures that it will continue at all times to try to reach negotiated agreements with property owners to acquire their land interest so that this regeneration scheme can be delivered, provided that it is granted planning approval.

As with other local schemes, HARCA/CSDL may also ask Tower Hamlets Council to support this process by use of its statutory powers to make a Compulsory Purchase Order (CPO). If the council agrees to do this the CPO would only be enforced as a last resort. More information would be provided in due course if a CPO is to be made, and it is stressed that we will always seek to reach voluntary settlements with owners.

2. EXISTING LEASEHOLDERS

Overview

There are 68 existing shop units in the district centre. Approximately two thirds of the total number of units will remain or be subject to remodelling and agreed improvements in line with this offer document. The remainder are due for demolition.

Retailers with Security of Tenure

HARCA/CSDL have confirmed that all retailers who had a right to renew their lease will be offered the option to stay within the scheme if they so wish. Retailers who remain in occupation at the date that possession is required by HARCA/CSDL will be compensated in accordance with the statutory CPO compensation code.

Retailers wishing to stay fall into two main categories: those who can remain in their existing location subject to lease variation (taking into account the new scheme arrangements); and those relocating to alternative premises.

Retailers remaining in their existing location will be provided with new shop fronts and unit improvements, such as signage and security features. HARCA/CSDL will meet:

- the reasonable legal costs associated with either the granting of a new lease, an agreement to lease or the amendment to their current lease; and
- the reasonable costs of a surveyor, if required, up to an initial 10 hours, reviewable depending upon the complexity of the matter

For retailers who are required to relocate to another unit within the scheme, HARCA/CSDL will offer the following in addition to the above:

- a unit of the same floor area or slightly smaller than they currently occupy (unless otherwise agreed between the parties);
- shop fit out to the same specification as their existing unit, using modern materials and fittings and to current regulatory requirements; and
- reasonable relocation costs associated with the move in accordance with the compensation code

In the event that a negotiated settlement cannot be reached with trading businesses on reasonable terms, HARCA/CSDL will terminate expired leases or request the Council to implement compulsory purchase powers (where necessary). This will be as a “last resort.”

All new leases granted will be on the standard lease term of 10 years, but may be longer or shorter by agreement between the parties.

Every retailer with an interest will be encouraged to engage a surveyor who is RICS qualified and who is also fully conversant with the CPO compensation code to negotiate a settlement on their behalf.

RETAILERS WITHOUT SECURITY OF TENURE

Retailers who do not currently benefit from the security of tenure provisions of the Landlord and Tenant Act 1954 have two options:

- cease trading. HARCA/CSDL will enter into negotiations with a retailer for a negotiated surrender of its lease based on the existing terms; or
- relocate into the new scheme in line with this offer. HARCA/CSDL will endeavour to offer suitable alternative accommodation to retailers who wish to continue trading



New Lease or variation to existing lease

The initial rent payable for the premises will be:

- the rent under the existing lease, confirming that any rent reviews outstanding on the existing lease prior to 2015 will be settled at nil increase; any rent review due from and including 2015 and up to the date of the implementation of the planning permission will be settled at market rates;
- no rent review that falls after the implementation of the planning permission will be actioned until 12 months after the completion of the phase in which the property is located. Rent reviews will be effective from this date and not backdated to the rent review date under the lease. This will enable trading (and rents) to stabilise prior to the rent being reviewed

Completion of the phase is defined as all of the following being completed:

Phase 1

- Landscaping completed from the north (Cordelia Street) to the south side of Market Square
- Market stalls returned to Market Square from their temporary relocation
- Canopy and utilities in place
- Phase 2 hoarding well dressed
- 85% cladding down at Ground Floor *

Phase 2

- Landscaping completed to the front of the commercial units
- 85% cladding down at Ground Floor *

*Completion of the phase is defined in detail when terms are agreed with the retailers. The desired outcome is that the phase looks complete and does not have any construction work ongoing in the public realm and retail units.

HARCA/CSDL confirms that if a retailer is in rent arrears they would either need to clear any outstanding debt or enter into a payment plan prior to the new lease being granted.

Concessions to Leaseholders

If requested, HARCA/CSDL will give personal concessions to independent retailers from the first rent review of the new lease. This concession will last up to five years and be subject to:

- the retailer providing its management accounts as recorded for the returns as supplied to HMRC; and
- the concession involving the 'stepping up' of any increase over the five year period should the market rent as a percentage of turnover, post regeneration, be more than before the regeneration. This will provide retailers with the opportunity to grow their business in the new and enhanced trading environment in advance of the next rent review

Due to changing servicing arrangements, HARCA/CSDL will offer off-site parking at nil cost to any retailers with existing car parking provision. This will be for an initial 12 month period and will be provided at competitive rates thereafter to meet the costs and maintenance of the facility. This will be managed by a managing agent.

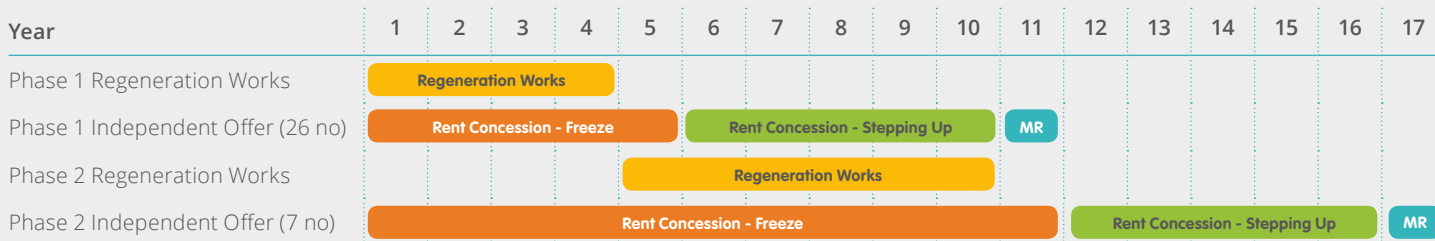
To protect the unique character of Chrisp Street, HARCA/CSDL will covenant that, in the refurbished Festival of Britain, units with A1 use class, and any new lets, will be targeted at local independent businesses. No more than 25 % of the Festival of Britain units with A1 use class will be let to multiple retailers.

Several retailers currently occupy on a short term lease basis, which is subject to a break clause to allow development. These retailers entered into these agreements in the knowledge of the proposed development and were aware that an offer of relocation could not be guaranteed or that the proposed rent support proposals may not be offered to these businesses.

HARCA/CSDL will work with the retailers occupying on such flexible lease arrangements to identify if suitable accommodation is available in the scheme on standard commercial terms.

The following image indicates the effect of the rent concessions.

Description of Rent Concession for Independent retailers



The above means independents in Phase 1 (on the north half of the site) will get at least 5 years of rent concession freeze (meaning no rent increase) plus an additional 5 years of stepping up concession before market rate is

charged. Independents in Phase 2 (on the south half of the site) will get at least 11 years rent concession freeze (meaning no rent increase) plus an additional 5 years of stepping up concession before market rate is charged.

Please note:

1. Rent freeze begins for independent retailers in both Phase 1 and 2 when Phase 1 starts
2. Rent freeze applies a year after respective phase competition
3. Rent concession only applies to independent retailers, not chains
4. 33 independent retailers will be eligible for the rent concession (26 in Phase 1, 7 in Phase 2)
5. To be eligible, independent retailer must provide management accounts to HARCA/CSDL as recorded for the returns supplied to HMRC
7. Rent Concession Stepping Up involves 20% rises each year with Market Rent (MR) determined at end of stepping up period
8. Rents will be reviewed by a valuer on the review date, if agreement cannot be reached on the market rent the parties can agree to appoint an independent expert

WORKED EXAMPLES

Example #1 – Retailer remains in-situ in remodelled unit

Independent retailer has a 10 year lease for an A1 unit. The lease runs from 2009 and expires in 2019. The shop is 100m². The original rent was at a market rent.

HARCA/CSDL has agreed to settle the rent review due in 2014 at a zero increase. Retailer 1 is not being relocated to a new unit and wishes to stay in the scheme.

The retailer would get replacement signage, shop fronts and other internal unit improvements, at no cost to the retailer.

In normal circumstances the rent would increase on lease renewal in 2019 to market rates.

The construction phase is not scheduled to complete until 2021. The rent payable will remain at the pre-construction works level for 12 months following completion of the Phase 1 works (when retailers have the opportunity to benefit from the uplift in footfall and associated sales). Therefore, the rent is not scheduled to increase to market rates until 2022 in this example and this will not be backdated to 2019.

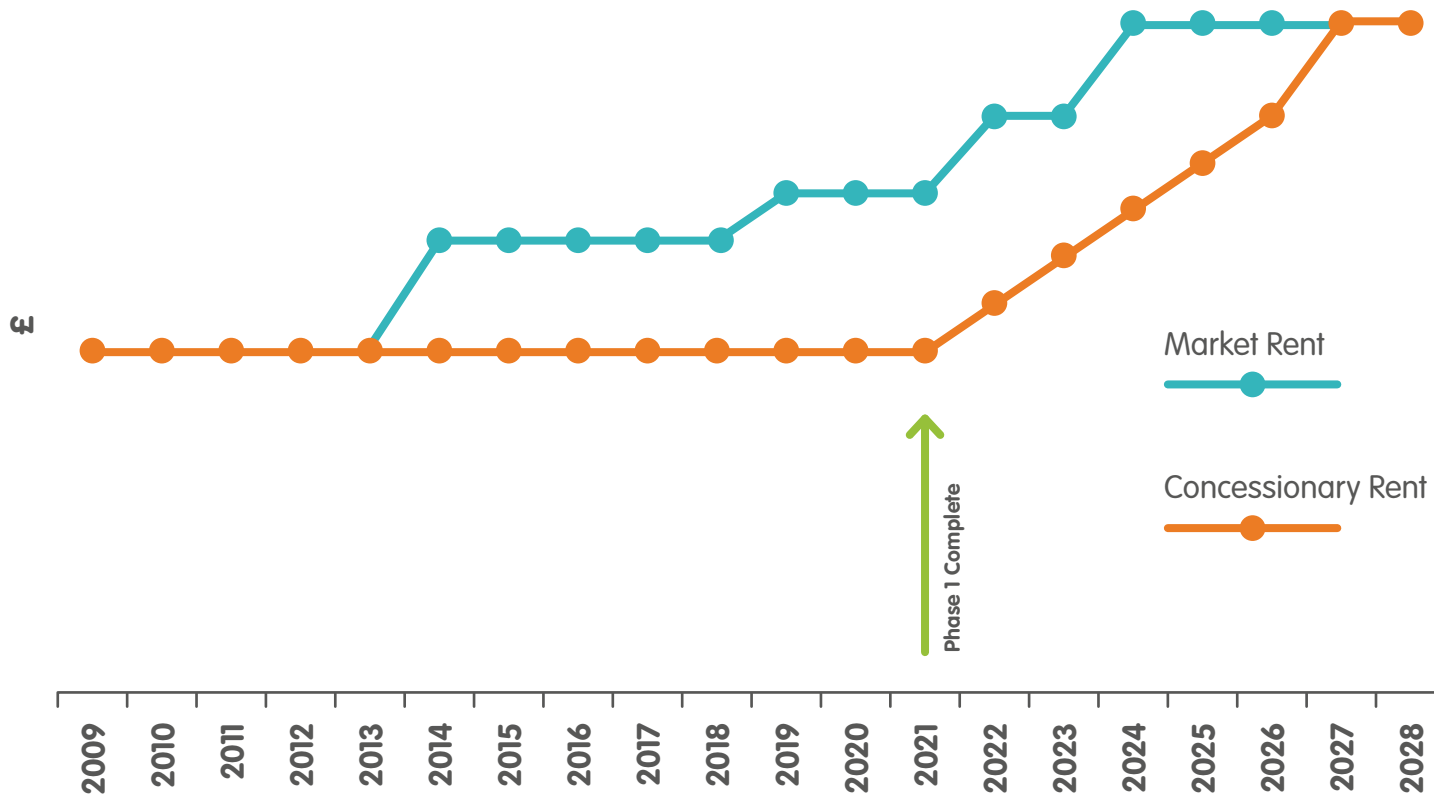
The rent will be assessed at market rent

The retailer then may claim a personal concession. In these circumstances the rent would 'step up' from the current rent payable to the market rent in equal steps over the next five years until 2027, when the personal concession expires and the retailer's rent payable reverts to market rent until lease expiry in 2029.

This has the effect in this case of the retailer having no rent increase from 2009 to 2022 with stepped increases to 2027.

The chart overleaf indicates the difference between the market rent and the concessionary rent charged.

Rent Example 1



Example #2 – Retailer is relocated in the scheme to comparable unit

Independent retailer occupies a unit of 85m². They currently pay a market rent and wish to retain a presence in the scheme. They have a 10 year lease (expiring in 2018) of the existing unit, which is due for demolition.

HARCA/CSDL has offered the retailer a new unit in Phase 1 of the scheme at 90m².

HARCA/CSDL will grant a new 10 year lease to the retailer from 2018 at the same rent (not the market rent) by way of personal concession (there will be no uplift in rent even though the unit is slightly larger as HARCA/CSDL have offered the unit at this size).

The first rent review would be in 2022, 12 months after the completion of the phase. As with Retailer #1, the retailer may be eligible for a personal concession which means that any rent increase may be stepped over a further period of five years.

HARCA/CSDL will provide a new unit including shop fronts and signage and also pay for relocation and shop fit outs as detailed in the document.

Example #3 – Retailer is relocated in a unit with double the floorspace

Independent retailer occupies a unit of 100m², has a 10 year lease that expires in 2018. The existing unit is scheduled for demolition. HARCA/CSDL have offered them a unit of equivalent size in Phase 1 of the scheme, at the same rent payable as their existing unit, regardless of the market rent.

The retailer sees the scheme as an opportunity to grow their business and has requested a unit of 200m². The request is accommodated by HARCA/CSDL.

HARCA/CSDL grants a new 10 year lease on the new unit from 2018. The rent will be the same as before for the first 100m² (by way of personal concession) plus the market rent for the additional 100m².

The next rent review would be at 2022. The retailer may claim a personal concession in line with the policy but if granted would be on pro-rata basis.



Example #4 – Retailer on short term flexible lease who wishes to relocate in the scheme

A retailer took a five year lease in 2015 with no right to renew. The lease has a break clause that allows HARCA/CSDL to terminate upon six months' notice on grounds of development. The retailer pays a market rent.

The premises are required for development in Jan 2019. The retailer has expressed a wish to remain in the scheme.

HARCA/CSDL has identified a unit and is prepared to offer this on market terms.

The retailer will not benefit from any rent protection or be able to apply for a personal concession as they took the current unit in the knowledge of the development being planned. Furthermore, each party would meet its own costs as part of the transaction.

Example #5 – Retailer relocates into an alternative Phase 2 unit

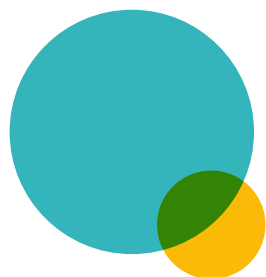
Independent retailer has traded in Chrisp Street for 11 years in a 90m² ground floor unit situated in Phase 2 of the scheme. In 2017, the retailer renewed their lease at market rent.

The existing unit will be demolished as part of the proposals. The retailer wishes to stay very close to their current location and HARCA/CSDL has offered an equivalent ground floor unit in one of the seven Phase 2 units to be retained.

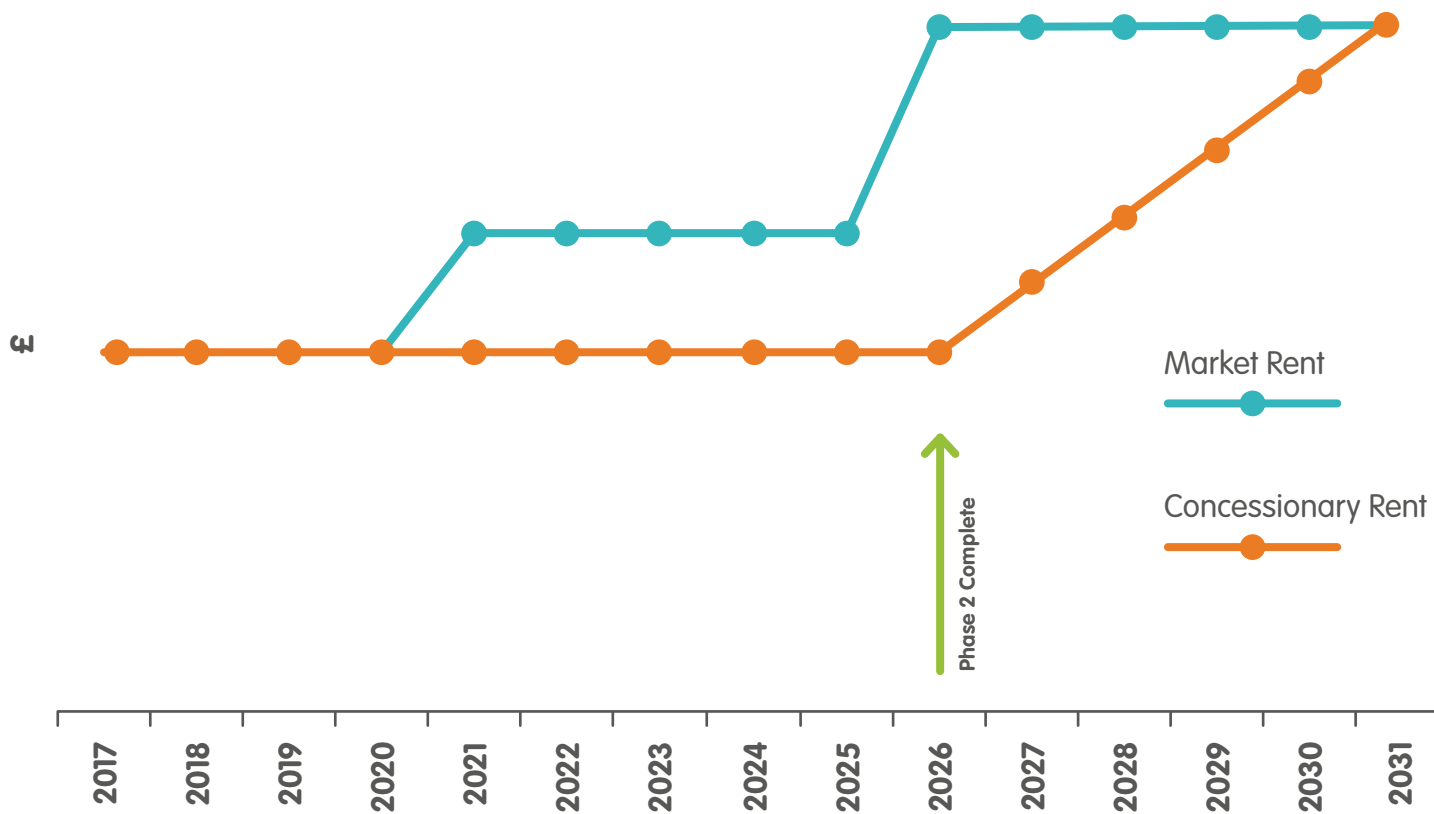
The retailer will continue to trade from their existing unit until approximately 2021, when the demolition will commence and will then relocate to the new unit.

In 2021, the lease of the relocation unit will be granted on a 10 year term and the rent payable will remain at the same level, (as a personal concession based upon the lease granted in 2017) even if the 2021 market rent is higher.

The construction works in Phase 2 are due to complete in 2025. The next rent review for the retailer will be 12 months after this completion in 2026. At this time, the retailer may claim a personal concession which would enable the retailer to 'step up' to market rent over five years to 2031.



Rent Example 5



POPLAR **HARCA**



telfordhomes

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**Residential Leasehold
Buyback Offer**



FOREWORD

Chrisp Street is being regenerated. It's a fantastic opportunity for Poplar's district centre to gain the investment it needs. It's a chance to improve the centre and keep what's great. We are working hard to keep the community together in the new Chrisp Street by supporting residents and businesses through this process.

As part of the regeneration Poplar HARCA and Chrisp Street Developments Ltd (CSDL) which is owned by Telford Homes Plc, will need to acquire or relocate various individuals and businesses. Those affected will fall into one of five groups:

- Residential tenants
- Residential leaseholders
- Retail leaseholders
- Lock up units
- Market stalls

This document explains HARCA / CSDL's offer to the owners/occupiers of the residential leases. There is a separate document for each group. Copies are available from the estate management office at 19 Market Square and are available on the chrispstreet.org website.



1. INTRODUCTION

This pack is for leaseholders whose properties are affected by the Chrisp Street regeneration programme.

The regeneration programme is being delivered in two significant phases: Phase 1 & Phase 2. The blocks affected are set out below:

Phase 1

- Aurora House
- Clarissa House

Phase 2

- Ennis House
- Kilmore House
- Fitzgerald House
- 35 - 59 Market Square
- 2-30 Kerbey Street

Please note that HARCA/CSDL have already purchased all the leasehold properties in the block 2-30 Kerbey Street. The existing Festival of Britain properties are all being retained and tenants and leaseholders are not required to move home.

HARCA/CSDL will need to buy-back your property before work can proceed. For many people this means moving out of your family home and this news can be unsettling. We understand that and this pack contains information about the ways HARCA/CSDL can help you find a suitable

replacement home. Please be assured that HARCA/CSDL are fully committed to making your move as easy and stress-free as possible.

This pack sets out the detail on how HARCA/CSDL will go about buying your property and the options available to help you find a new home. These options have been carefully considered to take account of people's different financial positions. Technical terms are explained in the glossary in **Appendix 1**.

There are different approaches for those who own and live in their homes (resident leaseholder) and for those who own but do not live in their homes (non-resident investor leaseholder).

HARCA/CSDL have a dedicated delivery team to help answer any questions you have and help you to get the process started. Simon Carroll, Places and Services Co-ordinator, is based in the management office at 19 Market Square, Chrisp Street, on a daily basis, for people who would like to drop in, alternatively you can contact Simon or his colleagues Rob and Iftekhar using the details below.

Simon Carroll

simon.carroll@poplarharca.co.uk

020 7005 7656

07508 996782

Rob Lantsbury

robert.lantsbury@poplarharca.co.uk

020 7005 7628

07961 532761

Iftekhar Ahmed

iftekhar.ahmed@poplarharca.co.uk

020 7005 7628

07946 566401

Please note that both Rob and Iftekhar work part time, if either are not available please leave a message and they will get back to you at their earliest opportunity.

Simon, Rob and Iftekhar work for Poplar HARCA who are leading on the buy-back process on behalf of HARCA/CSDL. Full contact details are contained in **Appendix 3**.

2. KEY COMMITMENTS TO HOMEOWNERS

Resident Leaseholders

If you, as a resident homeowner, wish to continue to live within the regenerated estate, or locally, you will be given the opportunity to do so. You will be offered a range of options depending on your individual financial circumstances. If none of the set options are appropriate, HARCA/CSDL will explore other options with you. (NB: due to phasing, if you would like to live in the new regenerated Chrisp Street, one move only cannot be guaranteed).

If you, as a homeowner, do not wish to live in a home within the newly built scheme, you will be able to sell your

home to HARCA/CSDL, at market value (plus home loss compensation and disturbance), after an independent valuation has been carried out, and then make your own new housing arrangements. However the HARCA/CSDL team will provide advice and support if required.

The valuation of your property will be independent (carried out by a RICS accredited surveyor) and based on market values, and you will be compensated for having to move home.

HARCA/CSDL will provide you with help to enable your move, with additional support offered to you if you have any special needs or a disability.

If you choose to move into a new home within the scheme and you require adaptations because you have a disability (or a member of your household has), you will be able to have these adaptations made to your new home.

HARCA/CSDL will ensure that any resident leaseholders on the Chrisp Street site will have an opportunity to purchase a property locally to Chrisp Street through one of the rehousing options available.

All leaseholders will be encouraged to access independent professional advice as part of the negotiations.

Non-resident leaseholders

Non-resident leaseholders will be provided with advice and support on the sale of their property back to HARCA/CSDL.

The offer will be for an agreed market value plus statutory basic loss compensation. Vacant possession will be a key requirement of the purchase.

HARCA/CSDL will discuss with you the options for ensuring that vacant possession can be provided.

3. THE BUY-BACK PROCESS - A STEP BY STEP GUIDE

This section details how the buy-back process will work from start to finish, and the service levels HARCA/CSDL will provide.



STEP 1: Consultation and initial contact

Consultation

Before the purchase of any homes, HARCA/CSDL will contact those affected and provide information about what will happen. At these meetings you will be advised about the aims and objectives of the regeneration programme, provided with more detail about the buy-back process, gather information about your individual circumstances and discuss what additional support is on offer.

Interview

At the start of the buy-back process you will be invited for a one-to-one meeting to discuss your individual circumstances. At this point HARCA/CSDL will ask for information to inform negotiations and answer any concerns that you may have about the process.

The aim of the meeting is to give you clear information about what to expect when you are asked to move from your home. HARCA/CSDL will also ask you for information to help determine the right level of support for you. You will be treated with respect and dignity and your personal details and information will be kept confidential at all times.

At this meeting you should tell HARCA/CSDL whether you live in the affected property as your only or principal home (a resident leaseholder) or if you live somewhere else (a non-resident leaseholder). Please note HARCA/CSDL will carry out checks, similar to credit checks, to make sure people who claim to be resident leaseholders are actually living in the affected property.

HARCA/CSDL will check whether a leaseholder is non-resident as follows:

- Check if the leaseholder has notified HARCA/CSDL that they are letting the whole property to tenants
- Check if the leaseholder advised HARCA/CSDL of an alternative address for correspondence and/or billing
- Check whether the leaseholder was living at the property on a permanent basis on or since March 2013. (Date of initial demolition notice).
- Carry out electoral register checks



Non-resident leaseholders

If you are a non-resident leaseholder, meaning you do not live in the property, it is important to note that HARCA/CSDL is not obliged to re-house either your tenants or any other occupants in the property. The property must be empty when the purchase of the property completes (all occupants must have moved out and the property be vacant, this is known as 'vacant possession').

You need to make sure you take suitable legal advice on how to secure possession of your property from your tenants in good time to allow HARCA/CSDL to take over the property.

HARCA/CSDL will **not** acquire properties with tenants in occupation as HARCA/CSDL are buying your property at the market value for vacant possession.

If you have tenants you will need to make arrangements to relocate them to an alternative property in order to secure the possession in a lawful manner. Where necessary, HARCA/CSDL will provide advice and support on how this will be best achieved.

When will my home be purchased?

The regeneration of Chrip Street is organised in two phases. This means that different blocks will be emptied and cleared at different times according to the works schedule. The phasing starts from the north of the site, by Cordelia Street, and ends in the south, by East India Dock Road. Please note that the schedule could change, however this will be fully explained in the schedule, and any changes, if required, will be advised of in advance, to avoid any further disruption.

HARCA/CSDL need to make sure that the regeneration programme stays as close to the agreed schedule as possible and will work with you to come to a voluntary agreement for the buy-back of your home, whilst allowing works to proceed as planned. HARCA/CSDL assures that it will continue at all times to try to reach negotiated agreements with property owners to acquire their land interest so that this regeneration scheme can be delivered, provided that it is granted planning approval.

As with other local schemes, HARCA/CSDL may also ask Tower Hamlets Council to support this process by use of its statutory powers to make a Compulsory Purchase Order (CPO). If the council agrees to do this the CPO would only be enforced as a last resort. More information would be provided in due course if a CPO is to be made, and it is stressed that we will always seek to reach voluntary settlements with owners.

STEP 2: Valuing your home

If HARCA/CSDL need to buy your property, subject to your agreement, arrangements will be made for an appointed surveyor to visit you and carry out a valuation of your home. After this, you will receive written notification within 4 weeks of what the valuation surveyor considers to be the value of your property, and the details of the compensation that you are entitled to (see Step 3 below for more information). The surveyor's valuation will be based on his/her independent professional opinion.

The valuation surveyor considers the following when assessing the market price of your property:

- The condition of your property, both internal and external
- Any internal improvements, such as new bathrooms and kitchens
- The location of the property and amenities within the area, such as transport links, shops and services
- The housing market in the local area, including recent sale prices

The valuation will be based on the market value of your home at the point the survey is carried out. This is the price the valuation surveyor believes your home would sell for, assuming that both you and the buyer know the facts and are not under any compulsion to buy or sell. In other words, this means that you will receive a comparable price to what your home would have sold for on the open market if it was not as part of a regeneration programme.

The valuation is based on the principle of equivalence. This means that you should not be better or worse off than before the regeneration proposals.

What if I do not agree with the valuation?

If you disagree with the valuation of your home, HARCA/CSDL will pay the reasonable costs to have your own valuation carried out by an independent valuation surveyor, who must be Royal Institute of Chartered Surveyors (RICS) accredited (not an estate agent). It is expected that you will want the surveyor you choose to be completely independent of HARCA/CSDL's appointed valuation surveyor.

Once you have found a surveyor you will need to get a quotation from them and provide a copy of this to HARCA/CSDL for approval.

Please make sure your surveyor knows that he/she will only be paid at the end of the valuation process and on production of the required valuation report.

You can find an independent chartered surveyor by visiting the Royal Institute of Chartered Surveyors website at <http://www.ricsfirms.com/> or telephoning them on 0870 333 1600.

Your own surveyor will be able to confirm if the HARCA/CSDL valuation of your property is reasonable or not. If your surveyor does not agree with the valuation, HARCA/CSDL would agree to pay for your surveyor to negotiate on your behalf and will pay their reasonable fees. However, if you agree to this approach, you will be expected to accept the terms that your surveyor negotiates on your behalf.

STEP 3: Compensation

Because HARCA/CSDL want to buy-back your property, it is important that HARCA/CSDL cover the costs of the transaction and not you. This section contains information on the different types of compensation that is available. The type of compensation you are entitled to depends on your circumstances.

Home loss Payment

Home loss payment is compensation that you are legally entitled to if you are forced to leave or give up your home. It is only available to resident leaseholders and freeholders (those who have lived in the property they own for the past 12 months). This payment is in addition to what you receive from the sale of your home. It is designed to compensate you for the inconvenience, stress and upset caused by the move.

Resident leaseholders and freeholders are entitled to receive 10% of the market value of their home, with a minimum payment of £6,100 and a maximum payment of £61,000.

You will need to provide proof that you have lived in the property for at least a year - for example, mortgage statements, Council Tax bills, bank statements and a utility bill. HARCA/CSDL may also carry out checks, similar to credit checks, to make sure you are eligible.

The Home loss Payment is paid to you when the purchase of your property is completed.

¹ The occupier's loss or home loss compensation figure is reviewed regularly by the Government and is changed if necessary. The figures in this section are taken from the most recent review applicable from October 2017

Basic Loss Payment

Basic Loss Payment is a form of compensation that non-resident leaseholders and freeholders (those who do not live in the property they own) are legally entitled to.

Non-resident leaseholders and freeholders are entitled to receive 7.5% of the market value of the property up to a maximum payment of £75,000. You must have owned the property for more than one year to qualify.

Disturbance Payments

Disturbance payments by HARCA/CSDL compensate you for some costs linked with moving. They are usually only available to resident leaseholders and freeholders (those who live in the property they own).

You can claim back the cost of the items listed below, and the cost of advice from legal and valuation advisors. The disturbance payment can be paid in two ways:

1. A one off payment of £5,000 without the need for HARCA/CSDL to review your receipts and invoices. It is paid when the purchase of your property is completed. This one off payment is to cover all of your disturbance costs. If you claim the £5,000 disturbance payment no further disturbance payment claims can be made.
2. You can provide receipts for the eligible costs associated with moving home to the decant team, who will then reimburse you. It is important to get a receipt or invoice from the companies that you use to carry out the work. You must use reputable companies which provide genuine receipts and invoices on company headed notepaper, and which include:

- Confirmation of VAT Registration and VAT Number
- Contact details
- Company registration details (e.g. company name and company number)
- Date
- Invoice number
- Description of services provided
- Invoice total (showing VAT payable)

*HARCA/CSDL may be able to help you with upfront payments. Please contact Ifti Ahmed or Rob Lantsbury if you need help with moving costs. (contact details can be found at the beginning of this note).

If you choose to provide receipts instead of taking a one off payment, you can claim for the following items:

- Removal costs
- Redirecting mail (for 3 months only)
- Carpet alterations
- Curtain alterations
- Disconnecting and reconnecting appliances
- Disconnecting and reconnecting services
- Moveable fixtures and fittings
- Special adaptations to your replacement home
- Replacement carpets and curtains- However these are only permitted if you can show that your existing furnishings do not fit, and cannot be modified to fit, your new home

CLAIMING FEES FOR YOUR INDEPENDENT ADVICE

You can claim reasonable costs for valuation and legal advice. This includes:

- Surveyor's fees when acquiring a replacement property
- Survey fee and legal costs when transferring an existing mortgage or raising a new one

HARCA/CSDL recommend that you appoint an independent surveyor. It will be your responsibility to agree the terms of their appointment.

HARCA/CSDL advise you to appoint a local surveyor who has the relevant local market experience. HARCA/CSDL cannot recommend any particular firm, but you can find a local surveyor at www.rics.org.

You can appoint an independent surveyor to act on your behalf to negotiate the sale of your property to HARCA/CSDL. HARCA/CSDL will pay for this advice, up to a maximum payment of:

- £800 plus VAT for Independent valuation advice;
- £1,500 plus VAT for negotiating the sale of your property to HARCA/CSDL

The payment for your surveyor fees is subject to the conditions explained below. You should check in advance that your surveyor's fees will not be more than £800 plus VAT for valuation and £1,500 plus VAT for negotiation. If they charge more, without prior written agreement by HARCA/CSDL, you will be expected to pay the difference yourself.

Valuation Fees

HARCA/CSDL will pay a maximum of £800 plus VAT for your surveyor to provide you with a valuation report for your property. The report should be prepared by a RICS accredited surveyor.

You should tell your surveyor that HARCA/CSDL will expect valuation reports to meet the current RICS Valuation Standards and as a minimum must include the following:

1. Background, basis of instruction and valuation basis
2. Description/location of property
3. Accommodation, including measurements
4. Construction/condition
5. Services
6. Charges/taxes
7. Planning/use
8. Details of comparable evidence
9. Opinion of property value

Please make sure that the items above are included in your surveyor's report.

Your surveyor should send an invoice to you personally, and HARCA/CSDL will pay you back. HARCA/CSDL will consider making payment to the surveyor directly if this is done by prior agreement.

Payment will be made AFTER:

- HARCA/CSDL receives a copy of the report, and are satisfied it contains the information above;
- You send HARCA/CSDL the invoice from your surveyor

Negotiation Fees

HARCA/CSDL will pay a maximum of £1,500 plus VAT for your surveyor to negotiate the sale of your property on your behalf.

This fee will be paid on completion of the purchase of your property by HARCA/CSDL.

Your surveyor should send an invoice to you personally, and HARCA/CSDL will reimburse you or alternatively make payment direct if by prior agreement.

Legal Fees

HARCA/CSDL will pay for reasonable legal conveyancing costs for the sale of your current property, up to a maximum of £1,000 plus VAT. HARCA/CSDL will only pay these legal fees on completion of the sale, not at any time before.

If you buy a new property then you will also be entitled to legal fees for that purchase as well, up to a maximum of £1,000 plus VAT. HARCA/CSDL will only pay these legal fees on completion of the purchase, not at any time before.



If the value of your present property needs to be decided by a Tribunal you are entitled to have professional representation. If you are successful at Tribunal in securing a higher offer than that made by HARCA/CSDL to agree a voluntary settlement then the Tribunal will require HARCA/CSDL to pay your surveyor fees. If you are not successful, then you will have to pay your own costs and possibly HARCA/CSDL costs as well.

Other costs

HARCA/CSDL will also contribute to:

- Stamp Duty Land Tax (SDLT) on a reasonable replacement property (this will be up to the agreed proportion of the value of your current property and must be claimed within one year following completion of the sale of your property to HARCA/CSDL)
- Mortgage redemption fees
- Mortgage arrangement fees

For all fees HARCA/CSDL need you to provide written evidence of the cost to you before HARCA/CSDL can pay you back. Make sure you make allowance for VAT when you estimate the costs involved and that VAT costs are detailed on the invoices.

Once you have found a solicitor and/or a surveyor you will need to obtain a quotation from them and provide HARCA/CSDL with a copy for approval.

Please make sure that your surveyor and solicitor know they will only be paid at the end of the process, once the sale has been completed.

If you are unsure about any disturbance payments or invoices you receive from suppliers, it is strongly recommend that you speak to HARCA/CSDL before you make any payment or commitment to a company.

For compensation payments you need to prove that you should be compensated by providing receipts and invoices. You may also need to explain some costs and why HARCA/CSDL should cover them. You should not assume HARCA/CSDL will automatically pay for everything.

Repayment of outstanding debts

If you owe HARCA/CSDL any money, e.g. service charges, these will be deducted from the amount you are due to receive from the completion of the sale of your property. You should take this into account when you work out how much money you have available for buying a replacement property. If any debts are disputed, HARCA/CSDL strongly advise you to resolve this as early as possible as it may affect your ability to buy a new home.



4. NEW HOME OPTIONS FOR RESIDENT LEASEHOLDERS

Many leaseholders will want to make their own arrangements for a new home after they have agreed a valuation for their existing property. Others may need our support to help them find a new home. We have developed a set of options that are designed to offer resident leaseholders the level of support needed. A key challenge for HARCA/CSDL is about helping to ensure that resident leaseholders are able to have rehousing options to occupy homes on the regenerated site or homes nearby. What HARCA/CSDL will not be able to do is 'gift' equity, meaning the difference between an open market value of an existing home and a new home to the homeowner. However, there are a number of options that can be explored to help resident leaseholders.

What do we mean by 'equity' and 'unowned equity'?

Where a homeowner has no mortgage to pay on their home, they can be described as owning 100% of the equity in their home. Where they still have a mortgage to pay on their home, say £50,000 of a home that is valued to be worth £200,000, then they can be described as owning 75% (i.e. £150,000) of the equity of their home with the mortgage lender owning 25% (i.e. £50,000) of their home, meaning the unowned equity.

With new homes in East London being valued at significantly more than existing homes on regeneration schemes, this has meant there is a significant gap between what resident leaseholders have bought their home for and what the new homes are valued at on the regenerated scheme.

With estate regeneration schemes, it has become increasingly the case that resident homeowners (with or without mortgages) do not have sufficient equity and/or earning potential to buy a new home in the regeneration scheme. This has led to resident leaseholders on schemes elsewhere in London complaining that they are being displaced by the regeneration scheme, despite being homeowners. The next section sets out in more detail what rehousing options are available to address this problem.

New Home Rehousing Options

The following re-housing options are limited to leaseholders who live in the property full time as their only or principal home.

The defined New Home relocation options are as follows:

- Buying a property on the open market, on site or offsite
- Leasehold swap
- Shared ownership, within the Chrisp Street scheme
- Shared ownership, off Chrisp Street but within Poplar HARCA stock
- Shared Equity (subject to affordability criteria)
- Renting in the private sector

The affordability criteria for additional assistance are as follows:

- Leaseholders must be able to demonstrate that they are not in a position to raise a mortgage on a new property or to transfer an existing mortgage to a new property
- Shared equity is available to leaseholders who are not suitable for shared ownership purchases but can put at least 50% of the purchase price into a new property

Suitability for a shared ownership option ultimately depends on whether the leaseholder (or leaseholders where the home is owned by more than one person) is able to afford to pay rent on the unowned equity provided by the developer. This may be because the leaseholder is no longer working and cannot afford to take on an additional housing cost, or is already paying a mortgage that they can afford and cannot afford an additional housing cost.

Example Cases

These example cases have been written to help you work out what options you have.

Leaseholder 1

A retired couple aged 70, living in a two bedroom flat, who have paid off their mortgage. The couple have a small private pension and a state pension, and their income is £12,000 per year. The value of the property is £285,000.

What they will get

As the leaseholder has paid off the mortgage, all of the equity can be used to buy a new home. The leaseholder would also receive the 10% home loss payment of £28,500 and a disturbance payment of £5,000.

Options they have

- Open market purchase
- Leasehold swap
- Shared ownership
- Renting in the private sector
- Shared Equity

When looking at available properties they cannot find a property on the open market that suits their needs due to price constraints and location. They are also unable to raise a mortgage on a new property due to limited income. As they can afford over 50% of the purchase price of a new property they could apply for shared equity options in addition to the other available options.



Leaseholder 2

A couple aged 35 with three children aged 5, 8, and 12, who live in a three bedroom flat. They have a mortgage of £70,000, with 19 years to run on the mortgage. They are unemployed and the mortgage interest is being paid by benefits. The property is valued at £330,000.

What they will get

The leaseholder would receive £260,000 after their mortgage was paid off, a home loss payment of £33,000 and disturbance payment of £5,000.

Options they have:

- Leasehold swap
- Renting in the private sector
- Shared Equity
- Shared ownership

The couple wish to stay local as the children are at school but cannot afford to purchase a new home outright. They can consider both shared ownership and shared equity options in addition to the other available options, but need to consider their entitlement to benefits when making decisions, due to the potential to have cash sums that could affect their entitlement.

Leaseholder 3

A retired couple aged 73 in a one bedroom property. The couple have no mortgage, and their only income is the state pension. The property is valued at £260,000.

As the couple have no mortgage on the property, all of the equity (£260,000) could be reinvested in a new property.

What they will get

The leaseholder would receive £260,000 from selling their property back to HARCA/CSDL, a £26,000 home loss payment and a disturbance payment of £5,000.

Options they have

- Open market purchase
- Leasehold swap
- Renting in the private sector
- Shared ownership
- Shared equity

Leaseholder 4

A 30 year old single man living in a two bedroom property, valued at £285,000. The leaseholder has an income of £26,000 per year, and has a mortgage of £100,000 with 20 years remaining.

What he will get

The leaseholder would receive £185,000 after their mortgage was paid off, a 10% home loss payment of £28,500, and a disturbance payment of £5,000.

Options he has

- Open market purchase
- Leasehold swap
- Shared ownership within Poplar HARCA stock
- Renting in the private sector

He decides that he can get a new mortgage or transfer existing and purchases a share of a shared ownership property.

Leaseholder 5

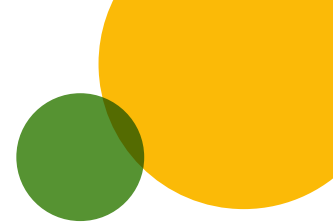
A couple in their 50's with only one of them in work. They have an income of £33,000 per year. They have two children, aged 8 and 10. They have borrowed extra money on their three bedroom property after taking out the original mortgage, and now owe £65,000 with 15 years left to run on the mortgage. The property is valued at £230,000.

What they will get

The leaseholder would receive £165,000 after their mortgage was paid off, a 10% home loss payment of £23,000 and a disturbance payment of £5,000.

Options they have

- Leasehold swap (if they can continue with the existing mortgage arrangement)
- Renting in the private sector
- Shared Ownership



The acquisition process – What we do and what you need to do

These example cases have been written to help you work out what options you have.

WHAT HARCA/CSDL DO

HARCA/CSDL will provide you with information about the buy-back process and options available to you

HARCA/CSDL will meet with you to gather information about your family circumstances and to discuss your needs and preferences

HARCA/CSDL will arrange a valuation of your property

HARCA/CSDL will tell you the outcome of the valuation and try to agree a price for your property

If you request it, HARCA/CSDL will fund an independent valuation to inform negotiations

Once HARCA/CSDL have agreed terms for buying your property, solicitors will be instructed who will arrange for HARCA/CSDL to take over the leasehold

HARCA/CSDL will keep in regular contact with you

HARCA/CSDL will be open, honest and transparent at all times

HARCA/CSDL will treat you with respect and dignity throughout this process

WHAT YOU WILL NEED TO DO

Read the information given to you and let HARCA/CSDL know if there is anything you disagree with or do not understand

Give HARCA/CSDL the information requested so that you can be advised of your options

You are entitled to have an independent valuation. HARCA/CSDL will pay for the reasonable cost of this

If you arrange an independent valuation, send HARCA/CSDL a copy of your valuers report

Find a suitably qualified valuer and agree terms with them

It will be your responsibility to appoint a solicitor that can deal with the conveyance. HARCA/CSDL cannot recommend a solicitor, but have provided information on solicitors that have been used previously

Keep in touch with HARCA/CSDL, and advise if your circumstances change

Be open, honest and transparent with HARCA/CSDL

Be respectful to staff members working with you during this process

5. MORE INFORMATION

HARCA/CSDL want to work closely with everyone affected by the regeneration scheme and avoid the need for a Compulsory Purchase Order. HARCA/CSDL will assist as best as possible to help deal with any concerns that you may have.

If you would like to get more information about this process and how it affects you please contact the Chrisp Street Leasehold Decant Team:

Simon Carroll

simon.carroll@poplarharca.co.uk

020 7005 7656

07508 996782

Rob Lantsbury

robert.lantsbury@poplarharca.co.uk

020 7005 7628

07961 532761

Iftekhar Ahmed

iftekhar.ahmed@poplarharca.co.uk

020 7005 7628

07946 566401

Please note that both Rob and Iftekhar work part time, if either isn't available please leave a message, they will get back to you at their earliest opportunity.

You can also visit Simon Carroll in the Management Office at 19 Market Square.

Our contact details are also on the back of this booklet.

Useful information

To find an independent chartered surveyor:

Royal Institute of Chartered Surveyors

Website: www.ricsfirms.com

Tel: 0870 333 1600

For independent legal advice:

Citizens Advice Bureau

Whitechapel CAB, Unit 32 Greatorex Street,

London, E1 5NP

Tel: 0207 247 1050

Times and dates for drop in sessions can be found here:

www.eastendcab.org.uk/docs/201401_Tower_Hamlets_CAB-Services.pdf

You can find more organisations offering independent advice listed in **Appendix 2**.



APPENDIX 1 – GLOSSARY

Basic Loss Payment – Basic Loss Payments are payable to owners to reflect and recognise the inconvenience and disruptions caused by the acquisition.

Compulsory Purchase Order – A Compulsory Purchase Order allows certain bodies which need to acquire land or property for purposes such as regeneration, without the consent of the owner.

Disturbance Payment – Disturbance Payments are made to compensate for reasonable expenses incurred in moving homes during a regeneration process; for example, removal expenses, cost of altering soft furnishings, reconnecting movable fixtures and fittings, telephone reconnection charges.

Housing Association – An Independent not-for-profit body that provides low cost social and affordable housing for people in housing need. Associations that are registered with the sector’s regulator, the Homes and Communities Agency, are known as Registered Providers. HARCA/CSDL is a Registered Provider.

Home Loss Payment – Home Loss Payments are payable to owners who live in the properties they own and are made in recognition of the personal distress and inconvenience suffered by people who are displaced from their homes as a result of compulsory purchase or under other qualifying circumstances.

Leasehold Swap – HARCA/CSDL will find the leaseholder a property of similar value and swap the remaining lease to the new property.

Open Market Purchase – Straightforward buy-back of the leasehold, or freehold property, for the agreed market value.

Open Market Value – Is the price that a good or service is offered at, or will fetch, on the open market, with a free and willing buyer and seller.

Resident Leaseholder – A leaseholder who lives in the property in question as their only or main home, and has done so for at least 12 months from a given date.

Shared Equity – When the housing association offers the option of buying a proportion of the value of the property and rent is not paid on the proportion of the property owned by the housing association. The Council or the housing association claims their portion of the property when it is sold or ownership changes hands. You must be able to put in a minimum of 50% into this scheme.

Shared Ownership – You purchase a share (also known as a tranche) of the property and pay rent on the remaining tranche that you do not own. A minimum tranche of 25% is required with rent payable normally at 2.75% of the tranche that you do not own. So if the property is valued at £400,000, you purchase 25% of the property, leaving £300,000 outstanding. Rent of £8,250 per year would be payable on the remaining 75%. The remaining tranche can be purchased up to 100% ownership. Service charges are payable also.

Upper Tribunal (Lands Chamber) – The tribunal has the statutory power to deal with some disputes involving land or property.

APPENDIX 2 – USEFUL CONTACTS AND LINKS

Ministry of Housing, Communities and Local Government

Tel: 030 3444 0000

Website: <https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>

You can find guidance on Compulsory Purchase Orders and Compensation from Communities and Local Government here:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/11487/147639.pdf

Citizens Advice Bureau

Whitechapel CAB
Unit 32 Greatorex Street
London - E1 5NP

Tel: 0207 247 1050

Website: www.eastendcab.org.uk

The Leasehold Advisory Service (LEASE)

Maple House, 149 Tottenham Court Road,
London W1T 7BN

Tel: 020 7383 9800

Website: <http://www.lease-advice.org/>

Leasehold Advice Centre

Lee House, Guildford, Surrey GU5 0RB

Email: Help@LeaseholdAdviceCentre.co.uk

Tel: 01483 890672

Website: <http://www.leaseholdadvicecentre.co.uk/>

DirectGov

Website: <http://www.direct.gov.uk>

Link to information on Getting Legal Advice and Aid:

<http://www.direct.gov.uk/>

The Royal Institution of Chartered Surveyors (RICS)

12 Great George Street, Parliament Square,
London, SW1P 3AD

Tel: 020 7222 7000

Website: <http://www.rics.org>

The Upper Tribunal (Lands Chamber)

45 Bedford Square, London, WC1B 3DN

Tel: 020 7612 9710

Website: <http://www.justice.gov.uk/tribunals/lands>

APPENDIX 3 - CHRISP STREET LEASEHOLD DECANT TEAM

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Please note that both Rob and Iftekhar work part time, if either isn't available please leave a message, they will get back to you at their earliest opportunity.

Poplar HARCA

Tel: 0800 035 1991
info@poplarHARCA.co.uk

167a East India Dock Road
Poplar
E14 0EA

www.poplarharca.co.uk

Chrisp Street Developments Ltd (CSDL)
(Telford Homes Plc)
Attn: **Chris Dawes**
01992 809800

For large print, audio or braille phone 020 7510 0535

Haddaad Jeclaan lahayd akhbaar ku qoran Soomalli fadlan soo was 020 75100535

এই নিউজলেটারে প্রকাশিত কোন কিছু আপনি বুঝতে না পারলে, অথবা অডিও, ব্রেইল কিংবা বড় অক্ষরে ছাপানো কপি পেতে হলে অনুগ্রহ করে ০২০ ৭৫১০ ০৫৬০ নম্বরে ফোন করুন।

NOTES

POPLAR **HARCA**



telfordhomes

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**Residential Tenants
Offer**



FOREWORD

Chrisp Street is being regenerated. It's a fantastic opportunity for Poplar's district centre to gain the investment it needs. It's a chance to improve the centre but keep what's great. We are working hard to keep the community together in the new Chrisp Street by supporting residents and businesses through this process.

As part of the regeneration Poplar HARCA and Chrisp Street Developments Ltd (CSDL) which is owned by Telford Homes Plc, will need to acquire or relocate various individuals and businesses. Those affected will fall into one of five groups:

- Residential tenants
- Residential leaseholders
- Retail leaseholders
- Lock up units
- Market stalls

This document explains HARCA / CSDL's offer to the owners/occupiers of the offer to the tenants of Poplar HARCA properties. There is a separate document for each group. Copies are available from the estate management office at 19 Market Square and are available on the chrispstreet.org website.



1. INTRODUCTION

This information note is for Poplar HARCA tenants affected by the HARCA/CSDL Chrisp Street regeneration programme who will need to move home because of the demolition works.

As with other local schemes, HARCA/CSDL may also ask Tower Hamlets Council to support the process outlined in this document.

2. WHEN WILL THE REGENERATION SCHEME START?

Preparations for this scheme have been in progress for many years now. The planning application at the time of writing was due to be heard in July 2018. Subject to the permission being granted, HARCA/CSDL expect to start work in Summer 2019, and will keep you updated as the project progresses.

The properties that will need to be made vacant of tenants (and leaseholders) are as follows:

BLOCK	PHASE	NO OF HOMES
Nos 1-8 Aurora House (Vacant of HARCA tenants)	1	8
Nos 1-16 Clarissa House (Vacant of HARCA tenants)	1	16
Nos 1-73 Fitzgerald House	2	73
Nos 1-16 Ennis House	2	16
Nos 2-30 (Even) Kerbey Street	2	15
Nos 1-16 Kilmore House	2	16
Nos 35-59 (Odd) Market Square	2	25
Total		169

Tenants (and leaseholders) in the addresses below will not be affected

BLOCK	PHASE	NO OF HOMES
Nos 40-70 (Even) Kerbey St	1	16
Nos 72-84 (Even) Kerbey St	1	7
Nos 26-50 (Even) Market Way	1	13
Nos 1-7 Market Square	1	7
Total		43

3. FREQUENTLY ASKED QUESTIONS

Below are answers to some of the most frequently asked questions based on what other residents have asked us on other projects. There will be many other questions you want to ask so please contact HARCA/CSDL's Project Team to arrange a meeting about your options.

4. CHOICES FOR TENANTS

Choosing a new home

We will try to help you find a new home that meets all of your choices. You may want to stay in the local area or move somewhere else in the borough. All available homes are advertised every week on the Council's Homeseekers website <http://www.thhs.org.uk/>.

HARCA/CSDL will ensure that you are correctly registered for rehousing and will provide advice and support on bidding for properties through the Homeseekers website.

Key points are as follows:

- Tenants will have the opportunity to bid for and move to a home of a suitable size that meets your household's requirements. Immediate family is as defined by the Council's lettings policy.
- You can bid through the Homeseekers website on a weekly basis for homes available to occupy. Within 6 months of HARCA/CSDL needing the block empty, a suitable and reasonable offer of a home that HARCA/CSDL has identified will be offered to you. Therefore, it is in your interest and essential that you actively bid to secure a suitable home of your choice rather than HARCA/CSDL having to make a direct offer of accommodation close to the block clearance date.
- Your application will be awarded decant priority which has a very high priority (with other high urgent housing need groups) because of the need to move you.
- If you currently occupy a home on the ground floor level then you will be eligible to be bid for a ground floor property.

- If you live above the ground floor but have an assessed health reason and recommendation from the Council's health advisor for bidding for a ground floor only property, this will be taken into consideration. If you do not have an assessed health need and live above the ground floor, you are unlikely to qualify to bid for a ground floor property.
- Sometimes homes in other boroughs are advertised on the Homeseekers website, if so, you would be able to bid for them. However, Poplar HARCA does not own any homes outside of Tower Hamlets and so we cannot help you move away from Tower Hamlets other than via the Homeseekers option.

It is important that you make an informed decision about the type of home that you bid for. If you cannot identify a home you want then it may be necessary to serve you with a Notice of Seeking Possession (NOSP).

A NOSP is a legal document that allows HARCA/CSDL to ask a court of law to instruct you to leave your home. You will not be homeless if this happens. HARCA/CSDL will have to assure the court that it has suitable alternative accommodation available for you to move in to. This may be like the property you are leaving.

This approach is always a last resort when you have not accepted any of the other housing options available to you through bidding for homes available on the Homeseekers website. We have to do this to ensure that our regeneration scheme can proceed, protecting the interests and rights of other residents.

Other people who live with you

Anyone who is not part of your immediate household, as defined by the Council's Common Housing Register Lettings Policy, will have to register separately for housing or make their own rehousing arrangements.

It may be possible to help some of those occupants with enhanced priority, if they were living with you in the property as their only or principal home continuously for at least 12 months before the decant scheme was agreed. They must be eligible to be on the Housing Register and meet the criteria set.

Buying a home

If you have ever considered buying your own home there are some low cost options that may be available to you such as Shared Ownership or Rent-to-Homebuy.



Disturbance Payment

– Help with the costs of moving

HARCA/CSDL will pay the reasonable costs associated with your move up to a maximum of £1,200. We will usually pay for:

- a qualified person disconnecting and reconnecting existing appliances such as:
 - broadband
 - computer
 - cooker
 - digital television
 - dish washer
 - telephone
 - tumble dryer
 - washing machine
- removal firm or van hire
- redirecting post (for a maximum of 3 months)
- taking up and re-laying carpets (or an equivalent contribution towards new)
- alterations to existing curtains (or an equivalent contribution towards new)
- other aids and adaptations

You have to give us receipts. HARCA/CSDL can pay some of the costs in advance if you cannot afford these.

Statutory Home Loss Payment

If you have lived in your home for at least the last 12 months as your only or principal home then you will be entitled to a home loss payment when you move. This is currently £6,100. Only one payment is made per household. If you move twice, meaning you move away from Chrisp Street and then under the Right to Return, move back, you will only be entitled to one Home Loss payment.

Right to Remain / Return

As you are in phase 2 of the development you can choose to move to one of the new homes being built at Chrisp Street if you so wish.

If you want to remain in the completed Chrisp Street development, you may have to move off the site for a period before exercising your right to return to a new home in the scheme.

If you want to exercise your right to return, HARCA/CSDL will ask you before you move whether you wish to take up this option. Your Right to Return will be in accordance with Council policy. Please note there will be a limited number of 4 bedroom homes and there are no homes larger than this (i.e. 5 bedrooms or more) in the new development.

5. HOW HARCA/CSDL WILL KEEP RESIDENTS UP-TO-DATE WITH THE PLANS

HARCA/CSDL will keep you informed in the following ways:

- host catch-up sessions and events
- meet with you in your home or at our office
- send a newsletter
- use Twitter and Facebook
- have a dedicated page on our website (www.poplarharca.co.uk)
- report regularly to Estate Board meetings

6. CONTACT US

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020 7005 7656 or simon.carroll@poplarharca.co.uk

David Rayner

020 7510 0595 or david.rayner@poplarharca.co.uk



LB TOWER HAMLETS
EQUALITY IMPACT
ASSESSMENT
CHRISP STREET
REGENERATION PROGRAMME

June 2018



www.ottawaystrategic.co.uk

LB Tower Hamlets Equality Impact Assessment
Chrisp Street District Centre Regeneration Programme

Independently Reported by Ottaway Strategic Management Ltd
on Behalf of Poplar HARCA and Telford Homes
June 2018

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1 Executive Summary

Introduction and context

- 1.1 Regeneration and change, particularly in the physical environment of the areas that people live, work and visit, is likely to have significant impacts that are both positive and negative for different groups of people. In any process of redevelopment some people or groups have the potential to gain more benefit than others. To this end all regeneration programmes need to be managed to ensure that the positive impacts of the regeneration are maximised and correspondingly to ensure that the negative impacts are minimised. In this context, the proposals for the regeneration of the Chrisp Street District Centre have undergone an Equality Impact Assessment (EIA).
- 1.2 This independently commissioned Equality Impact Assessment has undertaken a review of the scheme itself and its policy backdrop. Particularly it has assessed the key data sources relevant to equality groups and the protected characteristics under the Equality Act 2010. In so doing the EIA seeks to understand how this regeneration programme will impact on different equality groups. However, it is important to recognise that a central feature of this EIA is the need to distinguish between regeneration impacts per se and specific equality impacts.
- 1.3 This EIA has reviewed the equality impacts of:
- The regeneration proposals for the Chrisp Street District Centre
 - The proposed Compulsory Purchase Order (CPO)
 - The regeneration proposals including resident engagement, design, planning and phasing
 - Programme proposals and relocation offer for tenants, leaseholders, Private Landlords, Businesses, Retailers, Market Traders and other property interests in the district regeneration area.
 - The impact on the retail relocation offer and the shoppers who use the District centre.

Approach and methodology

- 1.4 This EIA has included a comprehensive desktop review of core legislation, policy and council papers. These are set out in Appendix 5 of the EIA evidence base. Data has been reviewed that was captured in May and June 2017 through research carried out with tenants, leaseholders, businesses and other property interests. The data was updated in November 2017 to remove residents that had left and retailers who have agreed terms for short term retail lets. This data has been analysed and sets out the core basis of the profile of key equality groups and protected characteristics being assessed through this EIA.

The Scheme and its proposals

- 1.5 Poplar HARCA and CSDL have submitted a planning application which aims to meet the requirements of the Council's Managing Development Document, Retail Strategy and Town Centres Strategy. The Scheme proposes the comprehensive redevelopment of the Site (including existing car park), comprising the demolition

of existing buildings (with the exception of the Festival of Britain buildings, Clock Tower and Ideas Store) and the erection of 19 new buildings ranging from 3 to 25 stories to provide:

- 18234 sqm of retail and leisure space including a new multi-screen cinema, food and drink premises and a multi-use function/community centre at the heart of the Site as well as a new anchor food store at the northern end of the Site to promote activity and permeability across the Site;
- 643 new homes;
- Re-provision of 200 social rented homes
- Retention and enhancement of the heritage features of the Site, namely the existing Festival of Britain housing and retail provision at ground floor level, the Clock Tower and the original 1950's Gibberd masterplan for the market;
- New and upgraded public open space including child play space;
- New public realm, landscaping works and lighting;
- Cycle parking spaces (including visitor cycle parking); and
- Disabled car parking spaces.

1.6 The Scheme will revitalise and rejuvenate the existing district centre and market by maintaining, enhancing and increasing the supply of town centre activity, including creation of circa 500 new jobs and an estimated additional annual spend of £10.2M. The Scheme will progress the Mayor's aims "To regenerate the existing centre based in and around Crisp Street into a vibrant, thriving, and multi-purpose town centre, with a mix of uses including evening and night-time use and a market" (LBTH Core Strategy).

Equalities profile of Crisp Street

1.7 In reviewing the headline equality findings of the EIA primary research was used to address the equalities profile of Residents (Tenants and Leaseholders), Businesses (Shop keepers and Market traders and Crisp Street's Visitors (Shoppers)

Equalities Impact Assessment highlighted positive impacts

1.8 The design of the regeneration programme has sought to deliver a range of **positive impacts**. A summary of these positive impacts, specifically in terms of equality, is set out below.

Housing

- Housing needs that respond to a wide range of protected characteristics will be positively enhanced through the development of these new units providing opportunities for housing.
- There will be more homes designed to lifetime homes standards and with disability access.

- Improving the housing stock will provide more homes for more people, to higher standards and hence improve the quality of accommodation for residents currently on the estate.
- Fabric First approach will use sustainable forms of energy such as centralized heating and hot water and photovoltaics to generate electricity. This should mean lower running costs.
- Application of Considerate Contractor requirements to minimise negative impact during construction period
- There will be an expansion of housing offer (additional units) for those on the waiting list, many of whom come from protected characteristics.
- The needs of older people and those with disabilities will be enhanced by the development of properties built to lifetime homes standards.
- Families will have units that are in much better condition than they are currently.
- There will be more family units which will address local and community housing needs

Business

- CSDL/ HARCA have confirmed that all retailers who had a right to renew their lease will be offered the option to stay within the scheme if they so wish.
- Alternatively, if any retailer wishes not to remain and surrender their lease to CSDL/HARCA will compensate them accordingly in line with the CPO compensation code.
- Retailers who are not required to relocate will be provided with new shop fronts and unit improvements in line with the proposals submitted for planning.
- New signage and improved security arrangements will also be provided.
- CSDL/HARCA will meet the reasonable costs associated with either the granting of a new lease, an agreement to lease or the amendment to their current lease.
- CSDL will also pay reasonable professional costs (surveyor) if required up to an initial 10 hours, reviewable depending upon the complexity of the matter plus reasonable legal costs associated with the transaction.
- For retailers who are required to relocate to another unit within the scheme CSDL/HARCA will offer the following in addition to that described above:
 - Retailers will be offered a unit of the same floor area or slightly smaller as they currently occupy unless a different size unit is more appropriate to their business performance and aspirations.
 - CSDL/HARCA will pay for the shop fit of the unit to, at minimum equivalent standards of their existing unit, and ensure all units meet current regulatory requirements.
 - CSDL/HARCA will also pay reasonable relocation costs associated with the move.

- CSDL will specify a mechanism to agree reasonable fees between the parties if agreement cannot be reached by referral to an independent surveyor / shopfitter. This store fit out is in addition to the new shop fronts and signage detailed above. CSDL / HARCA also will give personal rent concessions to independent retailers. This concession will last up to 5 years and be subject to them meeting reasonable criteria as detailed in the Retail Management Strategy Addendum.

Community/ District Centre Users

- New facilities
- Night-time economy
- Cinema
- Improved public amenity space
- Improved sustainable of the district centre
- New Sure Start centre being built adjacent to site
- Additional community space

EIA Highlighted negative impacts

1.9 Summary of potential negative impacts are set out below:

Generic Regeneration Impacts:

- The CPO process does have a direct impact on leaseholders and other land holding interests as their homes/businesses will be compulsorily purchased if it has not been possible to agree a voluntary settlement. This is universal to all leaseholders and is not in itself an equality impact.
- What residential leaseholders choose to do next will be their decision, as they have the options of taking their sale value and buying elsewhere (if possible), porting their mortgage and rebuying in the new estate, or entering a shared ownership as per the Relocation offer.
- What businesses choose to do next will be their decision, in accordance with the options set out in the Retail Management Strategy Addendum
- The CPO process may have a disproportionately negative impact on non-resident leaseholders who have no option to stay, however resident leaseholders have options under the Relocation offer. However, non-resident leaseholders have options to either object to the CPO or negotiate compensation settlements in accordance with the CPO Compensation Code.
- For some, the Relocation offer of porting mortgages and entering shared ownerships may create financial burdens particularly for people with low earning capability.

Equality specific negative impacts:

- Some burden may arise from households where their married status has changed since the property has been purchased and this may cause legal costs to clarify ownership and to agree the way forward for that household.

- The CPO process may have disproportionate impacts for leaseholders who are either older people and single parent families as their capacity to meet the increased values will impact against them. Similarly, this will have impacts on all leaseholders who find difficulty in meeting any possible increased cost of home ownership on the estate.
- Potential negative health impacts of the construction process including noise, dust, construction debris and environmental impacts, often negatively impacting more disproportionately on people with poor health and disability
- Households with children and older people may find the regeneration process and construction harder to live with.
- Language is potentially an issue for residents (leaseholders and tenants alike), businesses and market traders and in some cases residents who did not speak English as their first language may have felt that their understanding of the impact of the regeneration scheme had suffered because of this.
- Much of the interaction with residents will be through Poplar HARCA development team staff and those negotiating with leaseholders. In these cases, there is a real concern that the borough's equalities commitments are maintained in the negotiations process (training of staff to recognise equalities issues of those in negotiation).
- The decant process must address the equality needs of residents. These are most likely to be affecting those who are older, disabled and or who have health conditions.
- The rehousing of the social tenanted properties should seek to retain the local feel for Chrisp Street particularly the BAME profile to reflect the local community and to sustain community cohesion.
- Wellbeing is a critical factor, as is the support network previously available pre-regeneration.
- Sense of community particularly those of immediate neighbours will have negative impacts on residents reliant on a local/neighbour care network, this is most likely to impact on older people, disabled and those with health conditions.

Recommended Mitigation activity

- 1.10 The points set out below list the core mitigation activity that is recommended to address the impacts highlighted in 1.9 above.

Generic mitigation activity

- Identification of appropriate actions to mitigate identified impacts (See Action Plan)
- An EIA review programme to be adopted alongside predicted key milestones in the project's eight-year timetable
- Equality training/briefings for staff undertaking one to one negotiations with residents and businesses
- Continue the offer of translation for all residents who do not speak English as their main language in the home

- CSDL/HARCA will identify people with specific support needs through the housing need assessment process and will commission suitable support to work with the affected parties

Ethnic Mitigation Activity

- To retain the scheme's commitment on community cohesion it is anticipated that the replacement social housing on the site i.e. the 200 proposed units split between social rented, affordable rented and intermediate units will be populated with a high proportion of Bangladeshi residents to reflect the current demographics (80% of tenants). This should be supported by the high proportion of Bangladeshi's on the Common Housing Register (59%).

Disability Mitigation activity

- Operationally it would make sense to have early engagement with those residents that have a stated disability. This is particularly important with the households who identified sensory impairments within their families, and when considering the challenges associated with moving disabled families only once.
- In terms of formal adaptations for disability, there is a need to ensure that Housing Management functions are engaged to support this process.
- Referrals when appropriate will be made to LBTH OT / social worker to assess the disability needs of residents.
- If leaseholders are seeking to leave the estate, referrals onto other Social Care Services should be made to mitigate any possible negative impact that disabled people may experience.
- Application of Considerate Contractor requirements to minimise negative impact during construction period
- Support with adaptations in new units, designed specifically to the disabled person's needs should be a prerequisite.

Age Mitigation activity

Older People

- Ensure that tenants, particularly older tenants, only move once into their new homes, if this is their choice
- Support for and recognition of the financial constraints that many older people will experience to support them to come to terms with the transition to a new home (if a tenant or leaseholder staying on the estate) and to support older people (tenants and leaseholders) who are moving away from the estate
- To support older leaseholders to access the right options for them and to ensure that their support is maintained through to the conclusion of the CPO process and the allocation of new homes
- Referrals will be made to LBTH OT/Social services support for any adaptations to new homes for older people particularly those with a disability / health conditions

- Application of Considerate Contractor requirements to minimise negative impact during construction period

Socio-Economic Mitigation issues

- Resident homeowners would be compensated by offering the market value plus 10% for home loss of their current home. Non-resident homeowners will receive a basic loss payment of 7.5%. Disturbance costs including reasonable legal and valuation costs will also be paid.
- The regeneration programme will have impacts on residents, tenants and leaseholders alike, which might incur greater costs and hence become a burden for those residents unable to afford the associated costs. To this end the developer will provide options within the 'relocation offer' package to address affordability issues
- The Council will need carefully to monitor how the proposals affect older leaseholders or leaseholders with reduced financial capacity.

Language Mitigation

- Ensure the availability of translation and interpretation services for residents (tenants and leaseholders) businesses and Market traders, when specific engagement and negotiation is being undertaken

Health Mitigation issues

- Needs Assessments will be carried out where required and dedicated rehousing support provided by the CSDL/HARCA including access to mental health support where required.
- Serious conditions should be prioritised, but progressive conditions may need to be addressed
- Medical and OT assessment may need to be established to mitigate negative impacts

2 Introduction and context

2.1 This Equality Impact Assessment (EIA) has been commissioned as an independent report by Poplar HARCA and Telford Homes and has been reviewed and supported by the LB Tower Hamlets Housing Regeneration team and focuses on the key elements of the District regeneration proposals for Chrisp Street. The EIA seeks to address the equality impacts of:

- The regeneration proposals for the Chrisp Street District Centre
- The proposed Compulsory Purchase Order (CPO)
- The regeneration proposals including resident engagement, design, planning and phasing
- Programme proposals and guarantees for tenants, leaseholders, Private Landlords, Businesses, Retailers, Market Traders and other property interests in the district regeneration area.
- The impact on the retail relocation offer and the shoppers who use the District centre.

Brief Scheme Description

2.2 Poplar HARCA and CSDL have submitted a planning application which aims to meet the requirements of the Council's Managing Development Document. The Scheme proposes the comprehensive redevelopment of the Site (including existing car park), comprising the demolition of existing buildings (with the exception of the Festival of Britain buildings, Clock Tower and Ideas Store) and the erection of 19 new buildings ranging from 3 to 25 stories to provide:

- 18234 sqm of retail and leisure space including a new multi-screen cinema, food and drink premises and a multi-use function/community centre at the heart of the Site as well as a new anchor food store at the northern end of the Site to promote activity and permeability across the Site;
- 643 new homes;
- Re-provision of 200 social rented homes, including a minimum of 20 additional habitable rooms;
- Retention and enhancement of the heritage features of the Site, namely the existing Festival of Britain housing and retail provision at ground floor level, the Clock Tower and the original 1950's Gibberd masterplan for the market;
- New and upgraded public open space including child play space;
- New public realm, landscaping works and lighting;
- Cycle parking spaces (including visitor cycle parking); and
- Disabled car parking spaces.

2.3 The Scheme will revitalise and rejuvenate the existing district centre and market by maintaining, enhancing and increasing the supply of town centre activity, including creation of circa 500 new jobs and an estimated additional annual spend of £10.2M. The Scheme will progress the Mayor's aims "To regenerate the existing centre

based in and around Chrisp Street into a vibrant, thriving, and multi-purpose town centre, with a mix of uses including evening and night-time use and a market” (LBTH Core Strategy).

- 2.4 It is anticipated that construction of the Scheme will last approximately 8 years. The programme for the Scheme aims to maintain the sustainability of the district centre throughout and following on from the regeneration programme and to provide an extension of usage to 16 – 20 hours per day as opposed to the current 8 hours per day.
- 2.5 The proposed phasing of the Scheme has been designed to:
- Maximise the opportunity for internal decants from residents into the new affordable homes and provide the opportunity for leaseholders to acquire new properties within the redeveloped parts of the estate. This has positive benefits in that those people that wish to remain part of, or return to, the community will be able to do so, which in turn has a positive benefit on maintaining and building community cohesion;
 - Create new retail space in advance of existing spaces being removed to allow the relocation of existing businesses. Poplar HARCA and CSDL have provided a detailed Retail Management Strategy as part of the planning application that identifies how the retail provision will be managed during the regeneration programme and proposed management arrangements for the future. An addendum to this Strategy has been prepared to support the case for the Council’s use of their Compulsory Purchase powers and better explain the detailed operational application of the strategy;
 - Minimise the number of property acquisitions required to deliver the early phases of development
 - Maintain a viable retail trading environment during the redevelopment;
 - Minimise disruption to residents in the demolition and build processes
- 2.6 These plans will be further reviewed through the course of this EIA. The equality context of this EIA is set by national legislation and local equality policy as set out below including:

The Equality Act 2010

- 2.7 The LB Tower Hamlets like all other public bodies has a duty through the Equality Act 2010 to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Protected characteristics include:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Tower Hamlets Equality Policy

2.8 Tower Hamlets is one of the most diverse boroughs in the country and equality is a central priority to the way the borough works for its communities. The Tower Hamlets Single Equality Framework 2017-18 is made up of:

- key activities that the council will deliver to improve equality related outcomes for residents
- what the council will do as an organisation to promote equality as an employer and through the goods and services that are purchased and commissioned, and
- the measures that the council will take to improve its equality practice across the organisation.
- the performance measures that will be used to monitor progress

2.9 The Community Plan sets out the vision and aspirations for the borough. The plan was refreshed in 2015 with the core themes of:

- great place to live
- a fair and prosperous community
- a safe and cohesive community
- a healthy and supportive community

2.10 In addition, there is a focus on how the council will further the aims of One Tower Hamlets – a more equal and cohesive borough with strong community leadership. The plan also identifies some long term and emerging challenges:

- persistent low employment levels, particularly for women and some ethnic minorities;
- high levels of child and pensioner poverty and the impact of welfare benefit cuts on an already deprived community;
- low levels of healthy life expectancy;
- a further wave of austerity and public-sector cuts ushered in by the Comprehensive Spending Review and a consequent Medium Term Financial Strategy savings target of £58 million over the next 3 years

2.11 Operationally Tower Hamlets is committed to delivering equality and diversity and it uses its Equality Impact Assessment Framework to support this aim. This EIA has been completed within the context of the Borough EIA framework

Equality Impact Assessments

2.12 This EIA adopts the borough's model for EIAs set by the borough's equalities Impact Analysis guidance. However, like most other authorities, Tower Hamlet's EIAs are a self-assessment tool to help look at the likely positive and negative impacts of the borough's work on staff, residents, partners and communities regarding equality of opportunity, and promoting diversity in employment and service delivery.



2.13 The Equalities Impact Assessment will cover the following areas in the context of the council's general duty to:

- address identified barriers;
- eliminate discrimination;
- promote equality of opportunity;
- promote good relations between different people;
- support employment opportunities;
- secure inclusive design.

2.14 From an analysis perspective, the EIA will focus on addressing:

- Likely regeneration programme impacts
- Likely / expected equality impacts
- Direct and indirect equality impacts
- Proportionality of impact across protected characteristics/local characteristics including proportion, and disproportional, thereby assessing proportional positive impacts and negative impacts and / or disproportional positive and negative impacts.

- As part of this process it is critical to enable the developer, landowner and council to assess what it will undertake to address the outcomes of these assessments.
- This analysis will enable a process of prioritising these impacts, which will enable Tower Hamlets the opportunity to choose options for the mitigation of negative impacts accordingly.

3 The Scheme and its proposals

3.1 This regeneration scheme has been proposed by Chrisp Street Development Ltd (CDSL) and Poplar HARCA (CSDL/HARCA). As has been described the scheme is a redevelopment of the district centre which has a multi-faceted range of improvements from, business and retail, housing development and leisure and amenity provision. The scheme has a wide range of potential beneficiaries and equally there will be a number of key people and groups that are likely to be affected by the proposals. To this end this section seeks to identify these components of the communities that currently use the centre and seeks to break these groups down by the known equalities groups and protected characteristics in the area.

3.2 However, numbers themselves do not fully describe the likelihood of regeneration impacts. For in addition to the numerical and quantitative profiles of the different communities in the centre it is equally important to assess the likelihood of implications drawn out of the regeneration which will have potentially negative or disproportionately negative impacts on particular groups. This is the central focus of this EIA and it is critical that the evidence is reviewed to make these assessments.

The scheme

3.3 One way to describe the scheme is to compare that is currently being provided on site to what is being proposed. The tables below seek to do this and seek to identify the scope and range of the regeneration impacts:

Housing	Current	Proposed	Likely Regeneration Impacts
Social Housing Tenants	124	200 ¹	Increase in volume of social housing provision ²
Leaseholders	45	443	Significant increase in new private ownership on site
Intermediate	0	37	
Retail	Current	Proposed	Likely Equality Impacts
Drink and food premises		32	
Cinema		1	Multi-screen cinema
Retail Businesses	66 (59)		
Market Traders			
Lock ups	31	3	
Creating 339 equivalent full time new jobs, creating an estimated annual spend of £10.2m	265	600	

¹ Includes social rented, affordable rented and intermediate

² Scheme mix in accordance with LBTH DPD MDD to meet known local needs

Amenity	Current	Proposed	Likely Equality Impacts
Community Hub		1	planned extension of the Idea Store at first floor level with affordable workspace
Significant public realm improvements,			Upgraded landscaping, external lighting and enhancements to the existing market square and other areas.
A site wide estate management regime that will encompass the district centre			Upgraded 24 hour Closed Circuit TV (CCTV) onsite security presence 24/7 days a week, 365 days a year
Additional support provision as a result of the development			
New financial benefits including New Homes Bonus, Council Tax generation, planning obligations			Community Infrastructure Levy (CIL) and other site specific
Regeneration jobs		100	Construction and administration jobs through redevelopment
Retention of heritage features			43 Festival of Britain homes; retail provision at ground floor level; and the Clock Tower
New Sure Start Children's Centre		1	To be relocated to adjacent Kerbey St site, bringing services under one roof
New and improved public routes through the site,			new public spaces across the Scheme enhance the public realm experience

3.4 The Scheme involves the following:

Demolition of:

- a) Existing buildings within the red line area, apart from the Festival of Britain buildings, Clock Tower and Idea Store including 12,142 sqm of existing non-residential floorspace

Construction of:

- a) 19 new buildings ranging from 3 – 25 storeys;
- b) 643 residential properties including new open market homes and the provision of 163 social rented and affordable housing units;
- c) Increased commercial floorspace creating a total of 21,981sq m of retail/social/leisure floorspace across the site including a new cinema, flexible workspace (B1 Use Class); new retail units (A1-A3 Use Class), new anchor food store (A1 Use Class), public house (A4 Use Class) and hot food takeaway (A5 Use Class); (this figure includes the offsite provision set out in the relocation other than Poplar Youth Club and One Stop Shop who relocate to existing provision)
- d) Extension to existing Idea Store for community use and multi-function space;
- e) Child play space, new public realm, landscaping works and new lighting; and
- f) Increased cycle parking provision

Refurbishment of:

- a) The existing market, including new canopy and service building;
- b) The retained Festival of Britain buildings; and
- c) The Clock Tower.

Relocation of:

- a) Poplar HARCA offices to refurbished premises at the former George Green School
- b) Sure Start centre to new premises on Kerbey Street;
- c) Poplar Boys and Girls Club to premises at Trussler Hall
- d) Businesses from lock-ups to premises in Cygnet House

S106 Obligations

3.5 Grant of planning permission will be subject to CSDL first entering into a section 106 agreement with the Council as the local planning authority to bind each parties' respective land interests in the site. The proposed agreement is laid out in the table below and sets out the following development profile for the site, broken down by unit size and affordable and market housing types:

Unit Size	Total Units	Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate			Units	As a %	Policy Target %
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	0	0	/	/	0	/	/	0	/	/
1 Bed	297	58	35.5% (-1.5%)	30%	18	48.5%	25%	221	50%	50%
2 Bed	179	40	24.5% (-5.5%)	25%	11	30%	50%	128	29%	30%
3 Bed	145	43	26.5% (+1.5%)	30%	8	21.5%	25%	94	21%	20%
4 Bed	22	22	13.5% (+5.5%)	15%	0	0	0%	0	0	
Total	643	163	100%	100%	37	100%	100%	443	100%	100%

Covenant not to occupy or permit occupation of more than sixty percent (60%) of the private residential units until:

- (i) 72% of the Affordable Housing Units have been completed; and
- (ii) 100% of the Affordable Housing Units have been transferred to an RP or AAHP.

Any GLA grant funding to be applied to the above 206 affordable housing units to be delivered pursuant to the section 106 agreement.

Poplar HARCA has made the following commitment to its tenants at Crisp Street:

- Awarded decant priority status
- Relocation to a suitable home of a type and size that meets their housing need
- Help with the cost of moving
- Home Loss payment
- Option to return to the new scheme for all existing tenants being decanted

- Existing former Council tenants who transferred to Poplar HARCA will keep
- their protected rights (such as Right to Buy) if they decant to another Poplar HARCA property.
- Other Poplar HARCA tenants will keep their assured tenancy rights if they choose to move within Poplar HARCA properties or to any other Housing Association

Relocation Offers

- 3.6 Clearly aside from the component elements of the regeneration proposals it is important to assess how tenants, leaseholders, businesses and operators from the centre are likely to be treated and the approach the landlords will take to their working relationships. These have been mapped out in a series of guidance and guarantees documents. A brief review of which is set out below.

Implications for social rented tenants

- 3.7 There is an increase in the overall number of affordable housing units. Poplar HARCA has provided a more balanced provision of mix of smaller properties and family homes to be provided than exists within the current affordable provision.
- 3.8 The Scheme will positively contribute to wider estate regeneration and community cohesion by providing modern housing of the right quality, tenure and affordability to help meet peoples' needs.
- 3.9 The delivery of new housing also supports the Council and the Mayor's strategic housing and planning objectives. It will encourage the expansion of a local community whose residents are supported to take stewardship of their neighbourhood, through the use of the existing Estate Board and new management arrangements for the area and by inviting new residents to participate in these arrangements.
- 3.10 The retained housing has already undergone works to bring properties to the decent homes standard.

Implications for existing Leaseholders

- 3.11 Resident homeowners who wish to live on the regenerated Chrisp Street Site will be given the opportunity to do so. They will be offered a range of options depending on their personal financial circumstances. If none of these options are adequate CSDL and Poplar HARCA will explore other options with them.
- 3.12 Homeowners that do not wish to live in a home on the newly built Chrisp Street Site, will have to sell their home to CSDL for market value (plus home loss compensation) after an independent valuation and make their own new housing arrangements. The valuation of their property will be independent and based on market values and they will be compensated for having to move home. CSDL will provide them with help to enable their move, with additional support offered to them if they have special needs or a disability.
- 3.13 CSDL/Poplar HARCA will provide Leaseholders with advice and information to help them make informed decisions about their future housing. If they choose to stay living on in Chrisp Street and if they require adaptations because they have a disability (or a member of their household has) they will be able to have these adaptations made to their new home,
- 3.14 CSDL will ensure that any resident leaseholders on the Chrisp Street site will have an opportunity to purchase a property locally to Chrisp Street through one of the

rehousing options available. All leaseholders will be able to access independent professional advice as part of the negotiations.

- 3.15 Many leaseholders will want to make their own arrangements for a new home after they have agreed a valuation for their existing property. Others will need CSDL/HARCA's support to find a new home. CSDL/HARCA have developed a set of options that are designed to offer resident leaseholders the level of support needed.

Implications for new leaseholders

- 3.16 There are a series of options for those people seeking to purchase a new home due to the redevelopment of the Chrisp Street Site:
- Buying a property on the open market
 - Leasehold Swap
 - Shared ownership, on Chrisp Street
 - Shared ownership, off Chrisp Street but within Poplar HARCA stock
 - Renting in the private sector
 - Apply for social rented accommodation (Subject to affordability criteria)
 - Shared Equity (Subject to affordability Criteria)

Retail Proposals

- 3.17 The CPO area originally contained three freehold land interests not owned by Poplar HARCA/Chrisp Street Development Ltd (CSDL) or London Borough of Tower Hamlets (LBTH):
- Co-op store
 - Co-op car park
 - Iceland store

These freehold interests have all been acquired by CSDL.

- 3.18 There are 66 existing shop units in the CPO area, 22 are due for demolition and 44 will remain or be subject to re-modelling and agreed improvements in line with the Retail Management Strategy. In addition to this the following commercial units are occupied as non-retail uses:
- The Sure Start Centre has two units
 - The centre management office
 - One is used by CSDL as a temporary site office
 - The existing One Stop Shop; and
 - The Ideas Store

Retail Management Strategy

- 3.19 CSDL and Poplar HARCA have confirmed as stated in the Retail Management Strategy that all retailers who had a right to renew their lease would be offered the option to stay within the scheme if they so wish. Alternatively, if any retailer wishes not to remain and surrender their lease to CSDL/HARCA will be compensated to

surrender their current lease accordingly in line with the statutory CPO compensation code.

- 3.20 Retailers wishing to stay fall into two main categories. Those who will need relocation to alternative premises and those who can remain in their existing location but whose lease will need to be varied to take into account the new scheme arrangements.
- 3.21 Retailers who are not being relocated will be provided with new shop fronts and unit improvements in line with the proposals submitted for planning, new signage and 24/7/365 on site management presence with onsite security and Closed-Circuit TV (CCTV) coverage. CSDL/HARCA will meet the reasonable costs associated with either the granting of a new lease, an agreement to lease or the amendment to their current lease. CSDL/HARCA also pay reasonable professional costs (surveyor) if required up to an initial 10 hours, reviewable depending upon the complexity of the matter plus reasonable legal costs associated with the transaction.
- 3.22 For retailers who are required to relocate to another unit within the scheme CSDL/HARCA will offer the following in addition to the paragraph above. Retailers will be offered a unit of the same floor area or slightly smaller as they currently occupy unless a different size unit is more appropriate to their business performance and aspirations. HARCA/CSDL will pay for the shop fit of the new unit to, at minimum equivalent standards of their existing unit, and ensure all units meet current regulatory requirements. HARCA/CSDL will also pay reasonable relocation costs associated with the move. They will specify a mechanism to agree reasonable fees between the parties if agreement cannot be reached by referral to an independent surveyor / shopfitter
- 3.23 HARCA/CSDL will endeavour to offer a new unit in a location that meets both the needs and wishes of the retailer but also takes into account the principles of good estate management, servicing, availability and other restrictions.
- 3.24 Some retailers may wish to cease trading for a variety of reasons, in these cases HARCA/CSDL will either pay them appropriate compensation to surrender their current lease based on the individual circumstances or if the lease has expired pay a minimum of two times the rateable value of the property. Professional advice to an initial 10 hours will also be made available.
- 3.25 HARCA/CSDL confirm that they will only terminate expired leases for trading retail businesses as a last resort, having first offered appropriate packages to reach voluntary settlements, including the relocation option within the scheme if requested by the retailer, in line with the Retail Management Strategy
- 3.26 All new leases granted will be on modern equivalent terms to a retailer's existing lease. This includes the standard lease term of 10 years, but may be varied longer or shorter in response to tenant request.
- 3.27 Rent reviews will be dealt with in the following way:
- CSDL and Poplar HARCA confirm that any rent reviews outstanding prior to 2015 will be settled at nil increase.

- Any rent review due from and including 2015 and up to the date of a cabinet approval to use Compulsory Purchase (CP) powers will be settled at market rates.
- No rent review that falls due after the cabinet approval to use CP powers will be actioned until 1 year following completion of the phase in which the unit is located. The rent will not be backdated.
- This would effectively mean that if a retailer has a rent review in say October 2018 and the phase did not complete until October 2020 the rent review would not take place until Oct 2021.
- CSDL and Poplar HARCA also will give personal concessions to independent retailers who qualify from the date of the rent review. This concession may last up to 5 years

4 Summary of equalities evidence

Context

- 4.1 The evidence that is needed to support this EIA has been gathered from a variety of sources. The fundamental aim at this stage in this EIA is to gather and present data that describes the populations currently living and working in Chrisp Street by each protected characteristic, where information is available) and to set the empirical context of tenants, leaseholders, private landlords/tenants, businesses, shop keepers, market traders, and other users of the district centre including community and voluntary organisations, as well as shoppers and visitors to the centre.

Analysis

- 4.2 The focus of the regeneration programme is to reinvigorate and regenerate the Chrisp Street District Centre. Housing is a component element of this scheme and therefore, from an impact perspective it is useful to contextualise this regeneration activity against the demand for housing in the borough, as well as to assess the retail and business usage of Chrisp Street.

Demand for Housing

- 4.3 The Tower Hamlets Housing Strategy 2016-2021 outlines the major concern over the shortage of affordable housing and concern that future rents set by the council and housing associations will force people out of the borough. 44% of households live in income poverty and the average cost of a property in LBTH is more than 14 times (£450,000) what a typical essential worker could earn in wages (£35,000). This combined with the population of Tower Hamlets likely to increase by 26% by 2026.
- 4.4 The purpose of the Housing Delivery Strategy is to demonstrate how Tower Hamlets is proposing to reduce the current anticipated housing shortfall and deliver housing sustainably, and in a way that meets local housing needs.
- 4.5 Tower Hamlets has the highest housing target in London (3,931 homes a year³). This target was established in the London Plan (2016) and developed through the Greater London Authority (GLA) Strategic Housing Land Availability Assessment (2013). It is a capacity driven target, reflecting land availability and likelihood of delivery. The London Plan target is a ten-year target (to 2025) but the London Plan is clear that where a target beyond 2025 is required, the annual target should be rolled forward.
- 4.6 The London Plan target is significantly higher than the borough's Objectively Assessed Need (OAN) of 3,100 homes a year, established by the LBTH Strategic Housing Market Assessment (SHMA) (2017). The OAN provides an estimate of the borough's housing need, based on the latest population projections.
- 4.7 Key Housing data sets

³ Private. Social rented and shared ownership accommodation

- The private rented sector is now the fastest growing housing sector in the borough; it has risen from 18.3% of the stock in 2003 to around 39% of the stock in 2014
- There are close to 9,000 ex-right to buy leasehold properties managed by Tower Hamlets Homes in the borough. Overall, there are more than 15,000 leasehold properties formerly owned by the council
- The borough is growing by over 3,000 homes per year, making Tower Hamlets the quickest growing borough in London.
- As of 2011, Tower Hamlets had approximately 67,209 homes in the private sector, of which 62% are in the private rented sector
- Private rented is now the largest tenure in the borough with 39% of the housing stock. The London average is 25%
- Approximately 37% of the private stock was built post 1990

4.8 Summary context:

- Tower Hamlets remains a borough of high housing need;
- There is a sustained increase of net migration into the borough;
- While the borough has a good average income, a significant percentage of the population has incomes of less than £15,000 per year, which has impacted upon the housing market;
- The borough needs to deliver a significant number of affordable homes each year to meet housing need; and
- A significant percentage of those homes must be three bedrooms plus to meet demand from over-crowded households.

Housing Register

4.9 This section describes the profile of Tower Hamlets housing register applicants and from that a profile of households living temporary accommodation, overcrowded and under occupied conditions. The data is based on a snapshot of the housing register on 9 November 2017. This information was provided by Tower Hamlets.

4.10 Key information:

- 18,788 households on the waiting list for housing
- 1,932 households living in temporary accommodation
- 7,127 households living in overcrowded conditions
- 962 households living in under occupied conditions

4.11 The borough's housing register holds some level of equality information, which is set out in the table below.

Applicant type	Core data
Applicants on the housing waiting list	<ul style="list-style-type: none"> • Around 19,000 households were on the council's waiting list for housing.
	<p>Age:</p> <ul style="list-style-type: none"> • Half (50%) of all applicants on the waiting list are aged 35-54, this age group represents 34% of the Tower Hamlets population. • The proportion of applicants in the under 34 age group are lower in comparison to these age groups in the Tower Hamlets population. • The proportion of applicants aged 50 and over are broadly comparable to the Tower Hamlets population in that age group.
	<p>Gender:</p> <ul style="list-style-type: none"> • There are more female (54%) than male (46%) applicants.
	<p>Disability:</p> <ul style="list-style-type: none"> • A disability was reported in 420 applicants on the waiting list, representing 2% of all households on the housing register
	<p>Race:</p> <ul style="list-style-type: none"> • 79% of all applicants on the waiting list are from BME groups, this group represent 55% of the Tower Hamlets population • Within the BME groups, applicants on the waiting list from Asian or Asian British and Black or Black British groups are overrepresented. Households from the Bangladeshi ethnic group are the most overrepresented representing 59% (this group represents 32% of the Tower Hamlets population). • There is an underrepresentation of applicants from mixed and White English/Welsh/Scottish/Northern Irish/British groups.
	<p>Religion or belief:</p> <ul style="list-style-type: none"> • 78% of applicants on the waiting list are Muslim (Islam is the religion for 35% of Tower Hamlets population). • 9% are Christian (Christianity is the religion for 27% of the Tower Hamlets population).
	<p>Sexual orientation:</p> <ul style="list-style-type: none"> • Most (59%) are heterosexual, 1% bisexual, 0.2% gay and 0.1% lesbian.

Applicant type	Core data
Applicants living in temporary accommodation	Marriage and civil partnership: <ul style="list-style-type: none"> • Most (58%) are married and 32% are single
	<ul style="list-style-type: none"> • Just under 2,000 applicants living in temporary accommodation, representing 10% of all applicants.
	Age: <ul style="list-style-type: none"> • 62% of applicants are aged 30-49, this age group represents 46% of Tower Hamlets population. • Compared to the age profile of Tower Hamlets population, there are less applicants aged under 30 and over 50 • 27% are aged under 30, this age group represents 33% of Tower Hamlets population • 10% are aged 50 and over, this age group represents 21% of Tower Hamlets population
	Gender: <ul style="list-style-type: none"> • There are more female (65%) than male (35%) applicants.
	Disability: <ul style="list-style-type: none"> • A disability was reported in 4 applicants on the waiting list, representing less than 1% of all applicants on the housing register
	Race: <ul style="list-style-type: none"> • 64% of applicants are from BME groups, this group represent 55% of the Tower Hamlets population • Within the BME groups, applicants on the waiting list from Asian or Asian British and Black or Black British groups are overrepresented. • Applicants from the Bangladeshi ethnic group are the most overrepresented representing 60% (this group represents 32% of the Tower Hamlets population. • There is an underrepresentation of applicants from mixed and White English/Welsh/Scottish/Northern Irish/British ethnic groups.
	Religion or belief: <ul style="list-style-type: none"> • 57% of applicants on the waiting list are Muslim (Islam is the religion for 35% of Tower Hamlets population) • 28% are Christian (Christianity is the religion for 27% of the Tower Hamlets population)
	Sexual orientation: <ul style="list-style-type: none"> • Most (54%) are heterosexual, 1% bisexual, 0% gay and 0% lesbian. Marriage and civil partnership: <ul style="list-style-type: none"> • Most (52%) are married, 30% are single
Households living in overcrowded conditions	<ul style="list-style-type: none"> • Just over 7,000 applicants living in overcrowded conditions, representing 38% of all housing applicants.
	Age: <ul style="list-style-type: none"> • In comparison to the age profile of the Tower Hamlets population, the age profile applicants on the waiting list shows a higher proportion aged between 30-49. • 65% are aged 30-49, this age group represents 46% of the Tower Hamlets population.
	Gender: <ul style="list-style-type: none"> • There are more male (56%) than female (44%) applicants.

Applicant type	Core data
	<p>Disability:</p> <ul style="list-style-type: none"> A disability was reported in 93 applicants on the waiting list, representing 1% of all households on the housing register. <p>Race:</p> <ul style="list-style-type: none"> 90% of applicants are from BME groups, this group represent 55% of the Tower Hamlets population Within the BME groups, applicants on the waiting list from Asian or Asian British and Black or Black British groups are overrepresented. Applicants from the Bangladeshi ethnic group are the most overrepresented (74%), this group represents 32% of the Tower Hamlets population. There is an underrepresentation of applicants from mixed and White English/Welsh/Scottish/Northern Irish/British ethnic groups. <p>Religion or belief:</p> <ul style="list-style-type: none"> 91% of applicants are Muslim (Islam is the religion for 35% of Tower Hamlets population) 2% are Christian (Christianity is the religion for 27% of the Tower Hamlets population) <p>Sexual orientation:</p> <ul style="list-style-type: none"> Most (54%) are heterosexual, 1% bisexual, 0% gay and 0% lesbian. <p>Marriage and civil partnership:</p> <ul style="list-style-type: none"> Most (67%) are married and 28% are single
Households living in under occupied conditions	<ul style="list-style-type: none"> Just under 1,000 applicants living in under occupied conditions, representing 5% of all representing applicants. <p>Age:</p> <ul style="list-style-type: none"> In comparison to the age profile of the Tower Hamlets population, the age profile of applicants on the waiting list shows a higher proportion aged 50 and over (85%), this age group represents 21% of the Tower Hamlets population. <p>Gender:</p> <ul style="list-style-type: none"> There are more female (65%) than male (35%) applicants. <p>Disability:</p> <ul style="list-style-type: none"> A disability was reported in 96 applicants on the waiting list, representing 10% of all applicants on the housing register <p>Race:</p> <ul style="list-style-type: none"> There is an underrepresentation of applicants from BME groups living in under occupied conditions Around half (51%) of all applicants are from BME groups, this group represent 55% of the Tower Hamlets population An over representation of all White ethnic groups (49%), this group represents 45% of the Tower Hamlets population. <p>Religion or belief:</p> <ul style="list-style-type: none"> 48% of applicants on the waiting list are Muslim (Islam is the religion for 35% of Tower Hamlets population) 20% are Christian (Christianity is the religion for 27% of the Tower Hamlets population) <p>Sexual orientation:</p> <ul style="list-style-type: none"> Most (71%) are heterosexual, 0% bisexual, 0% gay and 0% lesbian.

Applicant type	Core data
	<p>Marriage and civil partnership:</p> <ul style="list-style-type: none"> • Most (65%) are married and 22% are single

Equalities issues raised by applicants on the Housing Waiting List

4.12 What this data clearly describes is the extreme diversity of people on the Borough’s Housing waiting lists. Arguably any provision of social housing is likely to address this diversity and the increase of affordable housing on the Chrisp Street site is likely to benefit a diverse cross section of those on the waiting list. This is likely to have a positive equality outcome for those seeking new accommodation. Moreover, given the increasing levels of private rented provision in the borough, this too is likely to have some broadly positive impacts on diverse groups in the community. The measure of this however will only be seen going forward. Moreover, it may be important for the developer and Poplar HARCA to monitor this profile of those residents in the newly developed private housing to assess this impact effectively, it is critical also to assess this profile to address the borough commitment to community cohesion.

Chrisp Street Population (Residents/Businesses/Visitors)

4.13 The Public-Sector Equality Duty (PSED) 2010 places a responsibility on the Owners, Developers and Partners of this regeneration programme to have due regard to 'Promote Good Relations'. Not vicariously in terms of race ethnicity but positively as part of this process. The equality issues are therefore acknowledging the barriers that could play a part in stopping the promotion of clear communications in for example: the Tenant Guarantees, the criteria for the Waiting Lists and in the general exchange of information, in consultation meetings and newsletters. These will be cultural and linguistic barriers that offer both the potential for 'exceeding expectations and disappointments', when seeking to promote good relations.

4.14 The table below summarises the key data findings for **SOCIAL HOUSING TENANTS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset, based mostly on individual responses (184) and household responses (51).

NB is this a proceeding tables the base data from which the percentages are takes is set out in the first column. For example (n=184) below relates to the 184 individual responses to the survey completed)

Chrisp Street	Equalities and diversity data
Age (n=184)	<ul style="list-style-type: none"> • In comparison to the age profile of Tower Hamlets there are proportionately more young and older residents. • 31% are aged under 18 (this age group make up 22% of Tower Hamlets population). • 14% are aged 65 and over, (this age group make up 6% of the Tower Hamlets population).

Chrisp Street	Equalities and diversity data
Gender (n=184)	<ul style="list-style-type: none"> The proportion of male and female is equal (50%), in the Tower Hamlets population 52% are male and 48% female.
Race (n=184)	<ul style="list-style-type: none"> Nine out of 10 (91%) social housing tenants are from BME groups, this group represents 55% of Tower Hamlets population. The largest ethnic group is Bangladeshi (80%), whilst representing 32% of Tower Hamlets population. Those from English/Welsh/Scottish/Northern Irish/British make up 9% of the social housing tenant population and represent 31% of Tower Hamlets population
Health and disability (n=184)	<ul style="list-style-type: none"> 17% reported a long-term physical or mental health condition or disability. Data from the Lansbury ward profile (2014)⁴ indicates a higher proportion of the Lansbury ward population had long-term health problem or disability limiting day to day activities a lot (9%) or a little (8%) compared to the overall Tower Hamlets population (7% a lot and 7% a little)
Religion or belief (n=184)	<ul style="list-style-type: none"> Religion or belief is more prevalent than in the Tower Hamlets population, only 3% have no religion compared to 19% across Tower Hamlets. 83% of are Muslim (Islam is the religion for 35% of Tower Hamlets population) 15% Christian (Christianity is the religion for 27% of Tower Hamlets population).
Gender reassignment	<ul style="list-style-type: none"> No data was captured on gender reassignment.
Sexual orientation (n=184)	<ul style="list-style-type: none"> A significant proportion did not provide an answer to this question or were not asked if the question related to a household member aged under 18 (41%). 59% of tenants are heterosexual.
Pregnancy and maternity (n=51)	<ul style="list-style-type: none"> 8% of households are either expecting a baby or have had a baby in the past 12 months.
Marriage & civil partnership	<ul style="list-style-type: none"> No data was captured on marriage or civil partnership.
Health and disability (n=184)	<ul style="list-style-type: none"> 17% reported a long-term physical or mental health condition or disability.
Socio Economic	<ul style="list-style-type: none"> No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁵ indicates that overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is greatest in the following categories; looking after home or family, long-term sick or disabled and retired. Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.
Housing benefit claimants	<ul style="list-style-type: none"> No data was captured on housing benefit claimants.

⁴ Data from the Lansbury ward profile (2014)⁴ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street.
Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

⁵ Data from the Lansbury ward profile (2014) sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street.
Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Chrisp Street	Equalities and diversity data
Household composition (n=51)	<ul style="list-style-type: none"> The number of people per household varied from 1 person to 8 people. Most households are made up of two people (27%) or four people (20%).
Length of time (n=51)	<ul style="list-style-type: none"> Around three quarters (73%) have been living in their property for 10 or more years. 18% have been living in their property between 5-10 years.
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Equality issues raised

- 4.15 The profile of the social housing tenants currently on Chrisp Street is significantly diverse. In particular, the Bangladeshi population makes up 80% of Social Housing Tenants. From a faith perspective there are a high number of Muslims at 83% which is much higher than Tower Hamlets population of Muslims standing at 35%.
- 4.16 It is anticipated that the replacement social housing on the site i.e. the 200 proposed units split between social rented, affordable rented and intermediate units are populated with a high proportion of Bangladeshi residents to reflect the current demographics (80% of tenants). This outcome is likely as 59% of the Common Housing Register is made up of people that are Bangladeshi. If this were to be achieved, this would support the scheme's commitment to community cohesion.
- 4.17 It is also critical that the social housing components to the site retain their commitment to increased habitable rooms per unit to reflect the need for family accommodation.
- 4.18 Finally whilst not specifically a residential phenomenon, it is also important to recognise that there is a real need to share the value of the employment benefits of the regeneration scheme and that reducing poverty for some of the poorest families by making available employment opportunities will make a big difference to Bangladeshi and white British communities alike and in so doing strengthen community relationships.
- 4.19 The table below summarises the key data findings for **LEASEHOLDERS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset, based mostly on individual responses (53) and household responses (15).

Chrisp Street	Equalities and diversity data
Age (n=53)	<ul style="list-style-type: none"> The age profile of the leaseholder population is relatively young. 50% are aged under 18, this age group represent 22% of Tower Hamlets population. Proportionately more leaseholder aged 18-24 (17%) and 35-44 (22%) compared to Tower Hamlets population (11% and 17% respectively)
Gender (n=53)	<ul style="list-style-type: none"> There are more female (57%) than male (43%). The gender profile In Tower Hamlets population is 52% male and 48% female%.

Chrisp Street	Equalities and diversity data
Race (n=53)	<ul style="list-style-type: none"> • Most leaseholder residents are from White ethnic groups (58%), this ethnic group represents 45% of Tower Hamlets population. • 30% are from White English/Welsh/Scottish/Northern Irish/British, similar to the Tower Hamlet population (31%). • In comparison to the Tower Hamlets ethnic profile those from Irish and other White ethnic groups are overrepresented. Whilst those from the Bangladeshi ethnic group are underrepresented, accounting for 19%, whilst representing 32% of the Tower Hamlets population.
Health and disability (n=53)	<ul style="list-style-type: none"> • 32% reported a long-term physical or mental health condition or disability. • Data from the Lansbury ward profile (2014)⁶ indicates a higher proportion of the Lansbury ward population had long-term health problem or disability limiting day to day activities a lot (9%) or a little (8%) compared to the overall Tower Hamlets population (7% a lot and 7% a little)
Religion or belief (n=53)	<ul style="list-style-type: none"> • Religion or belief is more prevalent than in Tower Hamlets population, 11% of have no religion compared to 19% across Tower Hamlets. • 32% are Muslim (Islam is the religion for 35% of Tower Hamlets population) • 40% are Christian (Christianity is the religion for 27% of Tower Hamlets population)
Gender reassignment	<ul style="list-style-type: none"> • No data was captured on gender reassignment.
Sexual orientation (n=53)	<ul style="list-style-type: none"> • 83% of leaseholders are heterosexual and the remaining 4% gay. • 13% of leaseholders did not provide an answer to this question or were not asked if the question related to a household member aged under 18.
Pregnancy and maternity (n=15)	<ul style="list-style-type: none"> • 0% of households are either expecting a baby or have had a baby in the past 12 months.
Marriage & civil partnership	<ul style="list-style-type: none"> • No data was captured on marriage or civil partnership.
Health and disability (n=53)	<ul style="list-style-type: none"> • 32% of all residents reported a long-term physical or mental health condition or disability.
Socio Economic	<ul style="list-style-type: none"> • No data on economic activity was captured. • Data from the Lansbury ward profile (2014)⁷ indicates that overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). • Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired. • Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.
Housing benefit claimants	<ul style="list-style-type: none"> • No data was captured on housing benefit claimants.

⁶ Data from the Lansbury ward profile (2014)⁶ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street.
Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

⁷ Data from the Lansbury ward profile (2014) sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street.
Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Chrisp Street	Equalities and diversity data
Household composition (n=15)	<ul style="list-style-type: none"> The number of people per household varied from 1 person to ten people. Most households are made up of two people (27%) and one-person households (20%).
Length of time (n=15)	<ul style="list-style-type: none"> Most (87%) have been living in their property for 10 years or longer.
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Equality issues raised

- 4.20 Leaseholders are a critical component to any mixed tenure development. Moreover, the development of more private housing on site will significantly increase the volume of leaseholders on site. The critical component here is the affordability of the new units for existing leaseholders. This is something that will need to be developed through negotiations with the developer. Options to support affordability have been proposed by the developer however these will need to be examined by each leaseholder individually.
- 4.21 The equalities profile shows these leaseholders to be less ethnically diverse than the remainder of residents on the site. However, they are potentially older and 32% have reported long term physical or mental health conditions or a disability. This is not insignificant and will need to be addressed through the negotiations due to be held with the developer. Nonetheless this should not mitigate against them in any way and or affect their rights to secure the best deal within the confines of the redevelopment/relocation packages available.
- 4.22 Affordability and age are also important issues for leaseholders particularly as many will have bought when they were working, and some may now be retired and hence economically inactive.
- 4.23 The table below summarises the key data findings for **PRIVATE TENANTS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset, based mostly on individual responses (79) and household responses (17).

Chrisp Street	Equalities and diversity data
Age (n=79)	<ul style="list-style-type: none"> The age profile is relatively young, with the majority aged between 18 and 44 (89%) (this age group represents 56% of Tower Hamlets population). 9% are aged under 18 (22% of the Tower Hamlets population). A very small proportion (3%) are aged 44-45 (22% of the Tower Hamlets population).

Chrisp Street	Equalities and diversity data
Gender (n=79)	<ul style="list-style-type: none"> There are less females (35%) than male (65%). The gender profile In Tower Hamlets population is 52% male and 48% female%.
Race (n=79)	<ul style="list-style-type: none"> Over two thirds (68%) are from other White ethnic groups, this group represents 12% of Tower Hamlets population Those English/Welsh/Scottish/Northern Irish/British and across all other ethnic groups are underrepresented in comparison to the ethnic profile of Tower Hamlets population. The second largest ethnic group in the private tenant population is Bangladeshi (19%).
Health and disability (n=79)	<ul style="list-style-type: none"> 6% reported a long-term physical or mental health condition or disability. Data from the Lansbury ward profile (2014)⁸ indicates a higher proportion of the Lansbury ward population had long-term health problem or disability limiting day to day activities a lot (9%) or a little (8%) compared to the overall Tower Hamlets population (7% a lot and 7% a little)
Religion or belief (n=79)	<ul style="list-style-type: none"> Religion or belief is comparable in the private tenant population to Tower Hamlets population, 20% of residents have no religion compared to 19% across Tower Hamlets. Religion or belief is more prevalent than in Tower Hamlets population, 11% of have no religion compared to 19% across Tower Hamlets. 25% are Muslim (Islam is the religion for 35% of Tower Hamlets population) 33% are Christian (Christianity is the religion for 27% of Tower Hamlets population)
Gender reassignment	<ul style="list-style-type: none"> No data was captured on gender reassignment.
Sexual orientation (n=79)	<ul style="list-style-type: none"> 73% of all residents are heterosexual, 4% bisexual, 24% gay and 0% lesbian.0 19% did not provide an answer to this question or were not asked if the question related to a household member aged under 18.
Pregnancy and maternity (n=17)	<ul style="list-style-type: none"> 0% of households are either expecting a baby or have had a baby in the past 12 months.
Marriage & civil partnership	<ul style="list-style-type: none"> No data was captured on marriage or civil partnership.
Socio Economic	<ul style="list-style-type: none"> No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁹ indicates that overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired. Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

⁸ Data from the Lansbury ward profile (2014)⁸ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street.
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⁹ Data from the Lansbury ward profile (2014) sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street.
Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Chrisp Street	Equalities and diversity data
Housing benefit claimants	<ul style="list-style-type: none"> No data was captured on housing benefit claimants.
Household composition (n=17)	<ul style="list-style-type: none"> The number of people per household varies from 2 people to seven. Most households are made up of three, four and five people, representing 18% (each).
Length of time (n=17)	<ul style="list-style-type: none"> 53% have been living in their property for less than 12 months. 24% have been living in their property between 5-10 years.
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Equality issues raised

- 4.24 Currently there are 17 private tenant households on the Chrisp Street Site. All of these are renting from non-resident lease holding landlords.
- 4.25 The key equality impact for this group is that some of these 'tenants' will be made homeless if they do not move to new accommodation with the landlords who will be moving off site. These private tenants may be eligible to access accommodation through LBTH although they will have to go through the housing allocations process like anyone else.
- 4.26 The households of these private tenants are predominantly aged between 18-44, there are also smaller numbers of children in these households i.e. 9% compared to 22% across the borough. There are fewer females (35%) than males (65%) and 68% are from white groups.
- 4.27 Ethnically the vast majority are from white other groups (68%) and Bangladeshi (19%) this offers the assumption that most of these private renters are either European or eastern European migrant workers.
- 4.28 The levels of disability are relatively low at 6% suggesting no more than 2 individuals with either a long-term physical or mental health condition or disability.
- 4.29 The table below summarises the key data findings for **SHOP OWNERS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset.

Age	Equalities and diversity data
Age (n=71)	<ul style="list-style-type: none"> 35% of shops are owned by those aged 35-44 and 32% by those 45-54
Gender (n=71)	<ul style="list-style-type: none"> 66% of shop owners are men and 34% are women
Race (n=71)	<ul style="list-style-type: none"> 74% of shop owners are from BAME communities; 35% of shop owners are from the Bangladeshi community and 27% are white British
Disability (n=71)	<ul style="list-style-type: none"> Only 3 owners identified as having a disability

Age	Equalities and diversity data
Religion or belief (n=71)	<ul style="list-style-type: none"> 56% of shop owners practice the Islam faith;15% are Christians;14% have no religion
Gender reassignment	<ul style="list-style-type: none"> No data was captured
Sexual orientation (n=71)	<ul style="list-style-type: none"> 80% reported being heterosexual; no shop owners reported being gay or lesbian
Pregnancy and maternity (n=71)	<ul style="list-style-type: none"> No data was captured
Marriage & civil partnership (n=71)	<ul style="list-style-type: none"> No data was captured
Socio Economic	<ul style="list-style-type: none"> No data captured
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Equality issues raised

- 4.30 Over 65% of shopkeepers are aged between 35 and 54 years old. This is broadly consistent with 'owner managed' businesses. 74% of the shop owners are from the BAME community and 27% are white British, and there are nearly twice the number of male shop owners at 66% to woman at 34%.
- 4.31 It is critical that the regeneration proposals are effectively communicated to all businesses. The business community is the heart of the district centre and it is important to ensure that these businesses are able to effectively engage in the redevelopment process as in many cases these businesses will be returning to this centre.
- 4.32 The option to remain on the site will be offered to all shop keepers and hence the impact of loss of business and the need to relocate are less likely to apply if the shop owner wants to remain in Chrisp Street. If they don't for their own commercial reason this may have a negative impact on any staff, they may employ.
- 4.33 Key consultation issues for businesses included effective marketing and communications, parking, access to loading and unloading goods, parking and effective customer access.
- 4.34 The table below summarises the key data findings for **MARKET TRADERS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset.

Age	Equalities and diversity data
Age (n=33)	<ul style="list-style-type: none"> 54% are aged 35-44; 27% are aged 45-54
Gender (n=33)	<ul style="list-style-type: none"> 97% of market traders are male
Race (n=33)	<ul style="list-style-type: none"> 58% of market traders are Asian Bangladeshi;9% are White British and 9% White other
Disability (n=33)	<ul style="list-style-type: none"> No data was captured
Religion or belief (n=33)	<ul style="list-style-type: none"> 79% of market traders are Islamic

Age	Equalities and diversity data
Gender reassignment	<ul style="list-style-type: none"> No data was captured
Sexual orientation	<ul style="list-style-type: none"> No data was captured
Pregnancy and maternity	<ul style="list-style-type: none"> No data was captured
Marriage & civil partnership	<ul style="list-style-type: none"> No data was captured
Socio Economic	<ul style="list-style-type: none"> No data was captured
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Equality issues raised

- 4.35 There were 33 market traders that completed surveys in 2017. Of these 54% were aged 35-44 and 27% were aged 45-54. 58% were Bangladeshi, and 79% were Muslims.
- 4.36 Market traders are a central feature of Chrisp Street. They are critical to the draw to the area and have a symbiotic coexistence with the shop based retailers in the district centre. Many Market traders have been coming to Chrisp Street for many years and CSDL/HARCA will be including them in the consultation.
- 4.37 When completing the survey Micro Fish did not distinguish between Market traders and their staff. In most cases the person interviewed would have been the person working on that stall at the time of the interview. Some would be stall holders some may have been their employees.
- 4.38 It should be noted that LBTH have recently agreed the request that Poplar HARCA include market traders in the consultation exercise. Up until this point LBTH had requested that market traders were not consulted until there was a clearer picture as to the way forward. Future consultation exercises could be supported by the borough's market office to ensure all current and previous traders on Chrisp Street are engaged.
- 4.39 The table below summarises the key data findings for **EMPLOYEES** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset.

Age	Equalities and diversity data
Age (n=265)	<ul style="list-style-type: none"> 98% of employees are aged 18-64
Gender(n=265)	<ul style="list-style-type: none"> 94% of employees are male
Race (n=265)	<ul style="list-style-type: none"> 40% are Bangladeshi;23% are White British
Disability	<ul style="list-style-type: none"> No data captured
Religion or belief (n=265)	<ul style="list-style-type: none"> 45% of employee religions are not known; 30% are Islamic;12% are Christian

Age	Equalities and diversity data
Gender reassignment	<ul style="list-style-type: none"> No data was captured
Sexual orientation	<ul style="list-style-type: none"> No data was captured
Pregnancy and maternity	<ul style="list-style-type: none"> No data was captured
Marriage & civil partnership	<ul style="list-style-type: none"> No data was captured
Socio Economic	<ul style="list-style-type: none"> No data was captured
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

4.40 The table below summarises all employment from market traders, independent retails and multi nationals.

Number of business employing:

	All	Multiple/Not-for-profits	Independent shops	Market traders
No employees*	36	0	12	24
1 employee	18	0	14	4
2 employees	14	0	12	2
3 employees	12	0	11	1
4 employees	1	0	1	0
5 employees	6	2	3	1
6 employees	5	2	3	0
7 employees	0	0	0	0
8 employees	2	0	2	0
9 employees	2	2	0	0
10 employees	1	1	0	0
25 employees	1	1	0	0
50 employees	1	1	0	0
Total	99	9	58	32
*The owner(s) do not employ any staff				

4.41 In all cases the scheme is offering existing businesses the right to remain on site. Therefore, the option to remain on the site will be offered to all businesses and hence the impact of loss of business and the need to relocate are less likely to apply if the businesses want to remain in Chrisp Street. If businesses don't remain for their own commercial reason this then may have a negative impact on any staff, they may employ. This is a matter of market forces and whilst efforts to retain businesses are built into the regeneration scheme's offer to businesses and with this the mitigation of any potential negative impact on employees (i.e. loss of

employment) this is not supported if the business decides to leave on their own accord.

- 4.42 Some of the employees working in larger businesses in Chrisp street are due to relocate to other buildings outside the immediate regeneration scheme area. This is particularly the case for Poplar HARCA Staff and for the LBTH staff working in the district centre right now.
- 4.43 For these staff there are unlikely to be any real equalities implications, as the relocation proposals are not significantly disruptive with new Poplar HARCA premises being within walking distance of the current office facilities in Chrisp Street.

4.44 The table below summarises the key data findings for **SHOPPERS** on Chrisp Street in relation to equalities and diversity information as set out in the available dataset.

Age	Equalities and diversity data
Age	<ul style="list-style-type: none"> 21% aged 25-44; 20% aged 45-54;20% aged 55-64
Gender	<ul style="list-style-type: none"> 45% male and 55% female
Race	<ul style="list-style-type: none"> 36% Bangladeshi; 39% White British;9% White other
Disability	<ul style="list-style-type: none"> No data was captured
Religion or belief	<ul style="list-style-type: none"> No data was captured
Gender reassignment	<ul style="list-style-type: none"> No data was captured
Sexual orientation	<ul style="list-style-type: none"> No data was captured
Pregnancy and maternity	<ul style="list-style-type: none"> No data was captured
Marriage & civil partnership	<ul style="list-style-type: none"> No data was captured
Socio Economic	<ul style="list-style-type: none"> No data was captured
Main languages spoken	<ul style="list-style-type: none"> No data was captured on main languages spoken. 34% of the population of Tower Hamlets most commonly speak a language other than English (Census 2011). After English, Bengali is the most commonly spoken language for 18% of the population (Census 2011)

Source: Plus Four March 2016

Equality issues raised

4.45 The data sets out above is based on a survey of shoppers carried out by Plus Four in March 2016. The sample had a broad cross section of ages. The sample included a slightly higher number of women than men and showed a higher proportion of white British Shoppers, followed by Bangladeshi shoppers. However, there were no other protected characteristics recorded.

4.46 However, some retail patterns were assessed including:

- 70% of residents who mainly shop at Chrisp St walk there and more than 50% of shoppers walk there
- 6% of residents who mainly shop at Chrisp St drive there, as do 8% of the 'shoppers' (data excludes those who work there)
- 52% of residents go most often to Chrisp St for their everyday shopping essentials
- 74% of all residents who shop at Chrisp St said the market is the main reason for them to visit
- 37% of 'shoppers' also told us the main reason for their visit on the day/time concerned was the market
- Shoppers' visit Chrisp St every c.2 days, whilst residents who shop mainly on Chrisp St, do so every c.3 days

- 'Shoppers' stay on Chrisp St for 65 mins (excluding any time relating to work), whilst residents who mainly shop on Chrisp St stay for 53 mins
- Residents who take public transport to Chrisp St will stay longer (56 mins) than those who walk or drive (45-46 mins)
- Chrisp St is primarily associated with fruit & vegetables, large supermarkets and the market
- Amongst residents, the highest non-food offering used is the Post Office (22%), and amongst 'shoppers' high usage is also the Post Office, alongside the library/Idea Store, and banks (each 8%). NB: all services
- 33% of residents said the Chrisp St shops/services were poor, including feedback that there was not a wide enough variety of stores/stalls (many are the same) and that they can't get everything they need
- Overall, a third of residents (40% who most often shop at Chrisp St and 24% who most often shop elsewhere) and a quarter (26%) of 'shoppers' said that fashion/clothing would encourage them to visit Chrisp St more often
- A significant number say that another large supermarket would bring them to Chrisp St more often
- Those who shop 'most often' at Chrisp St market, visit cultural clothing stalls more frequently (29% v 15-22% all other markets) and are more likely to be attracted to fruit & veg stalls (66% v 49-56%)

Summary of perceptions of the regeneration programme:

4.47 The key perceived impacts as stated through research undertaken is set out below:

Key Issues	Residents	Businesses
<ul style="list-style-type: none"> • Impact will be on rents and shop-owners and then staff, as without the business then the shops won't be here 	<ul style="list-style-type: none"> • It is unlikely that the type of people who buy £600,000 developments will be shopping at many of the independents here 	<ul style="list-style-type: none"> • The rent will be high and there will be more competition. So they need to set aside some small units for businesses like us.
<ul style="list-style-type: none"> • Parking access - parking is needed 	<ul style="list-style-type: none"> • Residents and Customers worried about the lack of car parking 	<ul style="list-style-type: none"> • Especially concerned during the redevelopment and that it will be more congested e.g. where they are taking away parking spaces
<ul style="list-style-type: none"> • It's great for Poplar finally getting recognised as a place in its own right. 	<ul style="list-style-type: none"> • Welcome the new development, but not at the cost of getting rid of the existing local community of people. 	<ul style="list-style-type: none"> • Creating an evening culture with a Cinema and restaurants is perfect for this area which has been overlooked for so long.
<ul style="list-style-type: none"> • Poplar HARCA is not keeping us informed about the development 	<ul style="list-style-type: none"> • They don't tell us the advantages and disadvantages of the development 	<ul style="list-style-type: none"> • Impressed by the scheme and happy that existing retailers are being catered for
<ul style="list-style-type: none"> • Currently the 	<ul style="list-style-type: none"> • Need to cater for those on limited incomes and those 	<ul style="list-style-type: none"> • It will be great to have an alternative place to

Key Issues	Residents	Businesses
atmosphere is friendly and multicultural and worried that this will soon disappear	new residents that have more disposable income.	socialise after work and at weekends without having to go to Canary Wharf or the west end.

4.48 The views of residents as expressed through the regeneration scheme's consultation exercise have been extracted and are set out in the table above. Clearly there are positive impacts which when brought together may outweigh the negative impacts. Nonetheless this EIA exercise is about addressing negative impacts, and these are highlighted accordingly.

Consultation issues raised at the Planning Committee

- 4.49 A key concern raised at the Strategic Development Committee in February 2018 was the view, from some local people, that the development of the scheme lacked appropriate levels of consultation.
- 4.50 Engagement with the local community began in 2009, following the initial scheme feasibility study work in 2008, with specific consultation events to inform the local community and affected stakeholders to secure their input into scheme proposals being held every year since. Consultation has therefore helped to shape the proposed scheme over the last 9 years, for details see appendix 9.
- 4.51 The Statement of Community Involvement that supported the planning application, describes the scope of engagement that has been undertaken between 2009 and 2016 and the main outputs from it. This evidences that HARCA/CSDL have engaged in dialogue with all stakeholders about the scheme proposals throughout its development. Moreover, the GLA's response to the planning consultation set out in their Strategic Planning Application Stage 1 Referral Report (12 Dec 2016) were strongly supportive of the principle of redevelopment of the Site and applauded the positive engagement from HARCA/CSDL.
- 4.52 Since these consultations in 2016, there has been a public exhibition in the Management Office at No 19 Market Square in Chrisp Street open to stakeholders to visit. Indeed, leaflets were distributed to over 100 residents and key stakeholders and the exhibition's hours extended to include evenings and a weekend. Update newsletters were distributed to traders and residents in November 2017. A presentation was made to local faith groups in September 2017; Lansbury Estate Board in November 2017; and South Poplar Round Table in November 2017, a stakeholder group including Tower Hamlets College; Canary Wharf; and SPLASH. Street Market Traders continue to attend regular bi-monthly meetings where updates on the project are provided.

- 4.53 Moreover, since February 2018 there has been additional consultation and engagement of local people, businesses and stakeholders. These are set out in appendix 8.
- 4.54 Whilst these consultations have been widespread they have also been accessible as exemplified by:
- HARCA/CSDL Accessibility standards
 - Translations
 - Interpretations signage
 - Alternative formats

Chrip Street Regeneration offer booklets

- 4.55 Another central feature to the consultative approaches of HARCA/CSDL is the emergence of a number of booklets that provide information about the residential tenants offer, leasehold buyback and relocation offer, retail leasehold offer, market stalls offer and the lockup offer.
- 4.56 These documents explain HARCA/CSDL's offer for each of these groups, setting out the timescale for the development, frequently asked questions, choices for all parties and compensation payment (where applicable), How the developers will keep people up to date with the plans and how to contact someone who can help.
- 4.57 The details of the offers within these printed booklets have been set out in section 3 above. As a means of information sharing they are a positive contribution to engagement and need to be accessible to key equality groups within each of 5 cohorts of stakeholders being engaged. The design and feel of these booklets are positive although sourcing alternative print, translations and or audio version of the text may need to be addressed via the website links that the booklets are also hosted on.

5 Equality Impact Assessment

5.1 This section incorporates both data and analysis to assess the regeneration proposals and their associated decisions in the light of the ways in which they may affect residents, businesses and users of the Crisp Street District Centre that fall under the protected characteristics.

Regeneration rationale

5.2 The Scheme will revitalise and rejuvenate the existing district centre and market by maintaining, enhancing and increasing the supply of town centre activity, including creation of circa 500 new jobs and an estimated additional annual spend of £10.2M. The Scheme will progress the Mayor's aims "To regenerate the existing centre based in and around Crisp Street into a vibrant, thriving, and multi-purpose town centre, with a mix of uses including evening and night-time use and a market" (LBTH Core Strategy).

5.3 It is anticipated that construction of the Scheme will last approximately 8 years. The programme for the Scheme aims to maintain the sustainability of the district centre throughout and following on from the regeneration programme and to provide an extension of usage to 16 – 20 hours per day as opposed to the current 8 hours per day.

5.4 The proposed phasing of the Scheme has been designed to:

- Maximise the opportunity for internal decants from residents into the new affordable homes and provide the opportunity for leaseholders to acquire new properties within the redeveloped parts of the estate. This has positive benefits in that those people that wish to remain part of, or return to, the community will be able to do so, which in turn has a positive benefit on maintaining and building community cohesion;
- Create new retail space in advance of existing spaces being removed to allow the relocation of existing businesses. Poplar HARCA and CSDL have provided a detailed Retail Management Strategy as part of the planning that details how the retail provision will be managed during the regeneration programme and proposed management arrangements for the future;
- Minimise the number of property acquisitions required to deliver the early phases of development
- Maintain a viable retail trading environment during the redevelopment;
- Minimise disruption to residents in the demolition and build processes

Mapping Impacts

- 5.5 A central process within this EIA is to establish the planned activity set out in the scheme's proposals and to assess the likely impacts for residents, businesses and visitors in general. It also aims to highlight, where relevant, how these impacts can be assessed as having an equality component or at the very least where some protected characteristics may face a differential impact from others on the estate.
- 5.6 The table below sets out the key components of the regeneration programme as described in the Cabinet Report. It seeks to describe **generic impacts of the regeneration programme and to draw from that likely equality impacts**. The essence of this table will be drawn into the EIA assessment in section 5.

Regeneration activity, programme rationale, regeneration impacts and likely equality impacts.

Programme Rationale	Regeneration impacts	Likely Equality impacts (Positive and Negative)
Cabinet Report, December 2017		
This report seeks approval for delegated authority on a number of matters related to the East India and Lansbury Ward regeneration plans.	The Cabinet report makes it clear that the development must offer increased housing provision, improved employment opportunities and improvements to the economic, social and environmental well-being of the area.	The regeneration proposals for Chrisp Street will benefit the areas and the residents in and around the district centre, particularly from the improved retail and amenity provision on site. Additionally, the increased housing is likely to have a social housing and private housing value. The former should have a strong impact on securing housing for people currently on the borough's housing waiting list.
Reducing the number of those waiting on the borough's housing register		
Council-wide commitment to increase social housing	<ul style="list-style-type: none"> ▪ Increasing opportunities for those on the housing waiting list to access social housing in the borough ▪ The ethnic profile of those on the housing register is highly diverse with higher levels of Bangladeshi residents on the register. ▪ There are significant numbers of residents that are keen to see new property which is built to lifetime home standards, more energy efficient and with potentially less problems 	<p>The housing needs of people with a wider range of protected characteristics will be positively enhanced through the development of these new units</p> <ul style="list-style-type: none"> ▪ 643 more homes designed to lifetime homes standards and with disability access ▪ Improving the housing stock will provide homes to higher standards and hence improve the quality of accommodation for residents currently in the district centre

Programme Rationale	Regeneration impacts	Likely Equality impacts (Positive and Negative)
Demarcation of CPO area		
<p>The setting of a CPO is central to assemble the development site to commence construction</p>	<ul style="list-style-type: none"> ▪ Highlight which land interest are due included within the development red line area ▪ Confirm those land interests that due for demolition and re-build ▪ Demolition places a strain on residents within the development red line area, with the realisation of the 'clock ticking' before they need to leave their old homes 	<ul style="list-style-type: none"> ▪ Perception that some, particularly leaseholders are being 'forced' to have to sell and leave or stay and port their mortgage to a new property ▪ May have disproportionately negative impact on leaseholders who are less able to afford their new home thus 'forcing' them to sell and move off the estate ▪ General sense of stress, anxiety and disturbance for residents within the development red line area
Design		
<p>New energy efficient homes built to Lifetime homes standards</p>	<ul style="list-style-type: none"> ▪ Transferring tenants/leaseholders will have access to the specification and designs of their new homes ▪ Improved housing - better insulated, more energy efficient and removing current housing maintenance shortfalls 	<ul style="list-style-type: none"> ▪ The needs of older people and people with disabilities will be enhanced by the development of properties built to lifetime homes standards ▪ Families will have units that are in much better condition than currently
Planning		
<p>Planning applications to release the development process</p>	<p>The planning of the scheme sets out the project master plan, plan on physical design and compliance with local and national planning regulations</p>	<ul style="list-style-type: none"> ▪ The planning process itself should be equalities positive ▪ Users of the new district centre will have greater access both physically and better access to improved and sustainable facilities
Development programme		
<p>The construction programme itself Likely to be over an 8 year period</p>	<ul style="list-style-type: none"> ▪ Impact on residents within the development red line as well as those outside it ▪ Impact of development for properties outside the development red line but immediately adjacent to the regeneration itself include: <ul style="list-style-type: none"> - Disruption, noise, dust and 	<ul style="list-style-type: none"> ▪ Potential negative health impacts of the construction process including noise, dust, construction debris and environmental impacts negatively impacting on health, disability and pregnant mothers. ▪ This will be subject to who will remain on site during the development Households with children and older people

Programme Rationale	Regeneration impacts	Likely Equality impacts (Positive and Negative)
	<p>construction disturbance - Potential parking issues on site during the period of the regeneration</p>	<p>may find the regeneration process and construction harder to live with</p>
Decant		
<p>Decanting of those tenants in Phase 2 into new homes built in Phase 1</p> <p>Phasing for businesses is different as Businesses will move into new facilities once developed</p>	<ul style="list-style-type: none"> ▪ Aim for most people to have a single decant ▪ House move and settling into the new unit with its associated disturbance ▪ People may feel they do not know what's going to happen to them ▪ Residents may lose near neighbours in the transfer and some were concerned that they may be in a different location to their previous neighbours and fear the perceived need to have to start over again 	<ul style="list-style-type: none"> ▪ The decant process needs to address the equality needs of residents/businesses. Those who are most likely to be affected negatively are those who are older, disabled and or who have health conditions ▪ Wellbeing is a critical factor, as is the support network previously available pre-regeneration ▪ Some residents may lose immediate neighbours in the transfer to new accommodation which may have negative impacts on residents reliant on a local/neighbour care network ▪ This needs to be addressed to support households who need care support which disproportionately is more likely to impact on older people, disabled and those with health conditions
Tenant Relocation Offer		
<p>Relocation Offer set out the commitment of the Poplar HARCA to address the needs of tenants through the regeneration process</p>	<ul style="list-style-type: none"> ▪ The new home meets the tenants housing needs and if applicable will meet the design requirements of people with disability ▪ New homes will address unmet housing needs i.e. overcrowding, under occupation, health or social factors ▪ The social rents will be set in the same way as HARCA sets social rent. ▪ Compensation for having to move. A home loss payment will be paid plus reasonable disturbance costs 	<ul style="list-style-type: none"> ▪ Nonetheless whilst, these offers seem to be equality neutral, they may have slightly different impacts for people with different equality characteristics ▪ Many of the potential impacts will become visible once residents of all tenures are in detailed discussions with Poplar HARCA teams about their own personal circumstances including financial, physical and social as they explore the options available to them

Programme Rationale	Regeneration impacts	Likely Equality impacts (Positive and Negative)
Leaseholder Relocation Offer		
<p>Relocation Offer set out the commitment of the developer to address the needs of Leaseholders</p>	<ul style="list-style-type: none"> ▪ The CPO process forces leaseholders that have not entered into a voluntary agreement to have to sell but they have options to purchase an alternative unit or enter into a shared ownership/equity arrangement on the estate ▪ Cost impact for those retired ▪ Cost impact for those with low disposable incomes ▪ Home loss payments impact on those who have divorced or separated ▪ Focus on home modifications for people with disabilities ▪ Focus on language and understanding the deal and the negotiations associated with it 	<ul style="list-style-type: none"> ▪ Some leaseholders, due to their circumstances may experience different degrees of difficulty through the regeneration proposals, especially if they speak English as a second language ▪ The key equality implications relate to older people, particularly those who are no longer earning, this may place a burden of financial hardships on those needing to replace current or raise further mortgage

Programme Rationale	Regeneration impacts	Likely Equality impacts (Positive and Negative)
Business Relocation Offer		
Retail Strategy	<ul style="list-style-type: none"> ▪ CSDL and Poplar HARCA have confirmed as stated in the Retail Management Strategy that all retailers who had a right to renew their lease would be offered the option to stay within the scheme if they so wish. 	<ul style="list-style-type: none"> ▪ Alternatively, if any retailer wishes not to remain and surrender their lease to CSDL/HARCA will be compensated to surrender their current lease accordingly in line with the statutory CPO compensation code. ▪ This may have negative impacts on staff who would be unable to remain employed in Chrisp Street.
Phasing		
	<ul style="list-style-type: none"> ▪ The development process has identified clear first phases to allow residents of future phases to move only once into new homes where requested ▪ Creating opportunity to move (in a single move) residents to new properties to free up their previous unit/block to commence second and third phases of the development process ▪ Minimising the number of moves is part of the aims of the regeneration programme 	<ul style="list-style-type: none"> ▪ Until such time as the planning application has been resolved, then HARCA cannot address uncertainties in relation to phasing etc. that are arising ▪ Some residents may need to move more than once in the regeneration process. This needs to be mitigated where possible

6 Protected Characteristic Equality Impact analysis in summary

Chrisp Street District Centre

Equality impact analysis of each Protected characteristics and local equality characteristics assessing Impact in terms of: **positive**, **negative**, **positive** and **negative**, **none**, or **unknown**

Race: EIA Finding: **Positive**

Context:

- 6.1 LBTH is one of the most diverse local authority areas in the country. With 31% White British populations that means that 69% of the population are BAME communities. Of these 32% are Bangladeshi and 12% are White Other.

Race profile of the Regeneration Scheme

- 6.2 Based on the primary research carried out by Microfish in 2017 the Race Profile of the District centre shows that the BAME profile of respondents for the whole estate is 85.2%, whereas the BAME profile for respondents from within the development red line area is 82.7% and outside 88.0%. Clearly the non-white British population is significantly higher and hence the racial profile of the Chrisp Street shows significant levels of diversity.
- 6.3 The BAME profile of tenant respondents is 91.0%, leaseholders 70% and private tenants and temporary accommodation licensees was 96%. This shows that there is a higher proportion of leaseholders that are white British (30%), tenants (9.0%) and private tenants and temporary accommodation licensees (4%).

Ethnicity	Context	Live			Work		Visit
	LBTH	Tenants	Lease holders	Private Landlords	Retailers (Shops)	Retailers (Market traders)	Shoppers
White British	31%	9%	30%	4%	27%	9%	28%
BAME	69%	91%	70%	96%	73%	91%	72%
Bangladeshi	32%	80%	19%	19%	35%	58%	44%
Whiten Other	12%	0%	19%	68%	1%	9%	6%

Detailed breakdowns in Appendix 2,3 4, and 5

Assessment

- 6.4 The positive impacts for this group relate to the same impacts that secure a successful regeneration of the district centre. Houses, business premises and infrastructure will and should be available to all communities in the same way.
- 6.5 The diversity of the local community is significant. Nonetheless the critical factor is the need to enable those wanting to stay in Crisp Street to do so and to work to ensure that the relocation of residents is consistent and fair and not influenced by someone's ethnicity.
- 6.6 Moreover, it is critical to ensure that Tenants, Leaseholders, Private tenants, Retailers, Market Traders and shoppers have positive experiences from this regeneration proposal irrespective of their race. Clearly there may be some groups that will have a higher likelihood of negative impacts particularly those who are older, with lower socio-economic status and those with health conditions and disability. Nonetheless these as discrete protected characteristics may have a high racial component by dint of the large BAME profile of the area. However, these potential negative impacts are not because of these people's racial make-up.

- 6.7 From the evidence gathered there are no stated negative impacts from a race perspective, regeneration plans are therefore broadly positive from a race equality perspective. However, one area where there is a likely concern is the level of social rented housing that is populated by the Bangladeshi community. With the decanting of the residential units prior to redevelopment it is critical that the proportionality of Bangladeshi tenants is maintained. This should be the case given the high proportion of Bangladeshi residents on the Borough's housing register. It is however important that the residential make up of social/affordable tenants reflect the population profile of those on the housing register.
- 6.8 It should be noted that there will be other protected characteristics where negative impacts will be felt, which will be proportionally higher for BAME groups given the population profile of the BAME community in the area diversity.
- 6.9 The central characteristic of Chrisp Street is its diversity, and this will apply to the need to ensure that the BAME populations and particularly the Bangladeshi populations of retailers, market traders as well as residents are effectively engaged through the regeneration process once the scheme has secured planning approval and can be fully commenced. It is likely that the proportional benefits of the regeneration programme will be felt by these BAME populations and it is critical that where negative impacts are identified they are addressed. However, at this point there are no direct negative impacts from the regeneration proposals that are likely to impact on these BAME populations.

Points for consideration

- 6.10 Effective engagement and negotiation with Businesses, Leaseholders, and other land holding interests and ensuring that communications are effectively supported with translation and interpretation where needed and required by representatives of the community.
- 6.11 Ensure that the proportion of new social housing tenants moving onto Social Housing units in Chrisp Street are reflective of the Borough's Housing register
- 6.12 Ensure that the relocation offers to leaseholders to enable residents who want to remain in the area are open to all leaseholders and that their rights are not inhibited as a result of their ethnicity. Thus, ensuring that the information and access to information is equal, communications are understood and that those negotiating with leaseholders are effectively trained to enable the appropriate application of the borough and developers' commitment to equality and diversity.
- 6.13 The cultural needs of the BAME communities suggest the need for family housing on site and this has been a strong consideration of the regeneration proposals. Indeed the new development proposed a higher level of habitable rooms per unit and the scheme will be compliant with MDD.
- 6.14 The scheme will deliver a more sustainable Chrisp Street going forward that will have a strong mix of private development and social housing. The sales value gained from the private development will fund the outcomes and aims of the

regeneration of the district centre and the sustainability of the retail and business communities on site. This will sustain the employment outcomes for the community and particularly should reflect the BAME community that are predominant in the area.

Gender: EIA Finding: None

Context

6.15 Boroughwide the Tower Hamlet’s gender split is 48% female and 52% male. For Chrisp Street both men and women regularly use the district centre from a retail perspective. In terms of housing, women applying for housing are more likely to have dependent children and therefore require family-sized homes. However, there is a need for family units that reflect the cultural needs of the communities that reflect the locality. The gender split on the borough’s housing register shows a higher proportion of men on the housing register at 56% compared to women at 44%.

Gender profile of Chrisp Street

6.16 Gender profile of the Chrisp street residents: showed a 53% male population and a 47% female population. This is further broken down in the table below.

Gender	Context	Live			Work		Visit
	LBTH	Tenants	Lease holders	Private Tenants	Retailers (Shops)	Retailers (Market traders)	Shoppers
Female	48%	50%	57%	35%	24%	3%	55%
Male	52%	50%	43%	65%	76%	97%	54%

Assessment

6.17 There were instances through this analysis of gender where there are quite different profiles. The proportion of women on the housing register is higher 56% to 44%. Social tenants currently on-site show parity at 50% each, however for leaseholders there is a higher proportion of female leaseholders 57% to 43% male. However, in contrast for private tenants the data shows a higher proportion of men 65% to women 35%.

6.18 Whilst there are equal levels of women and men who are tenants, there are more women who are leaseholders. This may suggest a potential need for these women to keep their roots in the locality. The relocation offer to leaseholders is such that residents can stay in the locality should they prefer, and options and affordability options are available to support this process. This would include a leasehold swap,

shared ownership or shared equity options. This will need to be negotiated sensitively on a one to one basis with individual leaseholders when the time arises.

- 6.19 Nonetheless, there was strong sense that the improvement to housing stock and the provision of new homes would be a strong positive of the regeneration process. This will benefit both men and women and as such gender should not be a factor in the allocation of these social housing units going forward as the allocation policy should take over and hopefully secure equitable distribution of tenancies. The private development will however be market led and issues of security and safety as well as proximity of amenities and retail may be deciding factors for men and particularly women when deciding on purchasing these properties.
- 6.20 What is clear is that from a retail perspective there are many more shop owners who are male and from a Market traders' perspective there is a very low level of female pitch licenses. This is broadly consistent with similar district centres. However, there may be some focus to support women, to develop businesses in this centre and the developer may want to work with the Borough to seek to diversify the gender split of these retailers. To this end they may want to identify funding that may be available to support this economic development/supplier diversity commitment.
- 6.21 From the evidence gathered there are no stated negative impacts from a gender perspective and plans are broadly positive from a gender perspective.

Gender re-assignment: EIA Finding: None

Context:

6.22 Across all the data sets reviewed there is no gender re-assignment information either for residents, businesses, retailers and shoppers. Wider housing data is not available

Gender re-assignment profile of Chrisp Street

6.23 The primary research that was carried out by Microfish did not capture any data around transgender or gender reassignment of any respondents. This leaves this part of the EIA without any meaningful data to review. Nonetheless going forward when tenancies are allocated and when properties are purchased it would be helpful for the developer to capture this information if only to address the potential specific needs of this trans community and to establish a broad Gender Reassignment Profile for Chrisp street shows no respondents that have stated they have undergone or are undergoing a gender transition.

Assessment

6.24 There were no residents that were described as having undergone or are undergoing a gender transition/reassignment process.

6.25 From the evidence gathered there are no stated negative impacts from a gender re-assignment perspective.

Disability and Health: EIA Finding: Positive & Negative

Context:

6.26 From the 2014 ward profile 9% of residents in the Lansbury ward described themselves as having an illness or disability that limited their day to day activities a lot and 8% that stated that they had an illness or disability that limited their day to day activities a little. This compared to the borough response rate for the same questions of 8% and 7% respectively.

6.27 The survey carried out by Microfish questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

Disability (long-term physical or mental health condition or disability)	Context	Live			Work		Visit
	All residents	Tenants	Lease holders	Private Tenants	Retailers (Shops)	Retailers (Market traders)	Shoppers
No	84%	83%	68%	94%	% Not available	% Not available	% Not available
Yes	16%	17%	32%	6%			

6.28 It is clear, that there is some level of residentially based disability data available to inform the EIA and to support the design of properties which will take into account the needs of disabled tenants. Moreover, there is evidence that in the draft Statement of Reasons and the initial design plans that are being developed there is a commitment to take account of disability for specific units and that all homes will be designed to lifetime homes standards.

Disability and Health profile Crisp Street Residents

6.29 From the information gathered, it is clear, that the profile of disability is broadly consistent with that in the Lansbury Ward. This is particularly the case for tenants on site. However, there is a much higher level of disability amongst the leaseholders currently residing on Crisp Street. This may be because of their age and it may be because they have purchased their property some time ago and as they have grown older they have increased their likelihood of illness and disability. The data however cannot distinguish between ill health and disability. Nonetheless it is likely that as a result of their limiting illness there are likely to experience greater detriment through this regeneration programme.

6.30 It is important to get a better grasp of this issue and it should be the responsibility of CSDL/HARCA to engage with Leaseholders and tenants to establish the specific nature of any disability or health condition that is being experienced in these households. Only in this way can a true assessment of disability/health impact of this scheme be addressed.

6.31 Nonetheless our assessment suggests that there are some equality impacts that are both negative and positive for people with disabilities. These include:

Potential negative disability impacts:

- The disturbance of moving (decant of moving away) may have a disproportionately greater impact on disabled residents
- Quality of life will be affected by the construction, particularly if their disability is accompanied with any breathing condition
- Sensory impairment will also be affected particularly those that are affected by loud noise or construction machinery
- New physical layout of the estates will be challenging to those with visual impairment
- It would be important to move people with a disability only once in the process if this is their choice and preferably into homes with readily set up adaptations
- People with learning difficulties, subject to the intensity of their condition, will also be affected by the construction process and may need separate forms of communication and engagement to enable their understanding of the reality of their situation

Potential Positive Disability Impacts

- All new homes will be built to lifetime homes standards

- Specific properties are being built for disabled people and will have relevant adaptations and equipment built in where recommended by assessment
- The relocation process will enable disabled residents to secure more appropriate housing that meets their current and future needs
- Access and egress from the new homes will be supported with lifts and dedicated disabled parking supported by secure design principles
- Greater choice to disabled people who cannot achieve independent living due to lack of suitable housing in the borough's housing stock
- Application of Considerate Contractor requirements to minimise negative impact during construction period

Negative Health impacts

- CSDL recognise that there are potential health impacts of living adjacent to the development areas. However, these impacts will be mitigated through planning requirements for noise and dust attenuation and through CSDL being a signatory to the Considerate Contractor Scheme. It should also be noted that those people most directly affected (those that are resident in the Festival of Britain Homes) will get direct benefit from the scheme through the provision of lifts to gain access to their premises.
- Impacts in the short-term associated with the disruption of moving home and uncertainty about the future stress, anxiety and depression are issues residents have stated that will impact negatively on their health
- Construction environment can exacerbate existing health conditions and may for some be the cause of new health conditions
- Relatively high levels of Limiting Long Term Illness and Long-term conditions present on the estate
- Health impacted because of the development environment through breathing and circulatory disease, asthma etc.

Positive Health impacts

- Longer term, positive impacts can be expected from providing much better-quality homes, reducing overcrowding, provision of private outdoor space and improved public realm
- Quality homes designed according to best practice in urban design, producing a high-quality home and urban environment and a safe and secure new neighbourhood, contributing positively to quality of life

- Application of Considerate Contractor requirements to minimise negative impact during construction period
- Lifetime home standards and modern-day building regulations will improve accessibility throughout the estate from homes to amenity space
- Improved sustainability will provide better insulated and warmer homes

Age: EIA Finding: Positive & Negative

Context:

6.32 Based on the 2016 mid-year estimates the age profile of all residents in Chrisp Street is relatively younger in comparison to the age profile of Tower Hamlets population. As a proportion of the all resident's population, 40% are aged under 25 (this age group make up 31% of Tower Hamlets population). As a proportion of the all resident's population, the majority are aged 25-34 (27%) similar to the age group in Tower Hamlets population (28%). 13% of the all resident population are aged 35-44 (17% in Tower Hamlets population) A smaller proportion of the all resident population are aged 45 and over (21%) over (this age group make up 22% of the Tower Hamlets population).

Age profile of the estate

6.33 The table below sets out the age profile by standard bandings for residents and businesses owners of Chrisp Street

Age group	Tower Hamlets Borough	All Residents	Social Housing Tenants	Leaseholders	Businesses (Shops)	Market Traders
	(%)	(%)	(%)	(%)	(%)	(%)
Under 18	22%	24%	31%	11%		
18-24	11%	16%	7%	15%		
25-34	28%	27%	22%	30%	8%	6%
35-44	17%	13%	13%	11%	39%	55%
45-54	9%	5%	5%	13%	33%	27%
55-64	6%	6%	8%	9%	16%	12%
65-74	3%	6%	9%	4%	5%	
75+	3%	4%	5%	6%		
Total	100%	100%	100%	100%	100%	100%

6.34 Across all these age profiles (total household age groups) it is clear that there are many younger and older people living in households. The profile of social household tenants and leaseholders shows a strong proportion of young and older residents. This suggests that these groups are well populated. Moreover, these age groups are most likely to have greater impact during periods of physical regeneration as described below. Moreover, effort should be made to address the safety of younger and older residents during the regeneration process and to thus mitigate any negative impacts of the regeneration programme.

Potential negative impacts:

- Older people particularly those with disabilities will have varying negative impacts potentially because of this regeneration programme.
- Older people have generally been living on Chrisp Street for a longer period than other residents, and will be more settled and would require support when moving.
- For people of all age's quality of life will be affected by the construction and decant process, particularly older people if they are on their own, frail and vulnerable.
- There is also likely to be disruption to school life particularly for young people trying to study at home during the construction and decant period itself.
- There may be an impact on child care arrangements particularly if there are informal arrangements with other residents who may be moving off the estate. Access to child care, nurseries, creches and schools will need to be reviewed to minimise any disruption.

Specific issues for older Leaseholders

- Older leaseholders may find it difficult to raise any additional mortgage on their new or lease swap properties. The shared ownership/equity option seeks to address this, but this still may cause older leaseholders to feel their aspirations of owning 100% their own home is being undermined although they will own an asset of the same value as that previously owned.
- All these aspects will cause leaseholders, particularly older leaseholders greater levels of anxiety, stress, even depression and possibly leading to ill health.

Potential Positive Impacts

- All new homes will be built to lifetime homes standards.
- Specific properties are being built for disabled people and will have relevant adaptations and equipment as per medical/OT assessment, many of these disabled people are also older people and this would benefit this community too.

- Improved sustainability will provide better insulated and warmer homes which will cost less to heat
- The supply of additional homes built to lifetime homes standards will benefit the older population of the borough.
- Relocation Offer provide options to maintain both tenants and residential leaseholders to relocate into new homes on the estate.
- Application of Considerate Contractor requirements to minimise negative impact during construction period.
- Quality and design of provision for future amenity space will be positive for young people providing a variety of play opportunities to a wider age range.

Sexual Orientation: EIA Finding: None

Context:

6.35 The research carried out by Microfish on residents has highlighted some sexual orientation information which is set out below. Guidance from the Equality and Human Rights Commission states to collect it where relevant and sexual orientation is not relevant to much of housing / regeneration services, with the exception of tackling harassment.

Sexual orientation profile of the Crisp Street:

Sexual Orientation group	Housing Register applicants (%)	All Residents (%)	Social Housing Tenants (%)	Leaseholders (n)
Heterosexual	86%	65%	59%	44
Bisexual	14%	1%	0%	0
Gay	0%	2%	0%	2
Lesbian	0%	0%	0%	0
Prefer not to say (unknown/not asked)	0%	33%	41%	7
Total	100%	100%	100%	53

Assessment:

- 6.36 There are no discernible negative impacts identified for LGBT groups. The Chrisp Street District Centre will be secure by design and this should afford greater levels of safety. The design of the new homes and spaces will create a place that is secure by design and can be policed more easily. The public realm will offer a greater level of security to all which may be relevant to LGBT residents who are more likely to be subject to hate crime and harassment.
- 6.37 Through the course of the engagement interviews with householders on Chrisp Street there were no raised concerns regarding sexual orientation and the regeneration process.

Religion and belief: EIA Finding: None

Context:

- 6.38 Data for religion in Tower Hamlet has been sourced from the 2011 Census and via the research carried out by Microfish. This shows that: 35% of the population are Muslim, 27% Christian, 19% have no religion and 15% prefer not to say. The other religions collectively make up a further 4% of the total.
- 6.39 85% of social housing tenants follow a religious faith - Muslim (60%) and Christian (23%) being the more commonly observed faiths.

Religion and belief profile of the estate:

Religion/Faith group	Tower Hamlets Borough	Housing Register	All Residents	Social Housing Tenants	Leaseholders	All Businesses (n-103)
	(%)	(%)	(%)	(%)	(%)	(%)
Christianity	27%	9%	23%	15%	40%	12%
Buddhist	1%	0%	0%	0%	0%	1%
Hindu	2%	0%	0%	0%	0%	3%
Jewish	1%	1%	0%	0%	0%	0%
Islam	35%	78%	60%	83%	32%	63%
Sikh	0%	0%	0%	0%	0%	4%
Other religion	0%	2%	0%	0%	0%	
No religion	19%	0%	8%	3%	11%	11%
Prefer not to Say (unknown)	15%	10%	7%	0%	17%	6%
Total	100%	100%	100%	100%	100%	100%

Assessment:

- 6.40 There were no discernible negative impacts, raised by residents in the engagement process, they believed was as a result of their religion and belief. Moreover, there are few aspects that would be negative unless residents were prevented from practicing their religion/faith.

Pregnancy and maternity: EIA Finding: **Positive** and **negative**

Context:

- 6.41 Pregnancy and maternity information for households was collected as part of the survey carried out by Microfish. The data support a better understanding of new family formation and the potential need to secure independent self-contained housing.

Pregnancy and maternity profile of the estate:

Household member expecting or had a baby in past 12-months	All Households (n-86)	Social Housing Tenants (n-51)	Temp Accommodation Clients (n-3)	Private Tenants (n-17)	Leaseholders (n-15)
	(%)	(%)	(%)	(%)	(%)
No	91%	86%	67%	100%	100%
Yes	6%	8%	33%	0%	0%
Unknown	3%	6%	0%	0%	0%
Total	100%	100%	100%	100%	100%

- 6.42 At the time of this survey there were only 5 of the 86 households identified by respondents as having a resident that was either pregnant or within their 12-month period of maternity/paternity leave.
- 6.43 There is potential for both negative and positive impacts for expectant mothers and those who are in their first 6 months of maternity. As can be seen there are likely to be greater positive impacts through the design that aim to mitigate any negative impacts.

Assessment:

Negative impacts

- There will be disruption during the construction period and the developer will provide access routes through the estate during this time. This may negatively impact on pregnant mothers or families with new born children.
- Efforts to address this disruption will be universal to the whole population of the estate.

Positive Impacts

- New housing will have greater accessibility and will support parents of new born babies or mothers in periods of pregnancy and maternity.
- The layout of the new homes will consider access, lift and stairs so that larger family homes are either accessible by lift or not above four storeys high without a lift.
- The design of the public realm will consider accessibility for people moving around the estate, pushing buggies etc. Any affected tenants who are pregnant at the time of re-housing may be entitled to a larger property as per the allocations policy.

- Application of Considerate Contractor requirements to minimise negative impact during construction period
- The range of property sizes may enable relocation into larger properties more suited to those with a growing family
- There is no specific **Mitigation activity** required

Marriage & Civil Partnership: EIA Finding: None

Context:

- 6.44 The council and developers recognise gay relationships and civil partnerships with respect to household composition. There are no known negative impacts on these groups.
- 6.45 None of the research undertaken collected information about the marriage or civil partnership status of residents on the Chrisp Street site.

Assessment

- 6.46 It is worth noting that in property and family law the legal status does have an impact when tenure and leaseholder status come into play. Moreover, some widowed people may have higher levels of vulnerability in a regeneration environment namely.
- 6.47 Support and advice may be required for tenants and leaseholders who have undergone either a divorce or bereavement to enable them to adequately understand the implication of the regeneration process on their housing ownership and tenure rights.
- 6.48 Nonetheless there are no discernible negative impacts for residents, leaseholders and or businesses in Chrisp Street as a result of people's married or civil partnership status.

Socio Economic Inequality: EIA Finding: Positive and negative

Context

- 6.49 Housing and the ability to respond to the pressures placed on people by regeneration schemes will in part be reliant on their levels of economic activity and capability to generate income to address the priorities being presented to them. To this end this EIA has reviewed the levels of economic activity and inactivity. In short people that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.
- 6.50 No data on economic activity was captured in any of the research undertaken in the lead up to this EIA. However, as a standard proxy source, data from the Lansbury

ward profile (2014)¹⁰ has been used which sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

6.51 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

¹⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Assessment

6.52 The regeneration programme will have impacts on residents, tenants and leaseholders alike. Some of these impacts might generate greater costs and hence become a burden for some of those residents unable to afford them, for example there may be a consequential rise in the value of the new properties in terms of real value, ratable value and cost of living. Many of the regeneration scheme's direct costs are being addressed through compensation including legal costs, disturbance and moving costs. Nonetheless there may be some protected characteristics that may experience a disproportionately higher level of cost impact, where this arises specific mitigation actions will be explored by CSPL/HARCA. The points below highlight some of these potential negative impacts and how they might apply themselves.

Negative impacts

- Perception of increasing cost and affordability of living on the new development, particularly focusing on the cost impacts for older people
- Higher proportion of residents on means tested benefit
- Older people with less earning capability or fixed incomes
- Non-resident leaseholder residents are awarded market value plus 7.5%. Resident leaseholders are offered options within the Relocation offer to stay on the site in a shared ownership arrangement or choose to leave if they wish
- Some private tenants of non-resident leaseholders may be on benefits and some may be working, this will make a difference to their future housing options
- For resident leaseholders wishing to remain on the estate, it is recognised that the value of similar size new homes would be more than their current home and therefore it could be difficult for them to buy a new home on the estate outright, however shared ownership is offered
- It is recognised that there may be some leaseholders who may have re-mortgaged their homes, spent the money from equity release and may also be unemployed. In these circumstances, it may be difficult for leaseholders to remain on the estate. The Relocation offer caters for these circumstances, where the council will work with individuals to explore all available options.

Positive impacts

- The acute shortage of homes and rising population is adding extra pressure on the need to provide affordable and social rented homes in the Borough, which this regeneration programme seeks to achieve.
- Regeneration of the estate and increasing supply of affordable housing stock will benefit the increasing number of Tower

Hamlet's residents who cannot afford to buy or rent in the private sector.

- Improved energy efficiency of homes and use of sustainable technologies should lead to lower running costs.
- S106 obligations will provide employment and training opportunities.

Language: EIA Finding: None

Context:

6.53 The impact of the regeneration proposals on people who do not speak English as a primary language is critical as developers and the council may want to ensure that alternative formats of the proposals are available upon request (such as audible copies for blind people) as well as being made available in different languages. At every stage of the regeneration, CSDL/HARCA have sought to use plain English and avoid jargon.

6.54 Language profile of residents of Chrisp Street is based on the borough data for language, which shows that the most common languages spoken other than English are:

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese ¹¹	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

Assessment

6.55 Language on its own is not likely to have any significant equality impacts from the regeneration programme itself other than the ability to communicate and understand the implications of the regeneration process as it applies to different households.

Possible Negative impacts

- Awareness of the proposals and language capability to negotiate the right outcome for tenants and leaseholders.
- Capacity and capability to understand is not always about language, it may also may be connected to issues of mental health, learning disability and age.

¹¹ Including Cantonese Mandarin and other Chinese languages

7 Human Rights Impacts

Context

7.1 Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. The Human Rights Act came into force on 2nd October 2000 and incorporates into UK law certain rights and freedoms set out in the European Convention on Human Rights. The articles of the Human Rights act are set out below:

- Article 1 States one must have the rights of the convention in their own jurisdiction. This includes: peaceful enjoyment of possession and general protection of property rights
- Article 2 Right to life
- Article 3 Freedom from torture and inhuman or degrading treatment
- Article 4 Freedom from slavery and forced labour
- Article 5 Right to liberty and security
- Article 6 Right to a fair trial
- Article 7 No punishment without law
- Article 8 Respect for your private and family life, home and correspondence
- Article 9 Freedom of thought, belief and religion
- Article 10 Freedom of expression
- Article 11 Freedom of assembly and association
- Article 12 Right to marry and start a family
- Article 13 Right to that access effective remedy if people's rights are violated
- Article 14 Protection from discrimination in respect of these rights and freedoms
- Protocol 1, Article 1 Right to peaceful enjoyment of your property
- Protocol 1, Article 2 Right to education
- Protocol 1, Article 3 Right to participate in free elections
- Protocol 13, Article 1 Abolition of the death penalty

7.2 There are four Human Rights Articles that are most applicable to social housing/regeneration. The Equality and Human Rights Commission in its Guidance for Social Housing states that these Articles are 1 (Protocol 1), 6, 8 and 14. We enclose some additional information about these four below:

Article 1: Peaceful enjoyment of possession and general protection of property rights.

7.3 This imposes an obligation on the State not to:

- Interfere with peaceful enjoyment of property;
- Deprive a person of their possessions; or
- Subject a person's possession to control.

7.4 However, there will be no violation of this right if such interference, deprivation or control is carried out lawfully and in the public interest.

Article 6: A Right to a Fair Trial - is an absolute right.

7.5 Article 6 is an absolute right. For example, a person who is subject to a decision-making process in relation to a possible eviction should have access to an interpreter, if necessary. Decisions should be given with reasons. Article 6 is likely to be particularly relevant in review or appeal proceedings, which would determine a tenant's rights.

Article 8: Which includes the right to respect for a home.

7.6 Does not normally give anyone a right to a home or to any particular form of accommodation; it contains a right to respect for a home that a person already has;

- Does not contain an absolute right. Even accommodation that has been a person's home for all of their life can be taken away in the circumstances provided for by the Article itself. The Article stipulates that the right to 'respect' can be qualified by lawful action taken by a public authority which is in pursuit of a prescribed legitimate aim, is necessary, and is proportionately taken, and;
- Only applies to something properly called a 'home'. That term may not embrace very short-term accommodation such as a hotel room or transient accommodation such as an unauthorised encampment onto which a traveller has recently moved.

Article 14: Prohibition of discrimination - is an absolute right.

7.7 For example, the Human Rights Act means that a gay couple has to be treated in the same ways as a heterosexual couple in relation to the right to succeed to a tenancy. A difference in treatment can only be justified if there is a good reason for the treatment and if it is proportionate in the light of that reason. Article 14 does not list the 'legitimate reasons' that would justify a difference in treatment.

7.8 The purpose of providing the Equality & Human Rights Guidance for this report is to recognise that the quality of social housing provision makes a huge impact on the well-being of its tenants and the housing communities that they are an integral part of. Human rights are about treating people with dignity and respect. These values should be basic standards for any public service. Human rights have special significance in relation to social housing.

7.9 Lisa Harker, in her book called '*Chance of a Lifetime*', written for Shelter in September 2006, on page 8 says:

"Taking human rights into account when designing and delivering your services is also good for business. It is likely to improve the quality of your service and improve your organisation's reputation. Making sure you comply with human rights can also improve your organisation's performance during inspection and regulation".

- 7.10 It is the view of this report that Poplar HARCA benefit enormously by complying with the Human Rights Act by:
- Minimising customer complaints;
 - Achieving best practice from the relevant regulator;
 - Minimising legal proceedings initiated by your customers and partners;
 - Being held up as a beacon employer by the Equality and Human Rights Commission.
- 7.11 We would also suggest that the 'specific guidance and recommendation' supplied by the Equality & Human Rights Commission in their Guidance for Social Housing Providers, is followed, see:

<https://www.equalityhumanrights.com/en/advice-and-guidance/guidance-social-housing-providers>

8 Key Findings

- 8.1 The regeneration of the Crisp Street District Centre is a major undertaking, which will have a range of impacts that will apply to all the people living within the development area, businesses and retailers operating from the area and a range of other property interests including the council, Poplar HARCA, community and voluntary organisations as well as those that shop in, visit and are users of the district centre. In several cases these regeneration impacts will have a potentially greater impact on specific equality groups. The protected characteristics of disability, age (particularly older and younger people), and this EIA's additional assessment focus of health, socio economic inequality and language have been highlighted throughout the report as having the greatest potential impact.
- 8.2 The developers CSDL/HARCA, and the council have been working to address these equality impacts and have sought to build in safeguards and mitigation activity in the regeneration programme they are designing, planning and consulting on.
- 8.3 Nonetheless in conclusion, the key equality findings which are important to note through this EIA are described below:

CPO process

- 8.4 Much of the engagement with residents (tenants and leaseholders) and businesses has been based on the planning and design process. This is now ready to the point of submitting the planning application. Any Cabinet report seeking approval to seek a CPO will explain the CPO process, which is set in law. To this end much of the proposed CPO activity is governed by the CPO legislation and guidance nationally. However, there are some impacts that are a direct and indirect result of the CPO process, which are identified below. Where feasible this EIA has sought to distinguish between generic regeneration impacts and equality specific impacts:

Generic Regeneration Impacts:

- The CPO process does have a direct impact on leaseholders and other land holding interests as their homes/businesses will be compulsorily purchased if it has not been possible to agree a voluntary settlement. This is universal to all leaseholders and is not in itself an equality impact.
- What residential leaseholders and businesses chose to do next will be their decision, as they have the options of taking their sale value and buying elsewhere (if possible), porting their mortgage and rebuying in the new estate, or entering a shared ownership as per the Relocation offer.
- The CPO process may have a disproportionately negative impact on non-resident leaseholders who have no option to stay, however resident leaseholders have options under the Relocation offer.

- For some, the Relocation offer of porting mortgages and entering shared ownerships may place financial burdens particularly for people with low earning capability.

Equality specific negative impacts:

- Some burden may arise from households where their marital status has changed since the property has been purchased and this may cause legal costs to clarify ownership and to agree the way forward for that household.
- The CPO process may have disproportionate impacts for leaseholders who are either older people and single parent families as their capacity to meet the increased values will impact against them. Similarly, this will have impacts on all leaseholders who find difficulty in meeting any possible increased cost of home ownership on the estate.

Regeneration programme (design, and construction)

8.5 The regeneration of any physical space creates its own impacts, not simply because of the development process itself but also the associated impacts that it has on people living in or close to the development site itself. Particularly this relates to:

Equality specific negative impacts:

- Potential negative health impacts of the construction process including noise, dust, construction debris and environmental impacts, often negatively impacting more disproportionately on people with poor health and disability
- Households with children and older people may find the regeneration process and construction harder to live with.

Resident engagement

8.6 Critical to any regeneration process is the need to ensure that the engagement with residents is maximised. There has been much engagement work delivered on Crisp Street and there is the establishment of some further productive work. However, the EIA suggests that:

Equality specific negative impacts:

- Language is potentially an issue for residents (leaseholders and tenants alike), businesses and market traders and in some cases residents who did not speak English as their first language may have felt that their understanding of the impact of the regeneration scheme had suffered because of this.
- Much of the interaction with residents will be through Poplar HARCA development team staff and those negotiating with leaseholders. In these cases, there is a real concern that the borough's equalities commitments are maintained in the negotiations process (training of staff to recognise equalities issues of those in negotiation).

Decant and housing allocations process

8.7 Elements of this EIA are focused on activity that will happen in time. This includes the phasing of the scheme, the decanting of residents and the rehousing/allocation of housing for the new estate. Findings of concerns raised by residents include:

Equality specific negative impacts:

- The decant process must address the equality needs of residents. These are most likely to be affecting those who are older, disabled and or who have health conditions.
- Wellbeing is a critical factor, as is the support network previously available pre-regeneration.
- The rehousing of the social tenanted properties should seek to retain the local feel for Crisp Street particularly the BAME profile to reflect the local community and to sustain community cohesion
- Sense of community particularly those of immediate neighbours will have negative impacts on residents reliant on a local/neighbour care network, this is most likely to impact on older people, disabled and those with health conditions.

Positive Impacts

8.8 There is a counter balance to these negative impacts as the regeneration programme has several positive impacts which many residents have bought into, these include:

Equality specific positive impacts:

- The housing needs of a wide range of protected characteristics will be positively enhanced through the development of these new units providing opportunities for housing. The housing waiting list in the borough has significantly more people from diverse communities when compared with the population profile of the borough.
- There will be more homes designed to lifetime homes standards and with disability access.
- The delivery of Private development will provide the investment needed to sustain the district centre
- Improving the housing stock will provide homes to higher standards and hence improve the quality of accommodation for residents currently on the estate, improving health, wellbeing and quality of life.
- The needs of older people and people with disabilities will be enhanced by the development of properties built to lifetime homes standards.
- Families will have units that are in much better condition than currently.
- The s106 agreement will provide economic benefits to the local community.
- The District Centre will generate circa 500 new jobs to the area

- The establishment of the businesses retailers and market traders is critical, and this regeneration proposal will give Crisp Street the sustainable injection of significant resources to enable it to survive and compete going forward
- Energy efficient design and improved sustainability should lead to lower running costs for new homes
- New amenity and services will provide residents and shoppers with the right ambiance for the district centre
- New cinema and restaurants will give the centre a much-needed boost to its night time economy providing greater safety to the community

9 Recommended Mitigation Actions

- 9.1 The points set out below list the core mitigation activity that is recommended to address the impacts highlighted through the EIA.

Generic mitigation activity

- Identification of appropriate actions to mitigate identified impacts (See Action Plan)
- An EIA review programme to be adopted alongside predicted key milestones in the project's eight-year timetable
- Equality training/briefings for staff undertaking one to one negotiations with residents
- Continue the offer of translation for all residents who do not speak English as their main language in the home
- Poplar HARCA to secure access to the services of a dedicated social support worker/ occupational therapist via the Council's rehousing service to enable appropriate assessments for residents on Chrisp Street

Disability Mitigation activity

- Operationally it would make sense to have early engagement with those residents that have a stated disability. This is particularly important with the households who identified sensory impairments within their families, and when considering the challenges associated with moving disabled families only once. Consulting then engaging with disabled residents before, during and after change to check effects, outcomes and results is a legal requirement under the Equality Act 2010.
- In terms of formal adaptations for disability some engaged have felt that they have previously sought OT assessment for adaptations and equipment.
- Recruitment of dedicated regeneration-based OT / social worker to assess the disability needs of residents. (See reference to Poplar HARCA above)
- If leaseholders are seeking to leave the estate, referrals onto other Social Care Services should be made to mitigate any possible negative impact that disabled people may experience.
- Support with adaptations in new units, designed specifically to the disabled person's needs should be a prerequisite.

Age Mitigation activity

Older People

- Ensure that tenants, particularly older tenants, only move once into their new homes, if this is their choice
- Support for and recognition of the financial constraints that many older people will experience to support them to come to terms with the transition to a new home (if a tenant or leaseholder staying on the estate) and to support older people (tenants and leaseholders) who are moving away from the estate
- To support older leaseholders to access the right options for them and to ensure that their support is maintained through to the conclusion of the CPO process and the allocation of new homes
- Social services support for any adaptations to new homes for older people particularly those with a disability / health condition

Socio-Economic Mitigation issues

- Resident homeowners would be compensated by offering the market value plus 10% for home loss of their current home. Non-resident homeowners will receive a basic loss payment of 7.5%. Disturbance costs including reasonable legal and valuation costs will also be paid.
- The regeneration programme will have impacts on residents, tenants and leaseholders alike, which might incur greater costs and hence become a burden for those residents unable to afford the associated costs. To this end CSDL/HARCA will need to monitor the potential for a consequential rise in the costs of the new properties both in term of property values and in terms of living costs.
- CSDL/HARCA and the Council will need carefully to monitor how the proposals affect older leaseholders or leaseholders with reduced financial capacity.

Language Mitigation

- Ensure the availability of translation and interpretation services for residents (tenants and leaseholders) businesses and Market traders, when specific engagement and negotiation is being undertaken

Health Mitigation issues

- Needs Assessments will be carried out where required and dedicated rehousing support provided by the CSDL/ HARCA including access to mental health support where required.
- Serious conditions should be prioritised, but progressive conditions may need to be addressed
- Medical and OT assessment may need to be established to mitigate negative impacts

10 Action Plan

10.1 The key mitigation activity set out in section 10 below detailing when and by whom actions should be undertaken to mitigate any highlighted negative impacts of the regeneration scheme.

Mitigation Issue	Actions	Outcome	Stage	Responsibility
Generic Mitigation				
Ensure all frontline staff and contractors are briefed on the findings of the EIA and where appropriate undertake equality training	Run EIA briefing sessions Review training needs Establish training where appropriate	All frontline staff able to address and identify the priorities to equality as set out in the EIA		
Ensure staff liaising with residents understand the equality impacts of the scheme	Equality training / briefing / workshops for housing regeneration liaising teams	Recognition and understanding of equality impacts and issues as highlighted in this EIA.		
Demonstrable need for a dedicated Social Support Worker/ Occupational Health practitioner	Ensure effective linkage with LBTH Social Services and OT Team and CSDL/HARCA and ensure specialisms in including sensory impairments where appropriate	Older people and people with disabilities supported through the engagement of health and social care.		
Disability Mitigation Activity				
Detailed Housing Needs assessment to be implemented	Undertake detailed Housing Need Assessment of all tenants, resident leaseholders, non-resident leaseholders and their tenants to identify any specific health or disability needs	Fully identifies all people with specific needs so that individual plans can be developed for an appropriate support package		
Early engagement with people with a disability on the estate between the decant team and specialist staff (See above)	Arrange relevant Occupational Therapy/Social Services assessments for residents where identified	Reasonable adjustments identified in new and future properties		
Ensure disability needs are picked up for residents that may opt to leave the estate under the	Liaison with social care teams in other authorities where residents are seeking to move to	Disabled residents leaving the estate are supported and are flagged to the relevant		

Mitigation Issue	Actions	Outcome	Stage	Responsibility
Residential Leasehold Buyback Offer		authorities		
Ensure that all disability needs are picked up where reasonable adjustments are identified.	Support with adaptations in new units on the new estate Commission handyman service to support additional fixtures and fittings	Disability issues built into home designs on the new estate		
Age Mitigation Activity				
Address age impacts of regeneration as they are likely to apply to young people	Engage young people in the impact of the future facilities on Crisp Street by assessing their strengths and weaknesses and their hopes and fears.	CSDL/ HARCA to work with sure start/local primary schools to access children and YP's views and aspirations		
Need to address age impacts of regeneration as they apply to older people	Provide opportunity for independent financial advice for any resident needing it.	Residents enabled to make informed financial decisions		
Need to support older people through their move and settling into their new home	Commission handyman service to support additional fixtures and fittings	Older residents given support in settling into their new homes		
Need to support older leaseholders through the regeneration process	Support older leaseholders to access the right options	Direct engagement with older leaseholders		
Need for social support services for any adaptation to new homes for older people and those with a disability / health conditions	Employ dedicated Social Support Worker/Occupational Health practitioners to work with Regeneration team	Older people and people with disabilities supported through the engagement of health and social care.		
Address older home owners concern about the ability to leave property to their children.	Ensure that the shared ownership option for older people will allow them to transfer the equity from their property, should they die, to their relatives/spouse.	Future leases ensure appropriate transfer of equity value		
Socio-economic Mitigation Activity				
Recognise and understand the cost impacts for individual households within the regeneration	The Developer will engage with resident leaseholders in order to assess their future housing wishes	Robust estimates of future costs and values for new and existing properties provided to		

Mitigation Issue	Actions	Outcome	Stage	Responsibility
programme.	and to review affordability issues arising thereof.	enable informed decision making.		
Assess the potential impacts on Private tenants living in properties which is due for development	Poplar HARCA will provide assistance and support in enabling these tenants to explore options for alternative accommodation.	Consideration of options for private tenants		
Recognise and understand the cost impacts for individual households within the regeneration programme.	The Council to monitor how the proposals affect older leaseholders or leaseholders with reduced financial capacity. Facilitate access to Independent Financial Advisors for all residents.	Robust estimates of future costs and values for new and existing properties provided allowing informed discussions about financial options under the Residential Leasehold Buyback Offer with each homeowner.		
Language Mitigation Activity				
Ensure residents have adequate translation provision as part of the negotiation phase of the regeneration programme.	Make translation and interpretation provision available when specific tenant engagement and leaseholder negotiation is being undertaken	Translation and interpretation identified and readily available		
Health Mitigation Activity				
Address the presented health needs of residents transferring from their property to any other as part of the Regeneration	Undertake health and medical assessment or OT assessments where required	Implement recommendations of assessments and prioritisation of serious / progressive conditions		

EVIDENCE BASE and APPENDICES

LB TOWER HAMLETS EQUALITY IMPACT ASSESSMENT

CRISP STREET DISTRICT REGENERATION PROGRAMME

December 2017



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11 Appendix 1: Key Definitions

Key Definitions

11.1 **Diversity** equals difference:

The concept of diversity encompasses acceptance and respect. This means understanding that every person, family and group in the Tower Hamlet Estates Regeneration project is unique and has specific needs. The skill when offering services to individuals and groups is to take account of these characteristics sensitively and positively throughout this project.

11.2 **Equality** is the concept of knowing when to 'treat people the same' in this regeneration project and when to 'treat them differently'.

Often, we have policies, guarantees and standards which guide us to treat people the 'same' so that they receive their entitlements. But regularly in 2017 we are also faced with challenges to deliver individualised and tailored housing services to individuals, families and groups. The skill is to know when 'sameness or difference' applies and having a rationale to explain your actions.

11.3 **Inclusion** has been described as a sense of belonging.

A feeling of being respected, valued for who you are; feeling a level of support and commitment from others who consult and negotiate with you over important matters, so that your voice is heard as a tenant, leaseholder or owner of a property and you can then help, shape and make important decisions.

11.4 **Human Rights** are the basic rights and freedoms that belong to all of us from birth until death. Our right to live, eat, be clothed and to be respected for private and family life.

The act protects ordinary people's freedom, safety and dignity and helps us hold authorities to account when things go wrong. In Britain, these important international rights are protected by the Human Rights Act of 1998, which is now enshrined as part of UK domestic laws.

12 Appendix 2: Data Sets Held by LB Tower Hamlet reviewed

Housing Register

12.1 This section describes the profile of Tower Hamlets housing register applicants and from that a profile of applicants living in temporary accommodation, overcrowded and under occupied conditions. The data is based on a snapshot of the housing register on 9 November 2017. This information relates to the household applicant and has been provided by Tower Hamlets.

12.2 Key information:

- 18,788 households on the waiting list for housing
- 1,932 households living in temporary accommodation
- 7,127 households living in overcrowded conditions
- 962 households living in under occupied conditions

Households on the housing waiting list

12.3 This section relates to all applicants on the housing register. Around 19,000 households were on the council's waiting list for housing.

Age

12.4 The table below shows the age profile of applicants on the waiting list in comparison to the age profile of the Tower Hamlets population aged 18 and over.¹²

12.5 Key information:

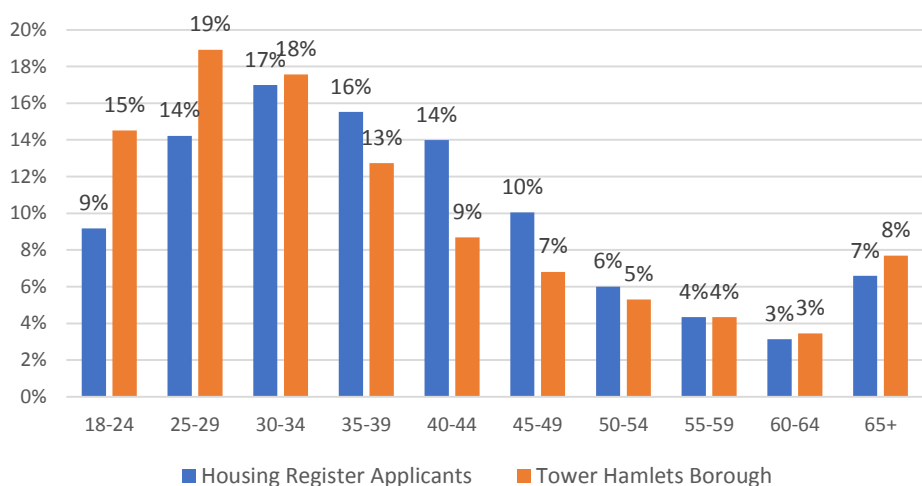
- In comparison to the age profile of the Tower Hamlets population, the age profile of applicants on the waiting list shows a higher proportion aged between 35-54 (50%)
- Half (50%) of applicants on the waiting list are aged 35-54, this age group represents 34% of the Tower Hamlets population.
- The proportion of applicants in the under 34 age group are lower in comparison to these age groups in the Tower Hamlets population.
- The proportion of applicants aged 50 and over are broadly comparable to the Tower Hamlets population in that age group.

Age profile	Housing Register Applicants		Tower Hamlets Borough
	(n)	(%)	(%)
18-24	1723	9%	15%
25-29	2671	14%	19%
30-34	3191	17%	18%
35-39	2916	16%	13%
40-44	2629	14%	9%
45-49	1887	10%	7%
50-54	1128	6%	5%

¹² 2016 mid-year population estimates, all persons aged 18 and over ONS (accessed November 2017)

Age profile	Housing Register Applicants		Tower Hamlets Borough
	(n)	(%)	(%)
55-59	816	4%	4%
60-64	590	3%	3%
65+	1237	7%	8%
Grand Total	18788	100%	100%

12.6 The housing register waiting list population and the Tower Hamlets population profiles by age are set out in the charts below.



Disability

12.7 A disability was reported in 420 applicants on the waiting list, representing 2% of all households on the housing register.¹³

Gender

12.8 The table below shows the gender profile of applicants on the waiting list in comparison to the gender profile of the Tower Hamlets population aged 16 and over.¹⁴

12.9 Key information

- The gender breakdown of applicants shows more female (54%) than male (46%) applicants.

Gender	Housing Register Applicants		Tower Hamlets Borough
	(n)	(%)	(%)
Male	8646	46%	52%
Female	10139	54%	48%
Other gender identity	1	0%	0%
Unknown	2	0%	0%
Total	18788	100%	100%

¹³ Based on 18,025 records of disability (98% of all households on the waiting list)

¹⁴ 2016 mid-year population estimates, males and females aged 16 and over ONS (accessed November 2017)

Race

12.10 The table below shows the ethnicity profile of applicants on the waiting list¹⁵ in comparison to the ethnic profile of the Tower Hamlets population.¹⁶

12.11 Key information:

- Over three quarters (79%) of all applicants on the waiting list are from BME groups, this group represent 55% of the Tower Hamlets population
- Within the BME groups, applicants on the waiting list from Asian or Asian British and Black or Black British groups are overrepresented. Applicants from the Bangladeshi ethnic group are the most overrepresented representing 59% (this group represents 32% of the Tower Hamlets population).
- There is an underrepresentation of applicants from mixed and White English/Welsh/Scottish/Northern Irish/British groups.

Ethnicity profile	Housing Register Applicants		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	2439	14%	31%
Irish	111	1%	2%
Gypsy or Irish Traveller	4	0%	0%
Other White	1196	7%	12%
Indian	126	1%	3%
Pakistani	158	1%	1%
Bangladeshi	10496	59%	32%
Chinese	109	1%	3%
Other Asian	387	2%	2%
African	1360	8%	4%
Caribbean	494	3%	2%
Other Black	188	1%	1%
White and Black Caribbean	186	1%	1%
White and Black African	64	0%	1%
White and Asian	37	0%	1%
Other Mixed	100	1%	1%
Arab	0	0%	1%
Any other ethnic group	289	2%	1%
Total	17744	100%	100%

¹⁵ Based on 17,744 records of ethnicity (94% of all households on the waiting list)

¹⁶ Ethnicity, 2011 Census (KS201EW) NOMIS ONS

Religion or belief

12.12 The table below shows the religious profile of applicants on the waiting list¹⁷ in comparison to the religious profile of Tower Hamlets.¹⁸

12.13 Key information:

- Around eight out of 10 (78%) applicants on the waiting list are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 9% are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	Housing Register		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	190	9%	27%
Buddhist	3	0%	1%
Hindu	3	0%	2%
Jewish	11	1%	1%
Islam	1639	78%	35%
Sikh	2	0%	0%
Other religion	42	2%	0%
No religion	0	0%	19%
Prefer not to Say (unknown)	211	10%	15%
Total	2101	100%	100%

Gender reassignment

12.14 No data was captured on gender reassignment.

Sexual orientation

12.15 The table below shows the sexual orientation profile of applicants on the waiting list. this data relates to 8% of all applicants on the waiting list.¹⁹

12.16 Key information:

- 40% refused to answer the question about their sexual orientation.
- Most (59%) are heterosexual, 1% bisexual, 0.2% gay and 0.1% lesbian.

Sexual orientation	Housing Register Applicants	
	(n)	(%)
Heterosexual	924	58.7%
Bisexual	16	1.0%
Gay	3	0.2%
Lesbian	1	0.1%
Prefer not to say (unknown/not asked)	629	40%
Total	1573	100%

¹⁷ Based on 2,101 records of religion (11% of households on the waiting list)

¹⁸ Religion, 2011 Census (KS209EW) NOMIS ONS

¹⁹ Based on 1,573 records of sexual orientation (11% of all households on the waiting list)

Pregnancy and maternity

12.17 No data was captured on gender reassignment.

Marriage and civil partnership

12.18 The table below shows the marriage and civil partnership profile of applicants on the waiting list. This data relates to 13% of all applicants on the waiting list.²⁰

12.19 Key information:

- Most (58%) are married
- 32% are single

Marriage and civil partnership	Housing Register Applicants	
	(n)	(%)
Civil partnership	1	0%
Married	1457	58%
Divorced	28	1%
Separated	104	4%
Widowed	18	1%
Cohabiting	38	2%
Single	806	32%
Refused to say	45	2%
Total	2497	100%

²⁰ Based on 16,291 records of marriage and civil partnership (13% of all households on the waiting list)

13 Appendix 3: Crisp Street Residents

Introduction

- 13.1 This section sets out the equalities profile of the residents of Crisp Street. Where available, protected characteristics (age, gender, disability, ethnicity, religion, sexual orientation, marriage and civil partnership, pregnancy and maternity and gender reassignment). Where equalities information relating directly to residents of Crisp Street has been available other datasets have been sourced to provide a proxy measure, including the Lansbury ward profile. Comparisons have been made to the overall Tower Hamlets population
- 13.2 The data used to produce the equalities profile of the residents is based on the raw data findings of the survey undertaken by Micro Fish in April 2017, findings from that survey have been modified to exclude those residents that by November 2017 have vacated.
- 13.3 The analysis is set out for all residents and from the all resident population data has been analysed for individuals by tenure type; social housing tenants, social housing tenants in temporary accommodation, private tenants and leaseholder. The analysis is based primarily on the number of individuals and in some cases household numbers. The percentages are rounded and therefore in some tables may total to 99 or 101%.
- 13.4 The difference in the resident population count between April and November 2017 is eight less households. By tenure type this shows:

Count of Respondents	Apr 2017	Nov 2017	Change
Social housing tenants	54	51	-3
Social housing tenants in temporary accommodation	5	3	-2
Private tenants	19	17	-2
Leaseholder	54	53	-1
All residents	94	86	-8

- 13.5 As the difference in the count is small, a comparison of the resident population between April and November 2017 by tenure type will not result in a significant difference.

All Residents

13.6 The Chrisp Street estate comprises of 334 individual residents who form part of the 86 households of all type of tenure.

Age

13.7 The table below shows the age profile of all residents in comparison to the age profile of Tower Hamlets population.²¹

13.8 Key information:

- The age profile of all residents is relatively younger in comparison to the age profile of Tower Hamlets population.
- As a proportion of the all resident's population, 40% are aged under 25 (this age group make up 31% of Tower Hamlets population).
- As a proportion of the all resident's population, the majority are aged 25-34 (27%) similar to the age group in Tower Hamlets population (28%).
- 13% of the all resident population are aged 35-44 (17% in Tower Hamlets population)
- A smaller proportion of the all resident population are aged 45 and over (21%) over (this age group make up 22% of the Tower Hamlets population.

Age group	All Residents		Tower Hamlets Borough
	(n)	(%)	(%)
Under 18	79	24%	22%
18-24	54	16%	11%
25-34	90	27%	28%
35-44	42	13%	17%
45-44	18	5%	9%
55-64	19	6%	6%
65-74	19	6%	3%
75+	13	4%	3%
Total	334	100%	100%

Race

13.9 The table below shows the ethnicity profile of all residents in comparison to the ethnicity profile of Tower Hamlets.²²

13.10 Key information:

- A higher proportion of all residents are from BAME groups (67%). Including residents from Irish, Gypsy or Irish Traveller and other White backgrounds this increases to 90% (in Tower Hamlets the non-white ethnic groups make

²¹ 2016 mid-year population estimates, all persons aged 16 and over ONS (accessed July 2017)

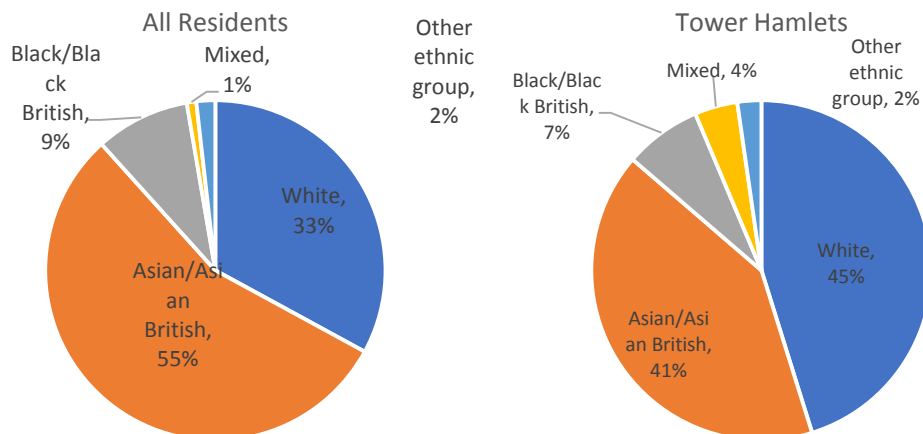
²² Ethnicity, 2011 Census (KS201EW) NOMIS ONS

up 55% and including Irish, Gypsy or Irish Traveller and other White backgrounds make up 67%).

- The largest ethnic group in the all resident population is Bangladeshi (51%), in Tower Hamlets population this ethnic group represent 32%.
- All residents from English/Welsh/Scottish/Northern Irish/British account 10% and underrepresented in comparison to the ethnic profile of Tower Hamlets population (31%).

Ethnicity Profile	Chrip Street All Residents		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	35	10%	31%
Irish	7	2%	2%
Gypsy or Irish Traveller	0	0%	0%
other White background	68	20%	12%
Indian	0	0%	3%
Pakistani	13	4%	1%
Bangladeshi	172	51%	32%
Chinese	0	0%	3%
other Asian background	0	0%	2%
Caribbean	12	4%	4%
African	16	5%	2%
other Black background	2	1%	1%
White and Asian	1	0%	1%
White and Black Caribbean	0	0%	1%
White and Black African	0	0%	1%
other mixed background	2	1%	1%
Arab	0	0%	1%
Other ethnic group	6	2%	1%
Prefer not to say	0	0%	0%
Total	334	100%	100%

13.11 The all resident Chrip Street population and Tower Hamlets population profiles by ethnicity are set out in the charts below. Using the broad categories of the 2011 Census it highlights the differences in the ethnic composition of the two populations.



Main language spoken

- 13.12 No data was captured on main language spoken.
- 13.13 In Tower Hamlets English is not the most common language spoken by 34% of the population.²³ The table below shows the top ten most common languages, other than English, spoken by residents

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese ²⁴	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

Religion or belief

- 13.14 The table below shows the religious profile of all residents in comparison to the religious profile of Tower Hamlets.²⁵

- 13.15 Key information:

- Religion or belief is more prevalent in the all resident population than in Tower Hamlets population, only 8% of residents have no religion compared to 19% across Tower Hamlets.
- 60% of all residents are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 23% of all residents are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	All Residents		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	77	23%	27%
Buddhist	0	0%	1%
Hindu	1	0%	2%
Jewish	0	0%	1%
Islam	202	60%	35%
Sikh	1	0%	0%

²³ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

²⁴ Including Cantonese Mandarin and other Chinese languages

²⁵ Religion, 2011 Census (KS209EW) NOMIS ONS

Religion or belief	All Residents		Tower Hamlets Borough
	(n)	(%)	(%)
Other religion	1	0%	0%
No religion	28	8%	19%
Prefer not to Say (unknown) ²⁶	25	7%	15%
Total	334	100%	100%

Gender

13.16 The table below shows the gender profile of all residents in comparison to the gender profile of Tower Hamlets.²⁷

13.17 Key information:

- There are more male residents (53%) than female residents (47%). The gender profile In Tower Hamlets population is 52% male and 48% female%.

Gender	All Residents		Tower Hamlets Borough
	(n)	(%)	(%)
Female	157	47%	48%
Male	177	53%	52%
Total	334	100%	100%

Gender reassignment

13.18 No data was captured on gender reassignment.

Sexual orientation

13.19 The table below shows the sexual orientation profile of all residents²⁸ There is no robust data held by Tower Hamlets to illustrate a borough profile of sexual orientation.

13.20 Key information:

- A significant proportion of all residents did not provide an answer to this question or were not asked if the question related to a household member aged under 18 (33%).
- 65% of all residents are heterosexual, 1% bisexual, 2% gay and 0% lesbian.

Sexual orientation	All Residents	
	(n)	(%)
Heterosexual	216	65%

²⁶ This includes 'don't know' where the person answering the survey did not know the answer on behalf of all members of the household

²⁷ 2016 mid-year population estimates, all person, all ages ONS (accessed November 2017)

²⁸ This includes 'don't know' where person answering the survey did not know the answer on behalf of all household members or was not asked where the household members was aged under 18

Sexual orientation	All Residents	
	(n)	(%)
Bisexual	3	1%
Gay	6	2%
Lesbian	0	0%
Prefer not to say (unknown/not asked)	109	33%
Total	334	100%

Pregnancy and maternity

13.21 The table below is based on the count of all households (n=86).

13.22 Key information:

- 6% of households are either expecting a baby or have had a baby in the past 12 months.

Household member expecting or had a baby in past 12-months	All Residents	
	(n)	(%)
No	78	91%
Yes	5	6%
Unknown	3	3%
Total	86	100%

Marriage and civil partnership

13.23 No data was captured on gender reassignment.

Health and Disability

13.24 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

13.25 Key information:

- 16% of all residents reported a long-term physical or mental health condition or disability.

Disability (long-term physical or mental health condition or disability)	All Residents	
	(n)	(%)
No	281	84%
Yes	53	16%
Total	334	100%

13.26 Data from the Lansbury ward profile (2014)²⁹ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Crisp

²⁹ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

Limiting illness and disability	Lansbury ward	Tower Hamlets borough
Day to day activities limited a lot	9%	7%
Day to day activities limited a little	8%	7%
Day to day activities not limited	83%	87%

Economic activity

13.27 People that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.

13.28 No data on economic activity was captured. Data from the Lansbury ward profile (2014)³⁰ sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.29 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

13.30 Key information:

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

³⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

Household composition

13.31 The table below shows the household composition of all households (n=86).

13.32 Key information:

- The number of people per household varies from 1 person to ten.
- Most households are made up of two or four people and represent 16% (each) of the all households.
- The second most common household composition is three and five people households, representing 15% (each) of all households

Number of people in household	All Households	
	(n)	(%)
1 person	10	12%
2 people	16	19%
3 people	13	15%
4 people	16	19%
5 people	13	15%
6 people	8	9%
7 people	7	8%
8 people	2	2%
9 people	0	0%
10 people	1	1%
Total	86	100%

Length of time at the property

13.33 The table below shows the length of time all households have been living at their property (n=86).

13.34 Key information:

- Over half (58%) have been living in their property for 10 years or longer.

Length of time at the property	All Households	
	(n)	(%)
<12 months	13	15%
1-2 years	3	3%
2-5 years	7	8%
5-10 years	13	15%
>10 years	50	58%
Total	86	100%

Social housing tenants

13.35 The Chrisp Street estate comprises of 184 individuals who form part of the 53 households with social housing tenancy tenure.

Age

13.36 The table below shows the age profile of social housing tenants in comparison to the age profile of Tower Hamlets population.³¹

13.37 Key information:

- The social housing tenant population is made up of all age groups, in comparison to the age profile of Tower Hamlets there are proportionately more young people (aged under 18) and older people (aged 65 and over).
- As a proportion of the social housing tenant's population, the majority (31%) are aged under 18 (this age group make up 22% of Tower Hamlets population).
- 14% of the profile of social housing tenant population is aged 65 and over, (this age group make up 6% of the Tower Hamlets population).
- There are less social housing tenants aged between 25 and 44 in comparison to this age group in Tower Hamlets population.

Age group	Social Housing Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
Under 18	57	31%	22%
18-24	12	7%	11%
25-34	41	22%	28%
35-44	24	13%	17%
45-44	9	5%	9%
55-64	14	8%	6%

³¹ 2016 mid-year population estimates, all persons aged 16 and over ONS (accessed July 2017)

Age group	Social Housing Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
65-74	17	9%	3%
75+	10	5%	3%
Total	184	100%	100%

Race

13.38 The table below shows the ethnicity profile of social housing tenants in comparison to the ethnic profile of Tower Hamlets population based on the 2011 Census.³²

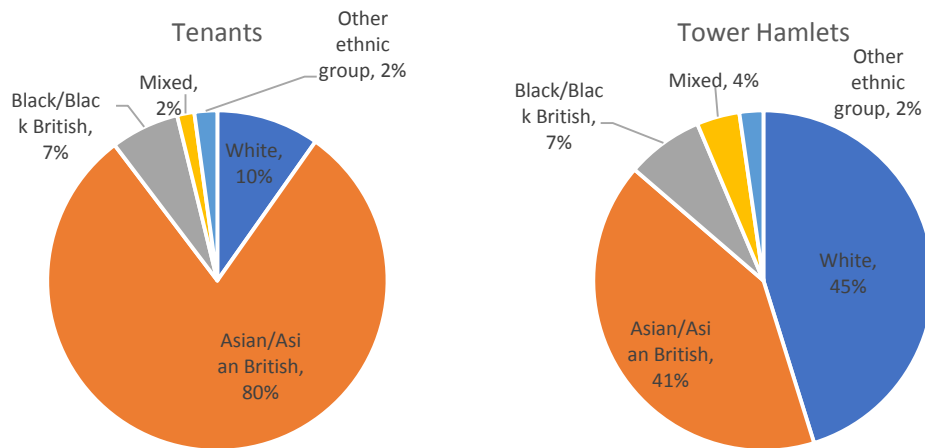
13.39 Key information:

- Nine out of 10 (80%) of social housing tenants are from BME ethnic groups, this group represents 55% of Tower Hamlets population.
- The largest ethnic group in the social housing tenant population is Bangladeshi (80%), whilst representing 32% of Tower Hamlets population.
- Social housing tenants from all White ethnic groups are underrepresented in comparison to the ethnic profile of Tower Hamlets population. Those from English/Welsh/Scottish/Northern Irish/British make up 9% of the tenant resident population and represent 31% of Tower Hamlets population

Ethnicity	Social Housing Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	16	9%	31%
Irish	2	1%	2%
Gypsy or Irish Traveller	0	0%	0%
other White background	0	0%	12%
Indian	0	0%	3%
Pakistani	0	0%	1%
Bangladeshi	147	80%	32%
Chinese	0	0%	3%
other Asian background	0	0%	2%
Caribbean	7	4%	4%
African	3	2%	2%
other Black background	2	1%	1%
White and Asian	1	1%	1%
White and Black Caribbean	0	0%	1%
White and Black African	0	0%	1%
other mixed background	2	1%	1%
Arab	0	0%	1%
Other ethnic group	4	2%	1%
Prefer not to say	0	0%	0%
Total	184	100%	100%

³² Ethnicity, 2011 Census (KS201EW) NOMIS ONS

13.40 The tenant resident population and Tower Hamlets population profiles by ethnicity are set out in the charts below. Using the broad categories of the 2011 Census it highlights the differences in the ethnic composition of the two populations.



Main language spoken

13.41 No data was captured on main language spoken.

13.42 In Tower Hamlets English is not the most common language spoken by 34% of the population.³³ The table below shows the top ten most common languages, other than English, spoken by residents

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese ³⁴	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

³³ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

³⁴ Including Cantonese Mandarin and other Chinese languages

Religion or belief

13.43 The table below shows the religious profile of social housing tenants in comparison to the religious profile of Tower Hamlets.³⁵

13.44 Key information:

- Religion or belief is more prevalent in the social housing tenant population than in the Tower Hamlets population, only 3% of social housing tenants have no religion compared to 19% across Tower Hamlets.
- 83% of social housing tenants are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 15% of social housing tenants are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	Social Housing Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	27	15%	27%
Buddhist	0	0%	1%
Hindu	0	0%	2%
Jewish	0	0%	1%
Islam	152	83%	35%
Sikh	0	0%	0%
Other religion	0	0%	0%
No religion	5	3%	19%
Prefer not to Say (unknown) ³⁶	0	0%	15%
Total	184	100%	100%

Gender

13.45 The table below shows the gender profile of social housing tenants in comparison to the gender profile of Tower Hamlets.³⁷

13.46 Key information:

- The proportion of male and female is equal (50%).
- In the Tower Hamlets population 52% are male and 48% female.

Gender	Social Housing Tenants		Toer Hamlets Borough
	(n)	(%)	(%)
Female	92	50%	48%
Male	92	50%	52%
Total	184	100%	100%

³⁵ Religion, 2011 Census (KS209EW) NOMIS ONS

³⁶ This includes 'don't know' where the person answering the survey did not know the answer on behalf of all members of the household

³⁷ 2016 mid-year population estimates, males and females aged 16 and over ONS (accessed July 2017)

Gender reassignment

13.47 No data was captured on gender reassignment.

Sexual orientation

13.48 The table below shows the sexual orientation profile of social housing tenants.³⁸ There is no robust data held by Tower Hamlets to illustrate a borough profile of sexual orientation.

13.49 Key information:

- A significant proportion of social housing tenants did not provide an answer to this question or were not asked if the question related to a household member aged under 18 (41%).
- The remaining 59% of social housing tenants are heterosexual.

Sexual orientation	Social Housing Tenants	
	(n)	(%)
Heterosexual	108	59%
Bisexual	0	0%
Gay	0	0%
Lesbian	0	0%
Prefer not to say (unknown/not asked)	76	41%
Total	184	100%

Pregnancy and maternity

13.50 The table below is based on the count of all social housing tenant households (n=51).

13.51 Key information:

- 8% of households are either expecting a baby or have had a baby in the past 12 months.

Household member expecting or had a baby in past 12-months	Social Housing Tenants	
	(n)	(%)
No	44	86%
Yes	4	8%
Unknown	3	6%
Total	51	100%

³⁸ This includes 'don't know' where person answering the survey did not know the answer on behalf of all household members or was not asked where the household members was aged under 18

Marriage and civil partnership

13.52 No data was captured on marriage or civil partnership.

Health and Disability

13.53 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

13.54 Key information:

- 17% reported a long-term physical or mental health condition or disability.

Disability (long-term physical or mental health condition or disability)	Social Housing Tenants	
	(n)	(%)
No	153	83%
Yes	31	17%
Total	184	100%

13.55 Data from the Lansbury ward profile (2014)³⁹ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher proportion of the Lansbury ward population had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.56

Limiting illness and disability	Lansbury ward	Tower Hamlets borough
Day to day activities limited a lot	9%	7%
Day to day activities limited a little	8%	7%
Day to day activities not limited	83%	87%

Economic activity

13.57 People that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.

13.58 No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁴⁰ sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of

³⁹ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

⁴⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.59 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

13.60 Key information:

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.⁵¹)

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

Household composition

13.61 The table below shows the household composition of social housing tenant households (n=51)

13.62 Key information:

- The number of people per household varied from 1 person to ten.

- Most households are made up of two people, representing 27% of the social housing tenant households.
- The second most common household composition is one-person households, representing 20% of all social housing tenant households.

Number of people in household	Social Housing Tenants Households	
	(n)	(%)
1 person	7	14%
2 people	10	20%
3 people	8	16%
4 people	10	20%
5 people	9	18%
6 people	2	4%
7 people	4	8%
8 people	1	2%
9 people	0	0%
10 people	0	0%
Total	51	100%

Length of time at the property

13.63 The table below shows the length of time all social housing tenant households have been living at their property (n=51).

13.64 Key information:

- Around three quarters (73%) have been living in their property for 10 or more years.
- 18% have been living in their property between 5-10 years.

Length of time at the property	Social Housing Tenants Households	
	(n)	(%)
<12 months	0	0%
1-2 years	1	2%
2-5 years	4	8%
5-10 years	9	18%
>10 years	37	73%
Total	51	100%

Social housing licensees living in temporary accommodation

13.65 The Crisp Street estate comprises of 18 individuals who form part of the 3 households with social housing in temporary accommodation (TA) tenure.

Age

13.66 The table below shows the age profile of social housing tenants in TA in comparison to the age profile of Tower Hamlets population.⁴¹

13.67 Key information:

- The age profile of all tenants in TA is young, all are aged under 45.
- Half (50%) aged under 18 (this age group represent 22% of Tower Hamlets population)

Age group	Social Housing Tenants in TA		Tower Hamlets Borough
	(n)	(%)	(%)
Under 18	9	50%	22%
18-24	3	17%	11%
25-34	2	11%	28%
35-44	4	22%	17%
45-44	0	0%	9%
55-64	0	0%	6%
65-74	0	0%	3%
75+	0	0%	3%
Total	18	100%	100%

Race

13.68 The table below shows the ethnicity profile of individual residents (n=18) who form part of the tenant households in temporary accommodation (TA) (n=3) in comparison to the ethnic profile of Tower Hamlets population based on the 2011 Census.⁴²

13.69 Key information:

- Tenant residents in TA are mostly from the Black African ethnic group (44%), Asian Pakistani (33%) and other White ethnic groups (22%). All groups are overrepresented in comparison to the ethnic profile of Tower Hamlets population.

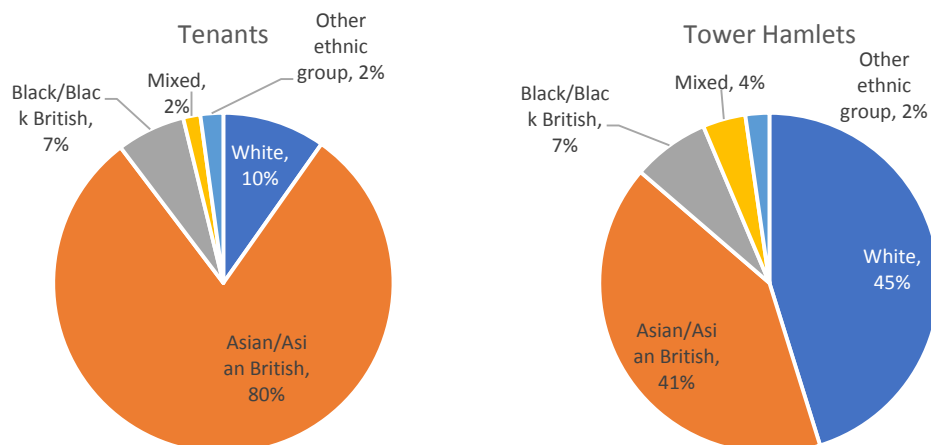
Ethnicity	Social Housing Tenants in TA		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	0	0%	31%
Irish	0	0%	2%
Gypsy or Irish Traveller	0	0%	0%
other White background	4	22%	12%
Indian	0	0%	3%
Pakistani	6	33%	1%

⁴¹ 2016 mid-year population estimates, all persons aged 16 and over ONS (accessed July 2017)

⁴² Ethnicity, 2011 Census (KS201EW) NOMIS ONS

Ethnicity	Social Housing Tenants in TA		Tower Hamlets Borough
	(n)	(%)	(%)
Bangladeshi	0	0%	32%
Chinese	0	0%	3%
other Asian background	0	0%	2%
Caribbean	0	0%	4%
African	8	44%	2%
other Black background	0	0%	1%
White and Asian	0	0%	1%
White and Black Caribbean	0	0%	1%
White and Black African	0	0%	1%
other mixed background	0	0%	1%
Arab	0	0%	1%
Other ethnic group	0	0%	1%
Prefer not to say	0	0%	0%
Total	18	100%	100%

13.70 The tenant in TA population and Tower Hamlets population profiles by ethnicity are set out in the charts below. Using the broad categories of the 2011 Census it highlights the differences in the ethnic composition of the two populations.



Main language spoken

13.71 No data was captured on main language spoken.

13.72 In Tower Hamlets English is not the most common language spoken by 34% of the population.⁴³ The table below shows the top ten most common languages, other than English, spoken by residents

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%

⁴³ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

Most commonly used languages (other than English)	(%)
Chinese ⁴⁴	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

Religion or belief

13.73 The table below shows the religious profile of tenants in TA in comparison to the religious profile of Tower Hamlets.⁴⁵

13.74 Key information:

- Religion or belief is more prevalent in the tenant in TA population than in Tower Hamlets population, 6% of leaseholders have no religion compared to 19% across Tower Hamlets.
- 17% of private tenants are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 78% of all residents are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	Social Housing Tenants in TA		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	3	17%	27%
Buddhist	0	0%	1%
Hindu	0	0%	2%
Jewish	1	1%	1%
Islam	14	78%	35%
Sikh	0	0%	0%
Other religion	0	0%	0%
No religion	1	6%	19%
Prefer not to Say (unknown) ⁴⁶	0	0%	15%
Total	18	100%	100%

⁴⁴ Including Cantonese Mandarin and other Chinese languages

⁴⁵ Religion, 2011 Census (KS209EW) NOMIS ONS

⁴⁶ This includes 'don't know' where the person answering the survey did not know the answer on behalf of all members of the household

Gender

13.75 The table below shows the gender profile of tenants in TA in comparison to the gender profile of Tower Hamlets.⁴⁷

13.76 Key information:

- There are more female residents (56%) than male residents (44%).
- Proportionately more males in the private tenant population compared to Tower Hamlets population.
- The gender profile In Tower Hamlets population is 52% male and 48% female%.

Gender	Social Housing Tenants in TA		Toer Hamlets Borough
	(n)	(%)	(%)
Female	10	56%	48%
Male	8	44%	52%
Total	18	100%	100%

Gender reassignment

13.77 No data was captured on gender reassignment.

Sexual orientation

13.78 The table below shows the sexual orientation profile of social housing tenants in TA.⁴⁸ There is no robust data held by Tower Hamlets to illustrate a borough profile of sexual orientation.

13.79 Key information:

- A significant proportion of private tenants did not provide an answer to this question or were not asked if the question related to a household member aged under 18 (67%).
- The remaining 33% of social housing tenants in TA are heterosexual.

Sexual orientation	Private Tenants	
	(n)	(%)
Heterosexual	6	33%
Bisexual	0	0%
Gay	0	0%
Lesbian	0	0%
Prefer not to say (unknown/not asked)	12	67%
Total	18	100%

⁴⁷ 2016 mid-year population estimates, males and females aged 16 and over ONS (accessed July 2017)

⁴⁸ This includes 'don't know' where person answering the survey did not know the answer on behalf of all household members or was not asked where the household members was aged under 18

Pregnancy and maternity

13.80 The table below is based on the count of all private tenant households (n=3).

13.81 Key information:

- 33% of households are either expecting a baby or have had a baby in the past 12 months.

Household member expecting or had a baby in past 12-months	Private Tenants	
	(n)	(%)
No	2	67%
Yes	1	33%
Unknown	0	0%
Total	3	100%

Marriage and civil partnership

13.82 No data was captured on gender reassignment.

Health and Disability

13.83 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

13.84 Key information:

- 0% of all residents reported a long-term physical or mental health condition or disability.

Disability (long-term physical or mental health condition or disability)	Social Housing Tenants in TA	
	(n)	(%)
No	18	100%
Yes	0	0%
Total	18	100%

13.85 Data from the Lansbury ward profile (2014)⁴⁹ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

Limiting illness and disability	Lansbury ward	Tower Hamlets borough
Day to day activities limited a lot	9%	7%
Day to day activities limited a little	8%	7%
Day to day activities not limited	83%	87%

⁴⁹ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Economic activity

13.86 People that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.

13.87 No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁵⁰ sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.88 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

13.89 Key information:

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%

⁵⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Economically active:	Lansbury Ward	Tower Hamlets Borough
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

Household composition

13.90 The table below shows the household composition of social housing tenants in TA households (n=3).

13.91 Key information:

- All social housing tenants in TA are evenly distributed between four, six and eight person households (33% each).

Number of people in household	Social Housing Tenants in TA Households	
	(n)	(%)
1 person	0	0%
2 people	0	0%
3 people	0	0%
4 people	1	33%
5 people	0	0%
6 people	1	33%
7 people	0	0%
8 people	1	33%
9 people	0	0%
10 people	0	0%
Total	3	100%

Length of time at the property

13.92 The table below shows the length of time all social housing tenants in TA households have been living at their property (n=3).

13.93 Key information:

- All have been living in their property for less than 12 months.

Length of time at the property	Social Housing Tenants in TA Households	
	(n)	(%)
<12 months	3	100%
1-2 years	0	0%

Length of time at the property	Social Housing Tenants in TA Households	
	(n)	(%)
2-5 years	0	0%
5-10 years	0	0%
>10 years	0	0%
Total	3	100%

Private Tenants

13.94 The Crisp Street estate comprises of 79 individual residents who form part of the 17 households with private tenant tenure.

Age

13.95 The table below shows the age profile of private tenants in comparison to the age profile of Tower Hamlets population.⁵¹

13.96 Key information:

- The age profile of the private tenants is relatively young, all are aged under 54.
- As a proportion of the private resident's population, the majority are aged between 18 and 44 (89%) (this age group represents 56% of Tower Hamlets population).
- As a proportion of the private tenant's population, 9% are aged under 18 (this age group make up 22% of the Tower Hamlets population).
- A very small proportion (3%) are aged 45 and over (this age group make up 22% of the Tower Hamlets population).

Age group	Private Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
Under 18	7	9%	22%
18-24	31	39%	11%
25-34	31	39%	28%
35-44	8	10%	17%
45-54	2	3%	9%
55-64	0	0%	6%
65-74	0	0%	3%
75+	0	0%	3%
Total	79	100%	100%

⁵¹ 2016 mid-year population estimates, all persons aged 16 and over ONS (accessed July 2017)

Race

13.97 The table below shows the ethnicity profile of private tenants in comparison to the ethnic profile of Tower Hamlets population based on the 2011 Census.⁵²

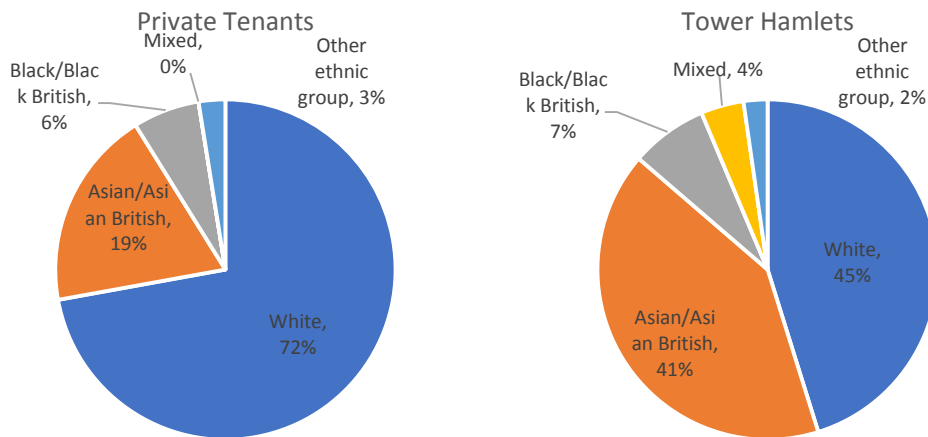
13.98 Key information:

- Over two thirds (68%) of private tenant residents are from other White ethnic groups, this group represents 12% of Tower Hamlets population (12%)
- Private tenants from English/Welsh/Scottish/Northern Irish/British and across all other ethnic groups are underrepresented in comparison to the ethnic profile of Tower Hamlets population.
- The second largest ethnic group in the private tenant population is Bangladeshi (19%).

Ethnicity Profile	Chrisp Street Private Tenants		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	3	4%	31%
Irish	0	0%	2%
Gypsy or Irish Traveller	0	0%	0%
other White background	54	68%	12%
Indian	0	0%	3%
Pakistani	0	0%	1%
Bangladeshi	15	19%	32%
Chinese	0	0%	3%
other Asian background	0	0%	2%
Caribbean	0	0%	4%
African	5	6%	2%
other Black background	0	0%	1%
White and Asian	0	0%	1%
White and Black Caribbean	0	0%	1%
White and Black African	0	0%	1%
other mixed background	0	0%	1%
Arab	0	0%	1%
Other ethnic group	2	3%	1%
Prefer not to say	0	0%	0%
Total	79	100%	100%

⁵² Ethnicity, 2011 Census (KS201EW) NOMIS ONS

13.99 The private tenant population and Tower Hamlets population profiles by ethnicity are set out in the charts below. Using the broad categories of the 2011 Census it highlights the differences in the ethnic composition of the two populations.



Main language spoken

13.100 No data was captured on main language spoken.

13.101 In Tower Hamlets English is not the most common language spoken by 34% of the population.⁵³ The table below shows the top ten most common languages, other than English, spoken by residents

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese ⁵⁴	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

⁵³ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

⁵⁴ Including Cantonese Mandarin and other Chinese languages

Religion or belief

13.102 The table below shows the religious profile of private tenants in comparison to the religious profile of Tower Hamlets.⁵⁵

13.103 Key information:

- Religion or belief is comparable in the private tenant population to Tower Hamlets population, 20% of residents have no religion compared to 19% across Tower Hamlets.
- 25% are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 33% are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	Private tenants		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	26	33%	27%
Buddhist	0	0%	1%
Hindu	1	1%	2%
Jewish	0	0%	1%
Islam	20	25%	35%
Sikh	1	1%	0%
Other religion	3	4%	0%
No religion	16	20%	19%
Prefer not to Say (unknown) ⁵⁶	13	16%	15%
Total	79	100%	100%

Gender

13.104 The table below shows the gender profile of private tenants in comparison to the gender profile of Tower Hamlets.⁵⁷

13.105 Key information:

- There are more male leaseholders (65%) than female (35%).
- Proportionately more males in the private tenant population compared to Tower Hamlets population.
- The gender profile In Tower Hamlets population is 52% male and 48% female%.

	Private Tenants	Toer Hamlets
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⁵⁵ Religion, 2011 Census (KS209EW) NOMIS ONS

⁵⁶ This includes 'don't know' where the person answering the survey did not know the answer on behalf of all members of the household

⁵⁷ 2016 mid-year population estimates, males and females aged 16 and over ONS (accessed July 2017)

Gender			Borough
	(n)	(%)	(%)
Female	28	35%	48%
Male	51	65%	52%
Total	79	100%	100%

Gender reassignment

13.106 No data was captured on gender reassignment.

Sexual orientation

13.107 The table below shows the sexual orientation profile of private tenants.⁵⁸ There is no robust data held by Tower Hamlets to illustrate a borough profile of sexual orientation.

13.108 Key information:

- 19% of private tenants did not provide an answer to this question or were not asked if the question related to a household member aged under 18.
- 73% of all residents are heterosexual, 4% bisexual, 24% gay and 0% lesbian.

Sexual orientation	Private Tenants	
	(n)	(%)
Heterosexual	58	73%
Bisexual	3	4%
Gay	3	4%
Lesbian	0	0%
Prefer not to say (unknown/not asked)	15	19%
Total	79	100%

Pregnancy and maternity

13.109 The table below is based on the count of all private tenant households (n=17).

13.110 Key information:

- 0% of households are either expecting a baby or have had a baby in the past 12 months.

Household member expecting or had a baby in past 12-months	Private Tenants	
	(n)	(%)
No	17	100%
Yes	0	0%

⁵⁸ This includes 'don't know' where person answering the survey did not know the answer on behalf of all household members or was not asked where the household members was aged under 18

Unknown	0	0%
Total	17	100%

Marriage and civil partnership

13.111 No data was captured on gender reassignment.

Health and Disability

13.112 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

13.113 Key information:

- 6% residents reported a long-term physical or mental health condition or disability.

Disability (long-term physical or mental health condition or disability)	Private Tenants	
	(n)	(%)
No	74	94%
Yes	5	6%
Total	79	100%

13.114 Data from the Lansbury ward profile (2014)⁵⁹ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

Limiting illness and disability	Lansbury ward	Tower Hamlets borough
Day to day activities limited a lot	9%	7%
Day to day activities limited a little	8%	7%
Day to day activities not limited	83%	87%

Economic activity

13.115 People that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.

⁵⁹ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

13.116 No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁶⁰ sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.117 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

13.118 Key information:

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

⁶⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

Household composition

13.119 The table below shows the household composition of private tenant households (n=17).

13.120 Key information:

- The number of people per household varies from 2 people to seven.
- Most households are made up of three, four and five people, representing 18% (each) of all private tenant households.
- There are no one person private tenant households.

Number of people in household	Private Tenant Households	
	(n)	(%)
1 person	0	0%
2 people	2	12%
3 people	3	18%
4 people	3	18%
5 people	3	18%
6 people	4	24%
7 people	2	12%
8 people	0	0%
9 people	0	0%
10 people	0	0%
Total	17	100%

Length of time at the property

13.121 The table below shows the length of time all private tenant households have been living at their property (n=17).

13.122 Key information:

- Over half (53%) have been living in their property for less than 12 months.
- Around one quarter (24%) have been living in their property between 5-10 years.

Length of time at the property	Private Tenant Households	
	(n)	(%)
<12 months	9	53%
1-2 years	1	6%
2-5 years	3	18%
5-10 years	4	24%
>10 years	0	0%
Total	17	100%

Leaseholders

13.123 The Crisp Street estate comprises of 53 individual residents who form part of the 15 households with leaseholder tenure.

Age

13.124 The table below shows the age profile of leaseholders in comparison to the age profile of Tower Hamlets population.⁶¹

13.125 Key information:

- The age profile of the leaseholder population is slightly older.
- 11% are aged under 18, this age group represent 22% of Tower Hamlets population.
- Proportionately more leaseholder aged 18-24 (15%) and 25-34 (30%) compared to Tower Hamlets population (11% and 28% respectively)
- However in the older age bandings the profile of leaseholders is above that of the borough.

Age group	Leaseholders		Tower Hamlets Borough
	(n)	(%)	(%)
Under 18	6	11%	22%
18-24	8	15%	11%
25-34	16	30%	28%
35-44	6	11%	17%
45-54	7	13%	9%
55-64	5	9%	6%
65-74	2	4%	3%
75+	3	6%	3%
Total	53	100%	100%

Race

13.126 The table below shows the ethnicity profile of leaseholders in comparison to the ethnic profile of Tower Hamlets population based on the 2011 Census.⁶²

13.127 Key information:

- Most leaseholder residents are from White ethnic groups (58%), this ethnic group represents 45% of Tower Hamlets population.
- Leaseholder residents from White English/Welsh/Scottish/Northern Irish/British represent 30%, similar to the percentage in Tower Hamlet population (31%). Leaseholders from Irish and other White ethnic groups are

⁶¹ 2016 mid-year population estimates, all persons aged 16 and over ONS (accessed July 2017)

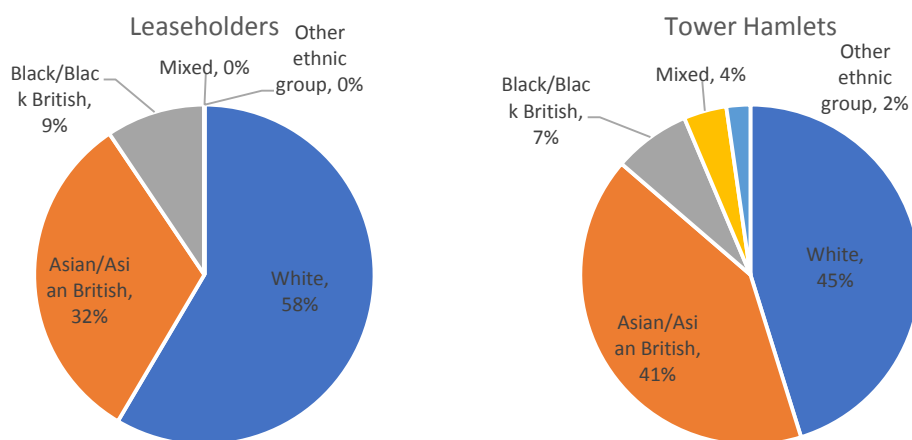
⁶² Ethnicity, 2011 Census (KS201EW) NOMIS ONS

overrepresented in comparison to the ethnic profile of Tower Hamlets population.

- In other ethnic groups, leaseholder residents from the Bangladeshi ethnic group are underrepresented, accounting for 19%, whilst representing 32% of the Tower Hamlets population.

Ethnicity	Leaseholders		Tower Hamlets Borough
	(n)	(%)	(%)
English/Welsh/Scottish/Northern Irish/British	16	30%	31%
Irish	5	9%	2%
Gypsy or Irish Traveller	0	0%	0%
other White background	10	19%	12%
Indian	0	0%	3%
Pakistani	7	13%	1%
Bangladeshi	10	19%	32%
Chinese	0	0%	3%
other Asian background	0	0%	2%
Caribbean	5	9%	4%
African	0	0%	2%
other Black background	0	0%	1%
White and Asian	0	0%	1%
White and Black Caribbean	0	0%	1%
White and Black African	0	0%	1%
other mixed background	0	0%	1%
Arab	0	0%	1%
Other ethnic group	0	0%	1%
Prefer not to say	0	0%	0%
Total	53	100%	100%

13.128 The leaseholder population and Tower Hamlets population profiles by ethnicity are set out in the charts below. Using the broad categories of the 2011 Census it highlights the differences in the ethnic composition of the two populations.



Main language spoken

13.129 No data was captured on main language spoken.

13.130 In Tower Hamlets English is not the most common language spoken by 34% of the population.⁶³ The table below shows the top ten most common languages, other than English, spoken by residents.

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese ⁶⁴	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

Religion or belief

13.131 The table below shows the religious profile of leaseholders in comparison to the religious profile of Tower Hamlets.⁶⁵

13.132 Key information:

- Religion or belief is more prevalent in the leaseholder population than in Tower Hamlets population, 11% of leaseholders have no religion compared to 19% across Tower Hamlets.
- 32% are Muslim (Islam is the religion for 35% of Tower Hamlets population)
- 40% are Christian (Christianity is the religion for 27% of the Tower Hamlets population)

Religion or belief	Leaseholders		Tower Hamlets Borough
	(n)	(%)	(%)
Christianity	21	40%	27%
Buddhist	0	0%	1%
Hindu	0	0%	2%
Jewish	0	0%	1%
Islam	17	32%	35%
Sikh	0	0%	0%

⁶³ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

⁶⁴ Including Cantonese Mandarin and other Chinese languages

⁶⁵ Religion, 2011 Census (KS209EW) NOMIS ONS

Religion or belief	Leaseholders		Tower Hamlets Borough
	(n)	(%)	(%)
Other religion	0	0%	0%
No religion	6	11%	19%
Prefer not to Say (unknown) ⁶⁶	9	17%	15%
Total	53	100%	100%

Gender

13.133 The table below shows the gender profile of leaseholders in comparison to the gender profile of Tower Hamlets.⁶⁷

13.134 Key information:

- There are more female leaseholders (57%) than male leaseholders (43%). The gender profile In Tower Hamlets population is 52% male and 48% female%.

Gender	Leaseholders		Toer Hamlets Borough
	(n)	(%)	(%)
Female	30	57%	48%
Male	23	43%	52%
Total	53	100%	100%

Gender reassignment

13.135 No data was captured on gender reassignment.

Sexual orientation

13.136 The table below shows the sexual orientation profile of leaseholders.⁶⁸ There is no robust data held by Tower Hamlets to illustrate a borough profile of sexual orientation.

13.137 Key information:

- 13% of leaseholders did not provide an answer to this question or were not asked if the question related to a household member aged under 18.
- 83% of leaseholders are heterosexual and the remaining 4% gay.

⁶⁶ This includes 'don't know' where the person answering the survey did not know the answer on behalf of all members of the household

⁶⁷ 2016 mid-year population estimates, males and females aged 16 and over ONS (accessed July 2017)

⁶⁸ This includes 'don't know' where person answering the survey did not know the answer on behalf of all household members or was not asked where the household members was aged under 18

Sexual orientation	Leaseholders	
	(n)	(%)
Heterosexual	44	83%
Bisexual	0	0%
Gay	2	4%
Lesbian	0	0%
Prefer not to say (unknown/not asked)	7	13%
Total	53	100%

Pregnancy and maternity

13.138 The table below is based on the count of all leasehold households (n=15).

13.139 Key information:

- 0% of households are either expecting a baby or have had a baby in the past 12 months.

Household member expecting or had a baby in past 12-months	Leaseholders	
	(n)	(%)
No	15	100%
Yes	0	0%
Unknown	0	0%
Total	15	100%

Marriage and civil partnership

13.140 No data was captured on gender reassignment.

Health and Disability

13.141 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.

13.142 Key information:

- 32% of all residents reported a long-term physical or mental health condition or disability.

Disability (long-term physical or mental health condition or disability)	Leaseholders	
	(n)	(%)
No	36	68%
Yes	17	32%
Total	53	100%

13.143 Data from the Lansbury ward profile (2014)⁶⁹ sets out the overall profile of limiting illness or disability. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

Limiting illness and disability	Lansbury ward	Tower Hamlets borough
Day to day activities limited a lot	9%	7%
Day to day activities limited a little	8%	7%
Day to day activities not limited	83%	87%

Economic activity

13.144 People that are considered economically active are people that are in employment or unemployed. People that are considered economically inactive are people that are studying, looking after family, retired or long-term sick. These individuals are not part of the supply of labour but are important, as they are a potential labour supply in the future.

13.145 No data on economic activity was captured. Data from the Lansbury ward profile (2014)⁷⁰ sets out the overall profile of economic activity. This can be applied as a crude measure for residents of Chrisp Street. This indicates a higher population of Lansbury ward residents had long-term health problem or disability limiting day to day activities a lot or a little compared to the overall Tower Hamlets population.

13.146 The table below shows the Lansbury ward profile of economic activity in comparison to the Tower Hamlets profile of economic activity.

13.147 Key information:

- Overall there is a higher level of economic inactivity in the Lansbury ward (37%) compared to Tower Hamlets (30%). Economic inactivity is great in the following categories; looking after home or family, long-term sick or disabled and retired.
 - 10% of the Lansbury ward population look after the home or family, compared to 7% in Tower Hamlets
 - 7% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets
 - 6% of the Lansbury ward population are long-term sick or disabled, compared to 5% in Tower Hamlets

⁶⁹ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

⁷⁰ Lansbury Ward Profile, Corporate Research Unit, London Borough of Tower Hamlets 2014
https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Ward_profiles/Lansbury-FINAL-10062014.pdf

- Consequently, there are lower levels of economic activity in the Lansbury ward (47%), compared to Tower Hamlets (58%) with lower levels of employment and higher levels of unemployment.

Economically active:	Lansbury Ward	Tower Hamlets Borough
Employed	47.3%	57.6%
Unemployed	9.7%	6.7%
Student	5.6%	5.5%
Total Economically active	62.6%	69.8%

Economically inactive:	Lansbury Ward	Tower Hamlets Borough
Retired	5.5%	4.7%
Student	8.8%	9.9%
Looking after home/family	10.4%	7.0%
Long-term sick/disabled	7.0%	4.5%
Other	5.6%	4.0%
Total Economically inactive	37.3%	30.1%

Household composition

13.148 The table below shows the household composition of leaseholder households (n=15)

13.149 Key information:

- The number of people per household varies from 1 person to ten.
- Most households are made up of two people, representing 27% of the all leaseholder households.
- The second most common household composition is one person households, representing 20% of all households.

Number of people in household	Leaseholder Households	
	(n)	(%)
1 person	3	20%
2 people	4	27%
3 people	2	13%
4 people	2	13%
5 people	1	7%
6 people	1	7%
7 people	1	7%
8 people	0	0%
9 people	0	0%
10 people	1	7%
Total	15	100%

Length of time at the property

13.150 The table below shows the length of time all leaseholder households have been living at their property (n=15).

13.151 Key information:

- Most (87%) have been living in their property for 10 years or longer.

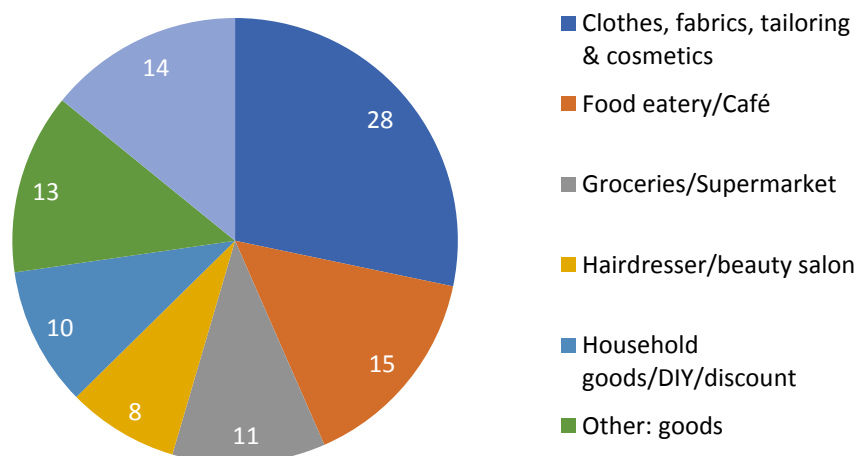
Length of time at the property	Leaseholder Households	
	(n)	(%)
<12 months	1	7%
1-2 years	1	7%
2-5 years	0	0%
5-10 years	0	0%
>10 years	13	87%
Total	15	100%

14 Appendix 4: Introduction to profile of Businesses, Market Traders and Employees

- 14.1 This section sets out the profile of businesses in the Chrisp Street regeneration district. Where available, protected characteristics (age, gender, disability, ethnicity, religion, sexual orientation, marriage and civil partnership, pregnancy and maternity and gender reassignment) are set out.
- 14.2 The analysis is set out for all businesses, market traders and employees and from the all the business survey data that has been analysed for all business types.
- 14.3 The analysis in this section is based on the raw findings of the survey undertaken by Microfish in June 2017, findings from that survey have been modified to exclude those businesses that by November 2017 have ceased trading.
- 14.4 The percentages are rounded and therefore in some tables may total to 99 or 101%. Of the 79 retail business units, we were unable to contact the owners of 8 businesses (in other words 71 owners were contacted), giving a response rate of 90%. Because 4 declined to take part in the survey, 67 were interviewed, giving a participation rate of 85%. The same logic applies to the calculation of the response rates and participation rates for the market traders. Thus, we were unable to contact 12 out of the 46 traders (74% response rate), two were unwilling to participate and 32 were interviewed (70% participation rate).

All Businesses

- 14.5 The Chrisp Street District Centre Regeneration includes 99 businesses including shops, market traders and lock ups.



Age

- 14.6 The table below shows the age profile of business owners including shop owners (independents) and market traders:

Age of business owners	All		Shops		Traders	
	(n)	(%)	(n)	(%)	(n)	(%)
18-24	0	0	0	0	0	0
25-34	7	6.8	5	7.0	2	6.1
35-44	42	41.7	25	35.2	18	54.5
45-54	30	30.1	21	32.4	9	27.3
55-64	15	15.5	10	16.9	4	12.1
65-74	3	2.9	3	4.2	0	0.0
Prefer not to say	1	1.0	1	1.4	0	0.0
Not given	2	1.9	2	2.8	0	0.0
		100		100		100

- 14.7 Key information: 90% of businesses owned by those 35-64

Race

- 14.8 The table below shows the ethnicity profile of all business owners including shop owners (independents) and market traders:

	All	%	Shops*	%	Traders*	%
White British	22	21.4	19	26.8	3	9.1
White Other	4	3.9	1	1.4	3	9.1
Asian or Asian British: Bangladeshi	43	41.7	25	35.2	19	57.6
Asian or Asian British: Indian	8	7.8	4	5.6	4	12.1
Asian or Asian British: Pakistani	7	6.8	4	5.6	3	9.1
Asian or Asian British: Other	6	5.8	5	7.0	1	3.0
Black or Black British: African	8	7.8	8	11.3	0	0.0
Black or Black British: Caribbean	2	1.9	2	2.8	0	0.0
Chinese	2	1.9	2	2.8	0	0.0
Prefer not to say	1	1.0	1	1.4	0	0.0
Total	103	100.0	71	100.0	33	100.0

*One owner owns both a shop and a market stall and has been included in each subtotal

- 14.9 Key information: The majority of owners (74%) of businesses are from a BAME background. This varies from 71% amongst independent stores to 92% among market traders.

Main language spoken

- 14.10 No data was captured on main language spoken.
- 14.11 In Tower Hamlets English is not the most common language spoken by 34% of the population.⁷¹ The table below shows the top ten most common languages, other than English, spoken by residents

Most commonly used languages (other than English)	(%)
Russian	0.6%
Bengali	18.0%
Chinese	1.7%
French	1.4%
Spanish	1.2%
Italian	1.1%
Somali	1.0%
Polish	0.9%
Portuguese	0.8%
German	0.7%
Russian	0.6%

Religion or belief

- 14.12 The table below shows the religious profile of all business owners including shop owners (independents) and market traders:

	Count	%	Shops*	%	Traders*	%
Christianity	12	11.7	11	15.5	1	3.0
Islam	65	63.1	40	56.3	26	78.8
Hindu	3	2.9	3	4.2	0	0.0
Buddhism	1	1.0	1	1.4	0	0.0
Sikhism	4	3.9	0	0.0	4	12.1
No Religion	11	10.7	10	14.1	1	3.0
Not Given	4	3.9	4	5.6	0	0.0
Prefer not to say	3	2.9	2	2.8	1	3.0
Total	103	100.0	71	100.0	33	100.0

*One owner owns both a shop and a market stall and has been included in each subtotal

- 14.13 Key information: Across all owners, 82% of identify with a faith group. This ranges from 78% amongst owners of independent stores to 94% amongst market traders.

⁷¹ Main language, 2011 Census (QS204EW) <https://www.nomisweb.co.uk/census/2011/qs204ew>

Gender

14.14 The table below shows the gender profile of all business owners including shop owners (independents) and market traders:

	All Owners	%	Shops	%	Traders	%
Male	78	75.7	47	66.2	32	97.0
Female	25	24.3	24	33.8	1	3.0
Total	103	100.0	71	100.0	33	100.0

14.15 Key information: The gender split amongst all owners is 76% male and 24% female. For independent stores, the split is 66% male and 34% female. Notably, amongst market traders, 91% of owners are male and 9% are female.

Gender reassignment

14.16 No data was captured on gender reassignment.

Sexual orientation

14.17 The table below shows the sexual orientation profile of all business owners including shop owners (independents) and market traders:

	Business Owners	%
Heterosexual	82	79.6
Prefer not to say	11	10.7
Not given	10	9.7
Total	103	100.0

14.18 Key information: Overall, 80% of owners are heterosexual. No owners reported being lesbian, gay or bisexual. The remaining owners either preferred not to say or the respondent did not know the sexuality of the other owners.

Pregnancy and maternity

14.19 No data was captured on pregnancy and maternity.

Marriage and civil partnership

14.20 No data was captured on marriage and civil partnership.

Health and Disability

- 14.21 They survey questioned if any member of the household had a long-term physical or mental health condition or disability. Therefore, it is difficult to determine the nature of disabilities being reported.
- 14.22 Only three businesses reported an owner with a disability

Number of business employing:

	All	Multiple/Not-for-profits	Independent shops	Market traders
No employees*	36	0	12	24
1 employee	18	0	14	4
2 employees	14	0	12	2
3 employees	12	0	11	1
4 employees	1	0	1	0
5 employees	6	2	3	1
6 employees	5	2	3	0
7 employees	0	0	0	0
8 employees	2	0	2	0
9 employees	2	2	0	0
10 employees	1	1	0	0
25 employees	1	1	0	0
50 employees	1	1	0	0
Total	99	9	58	32
*The owner(s) do not employ any staff				

Total number of employees in businesses employing:

	All	Multiple/Not-for-profits	Independent shops	Market traders
1 employee	18	0	14	4
2 employees	28	0	24	4
3 employees	36	0	33	3
4 employees	4	0	4	0
5 employees	30	10	15	5
6 employees	30	12	18	0
7 employees	0	0	0	0
8 employees	16	0	16	0
9 employees	18	18	0	0
10 employees	10	10	0	0
25 employees	25	25	0	0
50 employees	50	50	0	0
Total employees	265	125	124	16

Total number of employees by FT and PT by business:

	All Businesses	%	Multiples	%	Independents	%	Traders	%
Full-time	96	36.2	34	27.2	52	41.9	10	62.5
Part-time	169	63.8	91	72.8	72	58.1	6	37.5
Total	265	100.0	125	100.0	124	100.0	16	100.0

Age

14.23 The table below shows the age profile of employees:

	Employees	%
Under 18	3	1.1
18-64	260	98.1
65+	2	0.8
Total	265	100.0

Race

14.24 The table below shows the ethnicity profile of all employees:

	All	%	Multiple	%	Independent shops	%
White British	61	23.0	30	24	31	25.0
White Other	23	8.7	13	10.4	10	8.1
Bangladeshi	105	39.6	47	37.6	42	33.9
Indian	17	6.4	10	8	7	5.6
Pakistani	9	3.4	7	5.6	2	1.6
Other Asian	4	1.5	2	1.6	2	1.6
Mixed	3	1.1	0	0	3	2.4
Black Caribbean	9	3.4	3	2.4	6	4.8
Black African	13	4.9	9	7.2	4	3.2
Chinese	5	1.9	2	1.6	3	2.4
Other	1	0.4	0	0	1	0.8
Arab	3	1.1	0	0	3	2.4
Prefer not to say	10	3.8	0	0	10	8.1
Don't know	2	0.8	2	1.6	0	0.0
Total	265	100.0	125	100	124	100.0
*All employees of market stalls are Bangladeshi						

Main language spoken

14.25 No data was captured on main language spoken.

Religion or belief

14.26 The table below shows the religious profile of all employees:

	All*	%	Multiple	%	Independent Shops	%
Islam	80	30.2	15	12.0	49	39.5
Christianity	33	12.5	17	13.6	16	12.9
Hinduism	10	3.8	3	2.4	7	5.6
Sikhism	1	0.4	0	0.0	1	0.8
Buddhism	1	0.4	0	0.0	1	0.8
Rastafari	1	0.4	0	0.0	1	0.8
African religion	1	0.4	0	0.0	1	0.8
No religion	6	2.3	0	0.0	6	4.8
Prefer not to say	12	4.5	0	0.0	12	9.7
Don't know	120	45.3	90	72.0	30	24.2
Total	265	100.0	125	100.0	124	100.0

*All 16 employees of market stalls are Muslim

Gender

14.27 The table below shows the gender profile of employees:

	All Businesses	%	Multiples/	%	Independents	%	Traders	%
Male	132	50.4	60	48.0	57	46.0	15	93.8
Female	130	49.6	65	52.0	67	54.0	1	6.3
Total	262	100.0	132	100.0	114	100.0	16	100.0

Gender reassignment

14.28 No data was captured on gender reassignment.

Sexual orientation

14.29 No data was captured on gender reassignment.

Pregnancy and maternity

14.30 No data was captured on marriage and civil partnership.

Marriage and civil partnership

14.31 No data was captured on marriage and civil partnership.

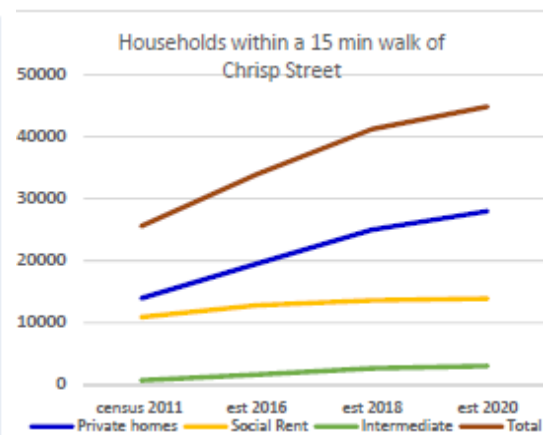
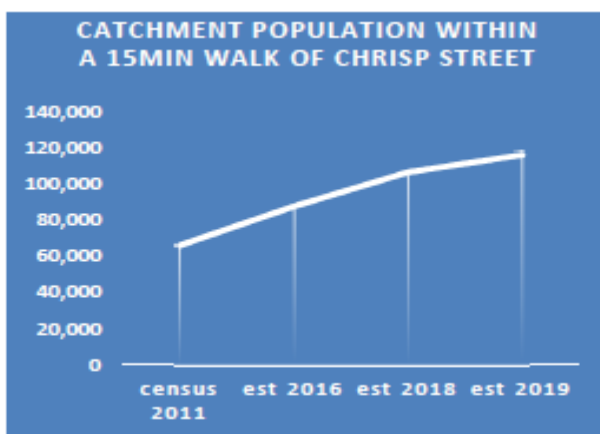
Health and Disability

14.32 Only three businesses reported an owner or employee with a disability

Shoppers

14.33 Residential Catchment Population to Crisp Street (Source: AMM September 2015). This data is a combination of household and population data from the 2011 Census combined with the Molior Residential Development Activity Database to extrapolate residential numbers for the catchment around Crisp Street.

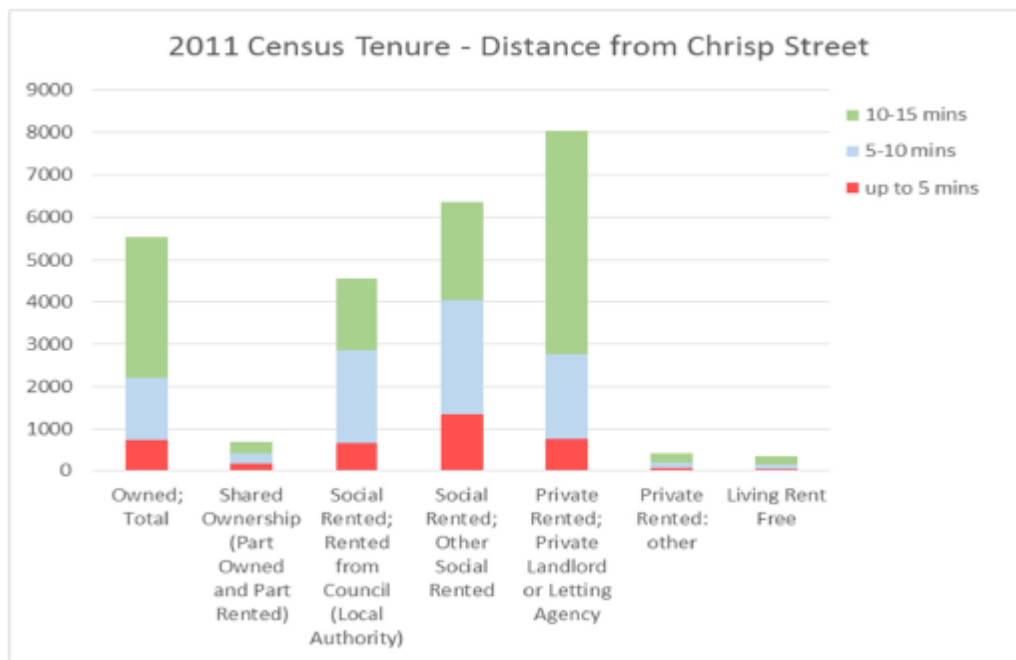
			No. of residents	All households	Private homes	Social rent	Intermediate
March 2011	Census		Data				
		Up to 5 minutes		3771	1550	2031	154
		5-10 minutes		8834	3597	4891	248
		10-15 minutes		13286	8810	3994	296
		2011	66,696	41551	13957	10916	698
Completed and sold since March 2011 (Molior)				4226	2791	908	527
In construction or unsold				4146	2767	968	411
	Sub total	2016	88263	34263	19515	12792	1636
Permissions				7288	5462	818	1008
	Estimated total	2018	107037	41551	24977	13610	2644
						est	est
Permissions and applications 09/15				3725	3003	13900	3000
	Estimated total	2020	116632	45276	27980	27510	5644
Average no. of occupants per h/h			2.58				
Applying the per census occupants		h/h factor		116632	72078	35060	6811

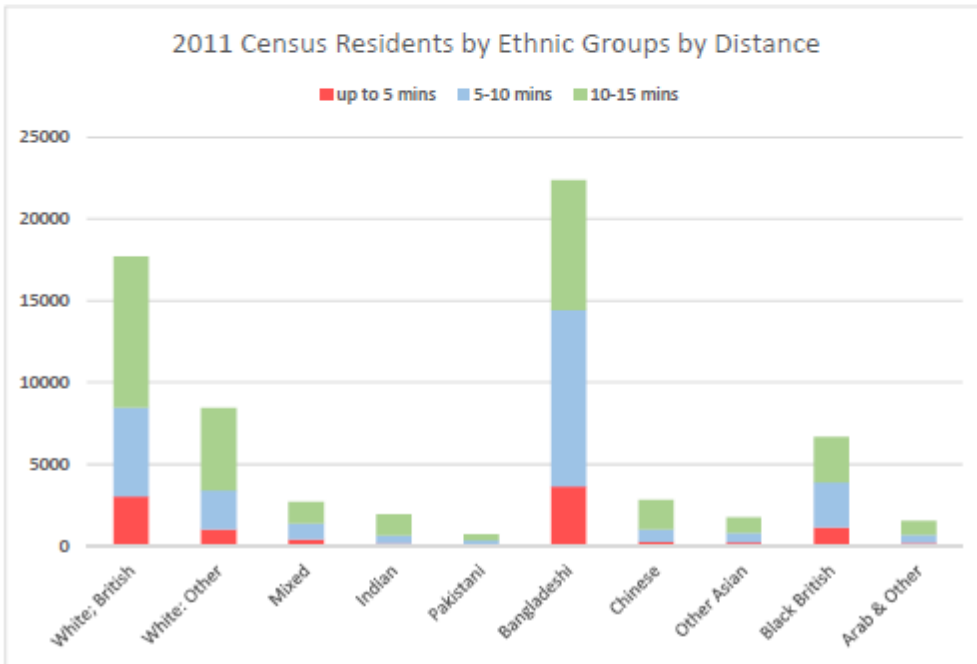
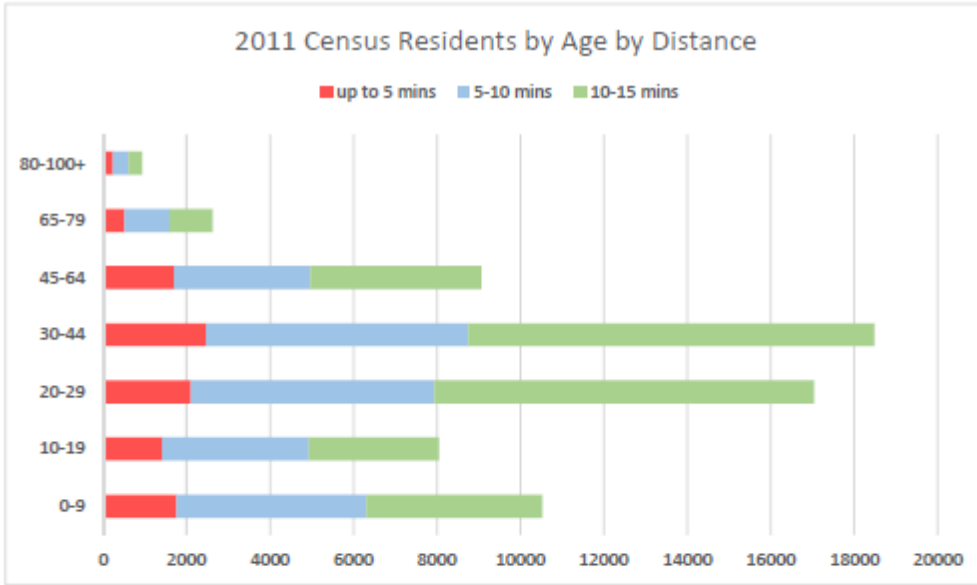


From the 2011 Census data

Walking time boundaries minutes				up to 5 mins	5-10 mins	10-15 mins	Total	
All Usual Residents	Count	Persons	Mar-11	10187	24894	31615	66696	
Males	Count	Persons	Mar-11	5153	12462	16673	34288	51.4%
Females	Count	Persons	Mar-11	5034	12432	14942	32408	48.6%
Verification				10187				
2011 Density (number of persons per hect)	Rate	Persons	Mar-11	234.4	1401.5	1841.5		
All Households	Count	Households	Mar-11	3771	8834	13286	25891	
People per household	Calc			2.7			2.58	

				up to 5 mins	5-10 mins	10-15 mins		
All Households	Count	Households	Mar-11	3771	8834	13286	25891	100.0%
Owned; Total	Count	Households	Mar-11	749	1455	3326	5530	21.4%
Shared Ownership (Part Owned and Part	Count	Households	Mar-11	154	248	296	698	2.7%
Social Rented; Rented from Council (Local	Count	Households	Mar-11	667	2209	1686	4562	17.6%
Social Rented; Other Social Rented	Count	Households	Mar-11	1364	2682	2308	6354	24.5%
Private Rented; Private Landlord or Letting	Count	Households	Mar-11	755	2018	5264	8037	31.0%
Private Rented: other	Calc			46	124	220	390	1.5%
Living Rent Free	Count	Households	Mar-11	36	98	186	320	1.2%





15 Appendix 5: Chrisp St Shopper and Resident Research: a report by Plus Four Market Research Limited March 2016

Research Objectives

- 15.1 To gather data related to the use of cars at Chrisp Street to enable Chrisp Street Developments to manage:
- the concerns of commercial tenants about the potential/actual loss of trade
 - resident feedback about any additional pressure regarding on-street parking
 - the planning application, to be made in early 2016
 - By understanding:
 - How those currently shopping in Chrisp Street travelled there and if by car, where they parked, how long was spent in Chrisp St, the types of retailers they have visited, and their total spend on that occasion in Chrisp Street
 - Where those in the catchment area usually shop and their mode of travel
 - Those in the catchment area who shop in Chrisp Street infrequently or who have never shopped in Chrisp Street...their barriers to visiting/shopping in Chrisp Street
- 15.2 Two surveys were undertaken:
- A Shopper Survey, with 'Shoppers' at Chrisp Street (213)
 - A Resident Survey with residents in the area of Chrisp Street (505)
- 15.3 In recognition of the cultural mix of the area a significant proportion of the interviewing resource were Bangladeshi/spoke Bengali
- 15.4 By design, there is a good split of residents living within 5-10 minutes or 10-15 minutes of Chrisp St

Transport and Parking

- 15.5 When looking at transport to Chrisp St, we excluded those who work locally from the 'shopper' data below...
- 70% of residents who mainly shop at Chrisp St, and half of the 'shoppers', walk to Chrisp St. Those who live closer than 10 mins are most likely to have walked
 - Even amongst those who mainly shop elsewhere, when they visit Chrisp St, half of them walk
 - Just over a third of residents, and more than a quarter of all 'shoppers' own a car. But despite this, just 6% of residents who mainly shop at Chrisp St, and 8% of 'shoppers', drive to Chrisp St

- Amongst those who mainly shop elsewhere, when they visit Chrisp St, a fifth of them drive
- Amongst those who 'ever' shop at Chrisp St, those more likely to have driven to Chrisp St mainly shop elsewhere, and/or live more than 10 minutes away and/or own a car
- Amongst 'shoppers', 10% drive and park (including 2% who are given a lift) at Chrisp St. This is just 17 people. More than half of these park at The Co-operative. Just 2 people would not visit Chrisp St if they could not park at The Co-operative, equating to 1% of 'shoppers'
- Residents were asked – out of every 10 visits to Chrisp St - how many visits were made by car, and the average was 1.6 out of 10 visits; even amongst car owners this only rose to 2.9
- In line with the Shopper Survey, more than half of those who 'ever' travel by car (>1 out of 10 visits by car) park at The Co-operative. Just 4 people would not visit Chrisp St if they could not park at The Co-operative, equating to 1% of all residents who ever shop at Chrisp St

Summary of Shopping

15.6 52% of residents most often shop at Chrisp St for their everyday shopping essentials. The main reason to visit is the market, which further boosts business for the other shops, services and eateries on Chrisp St

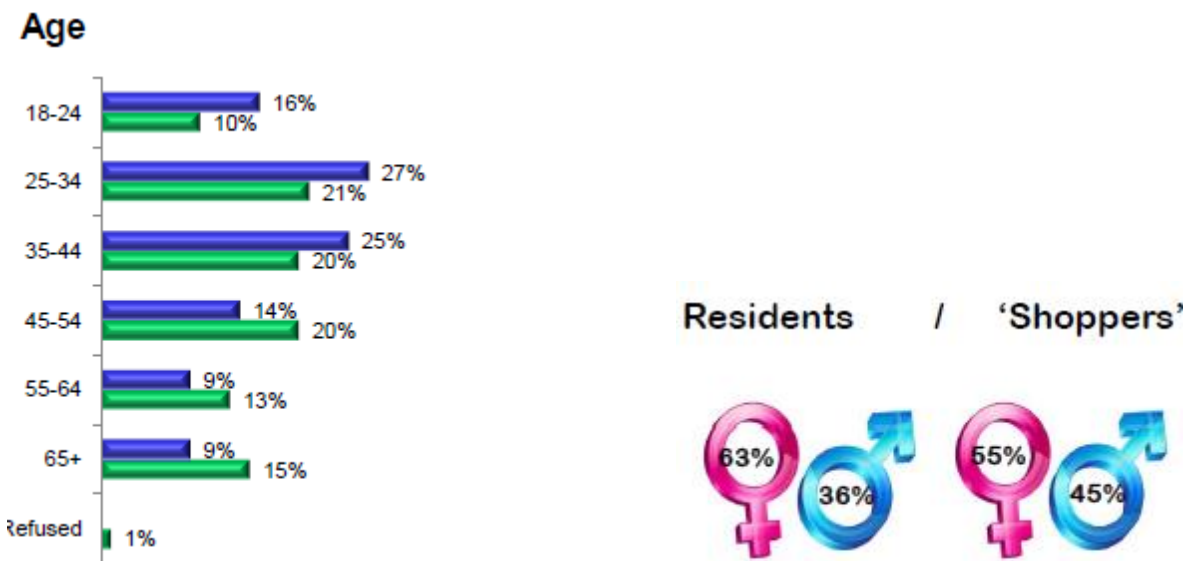
- Around a third of residents who do not visit Chrisp St, or who do not visit often (primarily shop in E14, E3 and Canary Wharf), say that they prefer the shops/services elsewhere and/or that Chrisp St has poor shops/services. A quarter say that it is simply more convenient to shop/use services elsewhere. Just 1 person said they did not visit because they could not park easily
- 'Shoppers' and those residents who mainly shop on Chrisp St, visit every 2-3 days. Those who live closer than 10 mins visit more frequently. 'Shoppers' who walk to Chrisp St, visit twice as frequently as those who travel by car (caution: small base of those travelling by car, and taken from Shopper Survey only i.e. not also evidenced in Resident Survey)
- 'Shoppers' and those residents who mainly shop on Chrisp St, stay for around an hour. Those who visit more frequently stay longer, as do those who travel by public transport (rather than driving or walking)
- 'Shoppers' estimated their average spend on the day they were interviewed to be £21 (a net 29% indicated they'd usually spend more). Those who stay longer, spend more. This is a lower spend than those who mainly shop elsewhere (estimated £36)
- Chrisp St is primarily associated with fruit & vegetables, large supermarkets and the market. The highest non-food association is the Post Office. Almost half of the 'shoppers' had visited or planned to visit a large supermarket on the day of their interview
- Despite already being associated with (a) large supermarket(s), a significant number say a large supermarket would encourage them to visit

Chrisp St more often. A third of residents and a quarter of 'shoppers' said (more) fashion/clothing retailers would encourage them

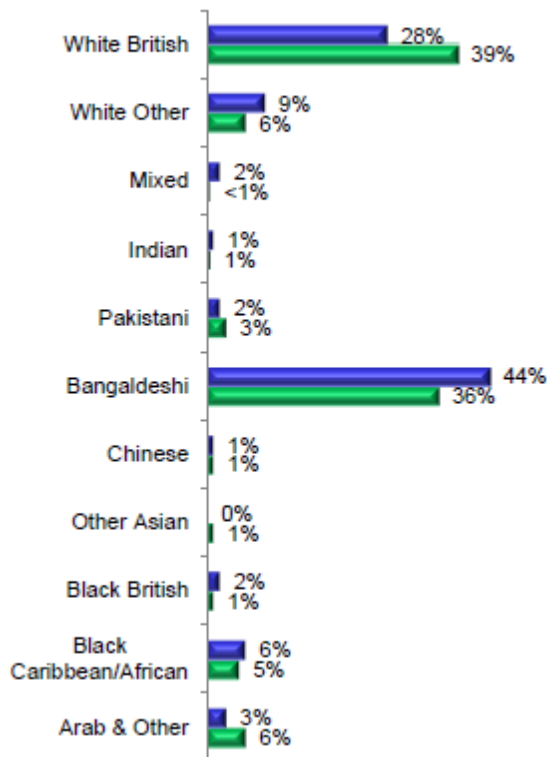
- 90% of residents shop at markets. 80% have shopped at Chrisp St market (77% most often). Half have shopped at Whitechapel market (9% most often). The most frequently visited and/or most attractive stalls at markets are fruit & vegetables, raw meat & fish, cultural clothing and women's fashion. Compared to other markets, Whitechapel has a wider variety of stalls to offer interest

15.7 In the Resident Survey, the person responsible for household shopping was sought. A minimum 60/40 gender profile was sought and achieved in the Shopper Survey. The gender balance between the two surveys is therefore somewhat different: more females in the Resident Survey

- A lower percentage of older people participated in the Resident Survey, though in the main the spread of ages on both surveys is good and the average age was 40 and 46 respectively
- The Bangladeshi and White British communities are both well-represented in both surveys



Ethnicity



Main Findings

- 70% of Residents who mainly shop at Chrisp St walk there and more than 50% of shoppers walk there
- 6% of residents who mainly shop at Chrisp St drive there, as do 8% of the 'shoppers' (data excludes those who work there)
- Less than 1 in 10 of those who mainly shop at Chrisp St drive (&/or park).
- 52% of residents go most often to Chrisp St for their everyday shopping essentials
- Three-quarters (74%) of all residents who shop at Chrisp St said the market is the main reason for them to visit, even more so amongst those who said Chrisp St is their main shopping location for everyday essentials (81%)
- More than a third (37%) of 'shoppers' also told us the main reason for their visit on the day/time concerned was the market
- Whilst those who shop at Chrisp St tell us their main reason is to go to the market, looking at secondary purposes, the numbers doing other shopping, accessing services or eating/drinking while they are there, are boosted
- Shoppers' visit Chrisp St every c.2 days, whilst residents who shop mainly on Chrisp St, do so every c.3 days
- 'Shoppers' stay on Chrisp St for 65 mins (excluding any time relating to work), whilst residents who mainly shop on Chrisp St stay for 53 mins
- Residents who take public transport to Chrisp St will stay longer (56 mins) than those who walk or drive (45-46 mins)

- Chrisp St is primarily associated with fruit & vegetables, large supermarkets and the market
- Amongst residents, the highest non-food offering is the Post Office (22%), and amongst 'shoppers' it is also the Post Office, alongside the library/Idea Store, and banks (each 8%). NB: all services
- Almost half of the 'shoppers' had visited/ planned to visit a large supermarket on the day of their visit.
- 33% of residents said the Chrisp St shops/services were poor, including feedback that there was not a wide enough variety of stores/stalls (many are the same) and that they can't get everything they need
- Overall, a third of residents (40% who most often shop at Chrisp St and 24% who most often shop elsewhere) and a quarter (26%) of 'shoppers' said that fashion/clothing would encourage them to visit Chrisp St more often
- A significant number say that another (?) large supermarket would bring them to Chrisp St more often
- Those who shop 'most often' at Chrisp St market, visit cultural clothing stalls more frequently (29% v 15-22% all other markets) and are more likely to be attracted to fruit & veg stalls (66% v 49-56%)

16 Appendix 6: Policy Backdrop.

- 16.1 This appendix of the EIA sets the legislative and policy context of the Equalities Impact Assessments for London Borough of Tower Hamlet's Chrisp Street Regeneration Programme. Of central importance is the Equality Act 2010, which sets out the duty of the public sector, reproduced fully below.
- 16.2 The section looks at legislation and policy directly relevant to housing regeneration and the following is a summary of desk research setting the context for the Equality Impact Assessments:
- Equality Act 2010
 - Statutory homelessness
 - Localism Act 2011
 - Homelessness Reduction Act 2017 and its implications for Tower Hamlet
 - Temporary accommodation
 - National Estate Regeneration strategy and Good Practice
 - Housing and Planning Act 2016
 - Tower Hamlets Housing Strategy 2016-2021
 - Tower Hamlets Strategic Housing Market Assessment
 - Tower Hamlets Common Housing Register Allocations Scheme
 - Chrisp Street Poplar Town Centre Report Viability issues – Chase and Partners (March 2017)
 - Chrisp Street Retail Management Strategy -Poplar HARCA and Telford Homes – June 2016
 - Town Centre Strategy Executive Summary 2017-2022 (March 2017)

Public Sector Equality Duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favorably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

(8) A reference to conduct that is prohibited by or under this Act includes a reference to:

(a) a breach of an equality clause or rule;

(b) a breach of a non-discrimination rule.

(9) Schedule 18 (exceptions) has effect.

Homelessness

- 16.3 homelessness duty (predominantly families with dependent children) and those who are not (predominantly single people, including couples without dependent children).
- 16.4 Each local housing authority is required to consider housing needs within its area, including the needs of homeless households, to whom local authorities have a statutory duty to provide assistance.
- 16.5 The Housing (Homeless Persons) Act 1977, Housing Act 1996, and the Homelessness Act 2002, placed statutory duties on local housing authorities to ensure that advice and assistance to households who are homeless or threatened with homelessness is available free of charge. All households that apply for assistance under the Housing and Homelessness Acts are referred to as 'decisions'. However, these do not include households found to be ineligible for assistance (some persons from abroad are ineligible for assistance).
- 16.6 A 'main homelessness duty' is owed where the authority is satisfied that the applicant is eligible for assistance, unintentionally homeless and falls within a specified priority need group. Such statutorily homeless households are referred to as 'acceptances'.
- 16.7 The 'priority need groups' include households with dependent children or a pregnant woman and people who are vulnerable in some way e.g. because of mental illness or physical disability. In 2002 an Order made under the 1996 Act extended the priority need categories to include applicants:
- aged 16 or 17
 - aged 18 to 20 who were previously in care
 - vulnerable as a result of time spent in care, in custody, or in HM Forces
 - vulnerable as a result of having to flee their home because of violence or the threat of violence
- 16.8 Where a main duty is owed, the authority must ensure that suitable accommodation is available for the applicant and his or her household. The duty continues until a settled housing solution becomes available for them, or some other circumstance brings the duty to an end. Where households are found to be intentionally homeless, or not in priority need, the authority must assess their housing needs and provide advice and assistance to help them find accommodation for themselves.
- 16.9 Figures are collected on the number of households in 'temporary accommodation' on the last day of each quarter, as arranged by local housing authorities. In most cases, the authority is discharging a main homelessness duty to secure suitable accommodation until a settled home becomes available for the applicant household.
- 16.10 However, the numbers also include households provided with accommodation pending a decision on their homelessness application, households pending a review or appeal to the county court of the decision on their case, or possible referral to another local authority, and households found to be intentionally homeless and in

priority need who were being accommodated for such period as would give them a reasonable opportunity to find accommodation for themselves.⁷²

- 16.11 The Localism Act 2011 gives powers to local authorities to end their full housing duties under Section 193 of the Housing Act 1996, with a Private Rented Sector Offer. The impact of welfare reform has placed boroughs under pressure to place families outside of area in order to meet the financial constraints imposed on families. This is highlighted when boroughs need to balance the expectations of homeless applicants and at the same time recognise that issues around the affordability of accommodation is now influencing decision-making.⁷³
- 16.12 The recent *Nzolameso v Westminster* judgment at the Supreme Court, following the refusal of the Nzolameso family to accept an offer of accommodation in Milton Keynes represents an important decision for boroughs. This case has led to an increase in the level of detail that boroughs are required to give homeless applicants. For example, ensuring that school places are available before accommodation can be offered. Recent decisions by the Supreme Court are challenging aspects of current homelessness legislation.
- 16.13 Homelessness Reduction Act 2017 - aim is to refocus English local authorities on efforts to prevent homeless. The Act amends Part 7 of the *Housing Act 1996*. Its measures include:
- An extension of the period during which an authority should treat someone as threatened with homelessness from 28 to 56 days.
 - Clarification of the action an authority should take when someone applies for assistance having been served with a section 8 or section 21 notice of intention to seek possession from an assured shorthold tenancy.
 - A new duty to prevent homelessness for all eligible applicants threatened with homelessness.
 - A new duty to relieve homelessness for all eligible homeless applicants.
 - A new duty on public services to notify a local authority if they encounter someone they think may be homeless or at risk of becoming homeless.

⁷² <https://www.gov.uk/guidance/homelessness-data-notes-and-definitions>

⁷³ Temporary Accommodation in London: Local Authorities under Pressure February 2016 A report prepared for London Councils Julie Rugg February 2016

Temporary Accommodation

- 16.14 Demand for Temporary Accommodation (TA) in London constitutes a major proportion of TA overall in England. Traditionally, TA subsidy has operated through the housing benefit system but London boroughs are now reporting substantial shortfalls between the subsidy provided and the actual cost of meeting TA need.
- 16.15 A raft of changes to welfare provision, implemented from 2013, has reduced the degree of support available to households reliant on housing benefit to pay some or all the rent. Changes that have had a substantive impact on TA included the benefit cap, which restricts the overall rent a household can receive; and a restriction in benefit uprating, which has substantially affected the value of the Local Housing Allowance (LHA) compared with local market rents. Funding for Discretionary Housing Payments (DHPs) has increased.
- 16.16 In London, there was a 77 percent increase in homelessness acceptances between 2010 and 2014, reversing a decline that had been evident since 2005. The ending of an assured short-hold tenancy has become the principal reason for homelessness presentations. Anecdotally, TA officers report that landlords are ending tenancies in order to re-let at higher rents.

Housing and Regeneration

- 16.17 In December 2016, the DCLG published its Estate Regeneration National Strategy⁷⁴ setting out three key principles that underpin successful estate regeneration:
- Community engaged as partners
 - Support and leadership of the local authority
 - Willingness to work with the private sector to access commercial skills and lever in investment.

The national strategy comprises:

⁷⁴ Estate Regeneration National Strategy DCLG Dec 2016

- 16.18 Resident engagement and protection: sets out government expectations for ensuring that residents are at the centre of re-shaping their estates, in partnership with authorities and developers, and are protected during the lifetime of an estate regeneration scheme.
- 16.19 Role of the local authority: sets out the importance of wider place making, strategic use of public sector land, design and effective use of the planning system.
- 16.20 Financing and delivering estate regeneration: provides options for building a sound financial base, including setting out the key challenges, advice on aspects and demystifying the processes and terminology.
- 16.21 Good practice guide: steers schemes through all the key stages, from developing the initial idea through to build out and delivery; includes checklists on process design and quality to ensure important issues or stages are not overlooked; provides a framework for overall sequencing.
- 16.22 Better social outcomes: reports on Government's work with four estates on mapping public spending in estates, in the broader context of looking at how estate regeneration schemes can be part of a place based approach to tackling poor life chances.
- 16.23 Alternative approaches: provides advice on community-led housing development as an effective means of putting the community at the heart of housing delivery.
- 16.24 Case studies: illustrate and highlight particularly positive elements from a range of schemes, including design and quality, community engagement and strategic and innovative financing.
- 16.25 The Greater London Authority published 'Homes for Londoners- A Draft Good Practice Guide to Estate Regeneration' December 2016 and a further revised version for consultation in February 2018.⁷⁵ It defines estate regeneration as the process of physical renewal of social housing estates through various combinations of refurbishment, investment, intensification, demolition and rebuilding.
- 16.26 The Mayor believes that for estate regeneration to be a success, there must be resident support for proposals, based on full and transparent consultation. These proposals should offer full rights to return for displaced tenants and a fair deal for leaseholders, and demolition should only be followed where it does not result in a loss of social housing, or where all other options have been exhausted.

Housing and Planning Act 2016

- 16.27 The extension of voluntary Right to Buy (RTB) for housing associations has been delayed until at least April 2018, with no definite date. The housing minister has stated that the previous housing association RTB pilots were too small and additional pilots are planned.
- 16.28 The intention is that the RTB discount is paid for by forcing local authorities to sell off 'expensive' council housing when it becomes void. This has also been delayed,

⁷⁵ Homes for Londoners- A Draft Good Practice Guide to Estate Regeneration December 2016 GLA

and the government has confirmed that it will not require payment before 2018-19 at the earliest, and possibly later. How any annual stipend would be calculated is still not known

Tower Hamlet Policy Context

CHRISP STREET POPLAR TOWN CENTRE REPORT FOR LONDON BOROUGH OF TOWER HAMLETS BY CHASE & PARTNERS LLP ON VIABILITY ISSUES ON THE COMMERCIAL ELEMENT (March 2017)

- 16.29 This report was to review the retail strategy, commercial floor space assessment and associated documents surrounding the proposed redevelopment of Chrisp Street Market, London. This included a review to assess if the retail/commercial assumptions underpinning the submission documents are robust and accurate; whether the overall commercial floor space mix as well as the individual unit sizes/fit-outs/rents are commercially viable/affordable; whether the assumptions provided to existing commercial owners/tenants are reasonable (including relocating inside and outside scheme/compensation) and; working with the council's appointed viability consultants to establish whether the agreed position is reflected in the submitted viability report.
- 16.30 The letting strategy comprises five areas as follows:
1. The anchor store provision.
 2. The leisure facilities including a multiplex cinema and restaurants.
 3. The retention of existing local traders.
 4. The relocation of the market and its ongoing position as an anchor store.
 5. Relocation of multiple traders and letting to new retailers and appropriate service providers.
- 16.31 The letting strategy in all areas was found to be satisfactory apart from the anchor store trader where there remains uncertainty and a lack of provision. The alternative options are a mainline food retailer to replace the existing large Co-op food superstore, a smaller but appropriate discount retailer reflecting current market activity and requirements and finally an alternative non-food anchor.
- 16.32 In the opinion provided, given the nature and profile of the existing Chrisp Street District Centre (CSDC), coupled with the regeneration proposals, the best anchor option (given the consumer goods profile of the CSDC rather than comparison goods sales), will be for either a mainline food store retailer or a discount food store retailer. Given current market activity the most likely option will be the discount food retailer.
- 16.33 The provision of a multiplex cinema will act as a strong anchor for the CSDC, will encourage family type restaurants and other users to consider the location for representation and will act as an additional anchor to the development. The Chrisp Street Market continues to be an important aspect of the CSDC's shopping offer and

profile. The status of the retail and leisure facilities will be as a “district centre” on completion which we are satisfied is appropriate given market conditions and the positioning of Poplar town centre in the surrounding retail hierarchy and having regard to the competition. Savills’ conservative assessment of the potential expenditure from the immediate population the resultant position should be sufficient to support the type of retailers and rental levels that the developer is promoting for the commercial element of the scheme.

- 16.34 It has been confirmed that the resulting retail leisure and restaurant profile of the new development will not compete with Canary Wharf or central London but will remain a functional district centre. What is not clear is what its catchment will be on completion.

Chrisp Street Retail Management Strategy -Poplar HARCA and Telford Homes – June 2016

- 16.35 In 2006 Poplar HARCA became the owner of Chrisp Street as part of the stock transfer from Tower Hamlets. The Council's core strategy sets the vision for the regeneration of Chrisp Street. Chrisp Street is defined as a District Centre by the Council's Core Strategy Policy SP01, which seeks to enhance existing centres, and ensure that the scale and type of uses are consistent with the hierarchy, scale and role of each centre. Policy SP01 further seeks to maintain, focus and increase the supply of town centre activity and retail floorspace within district centres.
- 16.36 In addition, the Council's Core Strategy Policy SO25 seeks to deliver successful placemaking for Poplar, aiming to regenerate the area into a place for families set around Chrisp Street. Core Strategy Policy 'LAP 7&8' seeks to regenerate Chrisp Street Market into a vibrant, thriving, and multi-purpose town centre, with a mix of uses including evening and night-time uses and an upgraded market. Site Allocation 09 within the Tower Hamlets Managing Development Document seeks the regeneration of the district town centre to improve Chrisp Street's vitality and viability, through the provision of new commercial floorspace as well as new homes. The project team have run a programme of consultation events over the years. These have taken the form of drop in events or a stall during the many festivals that are held in the market square.
- 16.37 The feedback over the last seven years from the public enabled the project team to influence the designs and plans for the regeneration. As part of the consultation a series of surveys were conducted to ascertain how people used the district centre.
- 16.38 Chrisp Street Market is owned by Tower Hamlets Council. Via an agent, Poplar HARCA manage the physical aspects of the market on behalf of Tower Hamlets. Ownership of the market will always remain with Tower Hamlets Council as will the licensing and statutory responsibilities for the market traders. The management of the market subject to further agreement with the Council will continue through the managing agent who will be appointed by Telford Homes.
- 16.39 There are 71 properties with commercial leases in Chrisp Street. With the exception of the Iceland and the Co-op stores, all of the existing shops are owned by Poplar HARCA. All of the shops that are in the Festival of Britain buildings and those underneath the Ideas Store will remain, the rest will be redeveloped and will ultimately be owned by the development partner.
- 16.40 The project team have had discussions with all of the retailers in the district centre to establish their requirements for the future. They have made the following commitment to the retailers:
- To provide new shop fronts, signage and new public realm works at no cost.
 - Independents and Independent Chains - where Poplar HARCA is the landlord and they want to stay they will seek to agree to accommodate them within the scheme or in close proximity.
 - To provide business support if requested.
 - All outstanding rent reviews prior to 2015 will be settled at nil increase.

- Rent reviews from 2015 will be at market rates. The comparable rents used to agree the rent at review will be from within the scheme
- Any rent reviews which become due during the period of the construction works to the phase in which their premises is located will not be undertaken until, or effective from, 12 months following completion of that phase of works.
- Lease renewals will be granted at market rates but will not be retrospectively applied. All new leases will have a landlord break clause allowing for relocation and works to facilitate the redevelopment.
- If existing leaseholders do not want to stay they can surrender their lease and can negotiate a settlement based upon individual circumstances.
- Those that need to be relocated will be offered a new lease for a shop of a similar size or smaller if required.
- The rent value of the new shop will be at the market rate at the time of the agreement to lease. However, the rent payable for the new shop will be no more than that of the old shop, up to the date of the first review.

16.41 Traders in the lock up units on the market are viewed as three categories:

1. The three food outlets will be provided with a new purpose-built kiosk in the market square;
2. There will be a number of new starter units within the new development that may be offered to existing lock-up licensees. Starter units will be offered to licensees on a business needs basis;
3. For the remainder we will seek to relocate the trader to a stall working with the Council.

Logistical support will be provided for the transition period.

16.42 The developers are working with LBTH to ensure all market stall traders will be accommodated in the refurbished market. There will be an increased number of market pitches provided with access to power and wash down facilities. The market will need to be temporarily relocated within the scheme while the public realm works are completed.

16.43 The project team made a commitment to provide business support to the existing retailers to help them transition from the existing scheme to the new. This support took the following forms:

- Creation of Chrisp Street Exchange co-working space & enterprise hub; most affordable workspace in East London (flexi desks @ £99 per month + free business support on site)
- Twelve free monthly workshops delivering specialist and general business advice
- Pop Up Business School funded by Telford Homes
- Startup programme (7-day course, 45 attendees so far)
- 1-2-1 business support (12 existing businesses in Chrisp Street to focus on getting them online and marketing).
- Poplar & Bow Enterprise Network:
 - Quarterly networking and learning events

- Mentoring programme (one Chrisp Street business mentored by Broadgate Estates Retail specialist—through ELBA)
- Small loans to start ups = £50,000 allocated, approximately £20,000 distributed including to two businesses who are starting up in Chrisp Street
- Healthy Start Voucher programme:
 - Partnership with LBTH public health
 - Getting local parents to shop at Chrisp Street fruit and vegetable traders
 - Two traders taking part and increasing sales

16.44 Continuity of trade is paramount in our planning for the implementation of the regeneration. The project team have carried out comprehensive logistical planning to ensure that a minimum of disruption is caused to the businesses operating in the Chrisp Street. As the design progresses the detail of our sequencing plan will expand and each business that is affected will have a specific action plan. The action plan will have dates for the agreed implementation scheduled and the retailers will be kept up to date of construction progress.

Tower Hamlets Strategic Housing Market Assessment

16.45 The Tower Hamlets Housing Strategy 2016-2021 outlines the following key concerns:

- Major concern over the shortage of affordable housing and concern that future rents set by the council and housing associations will force people out of the borough
 - Lack of housing choices for young people brought up, living and working in the borough meaning many on average incomes will be forced to stay at home, move out or pay high rents in poor quality private rented housing
 - Support for the development of 'living rent' homes for this group at sub market rent levels in new build developments and on council estates
 - Concern over population growth, impact on the environment and green spaces and whether vital infrastructure including schools, health centres and transport links will be developed to match the needs of the population
 - General support for the council's approach to meeting housing need and homelessness through priority and advice.
-
- More than 9,000 people in substantial housing need
 - 44% of households in income poverty
 - Population of Tower Hamlets to increase by 26% by 2026
 - The average cost of a property in LBTH is more than 14 times (£450,000) what a typical essential worker could earn in wages (£35,000).

Tower Hamlets Strategic Housing Needs Assessment (SHNA)

16.46 Tower Hamlets has an annual housing target of 3,931 set up the Greater London authority and is expected to accommodate an additional 39,310 homes by 2025.

Housing Tenure Data

16.47 Across the borough there has been a shift in housing tenure since 2001. This is reflected by a significant decrease in council owned (rented) housing (xx% in 2001 to xx% in 2017) and an increase of people in private rented sector housing (xx% in 2001 to xx% in 2017).

Housing Stock

- The housing stock in Tower Hamlets has increased by 27% since 2003; there are now almost 124,000 homes in the borough
- In 1986 around 82% of all homes in Tower Hamlets were Council/GLC owned, today only 10.9% of the stock is council owned and for the first time in the borough's history, less than half the housing stock is social housing
- The private rented sector is now the fastest growing housing sector in the borough; it has risen from 18.3% of the stock in 2003 to around 39% of the stock in 2014
- There are close to 9,000 ex-right to buy leasehold properties managed by Tower Hamlets Homes in the borough. Overall, there are more than 15,000 leasehold properties formerly owned by the council
- There are an estimated 2,800 intermediate housing units in the borough
- The borough is growing by over 3,000 homes per year, making Tower Hamlets the quickest growing borough in London. Consequently, the borough qualifies for the highest level of New Homes Bonus in the country
- Tower Hamlets over the 2012-15 period has delivered the most affordable homes in an English local authority area with 2,560 affordable homes, higher than any other borough in London and 25% more than England's second city, Birmingham which delivered 1,920 affordable homes.

Private Sector Stock

- As of 2011, Tower Hamlets had approximately 67,209 homes in the private sector, of which 62% are in the private rented sector
- Private rented is now the largest tenure in the borough with 39% of the housing stock. The London average is 25%
- Borough median rents per week in 2016 were as follows: Studio - £290; 1 bedroom - £334; 2 bedroom - £420; 3 bedroom -£522; 4 bedroom - £667
- Around 16% of properties are overcrowded while 39% are under occupying
- Approximately half the leasehold stock sold under right to buy is now privately rented
- Approximately 37% of the private stock was built post 1990
- 19% of the borough's stock failed the decent homes standard in 2011 compared with 35.8% nationally

- Approximately 350 Houses in Multiple Occupation in the borough are large enough to require mandatory licensing; all but around 65 of these have a current license
- 30% of all category one hazards are in HMOs.

LBTH Housing Tenure Breakdown

Tenure	2003	%	2011	%	2017	%
Private	44821	51%	56947	56%	73522	61%
Council owned (Rented)	24200	28%	12500	12%	11700	10%
Registered social landlord (Rented)	17828	20%	30108	30%	31208	26%
Shared ownership	500	1%	2000	2%	3601	3%
Total	87349		101555		120301	

Lettings by property bed size.	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Bedsit	189	158	174	100	170	167	168	88	106	88	78	92	57
1 Bed	823	870	737	544	820	1019	816	854	840	652	722	729	599
2 Bed	888	801	733	673	733	883	799	1013	843	699	662	814	557
3 Bed	227	263	264	248	346	442	361	545	432	361	313	432	295
4 Bed	50	105	53	47	61	161	88	132	155	80	73	132	75
5 Bed	6	10	16	3	9	5	13	66	56	27	21	8	19
6 Bed	10	4	3	12	3	6	6	5	2	0	3	0	0
7 Bed	2	3	0	0	0	0	1	0	1	0	-	0	0
8 Bed	0	0	1	0	0	0	0	0	0	0	-	0	0
TOTAL	2,195	2,214	1,981	1,627	2,142	2,683	2,252	2,703	2,435	1,907	1,872	2,207	1602

Demographics and housing need

- 16.48 Ethnic minority households in the borough are disproportionately affected by homelessness. In 2015/16 80% of households accepted as homeless were from ethnic minority groups. However, ethnic minority groups account for 69% of the borough's population. Ethnic minority households account for over 70% of households on the Housing List, and the majority of those that are overcrowded. Ethnic minority households are, on average, larger and more likely to be overcrowded.
- 16.49 Bangladeshi households are, more likely to be homeless than any other ethnic group in the borough. Though only accounting for 30% of the population, 59% of households accepted as homeless in 2015/16 are Bangladeshi. Black households in the borough are also disproportionately affected by homelessness when compared to the population as a whole. Black households make up 16% of households accepted as homeless, but represent 7% of the borough's population.
- 16.50 The largest age groups accepted as homeless are the 16-24 and 25-44 age groups (with the latter being the largest), though the numbers of acceptances from these groups have dropped significantly – again a reflection of overall reductions in homeless acceptances. Acceptances for the 25-44 age group have seen a steady decrease. Homeless acceptances for this age group went from 454 in 2008/9 to 349 in 2015/16, a 33% reduction. The number of homelessness acceptances made as a result of a member of the household having a physical or mental disability has decreased dramatically between 2008/9 from 97 households to 18 households in 2015/6. The percentage of acceptances as a result of vulnerability due to a disability is 3.4%. However, this is the third largest priority need group, behind those with dependent children and pregnant women. The percentage of residents 65 and over in the borough is 6% compared to London's 11%.

Tower Hamlets Strategic Housing Needs Assessment (SHNA)

- 16.51 In 2014, ORS undertook the London Borough of Tower Hamlets Strategic Housing Market Assessment 2014. The overall size and tenure mix from the Tower Hamlets SHMA 2014 is shown in Figure x

	Market	Intermediate	Social	TOTAL
1 bedroom	1,800	1,400	11,500	14,700
2 Bedrooms	5,400	300	9,900	15,600
3 Bedrooms	8,500	400	11,400	20,300
4 Bedrooms	3,700	500	3,400	7,600
Total	19,400	2,500	36,300	58,300

Full Objectively Assessed Need for Housing across Tower Hamlets 2016-31

HOUSEHOLDS	HOUSEHOLDS	DWELLINGS
Demographic starting point CLG household projections 2016-36	50,717	(53,162)
Baseline household projections GLA 2015-interim 'Central Variant' 2016-31	36,934	(38,715)
DWELLINGS		
Allowance for transactional vacancies and second homes Based on dwellings without a usually resident household		1,780
Housing need based on Household projections		38,715
Adjustment for suppressed household formation rates	1,418	1,462
Baseline housing need based on demographic projections		40,177
In response to market signals Dwellings needed (in addition to the adjustment for concealed families and homeless households to deliver the overall 20% uplift proposed)		20% of 38,715 = 7,743 7,743 – 1,462= 6,281
Full Objectively Assessed Need for Housing 2016-31		46,458
Annual Need for housing 2016-31		3,097

16.52 The following conclusions have been made within the LBTH Housing Evidence Base 2016 with regard to housing need across the borough:

- Tower Hamlets remains a borough of high housing need;
- There is a sustained increase of net migration into the borough;
- While the borough has a good average income, a significant percentage of the population has incomes of less than £15,000 per year, which has impacted upon the housing market;
- The borough needs to deliver a significant number of affordable homes each year to meet housing need; and
- A significant percentage of those homes must be three bedrooms plus to meet demand from over-crowded households.

16.53 The following statistics, drawn from the housing waiting list as at 1st April 2017:

- a) There are nearly 19,000 households on the housing register;
- b) Of those 55% are in priority category 1 and 2 (e.g. Emergencies, Medical, Decants, Homeless and over-crowded);
- c) Around 7000 of these households are over-crowded; and
- d) There are just under 2000 households in temporary accommodation placed by the Council.

Tower Hamlets Common Housing Register Allocations Scheme

Introduction

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

Equalities statement

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

Key links

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

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

Band 1 Group A Emergencies

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

Decants

The decision to decant a block can only be made by councillors (for Council properties) and Management Boards (for partner landlord properties)

Ground Floor Priority/Category A or B Wheelchair Home

The decision to award priority for ground floor on medical or disability grounds is made following a medical assessment and recommendation by a health advisor.

Under occupiers or downsizing

If you are an existing social housing tenant applying for a home with at least 1 bedroom less than you currently have

Band 1 Group B

Priority Medical Award

This award is given following a health assessment and recommendation by a Health Advisor.

Priority Social Award

The decision to make this award is made by a Panel including a senior officer in circumstances as set out in this policy.

Priority Target groups

The decision to make this award is made by a Lettings Officer if evidence is provided to verify that an applicant meets the criteria for the relevant target group.
Priority Target group - Single homeless in priority need due to vulnerability
The Council's Housing Options Service makes this decision following an assessment
Band 2

Homeless applicants with children and in priority need
The Council's Housing Options Service makes the decision on homeless applications whether the Council accepts a full statutory duty following investigation and an assessment.
Overcrowded applicants

This will be based upon an assessment and verification of your circumstances as stated on your housing application.
Band 3

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

Town Centre Strategy Executive Summary 2017-2022 (March 2017)

16.61 The borough's Town Centre Strategy starts to set out a vision for Town Centres in the borough. The emerging vision for the management of town centres is as follows:

- "By 2022 Tower Hamlets will have coordinated, targeted and robust approach to improve the competitiveness and vitality of our town centres as places at the heart of the community, which celebrates our East End heritage, supports local economic growth and enhance the health and well-being of people who live in, work near and visit our borough".

- 16.62 The focus of the Strategy is to attract investment into the borough, to exploit the success of the borough's street markets, supporting enterprise, managing the night time economy, reducing vacant units and impacting on the make-up of the Town Centre in order to improve competitiveness and create healthy, vibrant and sustainable places.
- 16.63 It has been developed by bringing different directorates within the Council together with local residents and businesses to create tailored and focused action plans for each Town Centre that speaks to them and articulates the unique characteristics and qualities of each area. It has been aligned with the work already underway within the Council to develop the new Local Plan (and particularly the work undertaken in the Retail Capacity Study), the emerging Growth Strategy (building on the Enterprise and Employment Strategies), as well as the Health and Well-being Strategy. There is a particular need to ensure that there is a good balance of retail space and to safeguard business space in town centres.
- 16.64 There are major changes underway in Town Centres including comparison shopping leading to changing shopping habits, with more people doing their shopping on-line, which are impacting on the high street. Various reports, including the Portas Review and the Grimsey Review have picked up and made recommendations to support town centres as the heart of local communities and identifying investment aimed at creating vibrant and dynamic places. We have the opportunity to design spaces that are attractive to shoppers as well as health promoting.
- 16.65 The other key change impacting on our high streets is the growing and changing demographics in the borough and the potential for local businesses to diversify to meet these new market needs. Vacancy rates in some town centres are currently at a rate that is lower than the national average, however, attracting new businesses in to fill any empty units will help to improve local economies.

2016–21 HOUSING STRATEGY

- 16.66 In setting a vision for housing, we need to ensure it sits within a broader vision for the borough's residents and the many stakeholders we work with. These stakeholders include public and private employers, housing associations, advisory agencies, services providers and people who work in the borough but who don't live here. This broader vision is set out in the Tower Hamlets Partnership Community Plan 2015. The Community Plan themes focus on making the borough:
- 16.67 A great place to live; A fair and prosperous community; A safe and cohesive community; A healthy and supportive community

Key concerns:

- Major concern over the shortage of affordable housing and concern that future rents set by the council and housing associations will force people out of the borough

- Lack of housing choices for young people brought up, living and working in the borough meaning many on average incomes will be forced to stay at home, move out or pay high rents in poor quality private rented housing
- Support for the development of 'living rent' homes for this group at sub market rent levels in new build developments and on council estates
- Concern over population growth, impact on the environment and green spaces and whether vital infrastructure including schools, health centres and transport links will be developed to match the needs of the population
- General support for the council's approach to meeting housing need and homelessness through priority and advice.

A snapshot of the housing evidence base

HEADLINES

- More than 19,000 households on the housing register
- More than 9,000 people in substantial housing need
- 44% of households in income poverty
- Population of Tower Hamlets to increase by 26% by 2026
- The average cost of a property in LBTH is more than 14 times (£450,000) what a typical essential worker could earn in wages (£35,000).

HOUSING REGISTER

- 53.75% of households are in priority categories 1 and 2
- 7,078 of these households are overcrowded
- 52.3% of all households on the register are Bangladeshi families
- 506 residents on the register are under occupying by two rooms or more
- There are over 232 households with a need for wheelchair adapted property in category 1a and 1b.

HOMELESSNESS

- There are nearly 2,000 households in temporary accommodation of which over 1,000 are housed outside the borough
- In 2015/16 the Housing Options Team made 656 homeless decisions, this is 15% down on decisions made in 2014/15. Of the 656 homeless decisions made, 522 were accepted as homeless
- In 2015/16, 78 households were intentionally homeless and in priority need, for the same period that 522 households were unintentionally homeless and in priority need – this is a reduction of 27% compared to 2008/09
- During 2014/15 the Housing Options Team prevented over 672 households becoming homeless
- Recorded rough sleeping has increased from 4 in 2013; 6 in 2014; and 12 in 2015.

LETTINGS

- Nearly 8,500 homes have been let in Tower Hamlets over the past four years
- 58% of all homes let through choice during 2015-16 were let to an over-crowded household.

HOUSING STOCK

- The housing stock in Tower Hamlets has increased by 27% since 2003; there are now almost 124,000 homes in the borough

- In 1986 around 82% of all homes in Tower Hamlets were Council/GLC owned, today only 10.9% of the stock is council owned and for the first time in the borough's history, less than half the housing stock is social housing
- The private rented sector is now the fastest growing housing sector in the borough; it has risen from 18.3% of the stock in 2003 to around 39% of the stock in 2014
- There are close to 9,000 ex-right to buy leasehold properties managed by Tower Hamlets Homes in the borough. Overall, there are more than 15,000 leasehold properties formerly owned by the council
- There are an estimated 2,800 intermediate housing units in the borough
- The borough is growing by over 3,000 homes per year, making Tower Hamlets the quickest growing borough in London. Consequently, the borough qualifies for the highest level of New Homes Bonus in the country
- Tower Hamlets over the 2012-15 period has delivered the most affordable homes in an English local authority area with 2,560 affordable homes, higher than any other borough in London and 25% more than England's second city, Birmingham which delivered 1,920 affordable homes.

PRIVATE SECTOR STOCK

- As of 2011, Tower Hamlets had approximately 67,209 homes in the private sector, of which 62% are in the private rented sector
- Private rented is now the largest tenure in the borough with 39% of the housing stock. The London average is 25%
- Borough median rents per week in 2016 were as follows: Studio - £290; 1 bedroom - £334; 2 bedroom - £420; 3 bedroom - £522; 4 bedroom - £667
- Around 16% of properties are overcrowded while 39% are under occupying
- Approximately half the leasehold stock sold under right to buy is now privately rented
- Approximately 37% of the private stock was built post 1990
- 19% of the borough's stock failed the decent homes standard in 2011 compared with 35.8% nationally
- Approximately 350 Houses in Multiple Occupation in the borough are large enough to require mandatory licensing; all but around 65 of these have a current license
- 30% of all category one hazards are in HMOs.

FUTURE HOUSING DELIVERY

Tower Hamlets has an annual housing target of 3,931 set up the Greater London authority and is expected to accommodate an additional 39,310 homes by 2025.

17 Appendix 7: Phasing and Housing Position as of 29th May 2018

Table 1 - Crisp St Regeneration Phasing

Phase	Start	Complete
Enabling Phase		
Sure Start Children's Centre	2018	2019
Phase 1 (North Side)		
(a) Vacant Possession of Aurora and Clarissa Houses; Poplar Boys & Girls Club	2019	

(b) Demolition of Aurora and Cordelia Houses; Kerbey St Garages; Site Welfare Established	2019	2020
(c) Development of Blocks D & E (including 31 no Social Rent homes)	2020	2023
(d) Demolition of Poplar Boys & Girls Club; Supermarket	2019	2019
(e) Development of Blocks A, B and C (including 37 no Shared Ownership homes)	2020	2022
(f) Street Market and Public Realm	2020	2023
(g) Development of Block M (81 no Social Rent homes)	2020	2022
Phase 2 (South Side)		
(a) Vacant Possession of Nos 2-30 Kerbey St; Fitzgerald House; Nos 35-59 Market Square (Part)	2023	
(b) Demolition of Nos 2-30 Kerbey St; Fitzgerald House; Nos 35-59 Market Square (Part); Post Office; Bank; Poplar HARCA Housing Office.	2023	2023
(c) Development of Blocks J, K and L (including 19 no Social Rent homes) and Community Hub Building	2023	2026
(d) Vacant Possession of Ennis House & Kilmore House; Nos 35-59 Market Square (Part)	2023	
(e) Development of Blocks F, G & H.	2024	2026
Scheme Completed	2027	

Table 2 – Homes to be demolished

Block	No of Homes
Nos 1-8 Aurora House	8
Nos 1-16 Clarissa House	16
Nos 1-73 Fitzgerald House	73
Nos 1-16 Ennis House	16
Nos 20-30 (Even) Kerbey Street	15
Nos 1-16 Kilmore House	16
Nos 35-59 (Odd) Market Square	25
Total	169

Table 3 – Homes to be retained

Block	No of Homes
Nos 40-70 (Even) Kerbey St	16
Nos 72-84 (Even) Kerbey St	7
Nos 26-50 (Even) Market Square	13
Nos 1-7 Market Way	7
Total	43

Table 4 – State of play on occupancy of homes to be demolished

Block	Total No of Homes	L'hold Resi	L'hold Investor	Tenant	S'life	Voids	Occupancy Level exc. S/Life & Void)
Phase 1 – Aurora	8	1	0	0	0	7	13%
Phase 1 – Clarissa	16	1	2	0	0	13	19%
Phase 2 – Ennis	16	0	3	6	6	1	56%
Phase 2 - Fitzgerald	73	4	3	11	45	10	25%
Phase 2 - Kerbey - Nos 2-30	15	0	0	0	15	0	0%
Phase 2 – Kilmore	16	2	3	7	2	2	75%
Phase 2 - Market Square - Nos 35-59	25	4	5	2	12	2	44%
	169	12	16	26	80	35	32%

Table 5 – Occupiers on leasehold arrangements

Phase	Category	Terms to be agreed	Heads of Terms Agreed	Legal Documents in Prep'n	Legal Documents Exchanged	Total
Phase 1	Relocations	1	5	9	1	16
Phase 2	Relocations	9	1	4	1	15
Phase 1	No Relocations	4	2	6	5	17
Phase 2	No Relocations	1	1	1	0	3
Total		15	9	20	7	51

Table 6 – Tenure and bedroom mix of homes to be demolished

	Bedsit	1 BR	2 BR	3BR	4BR	5BR	Total
Social Rent Affordable	4	35	20	38	27	0	124
Private	8	2	6	25	3	1	45
Total	12	37	26	63	30	1	169

Table 7 - Tenure mix by number of existing homes and habitable rooms

	No of Homes	% of Homes	No of Habitable Rooms	% of Habitable Rooms
Social Rent Affordable	124	73%	421	74%
Private	45	27%	151	26%

Table 8 – Tenure mix by number of new homes

	1BR	2BR	3BR	4BR	Total

GLA Affordable / Social Rent	41	33	40	22	136
Intermediate Affordable S/O	18	11	8	0	37
Tower Hamlets Living Rent	17	7	3	0	27
Market	221	128	94	0	443
Total	297	179	145	22	643

Table 9 - Tenure mix by number of new homes and habitable rooms

	No of Homes	% of Homes	No of Habitable Rooms	% of Habitable Rooms
Social Rent Affordable	131	20%	417	25%
Intermediate Affordable (S/O)*	37	6%	101	6%
Tower Hamlets Living Rent	38	6%	98	6%
Private	443	68%	1,057	63%
Total	649	100%	1,673	100%

Table 10 – Negotiation position on commercial occupiers

Phase	Category	Terms to be agreed	Heads of Terms Agreed	Legal Documents in Prep'n	Legal Documents Exchanged	Total
Phase 1	Relocations	1	1	11	3	16
Phase 2	Relocations	5	1	6	3	15
Phase 1	No Relocations	4	1	4	8	17
Phase 2	No Relocations	0	1	1	1	3
Total		10	4	22	14	51

Table 11 – Occupiers on short term rent and lease arrangements

Phase	Category	Short Term	Poplar HARCA	Total
Phase 1	Relocations	3	3	6
Phase 2	Relocations	4	2	6
Phase 1	No Relocations	0	2	2
Phase 2	No Relocations	1	0	1
Totals		8	7	15

Table 12 – Acquisitions by Phase and property interest still to be acquired

	Phase 1	Phase 2
Residential properties acquired	6	9
Residential properties - terms agreed	3	0
Residential properties – terms not agreed	1	24
Residential tenants to be rehoused	0	26
Commercial Units terms agreed	28	13
Commercial Units terms not agreed	5	5

18 Appendix 8 Chrisp Street Consultation since Feb 2018

Date	Consultation Methodology	Stakeholders / Attending	Output
March/April 2018	Outreach to all traders providing post-deferral, provide information and identify any concerns.	Shops, Lock-ups, Stall Holders	Bespoke Traders FAQ Booklet produced responding to all concerns raised. Distributed to all traders in May 2018
April/May/June 2018	Community Door Knock Outreach providing information on Chrisp Street scheme and gathering feedback. 800 face to face conversations to date	Residents - Lansbury South, Lansbury South, Lansbury West	Bespoke Community FAQ Booklet produced and distributed to every home. Community feedback to inform scheme development. 1244 distribute to date.
May 2018	Traders Open Meeting	Shops, Lock-Ups, Stall Holders – 40 attended Poplar HARCA CEO & Director of Neighbourhoods & Communities	Minutes distributed to all traders. Follow up meeting arranged with LBTH cleaning services
May 2018	Meeting with petitioners to discuss all petition concerns	Lead trader petitioners Poplar HARCA CEO & Director of Neighbourhoods & Communities	Written response on all petition points sent to petitioners 7 days. Follow up meeting offered.
May/June	Youth Outreach providing information on Chrisp Street scheme and gathering feedback.	Young People – Schools, 6 x Spotlight Centres	Young People feedback to be included in July Newsletter and feed into scheme development
May/June/July	Sterling Ackroyd - 121 consultation meetings with traders	All traders	Traders empowered to make informed decisions and consider all options.
May/June	Estate Boards – Information on scheme, invite to Information Events	Residents	
June	Flyer Promoting 23/23 Information Events – inc. map of proposed improvements.	All Traders, Residents.	.
June	SAY IT! – information on Chrisp Street, invite to Information Events		

Date	Consultation Methodology	Stakeholders / Attending	Output
Scheduled			
June 2018 (15 June)	Newletter – Update on planning committee date/details, response to cleaning enquiries, promote Traders meeting on 28 June.	Shops, Lock-Ups, Stall Holders	
June/July 2018	Community Door Knock Outreach providing information on Chrisp Street scheme and gathering feedback.	Residents – Brownfield, Teviot, Aberfeldy Estates.	
June 2018 (23/24 June)	2 x Information Events providing range of interactive information and fun activities for children/families. Gather feedback.	All Traders, Residents	Feedback from events to be included in July Newsletter. Inform development of scheme.
June 2018 (28 June)	Traders Meeting – follow up to May meeting addressing traders concerns regarding market cleaning	Shops, Lock-Ups, Stall Holders Veolia/LBTH Poplar HARCA CEO & Director of Neighbourhoods & Communities	
June 2018	Offer Doc / Steves covering Letter	Shops, Lock-Ups, Stall Holders	
June 2018 (28 June)	Petitioners Meeting, follow up to previous meeting.	Lead trader petitioners Poplar HARCA CEO & Director of Neighbourhoods & Communities	
July 2018	Newsletter – inc. feedback from Info Events, Youth Consultation, Traders meeting.		
Continuous Consultation			
Chrisp Street Shop	Chrisp Street Information Shop – open everyday.	Traders, Residents	Collect information, used to inform scheme development.
Poplar HARCA Website	Bespoke information on Chrisp Street, box to ask any questions.	Traders, Residents	Resident to enquires, questions inform feedback through consultations methodologies.
WhatsApp	Traders WhatsApp Group – information exchange, promote events activities.	Traders	

19 Appendix 9 Crisp Street Consultation with Businesses

Date	Notification	Activity
September 2013	Summer festival event and redevelopment consultation All commercial tenants made aware by Accents / Capital Properties	A gazebo in the middle of the market Square in the middle of the festival showing plans. Obtaining feedback
September 2014	Summer festival event and redevelopment consultation. All commercial tenants made aware by Accents / Capital Properties	Similar to the previous year. Crisp Street Post cards used to collect comments
June 2015	Introductory Leaflet News Update	Provides contact detail, visuals and advises of future contact
June 2015	Poplar HARCA letter introducing Debbie Loveday and Rob Lantsbury (SC leave of absence). The relevant version was hand delivered to all shops, lock ups, market traders and where possible the letter was signed for.	To introduce and make aware that they will be arranging meetings with all the tenants re the redevelopment proposals
June – October 2015	Arranged individual meetings with every tenant	Discuss the proposals, and complete a questionnaire: 3 pages: you and your aspirations, your customers, your operation
September 2015	Summer festival event and redevelopment consultation. All commercial tenants made aware by Accents	
Friday 30 th October Thursday 5 th November Wednesday 11 th November Tuesday 17 th November Saturday 21 th November Monday 30 th November	Drop in invitation leaflets to shop keepers and market traders. Distributed around all the shops by hand. Big poster in the management office on Market Square. Including the day before a 'TOMORROW' call to action poster. Combined with LBTH market team who attended some days and Susan Lewis galvanising the traders to attend. Posters in English and Bengali. Every day covered in full to ensure contact with casual market traders.	Present the proposals. Register their comments Invite suggestions. No plans handed out as the scheme was not frozen. Their comments fed back to the architects to ensure their business needs met.
November 2015	Business Support leaflet	Advising all of business support 6-month programme
December 2015	Letter requesting Agreement to sharing of information	The questionnaire and aspirations point suggested assistance from the London Small Business School through PH Accents. DL provided a business summary.
December 2015 to	Letter to tenants. Hand delivered. Signed for by some.	Summarise their comments, where given, from the

Date	Notification	Activity
January 2016		questionnaire. Set up the next individual meeting
January to June 2016	One to One meetings with tenants. Priority given to order in which the redevelopment proposals will directly impact shops and businesses, against the proposed construction timetable. i.e. May Way and Market Square (north) relocations first.	Met to discuss proposals, impact on their business premises, putting their leases in order, options of units that meet their requirements, how the leasing policy will work for them.
May 2016	Invite to the exhibition opened in 11 MW	Have your say post card response Final plans now close to frozen
June 2016	Hand delivered a 24-page bound dossier summarising the planning application with full plans (basement to 3 rd floor), visuals, key research findings, planning application and Council contact details, what happens next	Handed to all PH traders. The basis of the tenant association meeting
October 2016	All traders notified that LBTH had validated the application	
	Regular updates through the trader association meetings held every 6 weeks until April 2017, when the retirement of the existing chair and the appointment of Shirazul Khan (Rose – 4 Market way) as the new chair, reduced the meeting frequency to every 2 months. Timing of the meetings was also varied to see if we could generate a higher attendance by shop keepers and traders. Attendance is usually circa 3-4 people with a good turnout being 10-12 attendees. These are usually in response to agenda items such as service charge budget, parking research presentation, presentation of the planning submission.	
April 2017	Planning Reg 22 amends consultation leaflet	Inviting comments on the plans and their amends
May 2017	Planning Reg 22 plans handed out to every tenant	Confirmed plan to update the plan within the bound dossier
November 2017	Leaflet distributed to every trader in Chrisp Street	Advised the planning application would be considered in January 2018

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1. THE LONDON BOROUGH OF TOWER HAMLETS

2. CHRISP STREET DEVELOPMENTS LIMITED

3. POPLAR HARCA AND REGENERATION COMMUNITY HOUSING ASSOCIATION LIMITED

4. TELFORD HOMES PLC

INDEMNITY AGREEMENT

(CHRISP STREET E14 REDEVELOPMENT) COMPULSORY PURCHASE
ORDER

THIS DEED is made the day of 2018

PARTIES:

- (1) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF TOWER HAMLETS** of Town Hall Mulberry Place, 5 Clove Crescent London E14 2BG (“the Council”)
- (2) **CHRISP STREET DEVELOPMENTS LIMITED** (company registration no. 09268982) whose registered office is situate at Telford House, Queensgate, Britannia Road, Waltham Cross, Hertfordshire EN8 7TF (“the Company”)
- (3) **POPLAR HARCA AND REGENERATION COMMUNITY HOUSING ASSOCIATION LIMITED** whose registered office is situate at 167A East India Dock Road London E14 0EA (“Poplar HARCA”)
- (4) **TELFORD HOMES PLC LIMITED** (company registration no. 04118370) whose registered office is situate at Telford House, Queensgate, Britannia Road, Waltham Cross, Hertfordshire EN8 7TF (“the Guarantor”)

RECITALS:

- (1) The Company has agreed proposals to carry out the Development as defined in this Deed.
- (2) Poplar HARCA are the freehold owners of part of the Land and have entered into a development agreement with the Company.
- (3) In order for the Development to be carried out it may be necessary for the Land or rights over it to be acquired by the Council and in that respect the Council will consider the use of powers it considers appropriate to acquire the Land by compulsory purchase through the making, confirmation and further promotion of a CPO which the Company supports.
- (4) Compulsory purchase powers should be used as a last resort and accordingly prior to the making of any CPO the Company is to negotiate to acquire (so far as practicable) the Land by private treaty. The Company has already commenced such negotiations and (if appropriate and so far as practicable) made such acquisitions.

- (5) As part of the financial arrangement between the Council Poplar HARCA and the Company the Council has requested the Company to bear the CPO Costs in accordance with the terms of this Deed.
- (6) The Guarantor has agreed to indemnify the Company in respect of each and every obligation made by the Company in this Deed as if it were the Company in the event of the Company failing so to do.

OPERATIVE PROVISIONS

1 DEFINITIONS

- 1.1 In this Deed unless the context otherwise requires the words and expressions listed below shall have the following meanings:-

"Advance Payment"

means a payment which the Council is lawfully required to make in respect of the Land under the provisions of sections 52 and 52A of the Land Compensation Act 1973;

"Agent"

means such firm of suitably qualified and experienced surveyors to be appointed by the Company on the terms set out at clause 4.7 to carry out the functions of the Agent and being regulated by the Royal Institution of Chartered Surveyors;

"Agent's Estimate"

means a schedule setting out the Agent's estimate of the level of compensation or monies payable in respect of each Third Party Interest or Third Party Right;

"Base Rate"

means interest at the base rate of the Co-operative Bank for the time being and from time to time or such other equivalent commercial base rate as the Council may reasonably designate if the base rate ceases to be published, compounded with quarterly rates on 25th March, 24th June, 29th September and 25th December in each year;

"Blight Notice" means valid blight notice served on the Council under the provisions of Sections 150, 161 or 162 of the Town and Country Planning Act 1990 or any statutory amendment or modification in respect of any interest in the Land;

"Blight Notice Costs" means all costs incurred and compensation payable by the Council in relation to a Blight Notice including the costs incurred by the Council in dealing with same pursuant to this Deed;

"Counsel" means such suitably experienced counsel as the Council shall nominate and the Company shall approve such approval not to be unreasonably withheld or delayed;

"CPO" means the proposed Compulsory Purchase Order to be made pursuant to Section 226 of the Town and Country Planning Act 1990 or such other statutory provision as the Council thinks appropriate in respect of the Land required in order to carry out and complete the Development as contemplated at the date of this Deed or as may be varied by agreement between the parties;

"CPO Compensation Code" means the principles for assessing and calculating compensation for compulsory acquisition laid down in the Compulsory Purchase Act 1965 and/or the Land Compensation Acts 1961 and 1973 and/or the 1990 Act and/or the 2016 Act and all other such relevant legislation together with case law and established practice;

"CPO Costs" means the costs specified in Schedule 1;

"Developer's Notice" means a notice or notices served jointly by Poplar HARCA and the Company on the Council from time to time pursuant to clause 6.3 setting out the Third Party Interests that Poplar HARCA and the Company requests should be acquired by the Council and the date on which vacant possession

is required for each such interest and the method by which Poplar HARCA and the Company request that the Council acquires such interests pursuant to the CPO;

“Development” means the development described in Schedule 2;

“Equality Impact Analysis Report”

means an assessment of the potential risks of inequality or disproportionate adverse impact to employees, service users and members of the public resulting from the implementation (or proposed implementation) of a policy, project function or activity relating to the CPO;

“GVD”

means a General Vesting Declaration pursuant to the Compulsory Purchase (Vesting Declarations) Act 1981;

“Land”

means the whole or any part of the land defined in Schedule 3 and such other land as may be identified as being required in order to carry out and complete the Development;

“Notice of Entry”

means a notice served following or together with a Notice to Treat confirming the date upon which possession of the Land is to be taken;

“Notice to Treat”

means a notice served pursuant to a confirmed CPO under the provisions of section 5 of the Compulsory Purchase Act 1965;

“Open Market Value”

means in relation to any interest to be acquired the market value or the reasonable cost of equivalent reinstatement (if appropriate) as determined by reference to the provisions of the Land Compensation Act 1961, The Land Compensation Act 1973 and/or such other statutory provisions as may be applicable on the Valuation Date;

“Parties”

means the parties to this Deed;

“Plan”

means the annexed Plan;

“Public Inquiry” means a public local inquiry held by the Secretary of State to hear and consider objections into the making and confirmation of the CPO;

“Referencing Agent” means the referencing agent instructed in relation to the CPO pursuant to clause 4.1 of this Deed;

“Relevant Phase” means a phase of the Development to be agreed and defined by the Company and the Council pursuant to clause 4.8.7;

“Secretary of State” means the Secretary of State for Communities and Local Government or such other Secretary of State to which functions relating to the compulsory purchase of land by local authorities may be transferred;

“Surveyor” means an independent chartered surveyor who is suitably experienced and at least ten years qualified appointed by the Company and the Council or (if they cannot agree upon his appointment) appointed by the President for the time being of the Royal Institution of Chartered Surveyors upon the application of either party;

“Third Party Interests” means the leasehold, freehold and any other compensatable interest held by parties other than the Council in over or under the Land together with any new rights in on or under the Land which are to be acquired for the purposes of the carrying out and operation of the Development;

“Third Party Rights” means any rights (whether contractual, inherent or statutory including easements and rights of light) over, in or under the Land which are required to be overridden by operation of law for the purposes of carrying out or operation of the Development including the rights of statutory undertakers;

“Valuation Date” means in the case of a Notice to Treat the date of entry or the date upon which compensation is assessed if earlier and in the case of a General Vesting Declaration the date of vesting or the date upon which compensation is assessed if earlier;

“Working Days” means days on which clearing banks in the City of London are (or would be but for a strike lock out or other stoppage affecting particular banks or banks generally) open during banking hours excluding for the avoidance of doubt Saturdays and Sundays and bank or other public holidays.

2 GENERAL INTERPRETATION

2.1 Unless there is something in the subject or context which is inconsistent:

2.1.1 words importing the neuter gender only shall include the masculine and feminine gender (as the case may be) and words importing the masculine gender only shall include the feminine gender and vice versa;

2.1.2 words importing the singular number only shall include the plural number and vice versa;

2.1.3 words importing persons shall include firms companies and corporations and vice versa;

2.1.4 any reference to statute (whether or not specifically named in this Deed) shall include any amendment or re-enactment of it for the time being in force and shall include all instruments orders plans regulations bye-laws permissions and directions for the time being made issued or given under it or deriving validity from it;

2.1.5 any reference to days shall be to Working Days;

2.1.6 references to a clause or paragraph or schedule is (unless the context otherwise requires) to a clause or paragraph or schedule in this Deed and the index the clause and paragraph and schedule titles or headings appearing in this Deed are for reference only and shall not affect the construction of this Deed;

2.1.7 words denoting an obligation on a party to do an act matter or thing include an obligation to procure that it be done;

2.1.8 any consent or approval of the Council Poplar HARCA or the Company required under this Deed save in circumstances in which it is unreasonably withheld in breach of this Deed shall be required to be obtained before the actual event to which it applies is carried out or done and shall be effective only when the consent or approval is given in writing or is deemed to have been given.

2.1.9 where any consent or approval of the Council Poplar HARCA or the Company is required under this Deed such approval or consent shall not be unreasonably withheld or delayed.

3 BLIGHT NOTICES

3.1 If following publication of the CPO and submission to the Secretary of State or at any other time which is lawfully permitted a Blight Notice in respect of any part of the Land shall be served upon the Council then:-

3.1.1 the Council shall forthwith deliver a copy of the Blight Notice to Poplar HARCA and the Company together with copies of the supporting documentation;

3.1.2 the Council shall consult Poplar HARCA and the Company concerning the Blight Notice and its implications;

3.1.3 within ten Working Days after receipt by the Council of a Blight Notice the Council shall require the Company to instruct the Agent to investigate the grounds for service of such notice, the validity of the notice, the value of the interest the subject of the notice, the amount of the compensation which may be payable to the owner of the interest concerned;

3.1.4 within 6 weeks of receipt by the Council of a Blight Notice the Council shall having had due regard to any representations made by Poplar HARCA and the Company inform Poplar HARCA and the Company whether it intends to serve a counter notice in response to the Blight Notice and shall provide reasons to Poplar HARCA and the Company and if the decision is to serve a counter notice, the Council shall do so within 2 months of receipt of the Blight Notice; and

- 3.1.5 the Council shall accept a Blight Notice if jointly requested to do so by Poplar HARCA and the Company.
- 3.2 In the case of a Blight Notice which the Council Poplar HARCA and the Company jointly accept and in respect of which it does not serve a counter notice or which is determined by the Upper Tribunal (Lands Chamber) to be valid the parties hereto will jointly appoint the Agent to negotiate on its behalf the compensation payable in accordance with the provisions of clause 10 of this Deed.
- 3.3 The Council will having complied with its constitution and any statutory or regulatory provisions procure that all or any part of parts of the Land which are acquired pursuant to any Blight Notice shall be conveyed or transferred to Poplar HARCA subject to and in accordance with the provisions of clause 19 of this Deed.

4 DRAFTING AND MAKING THE CPO

- 4.1 Insofar as it has not already done so and without prejudice to its discretion as to whether or not to make the CPO:
- 4.1.1 as soon as reasonably practicable following the date of this Deed, the Council shall agree an appointment of the Referencing Agent by the Company who shall procure that the Referencing Agent owes a duty of care to both the Council and the Company;
- 4.1.2 the Council shall, if reasonably necessary in order to carry out the referencing exercise, draft and serve requisitions for information on any affected parties pursuant to inter alia section 16 of the Local Government (Miscellaneous Provisions) Act 1976 section 330 of the Town and Country Planning Act 1990 or section 5A of the Acquisition of Land Act 1981;
- 4.1.3 the Council shall prepare the order, the statement of reasons and all other related documents required in order to make the CPO (the "Draft CPO Documents") and provide copies of the same to the Company and Poplar HARCA for their comment and approval.
- 4.2 The Council Poplar HARCA and the Company shall provide the Referencing Agent with such assistance as it may reasonably request or require from time to time.

- 4.3 The Company and Poplar HARCA shall review the Draft CPO Documents and shall provide any comments in writing within 20 Working Days of receipt with such explanation and supporting evidence as is reasonable in the circumstances.
- 4.4 The Council will give due regard to any comments provided by Poplar HARCA and the Company on the Draft CPO Documents.
- 4.5 The Council Poplar HARCA and the Company shall cooperate and meet with each other with a view to reaching agreement on the drafting of the Draft CPO Documents until such time as the documents are agreed by both parties (the "Agreed CPO Documents").
- 4.6 In approving the Agreed CPO Documents Poplar HARCA and the Company shall be deemed to acknowledge that the CPO includes all Third Party Interests necessary to enable it to implement the Development.
- 4.7 In so far as it has not already done so the Company shall:
 - 4.7.1 appoint the Agent and shall procure that the Agent owes a duty of care to both the Council and the Company; and
 - 4.7.2 instruct the Agent to produce a draft of the Agent's Estimate and make a copy of the same available to both the Council and the Company for approval.
- 4.8 The Council shall proceed diligently and expeditiously to make the CPO in accordance with the Agreed CPO Documents and shall submit the CPO to the Secretary of State for confirmation and to take all appropriate steps to secure as soon as practicable the confirmation of the CPO **PROVIDED THAT** the Company has to the Council's reasonable satisfaction:
 - 4.8.1 provided a copy of the Agent's Estimate to the Council for its approval;
 - 4.8.2 provided the Council with satisfactory evidence of reasonable attempts to acquire from and/or agree compensation with Third Parties in relation to any Third Party Interests and/or Third Party Rights as the case may be by negotiation;

- 4.8.3 undertaken a rights of light assessment of the Development in relation to all potentially affected properties and interests which it is not intended to acquire in order to assess:
- 4.8.3.1 the extent of the likely infringement on rights of light in consequence of the Development; and
 - 4.8.3.2 the likely compensation payable for such infringement in relation to each property;
- 4.8.4 undertaken an Equality Impact Analysis Report in relation to all potentially affected persons properties and interests which report has been independently reviewed and verified by a professional organisation specialising in the preparation of such a report appointed by the parties;
- 4.8.5 established that planning permission for the Development as defined in Schedule 2 hereof has been granted and that there are no impediments referred to in the planning permission which could adversely affect the Development;
- 4.8.6 provided sufficient evidence to demonstrate that the Development is viable and that funding will be available to discharge the Company's liabilities under this Deed and deliver the Development;
- 4.8.7 provided to and agreed with the Council a phasing programme that defines self-standing and viable phases of the Development in relation to which a relevant GVD or Notices to Treat is to be made or served as the case may be to enable that phase to be carried out (a "**Relevant Phase**");
- 4.8.8 if required and requested by the Council provided a series of method statements together with a written commitment from the Company to comply with such method statements and which set out:
- 4.8.8.1 how the Company will address the needs of the market traders; lockup tenants; commercial leaseholders; licensees ; residential tenants and leaseholders (both those in situ and those who are absentee landlords or any other status) and established community groups / users; public service providers and how such needs are proposed to be

managed both during the Development and where applicable after; and

- 4.8.8.2 other such statements as may be required to meet other specific requirements identified by the Council prior to the making of the CPO.

5 OBLIGATIONS FOLLOWING THE MAKING OF THE CPO

- 5.1 The Council shall generally permit the Company and Poplar HARCA to take an active part in the preparation of and strategy for the Public Inquiry with the aim of securing confirmation of the CPO including:
 - 5.1.1 regularly consulting with the Company and Poplar HARCA as to the conduct and progress of the CPO including identifying to the Company any evidence to be adduced for any Public Inquiry and related procedures;
 - 5.1.2 sending copies of all objections made to the CPO to the Company and Poplar HARCA within 10 Working Days of the Council's receipt of them;
 - 5.1.3 (unless otherwise agreed with the Company) using reasonable endeavours to secure the earliest possible date for the holding of the Public Inquiry and keeping the Company and Poplar HARCA informed of all arrangements for the holding of the Public Inquiry;
 - 5.1.4 using all reasonable endeavours to prepare for the Public Inquiry in liaison with the Company and Poplar HARCA including providing regular updates to the Company and Poplar HARCA of such preparations;
 - 5.1.5 liaising with and having due regard to the views of the Company and Poplar HARCA in connection with the preparation of the Public Inquiry including the choice of Counsel in accordance with clause 9.9 of this Deed;
 - 5.1.6 providing the Company and Poplar HARCA with draft instructions to Counsel for comment prior to issue and inviting the Company and Poplar HARCA to all consultations with Counsel;
 - 5.1.7 providing the Company and Poplar HARCA with copies of any written opinions provided by Counsel in relation to the CPO.

- 5.2 The Council, Poplar HARCA and the Company shall jointly negotiate with all objectors to the CPO with the intention of securing a withdrawal of the objections through all lawful and proper means available to the parties.
- 5.3 The Council shall not withdraw the CPO or otherwise exclude from the CPO any Third Party Interest (except an interest owned by the Council) unless advised by Counsel (at a consultation jointly attended by both Parties) that the prospects of the CPO being confirmed by the Secretary of State are less than even AND PROVIDED THAT the Council shall be entitled to request from the Secretary of State such amendments or variations to the CPO as it shall reasonably determine to be necessary or desirable to assist in procuring the confirmation of the CPO save that no such amendment or variation shall be made without consulting and having due regard to the representations of the Company and/or Poplar HARCA
- 5.4 Poplar HARCA and the Company will be entitled to jointly ask the Council to cease CPO activity and the Council shall have due regard to Poplar HARCA and the Company's joint representations in considering the request.
- 5.5 The Company and Poplar HARCA will not object to the CPO and will at its own expense use all reasonable endeavours to support the Council in seeking the confirmation of the CPO including the giving of evidence as to matters within the competence or proper expertise of the Company and/or Poplar HARCA the provision of expert witnesses and attending or giving assistance at any Public Inquiry.

6 CONFIRMATION OF THE CPO

- 6.1 If the CPO is confirmed the Council shall comply with all relevant statutory requirements in relation to it (including the publication and service of notice of such confirmation) as soon as reasonably practicable and in any event in accordance with any statutory timescales.
- 6.2 Upon confirmation of the CPO the Council shall:
- 6.2.1 Supply the Company and Poplar HARCA with a copy of the decision, the CPO and the CPO plan as confirmed and any inspector's report on the CPO; and

- 6.2.2 If relevant update the entry in the Local Land Charges Register in respect of the CPO as confirmed.
- 6.3 Following and not before the CPO being confirmed and no longer open to challenge by way of the issue of legal proceedings Poplar HARCA and the Company may jointly serve the Developer's Notice on the Council for the Relevant Phase.
- 6.4 Following receipt of a Developer's Notice the Council shall use all reasonable endeavours to secure title to and possession of those Third Party Interests within the Relevant Phase as are identified in the Developer's Notice by means of a GVD or service of a Notice to Treat and Notice of Entry (as specified the Developer's Notice) in accordance with the timetable set out in the Developer's Notice **PROVIDED THAT** the Council shall not be obliged to exercise such powers until:
- 6.4.1 the Company and Poplar HARCA have provided reasonable evidence to demonstrate that it has used all reasonable endeavours to agree properly payable compensation for interference with all those with compensatable Third Party Rights and Third Party Interests to be affected by the Relevant Phase of the Development (including rights of light); and
- 6.4.2 where there has been a material change in circumstances since the assessment referred to in clause 4.8.3 the Company has provided an updated rights of light assessment to assess infringement on rights of light in consequence of the carrying out of the Relevant Phase of the Development; and
- 6.4.3 where there has been a material change in circumstances since the assessment referred to in clause 4.8.3 the Company has provided an updated assessment of the compensation likely to be payable for the interference with Third Party Rights (including rights of light) in consequence of the carrying out of the Relevant Phase of the Development; and
- 6.4.4 the Company and Poplar HARCA have sent through the Agent's Estimate of the likely CPO Costs (as defined in the Schedule) payable for or in relation to any Third Party Interests and Third Party Rights included within the Developer's Notice; and
- 6.4.5 the Company Poplar HARCA and the Guarantor if so requested by the Council have provided evidence that the funds equivalent

to the estimate at 6.4.4 above will be available at the point at which they become due in accordance with this Deed

AND FOR THE AVOIDANCE OF DOUBT the Company and/or Poplar HARCA shall continue to use all reasonable endeavours to acquire all Third Party Interests or to properly compensate interference with Third Party Rights as the case may be by agreement from the date of this Deed and thereafter until such date as a GVD has been made or a Notice to Treat has been served pursuant to a confirmed CPO.

7 DEALINGS WITH THE LAND

7.1 The Council shall not negotiate for or contract to purchase or acquire or become liable to acquire any interest in the Land without the prior consent of the Company except:

7.1.1 where a GVD has been made or a Notice to Treat and/or Notice of Entry have been served by the Council in accordance with this Deed; or

7.1.2 as a result of the service of a Blight Notice where in accordance with this Deed no counter notice has been served in which case the Council will keep the Company advised of negotiations and not agree to pay more than statutory compensation in respect of such Blight Notice save with the consent of the Company ; or

7.1.3 upon the request of the Company pursuant to clause 7.3 below

7.2 Where either Poplar HARCA or the Company already owns an interest in the Land or has reached agreement with any owner for the acquisition of any Third Party Interests by private treaty the Council shall (if requested to do so by the Company) agree suitable arrangements for such interest to be acquired by the Council for planning purposes and any associated costs shall be CPO Costs.

7.3 After the confirmation of the CPO and prior to the commencement of the Development and in order to facilitate the carrying out of the Development the Council shall appropriate to planning purposes such land as may be held by it for other purposes as is necessary to facilitate the Development provided that such appropriation is consistent with its statutory duties and powers and such land will only be that necessary to facilitate the physical development of the scheme and will be appropriated only after commercial terms have been satisfactorily agreed.

8 LEGAL PROCEEDINGS

8.1 In the event that:

8.1.1 the Secretary of State declines to confirm the CPO whether as to the whole or some part thereof (other than the exclusion from the CPO of some interest or right which does not materially adversely affect the carrying out of the Development); or

8.1.2 a third party applies to the Court to challenge the decision of the Secretary of State;

the Council shall (in either event) consult with and shall have due regard to any representations made by Poplar HARCA or the Company (but not be bound such representations) as to the appropriate reasonable manner in which to respond to such decision or challenge in order to facilitate the implementation of the Development but the Council's decision on this issue shall be final

8.2 Under such circumstances set out at clause 8.1 the Council will set out to Poplar HARCA and the Company the basis of its rationale for reaching such a decision.

8.3 If the Council decides to investigate the merits of:

8.3.1 challenging the Secretary of State's decision; or

8.3.2 (as the case may be) resisting such third party challenge;

the Council shall as soon as reasonably practicable instruct Counsel for an opinion on the merits of such action; and as to the manner in which such action should be mounted.

8.4 Unless Counsel advises that there is less than a 50% prospect of success by way of:

8.4.1 an appeal to the High Court against non-confirmation or partial confirmation of the CPO or an application for judicial review or other judicial remedy (whichever Counsel shall advise as being more appropriate in the circumstances); or

8.4.2 (as the case may be) such action as Counsel shall advise as being appropriate in the circumstances to resist such third party challenge

the Council shall:

8.4.3 lodge such appeal or application for judicial review or (as the case may be) take such other action as Counsel shall advise in order to challenge the Secretary of State's decision or to resist such third party challenge; and

8.4.4 supply copies of all relevant correspondence papers and other documents to the Company and Poplar HARCA ; and

8.4.5 liaise with and have due regard to (but without being bound by) the views of the Company and Poplar HARCA as to the manner of prosecution of the relevant appeal/application/action; and

8.4.6 keep the Company and Poplar HARCA advised of the progress and result of the same.

8.5 The provisions of this clause 8 shall apply mutatis mutandis to any appeal or potential appeal proceeding from a judicial decision of first instance

9 INDEMNITY

9.1 The Company shall reimburse the Council for the CPO Costs in accordance with this clause 9 and Schedule 1 hereto PROVIDED THAT the Council shall be able to request the Company to make any such payments due and payable by the Council direct to the receiving third party or their solicitors on its behalf.

9.2 Where the Council, in agreement with the Company has commissioned external services to deliver aspects of the CPO, the Company will subject to the provisions of this clause 9 within 15 Working Days of receipt of any written request from the Council pay the Council or if required to do so by the Council pay the third party directly (or to their solicitors acting on their behalf) in respect of the CPO Costs on production of a VAT invoice addressed to the Company.

9.3 In the event that the Company commissions any such services on behalf of the Council the Company shall be responsible for the

payment of such services and shall settle any such invoices on behalf of the Council.

- 9.4 If requested the Council shall provide the Company with a detailed quarterly statement detailing all those CPO Costs as consist of charges for officer time administrative costs or other disbursements incurred by the Council for each quarter on or before an invoice is submitted.
- 9.5 Where CPO Costs are incurred by engaging in-house professional advisers (i.e. directly employed or engaged by the Council) the Council shall provide to the Company timesheets (in such form as the Council's accounting systems provide) detailing the amount of costs incurred or time spent and the method of calculating such costs in order for the Company to be able to review these prior to the Council issuing invoices such timesheets to be provided at least 10 Working Days prior to issue of any related invoice.
- 9.6 The Council's costs in respect of its officers will be charged at the rates set out in Schedule 1.
- 9.7 The Company shall upon request from the Council be obliged to make payment to the Council or any third party in respect of the compensation element of any CPO Costs due and payable to a Third Party following service of a General Vesting Declaration or a Notice to Treat and Notice of Entry or a Blight Notice that is not the subject of a counter notice notwithstanding that the Third Party Interest has not yet been conveyed assigned or transferred to the Company in accordance with clause 7.
- 9.8 The Company shall have no obligation to make any payment of compensation under Section 52 of the Land Compensation Act 1973 in respect of any interest included within the CPO unless the Council has served a copy of the request for an Advance Payment together with any supporting evidence provided by the claimant.
- 9.9 Prior to making any appointment of a Solicitor, Counsel, Surveyor, Agent or other professional adviser whose costs would be payable by the Company under the terms of this Deed the Council shall agree with the Company:-
 - 9.9.1 the name of the proposed appointees to be invited to tender;
 - 9.9.2 the brief for work required;

9.9.3 the scope of the retainer; and

9.9.4 the proposed charges or charging rates.

9.10 On or after the Council having submitted invoices for payment, the Company may request a breakdown as to the calculation of such invoices and the methodology of any such calculation and in any event all charges for work carried out by Officers of the Council shall be in accordance with the rates referred to in Schedule 1.

9.11 In the event that the Company genuinely and reasonably disputes a sum contained within an invoice submitted by the Council, the Company shall pay to the Council in accordance with the terms of this Deed such sum as is undisputed and the following procedure shall apply:

9.11.1 The Company shall submit to the Council written submissions to justify disputing the part of the sum within 14 days of the date of the invoice;

9.11.2 The Council shall within 14 days thereafter give written justification to substantiate the validity of the disputed sum;

9.11.3 If, within 14 days thereafter, the dispute remains unresolved, it is open to the Company to refer the matter of determination in accordance with clause 20 of this Deed and such invoice shall be suspended until the outcome of the Expert's decision;

9.11.4 If, at any point, the matter as to the disputed sum is no longer disputed (or agreement is reached) such disputed sum or agreed sum (if different) shall be payable by the Company in accordance with Schedule 1;

PROVIDED THAT in any event of there being a dispute referred to an Expert in accordance with this sub clause it will not affect the obligations of both parties to continue with the Development and all matters relating thereto.

10 DISPUTED COMPENSATION

- 10.1 The Council shall provide the Company with a copy of any claim for compensation or request for an Advance Payment received from a Claimant within 10 Working Days of receipt of the same by the Council.
- 10.2 The Agent shall (unless otherwise agreed between the parties both acting reasonably) lead the negotiation of any claim for compensation or any Advance Payment payable to a Claimant.
- 10.3 All negotiations to settle a claim for compensation or agree an Advance Payment with a Claimant shall be in accordance with the CPO Compensation Code.
- 10.4 Neither the Council nor the Company shall offer nor settle any outstanding claim for compensation nor agree an Advance Payment in excess of the approved estimate without obtaining the prior written approval of the other party.
- 10.5 In the event that the Agent is unable to agree the amount of the compensation element of any CPO Costs with a Claimant in relation to any Third Party Right or Third Party Interest which has been acquired, extinguished or overridden as the case may be the Council and the Company shall jointly use their reasonable endeavours to seek to resolve the dispute by means of alternative dispute resolution wherever possible in the absence of which the parties will liaise to agree whether or not to refer the dispute to the Upper Tribunal (Lands Chamber).
- 10.6 In the event that a reference to the Upper Tribunal (Lands Chamber) is made by the Council or by a Claimant in relation to any Third Party Interest or Third Party Right acquired, extinguished or overridden as the case may be the Council shall:
 - 10.6.1 use all reasonable endeavours to conduct the reference so as to achieve an outcome favourable to the Council;
 - 10.6.2 in consultation with the Company appoint Counsel to advise on the merits of the reference and appoint such experts as it will be necessary to appoint to give evidence on behalf of the Council as may be reasonably necessary and prudent having regard to the principles in issue and the nature of the evidence to be addressed and in accordance with such legal advice as it receives from time to time in order to secure a favourable outcome;

- 10.6.3 regularly consult with the Company as to the conduct and progress of the reference;
- 10.6.4 provide the Company any written correspondence received from the claimant or the Upper Tribunal (Lands Chamber) within 2 Working Days of receipt of the same by the Council;
- 10.6.5 using all reasonable endeavours to prepare for any hearing of or relating to the claim in liaison with the Company;
- 10.6.6 liaise with and having due regard to the views of the Company in connection with the preparation for any hearing of or relating to the claim;
- 10.6.7 provide the Company with draft instructions to Counsel for comment prior to issue and inviting the Company to all consultations with Counsel;
- 10.6.8 provide the Company with copies of any written opinions provided by Counsel in relation to the claim; and
- 10.6.9 not submit any sealed offer or offer to settle the claim for any sum without the written consent of the Company.
- 10.7 If and to the extent that the outcome of any reference to Upper Tribunal (Lands Chamber) is determined unfavourably to the Council the Council shall forthwith take Counsel's opinion as to whether grounds exist to appeal the decision to the Court of Appeal and the prospects of success in relation to such grounds and the provisions of clauses 10.6.7 and 10.6.8 shall apply mutandis mutatis to any instructions to Counsel and resulting consultation or written opinion.
- 10.8 If Counsel advises that the prospect of success is greater than 50% in relation to any ground the Council shall if requested by the Company make such an appeal on any such ground within the relevant limitation period and pursue the same in accordance with Counsel's advice from time to time and the provisions of clauses 10.6.1 to 10.6.9 shall apply to the appeal as they did to the reference.
- 10.9 The provisions of clauses 10.7 and 10.8 shall apply mutatis mutandis to any appeal from an unfavourable decision of the Court of Appeal to the Supreme Court.

11 **AGENT**

11.1 The Agent shall undertake the following functions unless otherwise agreed between the parties (both acting reasonably):-

11.1.1 Preparation and updates to the Agent's Estimate;

11.1.2 Any private treaty negotiations for the Land;

11.1.3 Any investigations and negotiations in respect of Blight Notices pursuant to clause 3;

11.1.4 Any negotiations in respect of claims for Advance Payments;

11.1.5 Any negotiations in respect of any claims for compensation from a Claimant;

11.1.6 Providing evidence to the Public Inquiry or the Upper Tribunal (Lands Chamber) (as the case may be) if requested to do so by the Council.

12 NON-MERGER

The provisions of this Deed shall remain in full force and effect insofar as they remain to be observed and performed notwithstanding completion by the Council of the acquisition of whole or any part of the Land.

13 NOTICES

13.1 All notices requests demands approval consents and other communications given under this Deed shall be in writing and shall be duly and validly given if delivered personally or sent by prepaid registered or recorded delivery mail

In the case of the Company:

Shall be addressed to: Telford House, Queensgate, Britannia Road, Waltham Cross, Hertfordshire EN8 7TF for the attention of the Company Secretary or at such other address as the Company may specify from time to time by written notice to the Council

In the case of the Council

Shall be addressed to: The Head of Legal Services, Mulberry Place, 5 Clove Crescent, London E14 2BG or such other person or at such

other address as the Council may specify from time to time by written notice to the Company

and shall be deemed to have been received if by mail on the second Working Day after the day of posting unless it is proved to have been received later in which case it shall be treated as given on receipt.

- 13.2 Any notices to be given by the Council under this Deed shall be valid and effectual if signed by or 'on' behalf of the Corporate Director, Governance and Monitoring Officer or other officer or agent duly authorised by the Council or having ostensible authority.

14 COUNCIL'S POWERS AND DUTIES

Nothing contained or implied in this Deed shall prejudice or affect the rights powers duties and obligations of the Council in the exercise of its functions as a local planning highway or buildings regulation authority or as a local authority under any statutory provision.

15 ASSIGNMENT

The parties hereto shall not assign or part with or deal with in any other way whatsoever their respective interests under this Deed or any part or parts otherwise than as authorised by this Deed.

16 INTEREST

Unless otherwise specified in this Deed if any monies due under this Deed remain unpaid twenty Working Days after they have become due then interest at 4% above Base Rate shall be payable on such monies as from the date they became due until they are paid.

17 THIRD PARTIES

- 17.1 Unless the right of enforcement is expressly granted, it is not intended that a third party should have the right to enforce a provision of this Deed pursuant to the Contracts (Right of Third Parties) Act 1999.

- 17.2 The parties may rescind or vary this Deed without the consent of a third party to whom an express right to enforce any of its terms has been provided.

18 **GOOD FAITH**

The parties hereto agree to act in good faith in the performance of their obligations under this Deed.

19 **DECLARATION OF TRUST AND TRANSFERS**

19.1 When the Council is entitled to or possesses any interest in the Land for which the Company has paid the CPO Costs or which has been acquired by the Council by agreement pursuant to clause 7.2 above:

19.1.1 The Council will hold that interest in the Land on trust for the Company absolutely; and

19.1.2 the Company will be entitled to the use and possession of that interest in the Land; and

19.1.3 The Council shall having complied with its constitution and any prevailing statutory or regulatory provision and upon receipt of no less than 21 days written notice from the Company transfer such interest in the Land to Poplar HARCA for not more than nominal consideration and in doing so shall not attach or create in respect of such Land any incumbrances on title.

19.2 Until any interest in the Land for which the Company has paid the CPO Costs or which has been acquired by the Council by agreement pursuant to clause 7.2 above is transferred to Poplar HARCA pursuant to clause 19.1 above the Council may carry out work (including maintenance but not any improvements) on the Land with the prior written consent of the Company (save in the case of an emergency where such prior consent shall not be required).

19.3 The Company and/or Poplar HARCA will indemnify the Council against all loss suffered by the Council because of any use by the Company of the Land or any part thereof.

20 **EXPERT DETERMINATION**

20.1 Any dispute or difference arising between the Parties as to their respective rights duties and obligations in this Indemnity shall (subject to the jurisdiction of the Upper Tribunal (Lands Chamber) where appropriate) be determined by an independent person ("the Expert") if so required by any of the Parties by notice to the other Parties.

20.2 The Expert shall have been professionally qualified for not less than ten years and shall have substantial recent experience in respect of the subject matter of the dispute or difference and shall be a specialist in relation to such subject matter.

20.3 The Expert shall be appointed by agreement between the Parties or, failing such agreement within 10 Working Days of the notice referred to in clause 20.1 shall be appointed on the application of either of the Parties by such one of the following persons as the Parties shall agree to be appropriate having regard to the nature of the dispute or difference in question:

20.3.1 the Chairman for the time being of the Bar Council;

20.3.2 the President for the time being of the Royal Institution of Chartered Surveyors; or

20.3.3 the President for the time being of the Institute of Chartered Accountants in England and Wales.

20.4 If within 15 Working Days after service of the notice referred to in clause 20.1 the Parties have been unable to agree which of the persons referred to in clause 20.3 is appropriate to appoint the Expert, the Expert will be appointed, on the application of either of the Parties by the President for the time being of the Law Society or his duly appointed deputy or any other person authorised by him to make appointments on his behalf.

20.5 Whenever the Expert is to be appointed under this clause he shall act as an expert and not as an arbitrator and the following provisions shall have effect:

20.5.1 the Expert's decision shall be final and binding upon the Parties save in the case of manifest error;

20.5.2 the Expert shall consider, inter alia, but shall not be bound by, any written representations on behalf of the Parties made within such time limits as he shall specify, which time limits shall be as short as he shall consider practicable in the circumstances;

20.5.3 the Expert shall make available to each Party copies of the other Party's representations and allow the other Party to make further written representations thereon to which clause 20.5.2 shall apply;

20.5.4 upon receipt of any such representations the Expert shall forthwith inspect the relevant part of the Land if necessary and give notice of his instructions, if any, to the Parties and, if he shall so require, invite them or their advisers to attend his inspection and to make oral representations thereat;

20.5.5 the Expert shall as quickly as possible thereafter notify the Parties in writing of his determination of the dispute or difference referred to him;

20.5.6 the Parties shall use all reasonable endeavours to procure that the Expert shall give his decision with reasons as speedily as possible; and

20.5.7 the costs of appointing the Expert and his costs and disbursements in connection with duties under this Indemnity shall be shared between the Parties in such proportions as the Expert shall determine or in the absence of such determination equally between them.

20.6 If the Expert shall die or be or become unwilling or incapable of acting or in the reasonable opinion of either Party shall delay his determination or if for any reason he shall not deliver his decision, either party shall be entitled to apply to the President for the time being of the relevant professional institution to discharge the expert and appoint another in his place.

21 CONFIDENTIALITY

21.1 None of the parties to this Deed shall without the prior written consent of the others disclose or publish or permit or cause disclosure of any financial details whatsoever relating to the transactions hereby effected save only for:

21.1.1 Any particular extracts or details which must be the subject of disclosure by a party in order to comply with any binding duty or statutory requirements or the lawful requirements of any regulatory bodies;

21.1.2 Any details given to professional advisers and such employees and committee members of each of the parties who need to know such details for:

- 21.1.2.1 the purpose of enforcing rights;
- 21.1.2.2 the purpose of obtaining funding;
- 21.1.2.3 otherwise as required by law;
- 21.1.2.4 matters then already within the public domain.

21.2 This clause shall not apply to the confidential disclosure by or on behalf of any of the parties to any third party and/or its professionals advisers in pursuance of bona fide negotiations relating to any permitted dealing by the relevant party with its interest in any Land, nor to a disclosure which the Council is required by law to make by way of report in the administration of Council business or governance.

22 VALUE ADDED TAX AND STAMP DUTY LAND TAX

22.1 All sums payable or deemed to have been paid or payable under this Deed which may be subject to VAT are tax exclusive sums and VAT is payable in addition to such sums subject to prior receipt of a valid VAT invoice addressed to the party which is to pay the VAT.

22.2 If requested by one of the parties to this Deed the parties will use their reasonable endeavours to structure the transactions envisaged by this Deed and the agreements which are referred to in it to procure the most economically advantageous result available by the use of legitimate measures to minimise the incidence of Value Added Tax and Stamp Duty Land Tax, and the parties shall exchange information and advice from time to time in these respects and generally continue throughout the Development to co-operate and take steps with this intent providing it shall not be outside the Council's statutory powers to do so.

22.3 Any payment to be made by the Company pursuant to this Deed on which VAT has or may be charged shall only be payable by the Company upon the prior receipt of a valid VAT invoice addressed to the Company.

23 TERMINATION

23.1 Where:

23.1.1 there is a material change in policy or economic circumstances which materially prejudices the delivery or viability of the

proposed Development or the acquisition of the Land by way of a CPO; or

23.1.2 the CPO is not confirmed; or

23.1.3 the CPO is confirmed with modifications which in the opinion of leading Counsel jointly instructed by Poplar HARCA the Company and the Council, advises has the consequence that the primary objective of the CPO cannot be substantially achieved (or it can be achieved but at a substantially higher cost or over a substantially longer period than initially envisaged by the parties);

the Company may give 1 months' written notice to the Council after which this Deed shall cease to have effect.

23.2 Where the Company has served a notice in accordance with clause 23.1 above:

23.2.1 the Company shall (subject to the terms of this Deed) remain liable for all CPO Costs as defined in Schedule 1 for which liability has been incurred by the Council up to the date of the notice referred to in clause 23.1; and

23.2.2 following the service of the notice referred to above, if the Council incurs costs by taking further action to procure or implement the CPO then the Company shall not be liable for such further costs.

24 GUARANTOR'S LIABILITY

24.1 In this clause, a reference to the Company shall include the Company's subsidiaries, and the provisions of this clause shall be for the benefit of the Council.

24.2 In the event of the Company failing to fulfil its obligations in accordance with this Deed upon a request in writing by the Council the Guarantor shall indemnify the Council and the Company against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of reputation and all interest, penalties and legal costs and all other reasonable professional costs and expenses) suffered or incurred by the Council arising out of or in connection with:

- 24.2.1 any breach of the obligations of the Company contained in clauses 4 and 6 herein;
 - 24.2.2 the Company's breach or negligent performance or non-performance of this Deed;
 - 24.2.3 the enforcement of this Deed;
 - 24.2.4 any claim made against the Council by a third party arising out of or in connection with the obligations referred to in clauses 4 and 6 herein, to the extent that such claim arises out of the breach, negligent performance or failure or delay in performance of this Deed by the Company its employees, agents or subcontractors.
- 24.3 If any third party makes a claim, or notifies an intention to make a claim, against the Council which may reasonably be considered likely to give rise to a liability under this indemnity (a "Claim"), the Council shall:
- 24.3.1 as soon as reasonably practicable, give written notice of the Claim to the Company and the Guarantor specifying the nature of the Claim in reasonable detail insofar as the same has been made available to the Council; and
 - 24.3.2 not make any admission of liability, agreement or compromise in relation to the Claim without the prior written consent of the Company and/or the Guarantor (such consent not to be unreasonably conditioned, withheld or delayed) provided that the Council may settle the Claim (after giving prior written notice of the terms of settlement (to the extent legally possible) to the Company and/or the Guarantor but without obtaining the Company's and/or the Guarantor's consent) if the Council reasonably believes that failure to settle the Claim would be prejudicial to it in any material respect.
- 24.4 Nothing in this clause shall restrict or limit the Council's general obligation at law to mitigate any loss it may suffer or incur as a result of an event that may give rise to a claim under this indemnity.

SCHEDULE 1

THE CPO COSTS

1. The term "CPO Costs" shall, subject to the terms of this Deed, mean the following provided that the same are reasonable in amount and reasonably and properly incurred, and evidence of the same is provided to the Company's reasonable satisfaction.
 - (a) Costs fees and expenses relating to any Public Inquiry in respect of the CPO including but not limited to Counsel's fees the Council's professional fees the Council's administrative costs, the Council's solicitor's fees and disbursements and the fees and expenses of all expert witnesses.
 - (b) The Council's legal and valuation cost fees and expenses and disbursements in connection with the preparation and procedural requirements of the CPO to include costs incurred by the Council in relation to the Council's own property interests required by the Company to deliver the Development. This will include valuation, surveying and legal costs linked to current and future payments and benefits proposed by the Company in compensation for acquiring or other dealings in the Council's interests.
 - (c) Costs fees or expenses which the Council is obliged to pay to any party in the course of or as a result of any proceedings relating to the CPO and its implementation (including any reasonable costs fees or expenses awarded by the High Court in any action for judicial review).
 - (d) Compensation for the acquisition of or interference with any Third Party Interests or Third Party Rights, including the value of the land or rights, severance, injurious affection, disturbance and other matters not directly based on the value of land including the costs of any re-housing of residential occupiers pursuant to section 39 Land Compensation Act 1973 any costs associated with the duty to re-accommodate a third party and the costs of providing equivalent reinstatement.
 - (e) Any Advance Payments made or to be made by the Council in respect of any interests referred to in paragraph 1(d) of this Schedule.
 - (f) All home loss payments payable pursuant to section 29 of the Land Compensation Act 1973 whether or not payable to the vendor of land or rights.

- (g) All Basic Loss Payments payable pursuant to section 33A and Occupier's Loss Payment under section 33C of the Land Compensation Act 1973.
- (h) Disturbance payments made pursuant to section 37 of the Land Compensation Act 1973.
- (i) Compensation pursuant to sections 10 and 20 of the Compulsory Purchase Act 1965.
- (j) Stamp Duty Land Tax and land registry fees arising out of the acquisition of any interest in the Land or part thereof and the vesting of such interests in the Council or the Company and stamp duty on this Deed (if any).
- (k) All Blight Notice Costs as defined in clause 1 of this Deed.
- (l) Costs incurred by the Council (including the payment of costs of any other party) as a result of taking or defending any action in any court arising out of the CPO or the proceedings relating to it or in relation to the assessment or payment of compensation (other than any proceedings between the Council and the Company).
- (m) Costs incurred by the Council (including the payment of costs of any other party as mentioned in paragraph 1(c) of this Schedule) as a result of making or defending any reference before the Upper Tribunal (Lands Chamber) arising out of the CPO including any costs awarded to any other party by the Upper Tribunal (Lands Chamber).
- (n) Any legal valuation and other expenses which the Council reasonably incurs or is required to pay to any party in connection with the acquisition of the Land or with any claim referred to in paragraphs 1(d) to 1(h) above including the negotiation of compensation, transfer or conveyance of title, or in connection with the settling of objections raised against the CPO.
- (o) Costs incurred by the Council (including the payment of costs of any other party) as a result of taking or defending any action in any court arising out of a claim that the Council acted unlawfully in a manner in which is incompatible with a Convention right (as defined by section 6(1) of the Human Rights Act 1988) in respect of any proceedings relating to the CPO and its implementation (including any costs fees or expenses awarded by any court) PROVIDED THAT such amount shall not be payable by the Company if such action was taken on either of the following grounds:

- i) That the legislative scheme in respect of compulsory purchase is incompatible with a Convention right; or
 - ii) The Council in making a CPO acted in a manner incompatible with a Convention right.
- (p) Any compensation payable pursuant to section 8 of the Human Rights Act 1998 as a result of a claim falling within paragraph 1(o) above.
- (q) Any other form of statutory compensation.
- (r) Any irrecoverable Value Added Tax or other tax or duty which the Council shall be required to pay in connection with any of the above sums.
- (s) Any statutory interest payable in connection with any sums in this Schedule.
- (t) Fees of the Agent.
- (u) The Council's legal and surveyors costs incurred in the negotiation for (whether or not completion occurs) and the acquisition of any interest in the Land.
- (v) Any other costs in relation to the CPO, negotiation and acquisition of the Land or the Council's performance of its obligations under this Deed to include the costs payable in respect of obtaining an Equality Impact Analysis Report.
- (w) Internal costs for time spent by Council employees on work associated with the making of the CPO (whether or not spent prior to the date of this Deed and whether or not the CPO is made) which shall include, without limitation, preparation of materials, reports, implementation of consultation activities and dealing with enquiries and complaints/representations from consultees and other interested parties including local residents, councillors and the media.
- (x) The Council's reasonable and properly incurred costs of employing a project manager for a minimum of two days a week to co-ordinate and service internal and external stakeholder groups to facilitate the preparation and promotion of both the CPO and all ancillary property arrangements necessary to facilitate the Development. The agreed daily rate of the project manager is £420.00 per day (excluding VAT) together with any on-costs associated with the engagement. The maximum sum per week that may be recovered by the Council for the cost of employment of the project manager is £1300.00 (one thousand three hundred pounds) (excluding VAT) per week or as

otherwise agreed with the Company in advance of any increased cost being incurred.

2. Notwithstanding anything in this Schedule:
 - (a) where an applicable court or tribunal or appeal inspector awards costs against the Council in consequence of a finding of unreasonable behaviour by the Council in the conduct of the proceedings before such court or tribunal or appeal inspector then such costs shall be excluded from the definition of CPO Costs; and
 - (b) where costs are incurred or increased as a result of a negligent act or omission on the part of the Council, then such costs shall be excluded from the definition of CPO Costs.
3. The Council will raise charges for the following officers at the hourly rates specified:

Role	Rate
Team Leader Property Senior Solicitor	£210
Solicitor	£175
LBTH Head of Service Strategy Regeneration and Sustainability	£148
LBTH Regeneration Manager	£80
Any other Regeneration Officer	£52
Council Valuer-Consultant	£83
LBTH Administrative Officer	£43

PROVIDED IN ANY EVENT the Council can request the hourly rate to be uplifted by no more than 2.5% per annum on each anniversary of the date of this Deed.

4. The Liability to indemnify the Council in respect of costs and expenses shall commence on the [1st day of October 2016] provided in any event credit shall be given for any costs and expenses which shall have been paid by the Company or by virtue of a solicitors undertaking up to and including the date of this Deed.
5. The Company will make payment of any invoice submitted no later than 28 days after the date of any invoice. In the event of any late payment interest shall be due and payable at the Base Rate plus 4 %.
6. In the event of the Company failing to pay any invoice within 56 days the Council reserves the right at their discretion to stop performing its obligations under the terms of this Deed until all outstanding sums have been paid.

SCHEDULE 2

THE DEVELOPMENT

The regeneration of Chrisp Street London E14 in accordance with a planning permission granted pursuant to planning application reference number PA/16/01612/A1 or such other subsequent planning permissions as may be granted by the Council for the purposes of redeveloping the Land

SCHEDULE 3

THE LAND

The Land forms the Crisp Street district centre which is situated within the Lansbury ward, E14 and is shown on the plan annexed to this Deed. This is summarised as follows:

The CPO area and proposed development site covers an area bordering Cordelia Street to the north, Crisp Street to the east, East India Dock Road to the south and Kerbey street to the west. The development site encompassing the land interests affected by the proposal includes a 100 pitch Street Market (including the Grade II listed Clock Tower and Festival Inn pub); 31 lock up premises (and associated WC and service blocks); 212 homes; 68 small to medium sized commercial units providing a range of retail, food and other services; and four major business units, principally the bank, post office, and two major supermarkets, one of which with associated car park at street level to the east of Crisp Street. Also included are the Council's Idea Store; One Stop Shop; and a Sure Start Children's Centre (split over two sites).

The Land comprises an area of approximately 3.7ha. It currently consists of a series of buildings in various uses, including approximately 18,000 sq m of non-residential space including, retail shop spaces, offices, community spaces and leisure space. There is also a market, public amenities, seven blocks of residential accommodation, a community hall and play space and various statutory interests.

In detail the premises to be acquired are as follows:

Commercial premises included within the Land are listed below:

- 159 – 185 East India Dock Road
- 3 – 20 Vesey Path
- 8 - 34 Market Square
- 1 – 52 Market Way
- 1 – 63D Market Square – lock up units

Those residential properties included within the Land (comprising 169 dwellings) are listed below:

Fitzgerald House

2 – 30 (Even only) Kerbey Street
Aurora House
Clarissa House
35 – 59 (Odd only) Market Square
Ennis House
Kilmore House

Other land interests to be acquired / extinguished pursuant to the CPO are:

Sub lease of Community Hall, used by Poplar Boys and Girls Club
Electricity Sub stations at base of Fitzgerald House
Rights of way
Rights of Light
Wayleaves

New Rights that will need to be acquired though the CPO will include:

Crane oversailing of residential and commercial units to be retained within the Scheme will take place and it is anticipated that oversailing of the public highway will also be required.
Easements to create new public rights of way
Easement needed to install underground water attenuation tanks below the market square

In WITNESS whereof the parties hereto have executed or caused their common seals to be affixed to this Deed but not delivered until the day and year first before written

The **COMMON SEAL** of the)
LONDON BOROUGH OF)
TOWER HAMLETS was)
hereto affixed)
in the presence of:-)

Authorised Signatory

EXECUTED as a Deed)
By **CHRISP STREET**)
DEVELOPMENTS LIMITED)

acting by its:

Director/two Directors

Director/Secretary

EXECUTED as a Deed)
by **TELFORD HOMES PLC**)

acting by its:

Director/two Directors

Director/Secretary

EXECUTED as a Deed by)
POPLAR HARCA AND)
REGENERATION COMMUNITY)
HOUSING ASSOCIATION LIMITED)

acting by its:

Director/two Directors

Director/Secretary

Appendix 9 – Chrisp Street Long Term Estate Management Plan

HARCA / CSDL Statement

Chrisp St Long term Estate Management Plan

1. Structure

1.1 CSDL/HARCA have adopted a holistic approach to estate management. A management company has been formed called Chrisp Street Management Ltd (CSML). This company will be named in all the leases granted as being contractually responsible for the estate management of the Chrisp Street district centre.

1.2 Parties with a significant property interest* will be eligible to nominate a director and to have voting rights on estate management matters through the Annual general meeting. This will apply to both LBTH and Poplar HARCA who with representatives from CSDL will form the board of directors.

*representing the following: Open Market Sale Housing Units; Affordable Housing Units; Any Private Rented Housing Units ; the retail units; and the Council. Each of these representative groups will be entitled to nominate 2 directors. An Observer will also be invited to attend as a representative of Street Market Traders.

1.3 CSML will appoint a managing agent that will be responsible for delivering the estate management on behalf of CSML. This is currently Knight Frank. The agent employs the required estate management staff and appoints the required service providers. The cost of this is recovered through the service charge which is paid proportionately by all retail and residential occupiers.

1.4 CSML will have four distinct objectives:

- Facilities Management: The day to day management of the physical aspects of the estate (estate management)
- Transitional Co-ordination: To provide and co-ordinate all aspects of the centre during the construction period and provide the key contact point and co-ordination for all stakeholders (change management)
- Marketing and Promotion: To animate the centre to increase footfall and promote businesses both before during and after construction (centre promotion)
- Business Support: To provide business support and co-ordinate stakeholder engagement

2. Estate Management

2.1 CSDL/HARCA wish to see the district centre become of a destination through the enhancement of the daytime trade and the introduction of an evening economy. Therefore there will need to be careful consideration of the on-

going operations of the retail environment and associated security, to ensure a safe and attractive environment for visitors, as well as new and existing residents.

- 2.2 CSDL/HARCA have made a long term commitment to continue via CSML to manage elements of the market as detailed in the Crisp Street Market Proposal which is a joint document by CSDL/HARCA and LBTH Markets team. The inclusion of the market to the estate management scope will enable the holistic vision for the regeneration of the town centre to be realised. That is the whole centre will be managed seamlessly to generate benefits for both the retailers, market stall traders, shoppers and residents.
- 2.3 The Crisp Street Town Centre Manager (TCM) will have responsibility for delivering the strategic vision of the Board. The TCM will play a key role in ensuring that the Centre meets its targets on footfall, occupancy, events and retail balance. The TCM will promote the Centre at all levels as a quality shopping destination to serve local people while helping to define a USP that will appeal to a wider audience in line with the strategic vision.
- 2.4 The TCM will also head up the estate management team, which will be located within a dedicated Town centre office. They will be responsible for the estate management of the public realm, retail properties and residential properties.
- 2.5 The following services will be centrally managed from the estate office:
 - Cleaning of public realm
 - Security and CCTV
 - Goods deliveries into service yards
 - Waste management
 - Smart metering for cooling, water, gas and electricity
 - Planned and responsive maintenance
 - Emergency response

3. Change Management

- 3.1 By the time the construction commences the retailers will be fully aware of what's involved with the regeneration due to their one to one meetings with CSDL/HARCA. However their customers will need to be kept informed about how the centre will be affected by the works. CSDL/HARCA will ensure that customers are aware of changes to access routes and the relocation of individual stores. This will be communicated by the following means:
 - Notices in local press
 - On-site bespoke signage
 - Construction hoardings animated with information about what is happening and how to navigate around the centre
 - The estate office will have full details of the current and future plans for the centre

- Identifiable staff will be available in the centre to assist and explain to customers what is happening

3.2 The retailers themselves will have a dedicated staff member to assist them with the logistics of their relocation, shop alterations and new servicing arrangements. This is in addition to the business support offered to the independent retailers that will be managed through the estate office.

4. Events

4.1 CSML's brief will include managing events to increase the number of people using the district centre. Chrisp Street has a long history of great social events like Swing East and seasonal Festivals. This will continue. The aim of the events is to raise the profile of Chrisp Street both locally and in its wider catchment area, to encourage long-time residents to look again at Chrisp Street as their favoured local shopping and leisure destination, and to introduce new residents to the unique shopping experience that is Chrisp Street. The ambition is to encourage all to use the convenience of Chrisp Street rather than travel to other centres or shop on line.

4.2 Events will seek to:

- Be complementary to Chrisp Street traders, particularly independents
- Ensure that traders have the opportunity to participate in events on equal terms
- Ensure that event space and the public realm provides the amenities which will help retain audiences at events and increase dwell time on-site
- Provide free public Wi-Fi to increase dwell time in a space
- Provide private Wi-Fi for electronic transactions
- Provide constant engagement - when the public enter the space, ensure there is something available to keep them engaged even when events aren't happening. This can be in the form of a community blackboard, a working café/bar, a screen with scrolling information, or an information point detailing various activities going on in the space and in the wider area.
- Remove barriers to access on-site facilities for the general public and a clean supply of drinking water should be readily available.
- Ensure adequate toilet and waste provisions are available during events and that they will be appropriately managed
- Ensure that during opening hours the whole site will be open for the public to dwell, using seating and with special attention paid to seasonal variation, shade in hot weather, and cover in the winter.

5. Stakeholder and Business support and engagement

5.1 CSML will have a brief to support local businesses and to engage with local stakeholders on the running of the centre. In addition to the business support spelled out in the retail policy the Town Centre Management team will

champion the independent traders within the Centre, ensuring that they can participate in daily activities on equal terms.

5.2 Reporting back to the Board, the TCM will:

- Work closely with LBTH Markets Dept
- Support and work with Market Inspectors in the execution of their duties
- Be responsible for raising the profile and the promotion and advertising of Chrisp Street through local and wider media including social media
- Set up lines of communication with all businesses, residents and shoppers
- Facilitate meetings as appropriate with businesses inc independents, stall holders and multiples
- Set up shopper forums
- Attend Resident Association or equivalent meetings as required
- Report back to the Board
- Represent and promote Chrisp Street at local and possibly national level as a centre of excellence
- Build relationships with individual businesses to gain understanding
- Signpost businesses to relevant agencies that will help their businesses grow
- Ensure that all businesses have access to the regular Centre management meetings
- Record and report shopper statistics in order to better inform both the individual and collective retail offer to maximise business for all.

5.3 Overall the Chrisp Street Town Centre Management strategy will be set by the Board of CSML which includes LBTH, Poplar HARCA and CSDL. It will be the TCM who will have the responsibility to deliver the strategy, leveraging in resources if necessary. The TCM will head up a team that will look after both the commercial and residential elements of the Centre to ensure smooth operation. The TCM team will oversee the facilities management as well as promotions, events, social media and political awareness of the centre. Cleaning and security will also fall into his/her remit.

July 2018

Appendix 10 – Extract from Tower Hamlets Town Centre Strategy 2017 to 2022 (March 2017)

Review of Chrisp Street retail offer:

There are 149 businesses in Chrisp Street comprising: 21 (14.09%) selling convenience goods, 27 (18.12%) comparison goods, 24 (16.11%) retailer services, 12 (8.05%) cafes and restaurants, 7 (4.70%) finance and professional services, 3 (2.01%) drinking establishments, 31 (20.81%) other and 14 (9.40%) hot food and takeaway businesses. In July 2016 there were 10 (6.7%) vacant units in Chrisp Street, compared with a UK average of 11.17%.

The comparison retailer provision is significantly below the UK average of 32.21%, with comparison businesses in Chrisp Street includes: a florists, household goods, clothing, furniture, chemists and jewellers. The centre has an above average provision of convenience goods at 14.1% compared to 8.51% as the UK average, with national multiple retailers including: the Co-op, Boots, ShoeZone, Percy Ingle and Greggs.

Retail service businesses include: health and beauty, an opticians and dry cleaners. Financial and professional service is significantly below the 10.74% UK average.

The category of 'other' includes D1 (non-residential institutions) with a dental surgery, place of worship, community centre and GP surgery.

There are 12 restaurants and cafés in the centre is close to the UK average of 8.70%. The provision of hot food takeaways is higher than the 5.66% UK average. There are 14 businesses have <3* Food Hygiene Rating.

Chrisp Street Exchange was set-up in 2016, which is run by London Small Business Centre to support businesses start up and growth.

Chrisp Street centre appeals to a local consumer base who walk to the centre on a frequent basis to buy day-to-day retail goods and services. Chrisp Street Idea Store had 370,883 per year in 2015/16 and the Market are generators of footfall into the centre.

In a survey carried out by consultants in October 2016 46% of businesses reported turnover was down, 38% said it was the same and 16% said it was up compared to the previous trading year.

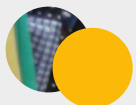
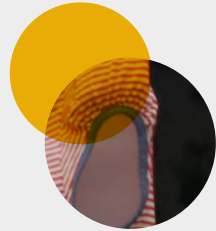
Since 2011 there have been 3,231 new housing units within the 800 metre catchment of Chrisp Street District Centre, with the largest completing 570 new housing units, with a further 11,188 new housing units within this area including 3,200 in the Isle of Dogs.

Poplar HARCA in partnership with the London College of Fashion secured £1,779,250 from the LEP, adding to £2,130,456 match funding, to convert 81

underused garages and surrounding land into a new fashion hub and help provide skills and training in the local community. Poplar HARCA has submitted its major redevelopment proposals for consideration. If approved, the proposed redevelopment over the next 8 years will transform this centre and address weaknesses in its offer. Consideration will need to be given to supporting the existing businesses and market traders in the lead up to and during the redevelopment, to ensure that they are able to continue to trade.

Source: Pages 41-42 Tower Hamlets Town Centre Strategy 2017 to 2022 (March 2017)

Market Stalls Offer



FOREWORD

Chrisp Street is being regenerated. It's a fantastic opportunity for Poplar's district centre to gain the investment it needs. It's a chance to improve the centre but keep what's great. We are working hard to keep the community together in the new Chrisp Street by supporting residents and businesses through this process.

As part of the regeneration Poplar HARCA and Chrisp Street Developments Ltd (CSDL) which is owned by Telford Homes Plc, will need to acquire or relocate various individuals and businesses. Those affected will fall into one of five groups:

- Residential tenants
- Residential leaseholders
- Retail leaseholders
- Lock up units
- Market stalls

This document explains HARCA/CSDL's offer to the market stall holders. There is a separate document for each group. Copies are available from the estate management office at 19 Market Square and are available on the chrispstreet.org website.



1. HOW DOES THE REGENERATION AFFECT ME?

What won't change:

- The street market will still be owned by the Council
- The licenses will be issued by the Council
- The amount of trading fees will be set by the Council
- The trading fees will be paid to the Council

What will change:

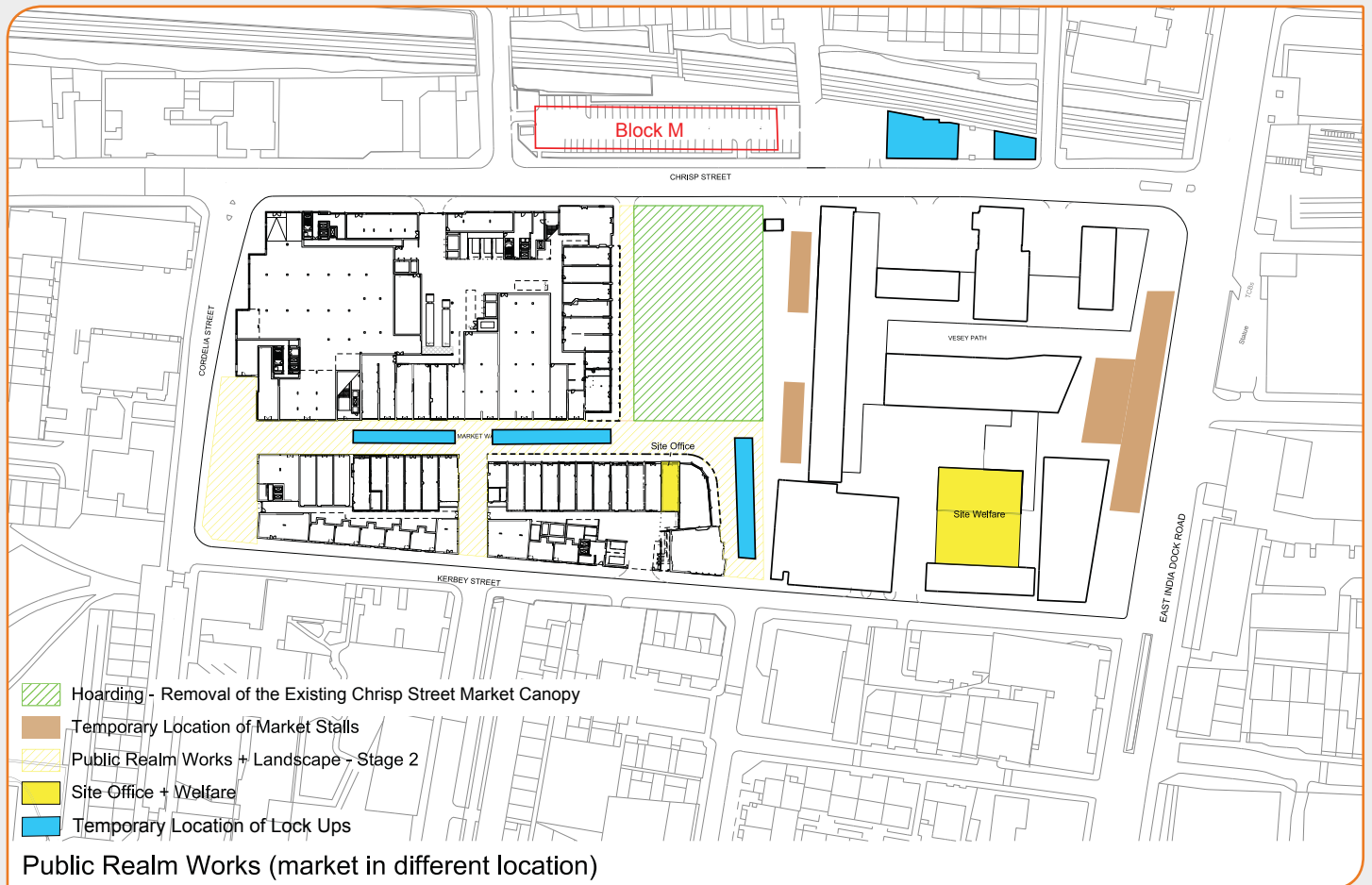
- HARCA/CSDL will deliver the following at no cost to the market traders or the Council:
- Enhanced layout of the market
- New canopy
- New drainage to ease wash down of the market
- New smart metered service points for electricity and water
- Improved layout for vehicles to setup and pack up
- Improved rubbish collection regime including temporary storage in a new basement
- New toilets in a secure environment adjacent to the market in the new Hub building
- Food preparation area on the market
- New signage
- Improved lighting
- New public realm for the whole of the district centre

As with other local schemes, HARCA/CSDL may also ask Tower Hamlets Council to support the process outlined in this document.

2. TEMPORARY RELOCATION

To enable HARCA/CSDL to deliver the improvements to the market, the market stalls will need to be temporarily relocated to a different part of the Chrisp Street district centre during the construction works to the market square.

HARCA/CSDL will agree with the Council and the market stall holders the detailed plans for the temporary relocation of the market stalls. The indicative locations for the temporary relocations are shown on the plan below:



The temporary relocation will last for approximately a year and is not expected to happen, based on current programme until 2020. Market stall holders will be given

notice of at least 6 months before the move needs to happen and will be regularly kept updated after that notice.

3. IMPROVING TRADE FOR THE MARKET STALL HOLDERS

In order to generate more business for the market stall holders HARCA/CSDL will undertake the following:

Marketing

As part of the district centre wide marketing HARCA/CSDL will include the market, as an integral part of the total centre offer, in all HARCA/CSDL strategies.

Website

HARCA/CSDL will integrate the marketing of the market with the rest of the district centre on the website and signpost the link to the Council's Markets site.

Events

HARCA/CSDL run several events during the year, but at the moment these are run on a Sunday when the market is closed. With the new market infrastructure HARCA/CSDL will be able to carry out events so that the traders get the benefit of the additional footfall.



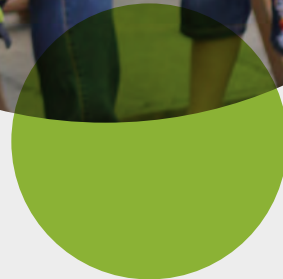
4. CONTACT

HARCA/CSDL will assist as much as possible to help deal with any concerns that you may have. If you would like to get more information please contact:

Simon Carroll

simon.carroll@poplarharcaharca.co.uk
020 7005 7656 or 07508 996782

You can visit Simon Carroll in the Management Office at 19 Market Square.



POPLAR **HARCA**



telfordhomes

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Appendix 11b - Future Chrisp Street Market Management Arrangements

Background

Poplar HARCA have for the last decade had a management agreement with LBTH to manage certain aspects of the market. Poplar HARCA have contracted with Chrisp Street Developments Ltd (CSDL) which is a wholly owned subsidiary of Telford Homes Plc to carry out the regeneration of the Chrisp Street district centre. A planning application for the regeneration has been submitted to the Council and will be determined soon. The planning application includes designs for a new market square. The market will stay in the Council's ownership and ultimate control.

CSDL and Poplar HARCA see the market as an essential part of the regeneration and see the success of the district centre being intrinsically linked with the success of the market. A recent survey showed that currently 80% of people state that the market is their primary reason for coming to Chrisp Street, making it the most important retail anchor in the Centre.

In discussion with potential occupiers, the market, along with the independent trader representation, is critical both to retail and food and beverage operators to attract new shoppers into the centre. In the longer term the market is a key differentiator of Chrisp Street over other areas with a cinema and supermarkets.

There is no intention to privatise any element of the market.

Objective

To improve and expand the trading space by installing new infrastructure for the market, to increase the variety and occupancy within the market area, to improve the aesthetics and to establish a long term management plan to promote and sustain the market. These objectives will be achieved through a partnership approach with the Council, whilst ensuring that the market remains open for trading.

Backed by Council Thinking

The objectives above accord with the emerging Tower Hamlets Town Centre Strategy. The performance review undertaken by LBTH identifies that Chrisp Street would benefit from additional space for market stalls and would benefit from the market offer being curated. The Council is encouraging experience to be drawn from private and public sectors to improve markets.

Implementation

Following consultation with the LBTH markets team the following areas of infrastructure have been addressed in the planning application submission:

- Enhanced layout of the market
- New canopy
- New drainage to ease wash down of the market
- New smart metered service points for electricity and water
- Improved layout for vehicles to setup and pack up
- Improved rubbish collection regime including temporary storage in a new basement
- New toilets in a secure environment adjacent to the market in the new Hub building
- Food preparation area on the market
- New signage
- Improved lighting
- New public realm for the whole of the district centre

The funding for the capital works above will be provided by the developer as part of the overall development and will not be a cost to the Council or the traders.

Increasing variety and Occupancy

Building on the work undertaken to date with the LBTH markets team, which draws on the Council's research and current stall licence holders information, we will jointly work with the Council to carry out the following research:

- Review competition - Establish an overview of the current market and events in the area
- Monitor customer insight – Via small focus groups
- Review current operation – The day to day operation of the market
- Monitor occupancy – Develop the data specifically for monitoring the offer and occupancy rates
- Review of current offer - Identify gaps across the LBTH commodity categories
- Establish trading framework – Draw on best practice within LBTH and elsewhere

We will then together produce the following:

- Operating Model – Work up the plan for servicing the market using the new infrastructure
- Recommend the offer – The mix of traders that will serve the community and encourage improved trading.

Once the principles have been agreed in a collaborative manner with the Council we will carry out the following activities:

Management

Establish a long term management regime that is incorporated into the overall district centre estate management.

Marketing

As part of our district centre wide marketing we will include the market, as an integral part of the total centre offer, in all our strategies. We will recommend branding that sits comfortably with the centre's branding. This will include logos, font colours, tone of voice, image styles and brand guidelines.

Website

We will integrate the marketing of the market with the rest of the district centre on our website and signpost the link to the Council's Markets site.

Events

We run several events during the year, but at the moment these are run on a Sunday when the market is closed. With the new market infrastructure we will be able to carry out events so that the traders get the benefit of the additional footfall.

Communications

In our estate management office we will provide a liaison service between potential traders and the Council. We hope that the Council's Chrisp Street Market Inspectors will be able to co-locate in the district centre's estate management office.

Roles

LBTH, Poplar HARCA and CSDL will work in partnership with primary responsibilities for the following areas:

Council Lead Role

- Rent setting and collection
- Licencing and enforcement
- Commodity Representation Quotas
- Pitch Adjacencies
- Occupier exhibition / trial assessment

CSDL Lead Role

- Infrastructure
- Curating an improved market offer
- Management
- Marketing
- Support

The Way Forward

To allow this to happen when renewing the existing market management agreement these principles would be included. To assist the reader to understand the proposed changes to the existing management agreement, there follows a comparison between the proposals of the regeneration currently being considered by LBTH and the services that the Council have already contracted out to Poplar HARCA under a Management Agreement dated 14th August 2006. The issues to be addressed are set out below:

(a) The new management agreement will be for a term expiring on 13 August 2006, i.e. the date of expiry of the 1-15 Vesey Path Lease, subject to either termination by LBTH for non-performance.

The current management agreement can be terminated by LBTH or Poplar HARCA with 12 months' notice. The regeneration relies on significant investment that takes many years to recoup. The successful management of the market is a key factor in maintaining existing retailers and attracting new retailers. It is also key to protecting the value of the commercial interest in the district centre. These factors give confidence to finance the regeneration. Therefore the length of the management agreement needs to be aligned with the land interests and the immediate termination provisions need to be omitted to attract further long term investment once the regeneration is complete.

(b) The new management agreement will be assignable to the party which controls the commercial common parts of the Site from time to time, subject to the consent of LBTH (not to be unreasonably withheld or delayed).

This is a change to the existing management agreement. The vision for the regeneration of the district centre is for the whole centre to be managed seamlessly to generate benefits for both the retailers in shops and market stalls. As a result of the regeneration the landlord of the retail units in the centre will change. Therefore each landlord in the future needs to have the same responsibility to provide the services that are currently provided by Poplar HARCA.

(c) CSDL will be authorised to carry out regeneration works to the Market area at its own cost in accordance with plans and method statements approved by LBTH acting reasonably from time to time. It is anticipated that these works will include providing each market stall with an individual metered electricity supply at CSDL's cost although the scope of works will be agreed with LBTH as part of the planning process for the wider regeneration scheme.

Clause 3.3.9 of the 2006 management agreement makes provision for this, subject to LBTH consent. Therefore the approval of LBTH to the works detailed in the planning application is required.

(d) The management agreements will set out a regime for agreeing interim arrangements for the continued operation of the market whilst regeneration works are ongoing.

Again under clause 3.3.9 of the 2006 management agreement these arrangements could be approved by the Council when approving works to the market. But for clarity acknowledgement in the agreement that the market will require temporary relocation would be helpful.

(e) CSDL will be obliged to provide services to, and maintain, the Market area to an agreed standard (the "Minimum Service Level"), which will reflect the service and maintenance standards for other street markets within the LBTH estate.

This service is already provided under the existing agreement in clauses 3.3.1, 3.3.3, 3.3.4, 3.3.7, 3.3.8 and 3.3.12. The concept of a minimum level is to reflect the current level expected and paid for by LBTH. The level of service to be provided under the minimum level and a cap on the service charge will be agreed by LBTH, Poplar HARCA and CSDL in conjunction with the required consultation process and 28 day public consultation.

(f) LBTH will pay to CSDL a service charge at a level appropriate for services provided to the Minimum Service Level specified.

See comment under (e).

(g) CSDL will be entitled to provide services to, and maintain, the Market area to a higher standard than the Minimum Service Level at its own cost.

It is acknowledged that that the Council has a duty to keep the service charge to a minimum to maintain as low a rent as possible for the market stalls, but in the interests of maintaining the regenerated district centre the ability to maintain a high standard of cleanliness and functionality is required. This will not be charged to the Council and is not prevented by the existing management agreement.

(h) LBTH will continue to have control over granting and managing licences for stallholders, and will continue to receive all income from the stallholders.

For clarification only. The Council have overall discretion as to who is licensed on the market.

(i) HARCA, CSDL and LBTH will agree a lettings strategy in relation to the Market (to be updated periodically) in order to ensure that retail mix across the Site and the Market fits together as well as possible. LBTH will have final approval of the Lettings Strategy which will be the responsibility of the Corporate Director Place in consultation with the Cabinet Member responsible for the Borough's Street Markets. LBTH will have due regard to the lettings strategy but will not be fettered as to the identity of licence holders.

This is a new service. The landlord of the retail units would like to use their expertise to assist LBTH to revitalise and maintain the success of the market.

(j) LBTH and HARCA and CSDL will agree the layout of stalls and the opening times of stalls in order to ensure efficient management of the Market.

This is a new service. The landlord of the retail units would like to use their expertise to assist LBTH to revitalise and maintain the success of the market. Any proposed changes will be agreed by LBTH, Poplar HARCA and CSDL in conjunction with the required consultation process and 28 day public consultation.

(k) Monthly liaison meetings will be established between HARCA, LBTH and CSDL and any retained managing agents to provide a forum for information flow and for concerns to be raised mutually. This will also agree any changes to the above strategies.

This is a new service. The landlord of the retail units would like to use their expertise to assist LBTH to revitalise and maintain the success of the market.

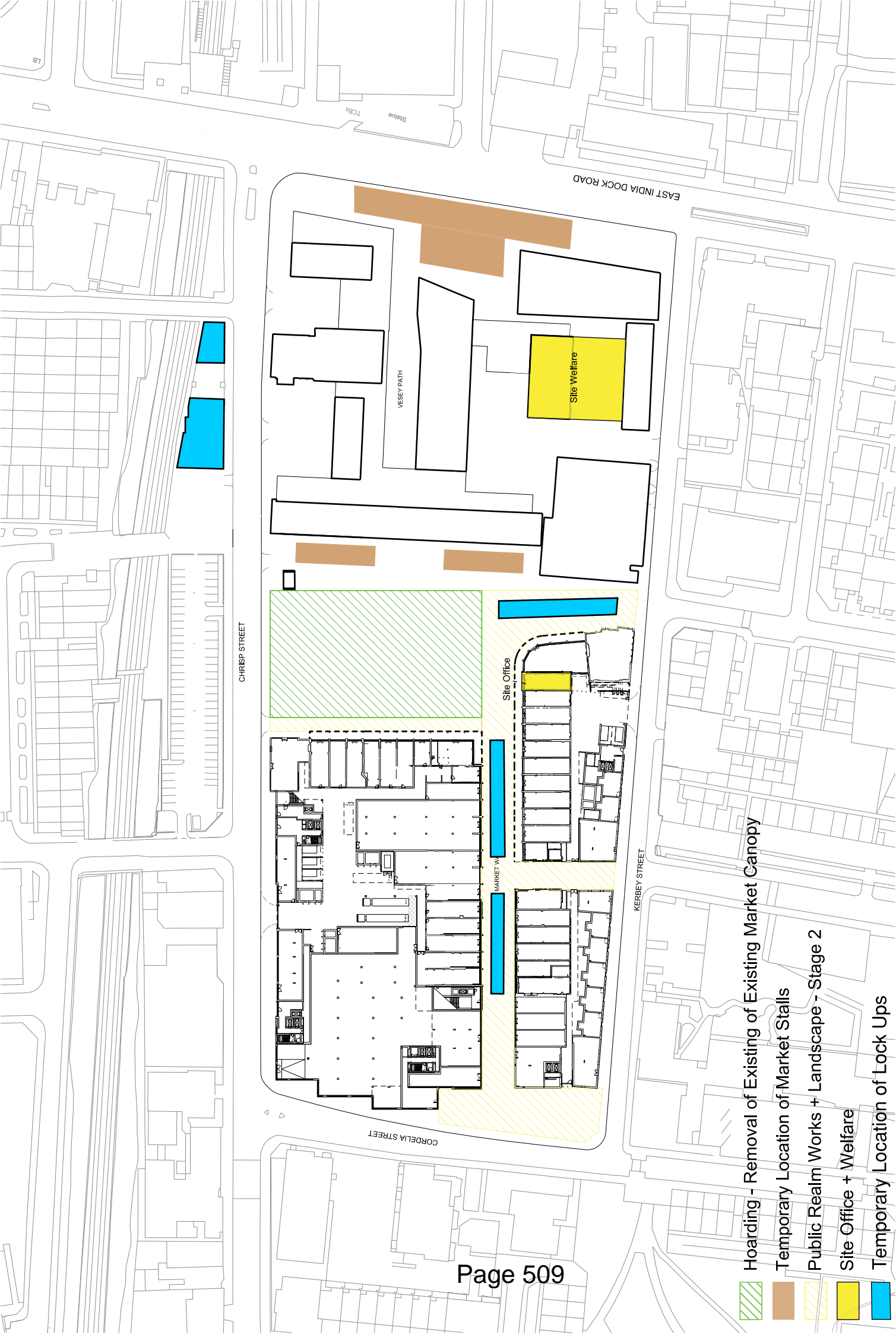
(l) LBTH can call for CSDL to install further services to the Market (e.g. metered water or data supply to the extent not installed as part of the initial redevelopment) at LBTH's own cost.

This service is only for the benefit of LBTH.

(m) If any licence holders are in material and/or persistent breach of their licence terms and this is affecting CSDL, HARCA or their tenants, LBTH will enforce the terms of the licence at the request and cost of CSDL or HARCA.

Clause 3.3.19 currently requires Poplar HARCA to notify the Council and provide evidence of apparent breaches, but the Council are not required to take any action. The will of the Council is required to enforce transgressions to revitalise and maintain the success of the market. Where the Council is in agreement that there are material and/or persistent breaches of a licence, the Council will take enforcement action to help maintain the success of the Street Market.

16th October 2017 (Updated June 2018)



- Hoarding - Removal of Existing Market Canopy
- Temporary Location of Market Stalls
- Public Realm Works + Landscape - Stage 2
- Site Office + Welfare
- Temporary Location of Lock Ups

Public Realm Works (market in different location)

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Lock Ups Offer



FOREWORD

Chrisp Street is being regenerated. It's a fantastic opportunity for Poplar's district centre to gain the investment it needs. It's a chance to improve the centre but keep what's great. We are working hard to keep the community together in the new Chrisp Street by supporting residents and businesses through this process.

As part of the regeneration Poplar HARCA and Chrisp Street Developments Ltd (CSDL) which is owned by Telford Homes Plc, will need to acquire or relocate various individuals and businesses. Those affected will fall into one of five groups:

- Residential tenants
- Residential leaseholders
- Retail leaseholders
- Lock up units
- Market stalls

This document explains HARCA / CSDL's offer to the owners/occupiers of the lock up units. There is a separate document for each group. Copies are available from the estate management office at 19 Market Square and are available on the chrispstreet.org website.



1. INTRODUCTION

As part of the regeneration of the Chrisp Street district centre, Poplar HARCA and Chrisp Street Developments Ltd (CSDL owned by Telford Homes Plc) are, with the co-operation of the London Borough of Tower Hamlets markets team, planning on installing new servicing, paving and a new canopy to the market area. As part of this process the existing lock up units will be demolished.

Although the changes to the lock ups are not expected to happen until 2020, it is important to let Lock Up Occupiers know HARCA/CSDL's approach to accommodating their businesses in the new scheme.

This document sets out the current situation and the plan for the lock up occupiers in the new district centre.

As with other local schemes, HARCA/CSDL may also ask Tower Hamlets Council to support the process outlined in this document.

2. THE CURRENT SITUATION

There are 31 small lock up units let on short term agreements within the proposed Chrisp Street regeneration area. They are let as 'start up' premises on flexible agreements at concessionary rents outside of the security of tenure provisions of the Landlord and Tenant Act 1954. They can be terminated giving one month notice.

Effectively all these lock up operations are short term lets on monthly or annual licences. Many provide important services to the community and have done so for many years. They have a loyal regular customer base and contribute hugely to Chrisp Street's character.

The lock ups serve as an important stepping stone between a market stall and a shop as has been the case with the following Chrisp Street businesses:

- Pets Paradise
- Bushra Boutique
- Market Lock and Safe

3. THE PLAN FOR THE NEW LOCK UPS

HARCA/CSDL are committed to maintaining all the lock up businesses that wish to stay in Chrisp Street and will work with each business to ensure that the most suitable option for relocation is taken forward provided there are no rent arrears.

There are three long established hot food outlets. HARCA/CSDL will offer these occupiers temporary relocation in a shop unit or equivalent whilst works to the market square are being carried out. This work will include the creation of new purpose built food outlets in the square for these outlets. HARCA/CSDL will meet the cost of the relocation to both the temporary unit and the permanent location, including reasonable legal and surveyor's fees.

For the remaining units HARCA/CSDL have designed a number of smaller retail properties within the development and will offer these units to these occupants, subject to the type of business and emerging centre offer that is being developed.

Some of the lock up businesses require specific and fixed facilities to be able to operate e.g. money transfer, barbers and tailors. The ground floor of Block M (where the Co-op car park is now), opposite the Market Square, divides into sizes that can be flexible to reflect occupiers' requirements closer to the time of relocation. To supplement this space HARCA/CSDL have acquired the ground floor of Cygnet House on Chrisp Street which can be subdivided to accommodate lock up businesses.

Please note that the Block M units will not be available to occupy when lock up occupiers are required to move. HARCA/CSDL propose to create some temporary units elsewhere on the site, as shown on the indicative plan, until the Block M units become available.

Together these areas could provide for themed clusters of occupiers, such as:

- **Hair Today** - all 4 barbers adjacent but offering their very different services (Asian, Indian, Afro-Caribbean),
- **Transfer Zone** - the 3 money exchange/ transfer units,
- **Tailor Made** - the garment place for the tailors.

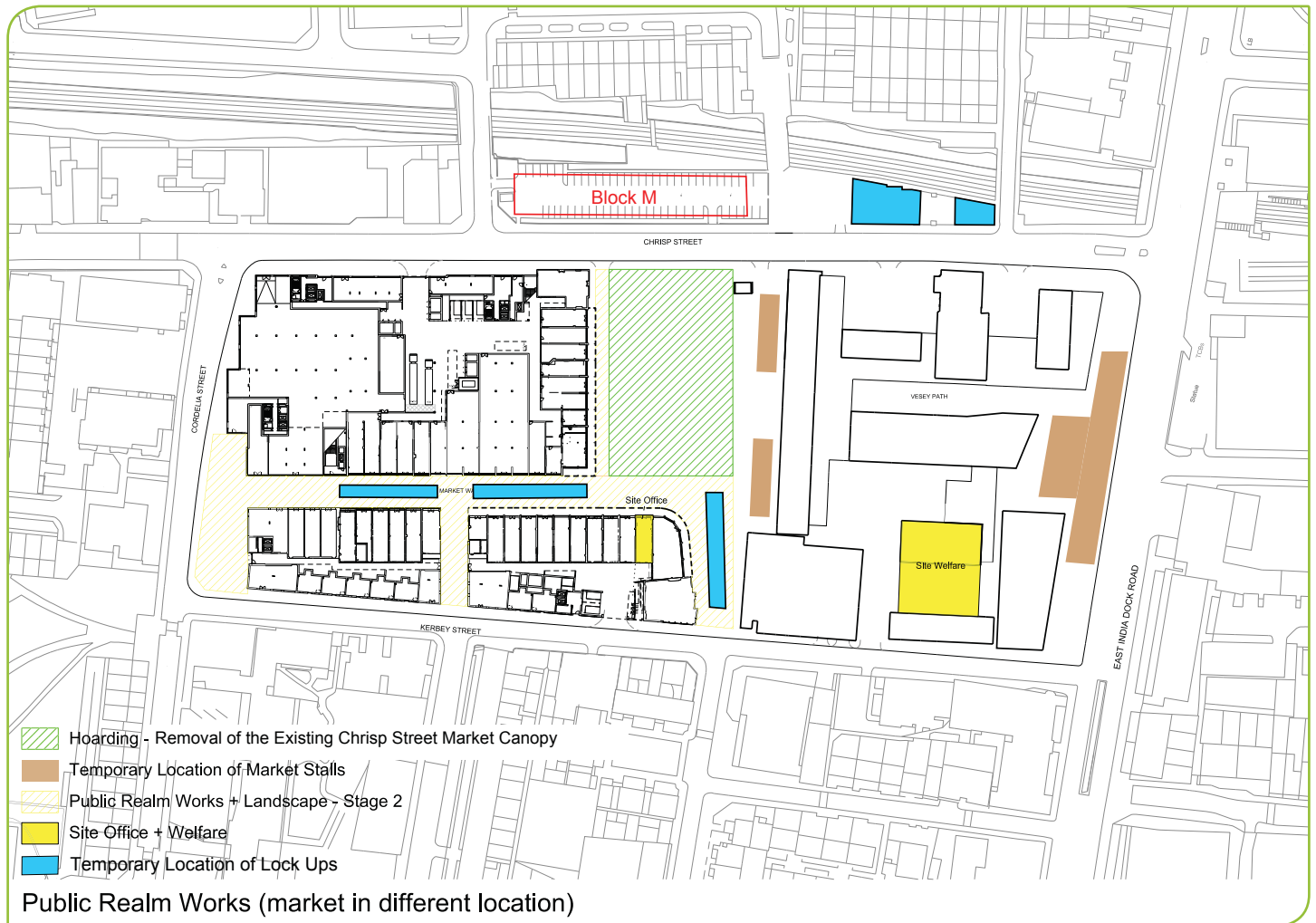
On the merit of the business commitment of the lock up occupiers and viability, other start up units will be offered to the current occupiers.

All new units will be occupied under a lease rather than a license to give the business more security.

Some existing lock up occupiers along with HARCA/CSDL may feel that their business would be better trading from a market stall going forward so this option will also be discussed with the lock up occupiers. HARCA/CSDL will discuss with the LBTH Markets Team what arrangements can be made.

HARCA/CSDL will offer logistics assistance in the form of stock and fixtures storage to those moving to market stalls where daily stock movement is a challenge and where there is a need to be able to leave stock in place.

This is an exciting time for Chrisp Street and is a fantastic opportunity for the lock up occupiers to increase trade in a location that is best suited to the ongoing success of the business.



4. RENT

The rent payable for the new unit will be the same rent payable as the existing unit.

Example

Lock up occupier A has traded in Chrisp Street for many years and demonstrates a robust business, which adds diversity of offer to the centre. They will be offered an alternative unit of 20m² to meet their current sales space. This will be at existing rent levels.

The trader is considering whether they requires an additional 10m² for their growing business. HARCA/CSDL can accommodate this requirement. Therefore the first 20m² will be at the same rate that has been paid to date (as a personal concession). The additional 10m² will be at the current open market rate.

All new lock up units, also suitable for start-up businesses, will be newly built, finished to white box finish, to regulation standards, with an electrical supply, shop fronts, signage panel and shutters where appropriate. The traders will be responsible for their own internal fittings, as agreed with the landlord



POPLAR **HARCA**



telfordhomes

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>IMPLEMENTATION OF TRAFFIC MANAGEMENT ORDERS ON HRA LAND</p>	

Lead Member	Councillor Sirajul Islam , Cabinet Member for Housing & Statutory Deputy Mayor & Councillor David Edgar , Cabinet Member for Environment
Originating Officer(s)	Mark Baigent: Interim Divisional Director Housing and Regeneration Robin Payne: Interim Divisional Director of Public Realm
Wards affected	All
Key Decision?	Yes
Forward Plan Notice Published	28 August 2018
Reason for Key Decision	Significant impact on two or more wards
Strategic Plan Priority / Outcome	A borough that our residents are proud of and love to live in

Executive Summary

Since its introduction, parking control on council housing estates (known as HRA land) has been enforced by the use of contract law. Contractors have been appointed to issue Parking Charge Notices when unauthorised parking occurs and the income from this largely covers the cost of providing these services. This arrangement allowed residents living on an estate to apply for a parking permit and be certain of being able to park close to where they live.

For the avoidance of confusion, in this report the term "Parking Charge Notice" refers to a notice issued to a vehicle under contract law (i.e. the current process used by THH), and "Penalty Charge Notice" refers to a notice issued to a vehicle under the Traffic Management Act 2004 ("the 2004 Act"), which is the process of enforcement used for contraventions of Traffic Management Orders.

These arrangements are consistent with the majority of boroughs within the London area, particularly so in inner city areas where the pressure for parking is felt most acutely.

However, in September 2014, the then Under Secretary of State for the Department for Transport ("DfT") wrote to all councils informing them that the Government did

not recognise local authorities enforcing through the use of contract law on non-highway land. Further, the Minister stated that implementing Traffic Management Orders (“TMO(s)”) under the Road Traffic Regulation Act 1984 (“RTRA 84”) was regarded by the Government as the lawful means of parking control.

Following this letter, the Driver and Vehicle Licensing Agency (“DVLA”), under the instruction of the Ministerial letter began to refuse requests for keeper details from Boroughs operating under contract law. In the case of the London Borough of Tower Hamlets (“LBTH”), co-operation was progressively withdrawn from November 2014 meaning that from this date keeper details became increasingly difficult to obtain for those who had failed to pay their Parking Charge Notice within 28 days. As with many other boroughs, this has led to a situation where unauthorised parking can go unpunished on LBTH housing estates and often causes obstruction to those authorised to park on Housing Revenue Account (“HRA”) land.

This report recommends the Council carries out consultation considering the introduction of TMOs under the RTRA 84 on all LBTH HRA land as a means of enforcing parking control. If implemented, this will be rolled out incrementally on an area-by-area basis following an informal and statutory consultation process with all tenants and leaseholders living on LBTH estates.

To allow for the administration of car parking permits by the Council, it is necessary to adopt policy for the allocation of permits that will also form the basis of consultation. The report therefore recommends a Non-residential Assets Policy that sets out interim parking policy for HRA land in Appendix 1 aimed at prioritising those who are THH tenants or leaseholders.

The Council is also reviewing its wider parking policies and Transport Strategy, and the intention will be that as these policies and strategy are adopted they will provide convergence so that where appropriate there will be a single policy approach for Council controlled highways and assets. To allow for this convergence and to allow the council to proceed to consultations, it is proposed that the Mayor and Cabinet delegate authority to the Acting Corporate Director for Place to establish a decision-making framework against which officers will determine applications for borough residents who are not THH tenants or leaseholder during a transition phase.

Recommendations:

The Mayor in Cabinet is recommended to:

- 1 Approve the Non Residential Assets Policy set out in Appendix 1 which includes the following;
 - a. The introduction of a 6 or 12 month permit system operating to the proposed parking space charges set out in 3.4.16
 - b. The withdrawal of the Any Other Vehicle Permit
 - c. Limits of parking permits on housing land to two per household
 - d. That nomination of car spaces to those living out of the borough is stopped.
 - e. That staff affected by this change will be able to apply for a space under an essential car user policy and criteria (see 3.4.16).
- 2 To approve changes outlined in the main report specifically;
 - a. The process set out in 3.4.17 for managing the loss of garages and car spaces on infill sites where the development of affordable accommodation is proposed
 - b. That TMOs are used on all new car free development sites
- 3 Authorise the Divisional Director of Public Realm to undertake informal and statutory consultation under the provisions of the RTRA 84 on a phased area by area or estate by estate basis in relation to introducing controlled parking on HRA land.
- 4 Delegate to the Divisional Director of Public Realm under powers commensurate with the RTRA 84, the decision making ability to make the necessary Traffic Management Order on HRA land and to consult with the Mayor and Lead Member for Housing if any objections/representations are received during the consultation period;
- 5 Authorise the Divisional Director of Public Realm to make the appropriate contractual arrangements to enforce the TMOs by providing a contractor with the authority to issue Penalty Charge Notices on behalf of the Council;
- 6 Authorise the Acting Director of Place to establish a decision making framework against which officers will determine applications for borough residents who are not THH tenants or leaseholders during a transition phase. Permits allocated will be for one year and may be reallocated under the policy in Appendix 1, priority letting list.

1. REASONS FOR THE DECISIONS

- 1.1. Parking control on LBTH estates is delegated to the managing agent, Tower Hamlets Homes (“THH”) and procurement of enforcement services is carried out in liaison with Parking & Mobility Services.

- 1.2. LBTH has over 5,000 parking spaces on HRA land licenced as individually numbered bays to both residents and non-residents. Amongst London boroughs, only LBTH and Islington now use such a system (with Kensington and Chelsea having recently changed). The majority of boroughs now use a "Courtyard system" where a set amount of space is made available for a fixed number of residents to park in.
- 1.3. With regards to on-street parking control, the Council manages traffic control through the use of its own Civil Enforcement Officers and penalties are administered and challenged through the statutory appeals process set out in the 2004 Act.
- 1.4. On LBTH estates, Parking Charge Notices are issued by the contractor NSL, who also operates the appeals process. Those wishing to challenge an appeal further can escalate their case to POPLA (Parking on Private Land Appeals). This is the independent appeals service for PCNs issued on private land that was instigated by the Protection of Freedoms Act 2012.
- 1.5. As stated above, all councils received a ministerial letter in September 2014 stating that in the view of the DfT the use of contract law to control parking on HRA land was unlawful.
- 1.6. From November 2014, the DVLA began to refuse requests for keeper details made by the contractor. This meant that the parking enforcement contractor acting on behalf of Tower Hamlets Homes and the Council were unable to follow up and chase Parking Charge Notices which had been ignored by the vehicle owner. By late 2015 all further co-operation in terms of providing vehicle details was wholly withdrawn.
- 1.7. Working with an inter-borough forum established through London Councils, the Council sought to make the Department of Communities and Local Government ("DCLG") aware of the consequences of the ministerial position both in terms of the impact this may have on residents and with regards to what was seen as the unnecessary costs of implementing TMOs (especially as legal advice obtained by boroughs suggested that contract law was legal).
- 1.8. Following a meeting with the DCLG, the DfT and the British Parking Association ("BPA") held in October 2016, it became clear that the Government was not going to change the position it took on this matter. Additionally, all requests for a follow-up meeting have been refused. At this point, LBTH along with other boroughs such as Islington and Westminster began to consider the use of TMOs as the means of re-establishing parking control on HRA land.
- 1.9. In this period, unauthorised parking on LBTH estates has increased with PCN notices being routinely ignored by many. The level of compliance following the issue of a Parking Charge Notice has also fallen dramatically. Additionally customer satisfaction in this area has been affected with a rising number of complaints about thoughtless and inconsiderate parking.

- 1.10. Like a number of other inner-London boroughs such as Islington and Westminster who are experiencing escalating traffic management problems as a result of the Ministerial adjudication, TMOs under specific sections of the RTRA 84 are recommended as the best way to re-establish parking control on LBTH estates; however, the Council will be consulting on a wider set of options. This enables estate by estate parking enforcement to be established based on issuing a specific number of permits within each estate area.

2. ALTERNATIVE OPTIONS

- 2.1. Retaining the use of contract law as a means of parking enforcement would lead to a situation where parking contraventions could not be effectively controlled on LBTH estates. Following an assessment process, the implementation of TMOs is proposed as the necessary route for tackling this problem.

- 2.2. The following options were also assessed as impractical:

- Housing Estates to become part of the wider Controlled Parking Zones (CPZ) operated by the Council- *This would lead to anyone with a LBTH permit parking on Housing Estate Land. High demand for parking "on street" would spill into housing estate car parks and fuel dissatisfaction amongst THH residents*
- System of gates and barriers - *This would be hugely costly and easily abused by those who can still obtain access to the estates. Furthermore, once unauthorised access was gained no legal means of removing a vehicle would be available to the Council*
- No controls at all- *The lack of any control would have consequences in terms of attracting a high level of irresponsible parking from anyone living outside the Estates as well as those who do not live in the Borough*

3. DETAILS OF REPORT

3.1. IMPLEMENTING TRAFFIC MANAGEMENT ORDERS ON LBTH HOUSING ESTATES

- 3.1.1. The consequence of the Ministerial letter received in September 2014 has been a considerable rise in inconsiderate parking on LBTH estates. There is an increasing difficulty with enforcement amidst a growing awareness amongst residents or "visiting drivers" many who have no connection with the area that they are able to park without sanction on LBTH estates. Although, PCNs continue to be issued, vehicle and address details are not available making enforcement difficult to follow through.

- 3.1.2. The TMOs under the RTRA 84 will allow rigorous enforcement through accessing keeper details made available by the DVLA. Penalties for parking contraventions will then be able to be enforced effectively.
- 3.1.3. The implementation of a TMO requires the Local Authority to comply with a set of required standards such as the provision of notices, the drawing up of yellow lines and ensuring the estate roads meet minimal standards. Additionally, there are expectations around road or bay width and “turning circles” which will need to be examined on an estate by estate basis as the programme develops.

3.2. REMOVAL OF INDIVIDUAL BAYS

- 3.2.1. LBTH along with Islington are the only Boroughs which currently allocate “individual” bays to a named licensee. Legal and Counsel Advice suggests that individually allocated bays may have to be discontinued under a TMO (see below).
- 3.2.2. Current LBTH advice states that though individual bays under a TMO may be legal, the position is not certain and therefore there is a strong chance of challenge either from an individual or an organisation. If the challenge was successful, there is a likelihood that all penalty charge income collected from the advent of the scheme would have to be refunded.
- 3.2.3. Furthermore, chances of resisting a legal challenge would not be helped by the fact that LBTH could be an “outlier” in that it may be the only Borough operating “individually allocated bays” under the provisions of a TMO.
- 3.2.4. Legal advice states that should the Council’s need to move from the use of individual bays to a new courtyard permit (see below) would be “a significant change in the service and warrants consideration of obligations under section 105 of the 1985 Housing Act”. The current legal advice on section 105 states that the main driver for this requirement is the change from individual bays to courtyards permits (see below).

3.3. CONSULTATION

- 3.3.1. Following legal advice (see above 3.2.4), the Council will ensure that the requirements outlined above under Section 105 of the Housing Act 1985 are fully incorporated into the consultation process under the RTRA 1984 as and when each phase of TMOs is considered.
- 3.3.2. Once agreement of these recommendations to implement TMOs under the RTRA 84 is given, consultation will take place as each TMO is proposed. This consists of the following actions:

TMO Timescales

- Stage One-a test of opinion through informal consultation-6 weeks
- Consideration of Stage One representations-2-4 weeks
- Stage Two-assuming positive outcome of Stage One, THH residents would be sent details of proposals for comment-6 weeks
- Consideration of Stage Two representations-2-4 weeks
- Final Stage-21 day statutory "Notice of Proposal" published.
- Consideration of statutory representations and decision on TMO order-4-6 weeks
- Implementation of TMO/Estate Improvements-up to 3 months

3.3.3. This consultation will take place area by area and as and when each new scheme is proposed, anyone can comment on or object to the Council. The Council is legally obliged to consider every objection that is sent and the Divisional Director of Public Realm will make the final decision on whether the proposals should proceed (with or without amendment) or not. Following this decision, officers will inform objectors of the Council's decision and reasons. Views will be broken down so as to recognise any differences that may exist from estate to estate.

3.3.4. Consultation will include a consideration of the operational hours with proposals to extend these as far as possible and match this with enforcement.

3.4. IMPLEMENTATION

The scheme will operate in the following way:

3.4.1. Traffic Management Orders will need to be implemented under different sections of the RTRA 84, depending on the use of the land. Sections 32 & 35 can only be used for car parks, i.e. sites where there are no roads. If the estate area does contain roads then, in order to be able to charge for their use (either by selling permits or any other charging scheme), then those areas must be designated as "highway" in order to be able to make TMOs under sections 6 & 45.

3.4.2. It is important to note that any revenue from the sale of permits on land where a section 6 / 45 order is in place must accrue to the Parking Control Account in the general fund, as these orders are covered by section 55 of the RTRA 84.

3.4.3. Orders made under sections 32 & 35 of the RTRA 84, however, are not covered by section 55, with the result that revenue accrued from permits sold in these areas can be allocated directly to the HRA.

3.4.4. On each estate, wherever possible, the same amount of courtyard spaces will be issued as there are currently individual bays so as to eliminate the risk of over subscribing. Parking control will be based on making sure that only those issued with an estate permit are able to park within the area.

- 3.4.5. Visitor bays and contractor bays on LBTH estates will become THH resident bays. They will not be allocated to an individual therefore anyone using a THH visitor permit or THH resident permit will be able to park. If there is no space, visitors must make alternative parking arrangements. Any vehicle parked in contravention of the relevant TMO will be subject to a Penalty Charge Notice (as opposed to a Parking Charge Notice under Contract law).
- 3.4.6. Dedicated disabled bays will be maintained and a separate application process for this category will be implemented. Blue badge holders needing to park near their homes will be assessed against similar criteria to those used by the Council for Personalised Disabled Bays. Existing disabled spaces that are available to any disabled driver will be maintained.
- 3.4.7. With regards to the problem of abandoned vehicles, to be removed a vehicle must meet the same set criteria as are currently in place. It should be noted, however, that enforcement against vehicles parking in contravention of TMO restrictions includes the ability to remove vehicles under the 2004 Act.
- 3.4.8. All estates must comply with the requirements of a TMO, and some will require additional works so as to meet the standards. This might mean additional road surfacing works, painting of yellow lines and the putting up of notices that consult upon the TMO.
- 3.4.9. A possibility exists that in a small number of areas there may be a reduction in the number of spaces available on an estate due to a failure of bay spaces to meet width requirements. In such circumstances every effort will be made to find alternative spaces however if this is not possible then bays will be withdrawn according to the following priorities:
- Non-THH-residents will lose their spaces
 - Followed by Households with more than 2 bays
 - Followed by Households with more than 1 bay
- 3.4.10. Some THH residents have also suggested that they wish to lose parking spaces in the hope of developing increased environmental provision. Such decisions will be influenced by the feedback from responses to the consultation process. If fewer parking spaces are required as a result then the priority will be to introduce car club bays, cycle hangars and electric vehicle charging bays.
- 3.4.11. Some estates may also gain increased provision as the process will enable an assessment of the existing layout of an estate. In this case, THH residents who do not already have a bay will receive first priority for these spaces.
- 3.4.12. Feedback from THH residents has suggested there is considerable demand from them for parking spaces and that there is some dissatisfaction with the level of provision accorded to non-THH-residents through the current application process which operates on a combination of a deadline and a set of criteria based on priority.

- 3.4.13. At present, about 30% of available spaces are let to those who are not a tenant or a leaseholder. Of these, around 21% (1100) are living in the Borough and 9% (436) are listed as coming from outside the Borough. Some THH residents are therefore displaced from parking on their estates and may be using on-street permits.
- 3.4.14. It is therefore proposed that the process allows a re-configuration of existing licences. As each TMO is implemented all licences will be ended and:
- Re-offered to existing tenant and leaseholder licence holders where license terms have been complied with
 - Spaces will then be offered to existing tenants or leaseholders living on the estate.
 - Where there is parking space not allocated above Officers will look at options for the use of space including applications from borough residents from the immediate area who are non THH residents. Allocations made on this basis during implementation will be time limited of no more than one year so that spaces after implementation can be reoffered to THH tenants and leaseholders where there is a need.

OTHER CHANGES REQUIRED

3.4.15. Ensuring interim fire-access on LBTH housing estates

The tragic events at Grenfell have highlighted the need for emergency vehicles to secure immediate access to our estates in the event of a call-out. The introduction of TMO's will allow a thorough review of accessibility for emergency vehicles as the new scheme is implemented. Where necessary, TMO powers allow the use of tow-away services for vehicles that are obstructing access.

3.4.16. Changes in policy

If it is to work effectively, the roll-out of TMOs will require changes to many existing processes.

As a result a new policy has been developed (see appendix one) covering all non-residential estate assets which makes the following recommendations.

The principles of the policy have been introduced to 20 Tenant and Resident Associations following two meetings in June 2017 and have been discussed at the resident led Service Development Group in September 2017.

Further soundings are also being taken from an online consultation that is being run by THH.

- **Withdrawal of allocations to Out of Borough Drivers**

Section 1.5 of the Policy (Appendix One) sets out the Council's intention to desist from letting car spaces to applicants from outside the Borough. Currently, there are 436 "out of Borough" licence holders and amongst this number there are staff users. It is proposed that in future essential staff users should be designated as such by a Director who will determine an application against criteria set out in the Council's essential car user policy and entitled to public service permits. This does have the potential to cause staff dissatisfaction to those employees to commute using their car. Managers will work with staff affected to mitigate concerns and encourage use of alternative travel options.

- **Future Policy and Transitional Arrangements**

The Council is developing its wider Transport Strategy and Parking policies which it expects to have in place within 2019. These will be consistent with stated ambitions to introduce low traffic neighbourhoods, encourage cycling and walking, and improve air quality. Where the introduction of new parking controls creates the opportunity the Council will want to use this opportunity to look at how this space can support our wider policy ambitions.

- The approach here also allows us to ensure our policies are fair and that the essential needs of residents for cars is supported. As a transitional measure, and until we have completed our wider policy review, applications from non THH residents in the immediate vicinity of estates will be considered. Officers will agree a framework against which these applications can be determined during a transitional period with the Mayor and Lead Member for Housing and Regeneration, and the Lead Member for Environment. It is anticipated that applications here will be for one year only.

- **Withdrawal of "Any Other Vehicle Permits"**

All THH residents have been provided with an "Any other vehicle" permit to use in the event they change their car or lose their principal permit. This has been subject to widespread misuse throughout the Borough with some using this on Visitor bays. The successful implementation of a TMO is dependent on a clear allocation process that ensures that only one permit is issued for each vehicle. Losses or changes of permit will need to be reported to THH.

- **Limits to number of permits available by household**

In recognition of the demand for parking, it is recommended that the number of permits is restricted to two per household. Discretion will be available to consider applications above this where there is exceptional need. The existing necessity for Leaseholders to live on an estate when they make an application will also be reintroduced and enforced.

It is not proposed that this is retrospective so that the small number of existing households with more than this number of permits can remain

subject to the provisions that they are living on the Estate and there being no strong demand from THH residents without spaces. Any decision on this matter will be made by THH.

- **More effective administration of permits**

THH deals with over 12,000 car space applications a year, (including 5,000 renewals) many of whom have only a small chance of obtaining parking. To reduce administrative costs and provide a more seamless service to THH residents, a separate online application system will be introduced backed by a phone service for those who have difficulty in “getting access”. This will ensure that residents living on estates have a greater chance of obtaining a space.

- **Introduction of 6 or 12 monthly permits**

THH will follow the Council and many other Boroughs, in introducing an annual permit process for car spaces similar to that run by the Council which allows once or twice yearly in advance payments and reduces the heavy administration associated with the current system.

It is proposed that a permit should initially be available on the following charges:

6 month permit=£50 or 12 month permit=£100 and is a slight reduction on the existing weekly charge. Existing concessions for disabled tenants or leaseholders will be maintained.

This compares with the following from a number of other London Councils which are weekly unless otherwise stated;

Council	Tenants/Leaseholders	Non resident
LBTH	£2.08	£2.50 LBTH resident/£6.00 Out of Borough
Hammersmith	£71 for 6 months £119 for 12 months	Not available
Camden	£2.78-£5.92 (based on emissions) Up to 12.75 for covered areas	£16.17-£48.34(based on emissions)
Kensington	£2.47-£6.69	£7.41-£20.07
Islington	£2.39 - £5.23 (based on emissions)	£5.34-£15.64 (based on emissions)
Hackney	£37.45	Not available

Charges will be subject to review as new parking and air quality policy is developed and as part of the appraisal of fees during the annual budget setting process.

- **Changes to the application system to improve access to disabled THH residents**

THH currently allocate parking spaces through an online inter-active GIS system which has a time limited “bidding process” after which the space is awarded to the applicant with the highest priority (i.e. disabled). Although assistance in making an application is available, it is intended to create a process by which qualifying blue badge holders have a greater chance of a pre-allocated spaces as they become available in the area of choice. This will negate the risk that those with long term illness or conditions may not have the ability to apply for a parking space.

- **Introduction of e-permits to be phased in**

THH is in the process of finalising the procurement of a back-office system to introduce e-permits. It should be noted that this contract is separate from LBTH.

3.4.17. Loss of parking and garages on infill sites

LBTH is committed to providing more affordable housing for residents and the Cabinet have agreed plans to build new homes on a number of infill sites where there are currently garages or car spaces. This will mean that the current parking or garage space users of identified infill sites will have their licence to occupy terminated (see Recommendation 2a on page 2).

THH, on behalf of the Council, will use its best endeavours to find alternative provision but given the shortage of supply will adopt the following principles:

- Those who are non-Tenants/Leaseholders will have their Licences terminated in the first instance.
- Tenants and Leaseholders will have the first priority with regards to accessing another facility
- In areas surrounding the infill sites, non-resident spaces or garages will be terminated to make way for tenants and leaseholders requiring space.
- There is no obligation to re-offer facilities to those tenants and leaseholders where it is evident they are using the space for storage rather than parking a car.
- Where there is no garage provision available for tenants and leaseholders, car spaces may be offered as an alternative.

3.5. DRAFT IMPLEMENTATION TIMETABLE

West of Borough wards -	Q3 18-19 to Q2/3 19-20
Central Borough Wards -	Q2/3 19/20 to Q1 21/21
East of Borough Wards -	Q2 20/21 to Q4 20/21

- 3.5.1. Upon Cabinet approval, it is recommended that all applications for new parking on an estate be suspended once THH residents have given their views through the informal consultation. When implementing a TMO, this will allow any returned parking spaces either to be used to ensure that existing permit holders are still able to park on their estates or that this additional space can be used to offer existing THH residents with no current estate facility a provision. (See 3.4.11 above). Where an application is made from a disabled tenant or leaseholder who is a blue badge holder, if available, a parking space will continue to be let.
- 3.5.2. Subject to the outcome of consultation, a proposed timetable would be to begin implementing TMOs in a chosen ward between Q4 2018 and Q1 2019.
- 3.5.3. The ward chosen will be reflective of current parking arrangements within the borough and present a range of different challenges. The process will involve a comprehensive consultation process with THH residents.
- 3.5.4. The process makes a distinction between the consultation period and the time that actual implementation takes. The ability to implement a TMO quickly following a consultation will be dependent on the scale of works required to ensure an estate meets the requirements of the TMO (See 3.4.8).

4. EQUALITIES IMPLICATIONS

- 4.1 An Equalities Impact Assessment (EIA) has been carried out and made recommendations as regards to the access of Disabled tenants to Parking Spaces on LBTH estates.
- 4.2 The EIA also includes information on the impact of the proposals in terms of ethnicity. It shows that only a small percentage of households in Tower Hamlets own more than two cars (0.7%). This is reflected in the low percentage of Tower Hamlets Homes' residents who are currently renting more than two spaces (0.6%). Therefore, the proposal to restrict the number of permits to two per household will not have a significant impact on any particular ethnic group. Furthermore, the proposal will be fairer and more inclusive as it will give more households the opportunity to rent spaces.
- 4.3 With regards to the proposal to withdraw spaces from people living outside of the borough, only a small percentage of existing permit holders living outside of the borough have provided ethnicity details and therefore this makes it difficult to carry out meaningful analysis. However, based on the limited data available, there is no indication that the proposal will disproportionately affect any particular ethnic group. The proposal will give greater priority to Tower Hamlets' residents and therefore will have a positive impact in terms of One Tower Hamlets considerations.
- 4.4 The Non-residential assets policy has been designed to ensure a clear, fair, and consistent process for THH residents when applying to park

- 4.5 The implementation of the TMO scheme involves a comprehensive and statutory consultation with tenants, leaseholders and freeholders. Report authors should identify from analysis and engagement how the proposals will address equality implications arising from the proposal.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 **Best Value (Bv) Implications:** The delivery of the TMO and the subsequent management will need to be formalised in a contract with the relevant supplier(s). The appointment of these suppliers will be subject to procurement processes which will ensure the Council receives the best value in delivering services which meet the Council's requirements. The implementation of a TMO will enable the Council to enforce parking contraventions under Part 6 of the Traffic Management Act 2004 and recover the revenue which will fund this scheme.

- 5.2 **Environment (Including Air Quality):** The determination to give priority to tenants when re-allocating car spaces will discourage drivers who appear to be commuting into the Borough and parking on an LBTH estate. It is also the case that some non-residents are living in car free developments but have exploited a loophole in the system that allows them to park off-street on HRA land. As the terms of car-free agreements specify that those residents are not allowed to obtain permits, these residents will no longer be able to obtain permits under this scheme.

5.3 Risk Management Implications

- 5.3.1 Other Boroughs who have carried out similar consultations have experienced a small minority of estates that have chosen to opt out from any form of Parking Control and there is a risk that this may occur in Tower Hamlets. To mitigate this risk, the Council will enter into a process of continuous dialogue with those estates, to seek enhanced knowledge of the conditions on the estate and to manage this risk. It must be noted that most estates in other boroughs that initially opted out have subsequently returned to the Council to ask for the scheme to be implemented.

- 5.3.2 Changes in parking enforcement increase the risk of judicial challenge. However, the Government has clearly stated their view that Local Authorities should use TMOs as the means of control. Additionally, the adoption of TMOs is likely to end an existing judicial challenge about the use of Contract Law to enforce parking.

- 5.3.3 This report and Policy (Appendix One) sets out the Council's intention to desist from letting car spaces to drivers from outside the Borough. This will include staff that commute into the borough by car. Work will be undertaken with staff in line with the staff travel plan to mitigate service disruption and to encourage alternative methods of transport. Consideration will also be given to leasing electric vehicles for essential operational car use.

- 5.4 **Crime and Disorder Reduction Implications:** The lack of parking control allows easy access to those who drive on to LBTH estates to engage in criminal activity. The establishment of parking controls using TMO's will allow the Council to tackle and track such illegal parking and link up with the current initiative led by THH to tackle anti-social behaviour directly on LBTH estates.
- 5.5 **Safeguarding Implications:** There are no specific safeguarding implications arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report seeks the approval of the Mayor in Cabinet to the implementation of Traffic Management Orders on Council owned housing estates in order to enable the introduction and enforcement of controlled parking measures.
- 6.2 The Council currently has separate parking enforcement contracts in place for the removal of nuisance vehicles on its public highways and for parking enforcement on land managed by Tower Hamlets Homes. Both contracts are administered by NSL Ltd. The Housing Revenue Account element of the contract is valued at approximately £378,000 per annum.
- 6.3 Capital resources of £3.3 million were set aside to finance the introduction of new off-street parking arrangements on housing estates as part of a Mayoral priority growth bid in the 2017-18 budget process. The expenditure has been re-profiled and is expected to continue in 2018-19: £686,000; 2019-20 and 2020-21: £1.3 million. These resources will fund the configuration of the estate parking areas, road surfacing works, and the appropriate signage and bay marking. The costs of consultation will be met from within existing HRA revenue resources.
- 6.4 Over recent years the changes in the ability of councils to pursue enforcement action (paragraph 1.5) has meant that unauthorised parking on estates has increased with PCN income significantly reduced (paragraph 1.9). The implementation of the Traffic Management Orders and associated controlled parking measures will enable enforcement action to be undertaken. The report proposes that a charge of £50 and £100 is made for a 6 month and 12 month permit respectively. These charges compare favourably with those made in other boroughs. The resulting income stream from the issue of parking permits will accrue to either the HRA or the Parking Control Account in the general fund, in accordance with the RTRA legislation, after deducting the costs of issuing the permits.
- 6.5 All penalty charge notice income will be credited to the Parking Control Account in the general fund to offset the cost of enforcement under the TMO. It is anticipated that the process will be self-financing, with the contract costs and the revenue generated being broadly similar.

- 6.6 Any net costs will be borne by the HRA therefore the consultation will need to be mindful of the potential financial implications of any change to parking arrangements on the Council's housing estates. These will include but not be limited to consideration of the HRA business plan and the nature of additional costs of monitoring and managing parking arrangements. Any surpluses generated under the accounting rules that govern the treatment of income and expenditure from the issue of permits and other parking related income will be dealt with under the RTRA 84 (Section 55 of which governs what the surplus from on-street parking and on and off-street parking enforcement can be spent on).

7. COMMENTS OF LEGAL SERVICES

- 7.1. The Council has the power to make a TMO to provide off street parking places under sections 6, 32 and 35 of the RTRA 1984 and to provide on street parking places under section 45 of the RTRA 1984. Section 124 of the RTRA 1984 requires the Council to have regard to Schedule 9 of the same act which sets out the procedure for making a TMO.
- 7.2. Part III of Schedule 9 gave the Secretary of State the power to make regulations which set out the procedure that must be followed before a TMO can be made. These regulations are in the form of the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996 ("the Regulations") which explain in detail the procedure that must be followed before and after a TMO has been made.
- 7.3. On the face of it the details of this report comply with the RTRA 84 and the Regulations.
- 7.4. However, as the Council goes through the process outlined in this report it will still have to ensure that it complies with the technical aspects of this law such as advertising requirements, periods of consultation etc all of which is stipulated under the law.
- 7.5. In addition to the statutory consultation required under the RTRA 1984, the Council is also required to consult under section 105 of the Housing Act 1985 ("HA 1985") as a result of the proposal to remove individual allocated parking bays.
- 7.6. The HA 1985 requires a landlord authority to consult where its secure tenants are likely to be substantially affected by a matter of housing management. The alteration of a secure tenant's parking arrangements is a matter of housing management for these purposes.
- 7.7. Logistically, consultations under the HA 1985 and the RTRA 1984 may be carried out as one simultaneously under the law.

- 7.8. When considering the recommendations in this report, regard must be given to the public sector equalities duty to eliminate unlawful conduct under the Equality Act 2010 ("the 2010 Act"). The duty is set out at Section 149 of the 2010 Act. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimisation and other conduct prohibited under the 2010 Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. The equalities issues which arise in respect of this project have been considered in the Equalities Impact Assessment appended to this report.
- 7.9. It is likely that the changes detailed in this report may have a significant impact on persons who share one or more protected characteristics under the 2010 Act. Therefore, the Council should take all necessary steps to properly understand how such persons are impacted which could include consultation. Again this can form part of the consultations.
- 7.10. In any event in order to be lawful all consultation (where necessary) should be undertaken whilst the decision is still at a formative stage to be legally compliant.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

Appendix 1 Non-Residential Assets Policy

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012: NONE

Officer contact details for documents: Simon James & John Kiwanuka ext 2616

Appendix One

Non-residential assets policy

This policy affects:

Tenants	X	Leaseholders	X
TMO Tenants		TMO Leaseholders	

Related policies/procedures:

Author: Savio Fernandes

Department: Neighbourhood Services

Approved by:

Date Approved:

Date of Equality Impact Assessment: N/A

Policy review date:

EIA review date: N/A

LBTH NON RESIDENTIAL STOCK LETTING POLICY AND PROCEDURE

Definition

Non-residential stock lets include garages, store-sheds (pram-sheds), parking spaces and other miscellaneous non-residential facilities managed by the Council and let through a licence agreement.

1. LBTH POLICY

- 1.1 The Council will seek to ensure that non-residential stock is allocated in a fair and timely manner, so as to maximise the use of facilities for the benefit of residents.
- 1.2 Priority for letting non-residential assets will always be given to Residents of the estate in which the facilities are situated i.e. Council tenant, leaseholder or freeholders (liable for payment of service charges).

- 1.3 Where any member of a household already licences a parking facility, precedence will be given to waiting list applicants on the same banding level to whom a let has not already been made.
- 1.4 Garages, store-sheds and parking bays that form an integral part of an individual dwelling will be let as part of the tenancy.
Garages, store-sheds and parking bays that are separate from individual dwellings are currently let on weekly licence agreements. However, a new system for car spaces will be introduced in 2018/19 which will mean that 6 monthly or Annual permits will be allocated to applicants.
- 1.5 Permits for car spaces or garages will not be available to those who do not live in the Borough.
- 1.6 On Council estates where there is a constant demand from residents For garages, parking spaces and store-sheds, the following restrictions will generally apply:
 - Maximum of 2 parking spaces per household
 - Maximum of 1 garage per household
 - Maximum of 1 store-shed per household

Where there is no demand,(i.e. a space is empty for more than 4 weeks) the Service Manager has the discretion to increase this threshold although this will be on the basis that any subsequent and substantial increase in estate based demand will lead to these lettings being revoked.

This policy is not retrospective and will not affect those who already have over this number of facilities.
- 1.7 Where proven demand exists of an estate based resident or tenant with a disability requesting a facility, to whom a let has not already been made, the managing agent may at its discretion take action to terminate licences and re-allocate facilities. This may involve removing a permit from a non-resident who does not live on the estate or a household who already rents a number of facilities
- 1.8 Permit charges associated with non-residential stock are set by the Council.
- 1.9 Where it is discovered that a garage, store-sheds, parking space has been illegally sub-let by the licence holder to another person, the licence will be terminated and the licence holder will be permanently excluded from renting further estate facilities.

Where a leaseholder or freeholder sub-lets their property and is no longer resident on the estate, any existing facilities licence ends.

Any estate facility cannot be 'sub-let' by a leaseholder to their sub tenant', for financial gain. The sub tenant should apply for a space in their own right where their application would be processed, in accordance with the existing banding system (priority 3)

- 1.10 No alterations to non-residential stock are permitted and in such circumstances the Council will revoke a licence.
- 1.11 In Estates that are controlled utilising contract law, THH will not let any non-residential facility to any household where a tenant, leaseholder or freeholder has an outstanding debt with the Council
- 1.12 Currently, a Notice to Quit will be served on any facility let, where a licensee has licence fee arrears of 4 or more weeks and action will be taken to repossess the facility. No previous applicant with unpaid arrears or costs will be allowed to re-apply for non-residential stock.
- 1.14 The Council will move towards implementing a six monthly or annual permit issuing process where payment for a car space is made in advance.
- 1.13 Where the parking facility is in a controlled access car park, the resident may be required to pay a refundable deposit for any security keys/fobs that are needed.
- 1.14 Requests to changes their 'personal vehicle during the period of the permit will be subject to an administration fee. THH will not generally agree requests to move personal bays on the same estate and should this be agreed it will be subject to a charge. This charge will be removed when an online application system is introduced.

2 LETTING PRIORITIES

- 2.1 The letting of Garages, Store-sheds and Parking spaces are based on the following priority bands:

Priority list for allocating parking on applications received

- 1 Tower Hamlets Homes (THH) residents/carers with a Disabled Blue Badge/Medical evidence

- 2 Tower Hamlets Homes (THH) tenants leaseholders or freeholders and their family members
- 3 Other LBTH Blue Badge holders
- 4 Other LBTH residents including sub-tenants in THH properties will be considered during initial implementation of the Traffic Management Order. Permits here will time limited to no more than 1 year after which they may be revoked and reallocated in accordance with the priority list.

Some additional provisions may apply for Store-sheds-see section 6

In order to apply for a store-shed;

Proof of identity and address will be required and applicants will be placed on a waiting list

2.1 No allocations will be agreed to those who live outside the Borough

2.1 In order to secure a car space or a garage the resident will need to provide information below.

- **Insurance Certificate and ONE required from the list below:**
 - **second page** of Vehicle Registration Document (V5C). This must be registered to you at your current address
 - Completed New Keeper Supplement (V5C/2) dated within the last eight weeks (making sure date, name and address are filled in)
 - Motability Insurance Certificate
 - Lease or Hire Agreement (must be signed) showing contractual start date and length of agreement
 - **Signed** company letter on headed paper dated in the last 28 days of the application confirming; your name and address, vehicle details, you are an employee, you are insured to drive the vehicle and you have the permission to drive the vehicle for business and personal use.
 -
- **Proof of Residency ONE required from the list below:**
 - Driving licence registered at your current address
 - Signed tenancy agreement
 - DWP Letter
 - Council Tax Registration
 - Electoral Registration
 - Copy of Lease

- Utility Bill (dated in the last 6 months)

2.2 THH will issue one permit per vehicle.

In the event of a lost, damaged or stolen permit, a replacement permit will be issued for an administration charge of £10

In the interim period, the Parking contractor will be informed and no penalty charge action will be taken pending arrival of the new permit.

Should the car owner change their vehicle-on notification a new permit will be issued and the Parking Contractor informed. The existing permit can be used until the replacement is received after which it must be returned.

When the Council introduces the new online application process, these changes can be made online by the Resident and no charges will apply.

2.3 Where applications from tenants are made from vehicles which are not registered to the address, THH reserve the right to seek additional proofs from residents and will not let a space when the evidence suggests that there has been a contrivance to obtain a facility

3 **Applications from Disabled tenants**

- Disabled LBTH residents who are blue badge holders will be entitled to one space that is free of charge
- Applications from all disabled LBTH residents with a blue badge (both tenants and non-residents) will receive a 100% discount for a car-space and a 50% reduction for a garage
- Where there is a named resident or non-resident carer who is receiving a Carers Allowance, the allocated parking bay will be let at no charge to them assuming that the tenant or leaseholder is a blue badge holder. Where appropriate, cases may be referred to a Neighbourhood Housing Officer to carry out a vulnerable customers visit.
- Applications from a blue badge holder for a 2nd garage or car-space will be chargeable and any arrangement that reduces the weekly charge or annual permit charge will only apply to the first let.

Any application from a disabled customer is dependent on proof of address and provision of the blue badge.

4 Applications from residents living in a Car-free development

Residents living in properties that are subject to a 'Car-Free' development agreement are not able to apply for a permit to park in the estate that they live. If a resident who is a Blue badge holder moves into a Car-Free' home on a Council estate, they will be permitted to apply for a parking bay if there are designated spaces available.

5. Provisions specific to Garage Lettings

- 5.1 Unless designated suitable for storage by THH, garages should only be used for the purpose of storing a private motor vehicle or a motor cycle and a licence can be revoked if a unit is being used for another purpose.
- 5.2 The Council is not responsible for any loss or damage caused to any property brought into the garage. The Licensee is also responsible for any damage that they may cause to the Garage
- 5.3 Licences are only offered to individuals and will not be let in the name of private businesses
- 5.4 In the event of an incident where a garage suffers malicious damage, the Council is not obliged to undertake repairs should they prove too costly. Where-ever possible, it may offer an alternative garage.
- 5.5 Hazardous materials such as petrol cannot be stored within a garage and any breach of health and safety regulations will mean the licence is revoked.
- 5.6 THH is aware that power points and lights were once installed in some of the Council's garage stock. The Council is not obliged to provide this facility free of charge and it is not a condition of the Garage Licence. Additionally, the Licence states that the garage must be used solely for the storage of a car so there should be no situation where a power supply is required and then supplied at the Council's cost.

It follows that as and when such installations are found, the Council is within its rights to withdraw the power source if it is practical to do so.

- 5.7 When a garage facility is vacated, the premises must be received empty of possessions and rubbish. Should this not be the case, the licence holder will continue to be charged for use and occupation of the facility. If an occupant fails to return garage keys and a lock change is necessary, this will be classed as a rechargeable payment.
- 5.8 Garages will not generally be let, if a licence holder is in debt to the Council-(this includes rent and service charges)
- 5.9 Motability Scooters holders are able to let a garage to store their vehicle. The Council cannot provide a power supply especially for the purpose of electrically charging the vehicle. In the small number of facilities where there is an established individual supply, the vehicle may be charged subject to the fitting of a charging timer device on the Scooter.

6 Provisions specific to store-sheds

- 6.1 As there is no facility on GIS allocations portal for store-sheds, THH will maintain a separate estate-based waiting list using a standard format across all Housing. Allocations will be based on the lettings priorities set out in section 2
- 6.2 THH Residents with children under 5 or who are overcrowded will be treated as being in the first priority band. Within this band;

Priority will be given to THH Residents living on higher floors than those living on the Ground floor

Those who are living on the ground floor with garden space will not be considered a priority for storage space.
- 6.3 If there is availability and there is more than one application coming from the same band, the applicant who has been identified within the above categories will receive priority.
Should a number of applicants be in the same situation, the allocation will be determined by waiting time.
- 6.4 Store-sheds are intended for the use of residents within the block or estate and are not available for non- tenants or able to be

“inherited” by sub tenants of leaseholders who have let their premises.

- 6.5 Applications from sub-tenants will be treated in the third priority category set out in Section 2.

7 Provisions specific to Car spaces

- 7.1 All vehicles parked on land managed by THH should be in a roadworthy condition and be fully road taxed and insured. SORN or abandoned vehicles are not permitted on THH car-space or land.
- 7.2 The parking space can only be used for accommodating one registered motor vehicle that is in the ownership of the Licensee or their family
- 7.3 All vehicles will be issued with a valid six month or one year permit. Should a valid permit not been in place, a vehicle will be issued with a Fixed Penalty Notice.
- 7.4 If the licence holder uses the facility to carry out re-occurring or extensive maintenance work or repair work to a vehicle on THH car space the licence will be revoked.
- 7.5 The Council will not fit locking posts to any new car spaces. Any damage to an existing locking post will mean that the facility is removed and when TMO's are introduced no locking bars will be used.
- 7.6 The Council is not responsible for any damage to a Licensees car and the vehicle is parked entirely at the risk of the owner.
- 7.7 The Council will endeavour to remove unauthorised users who park in an allocated bay but can take no responsibility in the event that they are unsuccessful in achieving this.
- 7.8 A licence holder cannot holds two facilities (i.e a garage and a car space) for the storage of one vehicle.

8 Motor cycles, Bike sheds.

- 8.1 Wherever possible, THH will provide 'free of charge' bicycle storage facilities. Where there is controlled access to a bicycle store, the resident will be required to pay a refundable deposit for any security keys/fobs that are issued.

- 8.2 Due to space constraints, if a bicycle is considered to have been abandoned, it will be removed;
- A sticker will be placed on the bike giving one month's notice prior to removal.
 - Bicycles not claimed will be donated for charity (the Mayors Fund)
- 8.3 Bicycles are stored at the Owner's own risk and THH will take no responsibility in the event that damage to a bike-shed leads to the loss or damage.
- 8.4 THH will have no responsibility for repairing or replacing individual locks
- 8.5 Repairs in a Bike shed will only be carried out if they are economically viable.
- 8.6 Spaces will be let on a "first come, first served" basis under the terms set out in the Bike shelter licence agreement
- 8.7 For reasons of fire safety, motor-cycles should not be left near a block and may be moved if it is thought that they may pose a risk to residents
- 8.8 Where possible, THH will endeavour to create provision for the parking of motor-cycles on LBTH estates.

9 Contractor spaces

- 9.1 Where possible, LBTH will provide assistance to contractor parking within estate parking arrangements to assist with asset management. Charges may be levied as a part of this arrangement.
- 9.2 During major works, a parking space may be needed by the contractor to erect scaffolding or carry out other works. Where possible, a licence holder will be transferred to an alternative space

10 Visitor Bays

- 10.1 On the majority of LBTH estates, there is provision for visitor parking. This allows visitors to the estate to park using permits purchased from LBTH. Where there are no available spaces (and on some estates, residents opted against having visitor space) the same permits can be used to park on on-street areas.
- 10.2 Visitors to the estate will not be allowed to use spaces used by allocated bay-holders and in these circumstances will be liable for a PCN.

11 Developments involving the demolition of non-residential assets

As a part of its commitment to maximise the availability of affordable accommodation, the Council may require the return of non-residential assets to enable property development

Under licence arrangements, the Council have the right to re-possess these facilities but will;

- If there is capacity to re-locate licence holders, THH will use its best endeavours to re-site those tenants and leaseholders who are affected.
However, the Council will not guarantee that a replacement facility can be found and there is no requirement on the part of the Council to do so
- There is no obligation on the part of the Council to re-locate licence holders who are non-resident
- There is no obligation to re-situate those who are using garages for storage.
- If necessary, THH will end licences of non-residents in areas around infill sites to facilitate a supply of parking for tenants and leaseholders
- Traffic Management Orders will be used on all new Council built Car free developments.

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Pan-London Homelessness Prevention Procurement Hub (“Capital Letters”)</p>	

Lead Member	Councillor Sirajul Islam, Deputy Mayor and Cabinet Member for Housing
Originating Officer(s)	Mark Baigent, Interim Divisional Director, Housing
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	7/8/18
Reason for Key Decision	Impact on Wards
Strategic Plan Priority / Outcome	People are aspirational, independent and have equal access to opportunities

Executive Summary

Capital Letters is a proposed joint endeavour between a group of London boroughs to reduce the costs of temporary accommodation and deliver improved outcomes for homeless families, by jointly procuring and managing accommodation across London.

London Housing Directors and the officer team at London Councils have been working on a model which will enable better outcomes for homeless and at risk households as well as for councils. The proposal is to establish a not for profit company, called “Capital Letters”. This report outlines the proposal and recommends that the London Borough of Tower Hamlets should join the company.

The establishment of Capital Letters is being supported by MHCLG using top-sliced Flexible Homelessness Support Grant, to alleviate the costs to boroughs of providing accommodation and to encourage greater efficiency, provide extra staffing, IT and other resources to increase supply and improve the service offered to both tenants and landlords.

By removing unhelpful competition and duplication of effort, and by providing an organisation to represent a large group of London boroughs, it is intended to offer a simpler and more straightforward interface for landlords, managing agents and developers anywhere in London who are able to provide properties for those families and other households most in need of accommodation.

Capital Letters will collaboratively procure new properties on behalf of London boroughs supported by the MHCLG top-slice and on a pan-London basis. In addition to the top-slice, the pan-London procurement is intended to have a deflationary effect on procurement and allow a more rational allocation of supply across London, allowing households to be housed closer to placing boroughs. Member boroughs will also be able to transfer existing leased properties into Capital Letters, which as a private landlord will be eligible for 100% Local Housing Allowance (LHA) from the Department of Work and Pensions, which on average across London is £35pw higher than the current rate for borough-let temporary accommodation, which is currently 90% of 2011 LHA levels. Boroughs will also be able to convert often expensive nightly paid accommodation where appropriate.

Capital Letters will grow in phases, with an initial number of boroughs joining in the first year, followed by phase two a year later, and eventually including, if not all, then the clear majority of London boroughs. There are also two types of company membership, A and B. The distinction is noted in Appendix A.

Properties are expected to be a mixture of Private Rented Sector properties let by the property owner to households nominated by the boroughs, and properties leased directly from landlords or from managing agents.

Capital Letters will be established as a not-for-profit Company Limited by Guarantee, wholly owned by the member boroughs. Boroughs must become members of the company in order to participate in and benefit from its activities and access the additional MHCLG funding.

By the end of the third year of operation it is envisaged that Capital Letters will have a staff complement of around 270 officers and an annual income of £238m. By this stage it will have secured almost 20,000 additional properties to help prevent and tackle homelessness, and will have an estimated 13,000 properties either fully or partially under its management.

For Tower Hamlets, officers propose seconding at least 2 members of staff in order to procure an estimated 220 properties per year, including c.120 leased properties for use as temporary accommodation for accepted homeless families and c.100 private tenancies for prevention of homelessness. At this level of involvement, officers estimate a potential saving of around £300,000. Further detailed analysis will be needed to finalise the agreed outputs for the first year (2019/20) and provide a clearer targeted savings figure.

This report asks the Mayor to approve the recommendation that Tower Hamlets becomes an A member of the proposed company, Capital Letters London Ltd. Detailed operational decisions about seconding staff and procuring through the company will be approved by officers under delegated authority.

RECOMMENDATIONS

The Mayor in Cabinet is recommended to:

1. Note the £38 million over three years potentially being made available by MHCLG specifically for pan-London collaboration on the procurement of accommodation for homeless households.
2. Approve the decision to join “Capital Letters”, a Company Limited by Guarantee that will be established by the London boroughs, as an A member.
3. Appoint the Interim Divisional Director of Housing and Regeneration, as the Council’s Company Member Representative.
4. Delegate authority to the Corporate Director, Place, to approve operational arrangements for staff secondment and procurement via the company.

1. **REASONS FOR THE DECISIONS**

- 1.1 The decisions recommended are required to join the company and participate in the collaborative procurement approach and to access the MHCLG funding.
- 1.2 The estimated aggregate financial benefit of the proposal to London boroughs collectively is up to £116m, plus potential savings on changing how placements are made and reduced repeat homelessness through tenancy sustainment. The company will build on the Inter Borough Accommodation Agreement (IBAA) which has led to reduced spending through rate-sharing and the application of a cap on rates paid for certain accommodation. The company will work within this system, and provide further opportunities to rationalise and secure efficiencies in the procurement of accommodation for homeless households.
- 1.3 Capital Letters will be set up in a number of phases (see proposed timescale in Appendix B). There are a number of reasons why it would be advantageous for Tower Hamlets to be part of the first wave of boroughs which are anticipated to start operations in April 2019.
- 1.4 The MHCLG subsidy per borough will be greater in the first year. This is important in terms of the proportion of centrally funded staff compared to borough funded staff, which should provide a greater uplift to procurement numbers for the boroughs in the first wave. The MHCLG subsidy per property will also be greater in the first year and boroughs joining in the first year will receive an additional year’s subsidy from MHCLG compared with boroughs joining later.
- 1.5 The boroughs involved in the set-up of the company will have much more control over the way it is set up and shaped than boroughs who join later after the organisation has been established.
- 1.6 Boroughs who do not join Capital Letters will still have properties procured by

Capital Letters in their area. Although Capital Letters will abide by the agreed IBAA rates, there is nevertheless a significant risk that landlords and agents will prefer to work with Capital Letters than within individual boroughs because of the profile it will have when launched, and because of the more streamlined ability to let properties across London with one organisation than with a number of different boroughs, all with slightly different terms and conditions and different personnel.

- 1.7 If Capital Letters is successful then it will be possible for Tower Hamlets to secure more private rented and leased properties in London within or close to the borough, thus reducing the need to place families in B&B and hotel annexes, in more distant parts of London or outside London altogether. It would be better to secure these benefits sooner rather than later.
- 1.8 The decisions recommended are required to join the company and participate in the collaborative procurement approach and to access the MHCLG funding.

2. ALTERNATIVE OPTIONS

- 2.1 There is the option not to join the company in the first phase. This would result in a lost opportunity to access MHCLG grant funding, alleviate the costs of providing temporary and prevention accommodation, increase the procurement of leased temporary accommodation, reduce the use of expensive nightly paid accommodation and enable the placement of many households closer to home.
- 2.2 Rather than A membership in the first phase, the Council could alternatively join the company as a B member. This would still enable the Council to receive services from Capital Letters but would mean that the Council has less influence over the strategic direction of the company. It would also mean Tower Hamlets would not have access to additional MHCLG subsidy for newly procured properties. The distinction between A and B membership is noted in the Articles of Association, with the relevant section copied below in Appendix A.

3. DETAILS OF REPORT

- 3.1 The immediate background to this work is the increasing burden of homelessness and the resulting provision of TA and prevention placements. In March 2017 there were 77,240 households in TA nationally, an increase of 60 per cent since March 2011. Seven out of ten of these households are placed by London boroughs. The cost of providing TA in 2015/16 (£845 million) accounted for more than three quarters of the total cost of providing homelessness services nationally (£1.15 billion).
- 3.2 In recognition of this MHCLG have provisionally allocated £38 million over three years, top sliced from the Flexible Homeless Support Grant (FHSG). Whilst it is hoped that MHCLG will fund the project in full, allocation of some of these funds may take place in the next national spending review and therefore

the Ministry are unable to provide a definitive position on the full funding ask. There is therefore a risk that MHCLG funding will only be provided in the first year, meaning that any boroughs that join in the second phase may not be able to benefit from the MHCLG subsidy and the project overall may not benefit from any further subsidy in the second year.

- 3.3 MHCLG funding is expected to be used in the following three ways:
- Contribution to Private Sector Leases (PSL),
 - Private rented placement incentive payments,
 - Central cost contribution, e.g. for additional procurement staff, tenancy sustainment staff, IT and premises for the company.
- 3.4 Participating boroughs who become full members of Capital Letters will initially second staff from their procurement and management teams performing this function to Capital Letters¹. This will allow the existing skills, expertise, local knowledge and client relationships held by those officers to be absorbed into Capital Letters.
- 3.5 The activity of seconded staff continuing with the procurement activities they were previously undertaking for their borough will be supplemented by approximately 20 additional staff employed directly by Capital Letters. It is anticipated that this will lead to 4,300 additional properties within Greater London being procured in the first three years.
- 3.6 Boroughs will be allocated at least as many properties over the first year as were procured by the staff it seconds in the previous year. Any additional properties would be allocated to the participant boroughs in proportion to the staff resources they have contributed through secondment or funding of staff recruited directly by Capital Letters. Subject to meeting borough minimum allocations, and fair distribution of additional properties, all properties should be allocated as close to host boroughs as possible, also taking into account the provisions of the homelessness suitability order as they apply to individual households. This should mean that a smaller number of households have to move a long distance from their home borough than is currently the case. Proposed allocation policy principles are set out in Appendix C.
- 3.7 The company will be funded by a combination of MHCLG grant, rents from tenants and top up payments from member local authorities. These are the payments that are already made by local authorities, for example through Discretionary Housing Payments (DHP) or other existing budgets when Local Housing Allowance (LHA) rates do not cover full rent. They will be made lower for local authorities as a result of the MHCLG subsidy, so the net impact for Tower Hamlets should be a real reduction in expenditure per property.
- 3.8 The company will be established as a private company limited by guarantee, owned and managed by the boroughs who constitute limited liability members

¹ Boroughs do not have to second staff, although most are likely to. If a borough would prefer to have another way of placing a minimum of 50% of their relevant procurement through Capital Letters that is acceptable.

of the company. The liability is limited to £1. It will also be Teckal compliant in relation to public procurement regulations, which means that as a company member Tower Hamlets will be able to use the company's services without undertaking a competitive procurement process.

- 3.9 The activity of the company will be supported by a digital Property Listing Platform (PLP). A specification for this IT system has been developed by London Ventures, in consultation with the Capital Letters working group. Soft market testing has identified a number of providers who would be able to develop a product which meets the specification requirements. Initially, one borough will lead on the procurement of this PLP on behalf of the company.
- 3.10 The timescale for programme delivery assumes the new company is established and trading by April 2019, with a first wave of boroughs joining by then and a second wave of boroughs joining in April 2020.
- 3.11 Therefore, the Mayor in Cabinet is asked to approve the recommendations that Tower Hamlets joins the company as an A member so that the borough may benefit from the services provided by the collaborative enterprise.
- 3.12 A minimum condition of being an A member of Capital Letters is that at least 50% of the annual supply of new non-emergency accommodation for homeless households for that borough is provided by Capital Letters in the first year. This is a minimum requirement, many boroughs will put through a higher percentage of their supply.

4. EQUALITIES IMPLICATIONS

- 4.1 The proposed Pan-London procurement company will not have any material impact on the local need for temporary accommodation and prevention or the level of service purchased on behalf of the Council in this market. Apart from the benefits to the Council in terms of price, procurement efficiency and availability of accommodation, the key benefits for service users will be in relation to the quality and location of accommodation, as well as the provision of tenancy sustainment support. Given the well understood negative impact of temporary accommodation and homelessness on a wide range of social and well-being outcomes, and the profile of service users in terms of groups of people with protected characteristics, the services delivered by the proposed procurement company will have a positive impact in promoting the Council's statutory and strategic policy outcomes for equalities.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,

- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 The proposed Pan-London procurement company will fundamentally change the way temporary accommodation and homelessness prevention is purchased across London, reducing wasteful competition between boroughs, enabling a greater focus on local provision to meet each borough's needs, thus fulfilling Best Value principles as well as promoting health, well-being, safeguarding and community cohesion.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report seeks the approval of the Mayor in Cabinet to the Council becoming a member of a company limited by guarantee - 'Capital Letters' - that will procure temporary accommodation on behalf of its member authorities. It also seeks approval for the Interim Divisional Director of Housing and Regeneration to be appointed as the Council's company representative.
- 6.2 Local authorities across London are experiencing an acute housing crisis and currently Tower Hamlets has over 2,000 families in temporary accommodation. The net cost of these units of temporary accommodation to this authority varies depending on the type of accommodation, with bed and breakfast units costing £9,000 per annum, nightly lets costing £6,500 and private licensed accommodation costing £3,500 per annum.
- 6.3 The gross budget of the Homelessness Service for 2018-19 is £35.5 million, with the major cost element being the £27.4 million budget for the rent payable to landlords for the supply of temporary accommodation. The main source of income derives from the rents and charges that are levied to customers.
- 6.4 The majority of the rental income is however met through benefits payments, so the financial implications within the service budget cannot be looked at in isolation. Although the Council has a statutory duty to pay benefits, the level of subsidy that is recouped from the DWP is capped. The high rent levels charged by suppliers of temporary accommodation are leading to budgetary pressures within the Housing Benefits budget due to this variance between the statutory benefits paid out and the Government subsidy received.
- 6.5 Demands on Councils have further increased as a result of the requirements of the Homelessness Reduction Act which came into effect in April 2018. In order to alleviate these pressures, the Council has recently introduced various initiatives to increase supply, including the approval of significant capital investment to purchase properties to be let as temporary accommodation. The proposal in this report will provide a further supply of units for use as temporary accommodation, procured at a lower cost to the Council than is currently the case.

- 6.6 The 'Capital Letters' project will be funded over a three year period from resources of £38 million that have been 'top sliced' by the MHCLG from the Flexible Homeless Support Grant.
- 6.7 The amount and type of temporary accommodation procured each year depends on demand. Acquiring leased accommodation on a longer term basis via 'Capital Letters' should reduce the need to repeatedly procure the more expensive nightly paid accommodation on an ad hoc basis. In addition, leasing via 'Capital Letters' will be cheaper on a net cost basis because (a) the MHCLG top sliced funds will be used to cover part of the incentive payment to the landlord and (b) as a private company 'Capital Letters' can benefit from Government subsidy at the full 2018 Local Housing Allowance (LHA) level whereas leases directly procured by the Council are only eligible for subsidy at a rate of 90% of the January 2011 LHA.
- 6.8 Based on these principles, it is anticipated that a financial benefit of £116 million will accrue across London boroughs over the first three years of the initiative, however at this stage it is not possible to quantify exact levels of savings that will be realised within the Council's General Fund. It is hoped that a potential saving of at least £300,000 will be delivered in the first year (2019-20), increasing in future years as the project expands. Once more detailed savings projections are available these should be incorporated into the Council's Medium Term Financial Strategy as appropriate.
- 6.9 Member councils will be required to second staff to the company. Temporary accommodation is currently procured within the Council's Housing Options Service and it is anticipated that two staff members will be seconded to the company. The report proposes that all arrangements for these secondments are delegated to the Corporate Director (Place).
- 6.10 It is suggested that the Council becomes a founder 'A' member of the company. This requires the Council to agree that at least 50% of the total number of dwellings that it procures for use as temporary accommodation (excluding nightly lets or properties outside of the London area) are obtained through the company - see paragraph 1.5 of the extract from the Articles of Association (Appendix A). This requirement should be met provided that sufficient units to meet demand are made available by the company, however it is essential that any legal agreements entered into protect the Council's assets and minimise its exposure to risk.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The creation of a lease is a property arrangement and is not in itself procurement activity. However, Capital Letters will be providing services to us in terms of finding, arranging and managing lettings. This is procurement activity and ordinarily should be subject to competition.
- 7.2 However, the Council does not have to subject the purchase to competition provide it and the other bodies who control Capital Letters exercise a

sufficient level of control over Capital Letters. The controlling arrangement provided as a part of this report would satisfy Regulation 12 of the Public Contracts Regulations 2015 and therefore, provided that the Council obtains the suggested level of control, the Council would be able to use Capital Letters without the need for a further competitive exercise.

- 7.3 The use of Capital Letters is subject to Capital Letters themselves following the prevailing procurement law although the information provided with this reports suggests that this will be the case.
- 7.4 Once the arrangement has been entered into, the Council should continue to use the supply of properties in accordance with its existing policies and procedures, and in particular following the pre-existing approval routes. Also the impact on Equalities should be limited provided that properties are allocated in the same manner as our pre-existing stock lists.
- 7.5 The Council has a duty under the Housing Act 1996 (“HA 1996”) to secure that accommodation is available for eligible applicants who are homeless, in priority need and not intentionally homeless.
- 7.6 The duty under section 188 HA 1996 is to provide interim temporary accommodation if the applicant meets the appropriate criteria. Pending a decision that a housing duty is owed, the authority will secure accommodation for their occupation.
- 7.7 When a housing duty is accepted under Section 193 of the Housing Act 1996, the housing authority is obliged to provide housing assistance.
- 7.8 It is envisaged that joining the company will secure the availability of more private rented and leased properties, reducing the need to place homeless families in B & B and hotel annexes.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix A – Membership Classes: extract from draft Articles of Association

Appendix B – Proposed Timescale for Phased Implementation

Appendix C – Allocations Policy Principles

Background documents

Draft Capital Letters Business Plan [Exempt – commercially confidential]

Officer contact details for documents:

Mark Baigent, Interim Divisional Director, Housing & Regeneration

Appendix A, extract from Articles of Association

1 Admission of Members and cessation of Membership

- 1.1 The Members of the Company shall be divided into "A" Members and "B" Members. "A" Members and "B" Members will have the rights as specified in these Articles.
- 1.2 The subscribers shall be the first Members of the Company and shall be designated as "A" Members.
- 1.3 The Members may admit any other Public Body to Membership on receiving:
 - 1.3.1 a written application confirming that it agrees to be bound by the provisions of the Articles; and
 - 1.3.2 where a Members' Agreement has been entered into, a signed deed of adherence to the Members' Agreementfrom any such body.
- 1.4 A Member admitted under article 12.3 above shall be designated as an "A" Member or a "B" Member by the "A" Members upon admission.
- 1.5 A Public Body shall only be admitted as an "A" Member if they agree to ensure that at least 50% of the total procurement for that body of dwellings to support the discharge of that body's statutory responsibilities for homeless households or those at risk of homelessness (excluding nightly paid properties or properties outside of the London area) is to be procured by the Company.
- 1.6 A Public Body admitted to Membership who does not agree as per article 12.5 but will receive services from the Company will be admitted as a "B" Member.
- 1.7 The rights powers and obligations of each Member under these Articles shall take effect on the admission of that organisation to Membership.
- 1.8 Each Member shall nominate a person to act as its representative in the manner provided in Section 323 of the Act. Such representative shall have the right on behalf of the Member to attend meetings of the Company and vote thereat and to exercise all rights of Membership on behalf of the Member. The relevant Member may by written notice to the Company revoke the nomination of such representative and may nominate another representative in his place.

- 1.9 The rights of each Member shall be personal and shall not be transferable and shall be exercisable only by the Member or its Voting Representative.
- 1.10 Membership shall not be transferrable.
- 1.11 An "A" Member shall cease to be a Member of the Company if (i) it serves no less than six months' written notice to do so or (ii) is removed or expelled for any reason by ordinary resolution of the Members passed at a General Meeting or under any agreement entered into between the Members from time to time and (iii) if at any time the Member ceases to be a Public Body or (iv) otherwise in connection with these Articles and the noting of the cessation of Membership in the Company's register of Members shall be conclusive in this regard
- 1.12 A "B" Member shall cease to be a Member of the Company if (i) it serves no less than six months' written notice to do so or (ii) is removed or expelled for any reason by ordinary resolution of the Members passed at a General Meeting or under any agreement entered into between the Members from time to time and (iii) if at any time the Member ceases to be a Public Body or (iv) otherwise in connection with these Articles and the noting of the cessation of Membership in the Company's register of Members shall be conclusive in this regard.
- 1.13 At the end of each financial year, the "A" Members shall each confirm to the Company (in a form that shall be agreed by the "A" Members from time to time) the percentage of its total procurement for that "A" Member of dwellings to support the discharge of its statutory responsibilities for homeless households or those at risk of homelessness (excluding nightly paid properties or properties outside of the London area) that was undertaken via the Company that financial year. In the event that this percentage is less than 50% the "A" Members have, at their discretion, the ability to terminate the "A" Member's Membership in accordance with article 12.14.
- 1.14 The decision to terminate an "A" Member's Membership in accordance with article 12.13 shall be taken at a meeting of the "A" Members (i) called on no less than 7 clear days' notice; (ii) attended in person or by proxy by at least 50% of the "A" Members (excluding the "A" Member whose Membership is being considered for termination); and (iii) made by no less than 50% of the total "A" Members excluding the "A" Member whose membership is being considered for termination.
- 1.15 In the event that an "A" Member's Membership is terminated pursuant to article 12.14 the Membership shall terminate immediately upon the decision having been taken.

- 1.16 In the event that an "A" Member's Membership is terminated in accordance with article 12.12 that Member may be re-admitted to the Membership of the Company as a "B" Member, subject to compliance with article 12.3 and 12.6.

Appendix B – Proposed Timescale for Phased Implementation

Date	Milestone
June 2018	<p>Collaborative Procurement Group signs off Capital Letters documentation.</p> <p>Potential first phase (year 1) boroughs identify themselves and begin internal approval processes (8 boroughs minimum required in first year).</p>
July 2018	<p>Borough Cabinet Papers drafted and submitted</p>
September 2018	<p>Shadow Capital Letters Directors Group meets</p> <p>Business case to be presented to London Councils' Chief Executives London Committee</p> <p>Procurement of IT system begins with OJEU Notice</p>
October 2018	<p>Capital Letters Incorporated as an organisation</p> <p>Business case to be presented to London Councils Leaders' Committee</p> <p>Cabinet Approval with first phase boroughs received</p> <p>Commence discussions with boroughs re possible resource including secondments</p> <p>Recruitment of CEO and key leadership team begins</p>
April 2019	<p>Formal launch of Capital Letters</p>

Appendix C – Allocations Policy Principles

Allocations

The method by means of which properties procured by Capital Letters will be allocated to individual boroughs are set out in more detail in the Capital Letters Allocations policy. The main principles are:

Principle 1.

The number of properties (excluding HMOs and studios) procured for each borough over the previous year using the resources and contracts transferred into Capital Letters would set a minimum limit for allocation of properties to that borough. This should guarantee that (unless market conditions have markedly worsened) each borough will get at least as many properties over the first year as were procured by the staff it seconds in the previous year. Studios and HMOs will not be counted in these minimum allocations, but will be allocated separately according to location and borough need.

Principle 2.

It is expected that significantly more properties than this will be procured in practice, due to staff working collaboratively and because of the additional procurement resources available to Capital Letters. Properties procured above those numbers would go to the participant boroughs according in proportion to the staff resources they have contributed through secondment or funding of staff recruited directly by Capital Letters.

Principle 3.

Boroughs will be able to specify the proportion of each type (PRS, PSL etc.) and size of property that they want, as well as making requests to meet urgent needs for specific property types as they arise. These expressed preferences will guide the Capital Letters procurement strategy, and as much as possible they will be met, bearing in mind that some sizes and types of property are harder to obtain than others.

Principle 4.

Subject to meeting borough minimum allocations, and fair distribution of additional properties, all properties should be allocated as close to host boroughs as possible, also taking in to account the provisions of the homelessness suitability order as they apply to individual households. This should mean that a much smaller number of households have to move a long distance from their home borough than is currently the case.

Principle 5.

Any additional properties procured beyond the needs of the participating boroughs may be offered to non-participant boroughs.

<p>Cabinet</p> <p>28 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe – Acting Corporate Director, Place</p>	<p>Classification: Part Exempt (Annex B)</p>
<p>61 Vallance Road – Grant of Lease</p>	

Lead Member	Mayor John Biggs
Originating Officer(s)	Richard Chilcott, Acting Divisional Director, Property and Major Programmes
Wards affected	Spitalfields and Banglatown
Key Decision?	Yes
Forward Plan Notice Published	24 th August 2018
Reason for Key Decision	Rental charge exceeds delegated authority level
Strategic Plan Priority / Outcome	The proposal has an emphasis on developing new skills and supports the Council's vision to improve educational attainment for young people and develop a broader range of learning.

Executive Summary

61 Vallance Road (formerly known as Keen Students School) is part of a PFI school site, has been vacant since June 2017 and is considered to be surplus to operational requirements. The Council received a number of expressions of interest from, potential occupiers including an offer from ADA National College for digital skills (ADA) to take a lease of the property. Their offer was considered the best in terms of fit with the use of the property and also their ability to pay the rent and unitary charge to the Council. ADA is a further education college focussing on technology and digital training. The report recommends that the Council grants a sublease to ADA.

Recommendations:

The Mayor in Cabinet is recommended to:

1. To grant approval for a lease to be granted to ADA on the basis of a 5 year term for an annual charge of £75k per annum inclusive of rent.
2. Delegate to the acting Corporate Director of Place in consultation with the Corporate Director of Governance the ability to agree the detailed terms of the lease and any other agreements.

1. REASONS FOR THE DECISIONS

- 1.1 61 Vallance Road forms part of a broader education PFI contract. Under the terms of the PFI agreement The Council are liable for unitary charges equating to £46,000 per annum. The costs are chargeable regardless of whether the building is occupied or not.
- 1.2 ADA National College for digital skills (ADA) would like to take a 5 year lease of 61 Vallance Road. ADA is a further education college focussing on technology and will pay an inclusive charge of £75,000 including rent for the building. The total income to the Council that arises from entering into the proposed lease exceeds the delegated authority level provided to officers and so this matter needs to be referred to Cabinet for approval to proceed.

2 ALTERNATIVE OPTIONS

- 2.1 **Leave as is** - Under the terms of the PFI agreement The Council are liable for unitary charges equating to £46,000 per annum whether space is used or not. If left vacant the building whilst will continue to be basically maintained by the PFI company will age and may also be vulnerable to squatters. Leaving the building vacant is not a sensible option.
- 2.2 **Secure a subtenant** - Securing a sub tenant (the preferred option) will allow the Council to cover the FM unitary charge and secure an additional rental income. Letting to ADA, as a subtenant will be compatible with the use of the rest of the site as an education campus and is the best option from those considered.
- 2.3 **Disposal** – The terms of the PFI agreement mean that the Council is obligated to retain 61 Vallance Road.

3. DETAILS OF THE REPORT

- 3.1 The site of 61 Vallance Road was previously used and occupied under a sublease by Keen Students School. The site comprises a 2 storey building with an internal floor area of 203 square meters. The building forms part of an educational 'campus' comprising of Osmani Primary School and Osmani Youth Centre. A plan of the site is shown in annex 1.
- 3.2 The site is subject to a PFI agreement which has a unitary charge of £46,000 per annum to the Council. This charge covers soft services like cleaning, grounds maintenance, annual maintenance etc. and is payable directly to the PFI operator, Amber, regardless if the site is in operational use or not.
- 3.3 Keen Students School vacated the site in June 2017. Officers in the Asset Management team spent some time considering the various options (outlined

above) for the use of the site and establishing the best way to secure a suitable tenant. A number of expressions of interest and offers for the building were received for a lease of the building. The best proposal was made by ADA. A schedule of the offers is shown in annex 2. In deciding the best organisation to take lease space the Council would normally look at several factors including:

- Rent
- Use
- Readiness to occupy
- Ability to occupy the whole building
- Track record
- Financial status

In this case, the Council received unsolicited interest in this building which was analysed. The Council set the rental level based on the market rent and the level of the unitary charge.

- 3.4 In terms of background to ADA it came to light that local residents were not benefitting from the numerous technical jobs that had been generated in Canary Wharf and the Shoreditch area. Addressing this issue has been identified as a priority for the Growth and Economic Development service.
- 3.5 Some good work has been delivered via the Enterprise team in improving digital skills in schools (e.g. like code clubs) but we have yet to see this translate into improved employment outcomes. The application from ADA National College for Digital Skills, supports this vision to improve local residents access to local digital jobs.
- 3.6 ADA operates a specialist digital sixth form from its existing base in Tottenham Hale and will be using Vallance Road to deliver its apprenticeship programme. ADA was established with a social mission to increase the representation of underrepresented and disadvantaged groups (women and people from BAME backgrounds) in the tech sector. Since the tech sector is generally one of the better paid employment sectors, this work will also impact on prosperity indicators for the same target group.
- 3.7 The apprenticeships delivered here are higher level (first year degree equivalent) opportunities with big name firms including Google, Facebook and Deloitte, so provide good quality learning, relatively high earnings from the start and excellent progression potential. With apprenticeships it is the employers themselves that select the candidates so we can't guarantee that having ADA located in the borough will improve digital employment outcomes for our young people.
- 3.6 That being said they are proposing to deliver a programme of school and community work as part of their tenancy, which will raise the profile of these opportunities, and encourage and help equip young people to apply. We will be brokering partnerships between ADA and the schools with whom we pilot our new careers work. The adjacent primary school has met ADA and anticipates working with them to improve the digital skills of the pupils.

3.7 ADA's industry partners frequently visit the college site to deliver training and, with the Vallance Road site being more convenient for CW, Shoreditch and the City these are likely to increase. This has the potential to generate spin off benefits on the enterprise creation side as visitors recognise the convenient location and relative affordability of the area.

3.8 As part of the due diligence, ADA's Governance, constitution, safe guarding and other policies and track record with Haringey were examined. Additionally ADA is supported by an investment of £13 million from the Government and £18 million from the Greater London Authority. The head of property confirmed the £75,000 all-inclusive rent which is considered to be best consideration and represents best value to the Council.

3.9 Whilst the building was occupied relatively recently it has been discovered that the current fire alarm system is connected to the adjoining Osmani Primary School. The head teacher and governing body (who were consulted on the occupier options) raised concerns from a general safeguarding position if the route of emergency escape was to remain passing through the school playground. Minor works are required to reduce the risks and to ensure the space is fit for purpose in terms of fire regulations and site management. The Council need to establish what the cost of the works are and the risks if the works are not complete.

4. EQUALITIES IMPLICATIONS

4.1 The Council has a disproportionate number of ethnic and minority groups represented in the number of young people not in education, training and work. This proposal will provide well needed opportunities for young people and the local community to acquire new skills.

5. OTHER STATUTORY IMPLICATIONS

"This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- *Best Value Implications,*
- *Consultations,*
- *Environmental (including air quality),*
- *Risk Management,*
- *Crime Reduction,*
- *Safeguarding."*

5.1 BEST VALUE IMPLICATIONS

One of the key important factors considered for selecting the tenant for 61 Vallance Road was the track record and the ability to for the proposed

occupier to meet all the costs relating to the occupation. It was also important to secure commitment to the site for as long as possible to avoid the risk of the Council needing to cover the cost of the unitary charge. A valuation was carried out of the site and it confirms that the rental charge represents best consideration for the site.

5.2 Risk Management Implications

Risk	Mitigation
That formal approval may not be forth coming in time for the college to complete their planning for opening for their next student cohort.	Legal services to prepare all legal documentation in parallel with obtaining approvals to proceed.
Adjacent school not happy with selected occupier	There has been considerable engagement with school to explain the Council's approach to find a replacement occupier for the building. The school have confirmed their agreement for ADA to take a lease of the space. Meetings between both new provider and the school will be arranged shortly so any potential issues are identified and policies put in place.
Provider cannot afford rent	Checks on the organisation's financial standing and track record undertaken during the bid evaluation process.
Not all the space needed meaning we may need to find others to fill the voids and all the complexities that can arise from that	Focus on provider able to use the whole building to lessen the risk of the Council having to cover the unitary charge in the future.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report requests that the Mayor in Cabinet agrees to grant a lease to ADA National College for digital skills in relation to 61 Vallance Road, for a period of five years, at an annual charge of £75,000.
- 6.2 The building is currently vacant, although under an existing PFI agreement the Council must pay an annual unitary charge of £46,000 whether the building is occupied or not. Therefore under this proposal the Council will receive net annual income of £29,000 for five years. There is no rent review during the five year period so the net income will reduce over the 5 year period.
- 6.3 Officers in the Asset Management team have considered the options for the use of the site, and a number of expressions of interest and offers were received; of these, after taking into account the factors outlined at paragraph

3.3, it was decided that the best proposal came from ADA National College for digital skills.

- 6.4 It is understood that there will be no ongoing financial liability for the Council in relation to the upkeep of the building whilst ADA are occupying it, as this will be the responsibility of either ADA or will be covered by the annual PFI unitary charge.
- 6.5 This report highlights at paragraph 3.5 that some minor works are required in relation to fire safety. It is understood that this work may be covered by the unitary charge, or if not the Council will be liable for these. No estimates are yet available but it is understood that any such costs would be absorbed within existing budgets.

7. COMMENTS OF LEGAL SERVICES

- 7.1 ADA is a Further Education College that operates as a limited company with charitable status. Leasing the site would take the form of a conventional sublease on commercial terms (although the Council may wish to reserve the right to terminate the lease in the event of school closure or one or more unfavourable OFSTED reports).
- 7.2 Per Finance's comment at 6.4 and as part of the consultation with the Corporate Director of Governance the lease will presumably be on a fully repairing and insuring basis, for no net financial liability to the Council.
- 7.3 It is understood that the current rental figure (including the unitary charge) has been assessed by an independent surveyor who confirms that the site has been out to the market, and this bid represents the best consideration the Council considers to be reasonably obtainable. The land is held in the General Fund and, therefore, the Council has the power by virtue of section 123 of the Local Government Act 1972 to dispose of it in any manner that it may wish. Absent Secretary of State consent, the disposal, however, must be for the best consideration that can reasonably be obtained.
- 7.4 The Council's best value duty requires it to manage its asset portfolio in an efficient and effective way. Disposing of land for the best consideration obtainable together with reducing revenue expenditure discharges this duty.
- 7.5 The Council is required when exercising its functions to comply with the duty set out in section 149 of the Equality Act 2010. Given the current usage of the land, there are no direct equality implications arising from the proposed transaction.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

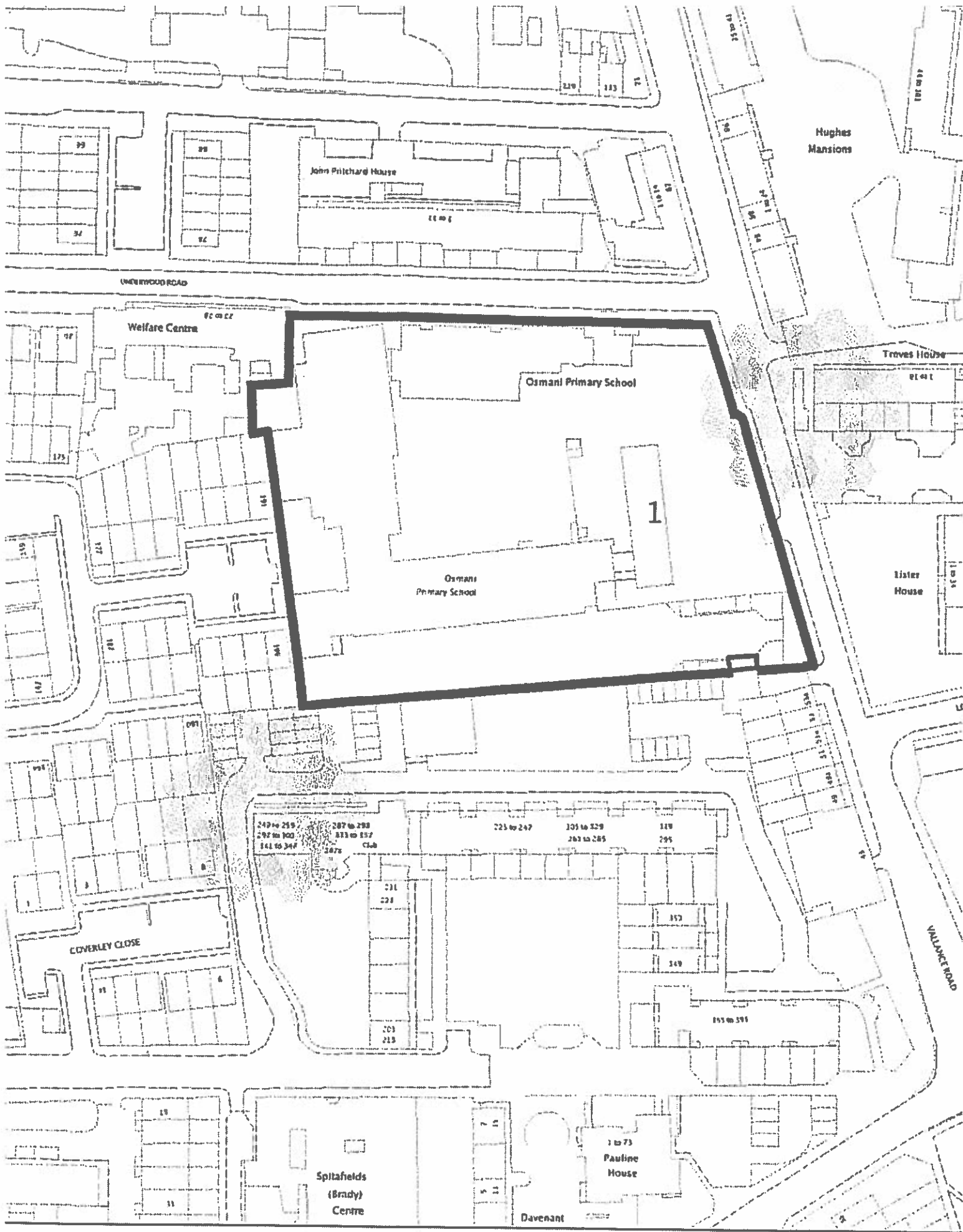
- Annex A – Site Plan
- Annex B – List of Applicants (EXEMPT)

- **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**
- None

Officer contact details for documents:

Alan P McCarthy - Interim Head of Asset Management (PLACE)

M Wynter - Senior Strategic Asset Manager (PLACE)



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Ann Sutcliffe, Divisional Director of Place</p>	<p>Classification: Part Exempt (Exempt Appendices)</p>
<p>Compulsory Purchase of an empty home</p>	

Lead Member	Councillor Sirajul Islam, Cabinet Member for Housing
Originating Officer(s)	Marc Lancaster, Private Housing Policy Officer
Wards affected	Bow West
Key Decision?	Yes
Forward Plan Notice Published	28 August 2018
Reason for Key Decision	Requires capital expenditure estimated at £960,000
Strategic Plan Outcome	A borough that our residents are proud of and love to live in

Executive Summary

The report recommends the compulsory purchase of an empty home (“the property”) and its subsequent disposal. The property is a terraced house located in a conservation area in Bow West. It has been empty for seven years, is in a poor state of repair, and has attracted crime and anti-social behaviour. The report recommends that following compulsory purchase, the property should be retained and used for homelessness relief over a period of five years before being sold on the open market.

The report sets out other options for bringing the property back into use, and for its disposal in the event of compulsory purchase.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the compulsory purchase of the property and its retention by the council for homelessness relief over a period of five years before its sale on the open market.
2. To note the specific equalities considerations as set out in Paragraph 4.1

1. REASONS FOR THE DECISIONS

The property has been empty for seven years

- 1.1 See Appendix 1 for detail, but the owner has not lived in the property since 2011.

The property is a blight on the area

- 1.2 See Appendix 1 for detail, but in summary:
- 1.3 Over the last five years there have been numerous complaints about the deteriorating condition of the property and the fact that it is empty.
- 1.4 The property was squatted through the spring of 2016. The squatters caused very considerable antisocial and criminal behaviour. They were evicted by the police.
- 1.5 In January 2017, the council served a notice under section 215 of the Town and Country Planning Act requiring the owner within six months of its effective date 25 February 2017 to remove overgrown vegetation, rubbish and debris and to clean, repair and repaint the front elevation. The notice has not been complied with and there has been no response from the owner. Building Control officers have to date taken no enforcement action.
- 1.6 Squatters moved in again during April 2018. Neighbours reported to the council on 15 May that the contents of the house were removed and its windows were smashed. Following ongoing complaints, the police removed the squatters on 3 June 2018.
- 1.7 On 16 June 2018 neighbours complained to the council that a fox had died in the garden and its decomposing body was causing a nuisance.
- 1.8 The property is currently in a visibly poor and deteriorating state of repair with many cracks to stucco to front bay and surrounds, loose and potentially dangerous decorative metalwork on the front bay, weeds growing from the roof and small front garden, broken window panes and boarded-up windows. The letter box is boarded up. Works in the region of £38,000 would be required to bring the property up to a minimum decent habitable standard. The back garden is extremely overgrown and potentially a hazard.
- 1.9 On 14 September 2018 four neighbours countersigned a letter to the Mayor asking the council to seek a CPO on the basis of the property's longstanding and ongoing negative impact on the amenity of the area.

The council has made attempts to engage with the owner but this has not resolved the situation.

- 1.10 See Appendix 1 for detail, but in summary:
- 1.11 Intermittent efforts were made by council officers ('officers') to trace the owner between 2014 and 2016. None were successful.
- 1.12 Having traced the owner, in October 2017 officers met the owner who confirmed that he had been living with family outside London since moving out of the property, and that he had no immediate plans to move back in, and that he did not wish to sell the property. He stated that he would like to apply for an Empty Property Grant and to let the property to tenants nominated by Housing Options. Because he did not wish to do it himself, officers agreed that the council would assist in procuring the building work for him through the Home Improvement Agency.
- 1.13 On 27 October officers met the owner at the property. He confirmed that he wished to proceed with the Empty Property Grant and would return a completed application in due course. Home Improvement Agency officers assisted a private surveyor to carry out extensive inspections of the property to provide an estimate of the works required to bring the property to decent homes standard.
- 1.14 Because he did not wish to give access himself, the owner agreed that he would provide a copy of the key in order that officers could give access for a second quote, as required by the terms of an Empty Property Grant. In spite of repeated assurances, this was not provided till it arrived by post on 23 February 2018. Officers subsequently gave access and a second quote was provided during March 2018.
- 1.15 On 4 June 2018 officers met with the owner to sign an Empty Property Grant application. However, he quickly said that he could not sign it immediately and needed a week to think about it. To date we have received no application and no response to our calls and emails about that.

The property is likely to remain unoccupied if there is no change in ownership.

- 1.16 The owner's failure to care for the house or respond to the council's and neighbours' concerns suggest strongly that the property is likely to remain unoccupied if there is no change in ownership.
- 1.17 The owner has clearly stated that he has no plans to live in the house, and that he wants to keep it. The property is therefore very likely to remain unoccupied if there is no change in ownership.

2. ALTERNATIVE OPTIONS

- 2.1 Having acquired the property through CPO, the Mayor in Cabinet could negotiate a reduced sale price with an accredited managing agent attaching a covenant that it is let at Local Housing Allowance rate to tenants nominated

by the council for an agreed period of time. The reduction would reflect the savings to the temporary accommodation budget that this would generate, rendering the process broadly cost neutral.

- 2.2 Having acquired the property through CPO, the Mayor in Cabinet could immediately sell the house on the open market with a covenant requiring it to be brought into immediate residential use. This would recover most of the compensation due to the owner but not the additional costs associated with the process. Though this option has the benefit of simplicity, it would be the least financially attractive option, and the option with the fewest social benefits.
- 2.3 Instead of seeking compulsory purchase, the Mayor in Cabinet could approve application for an Empty Dwelling Management Order (EDMO). This would enable officers after a three month notice period to apply to Residential Property Tribunal for an interim order of 12 months and then potentially a final EDMO. A final EDMO would give the council powers to let and manage the property for a period of up to seven years, retaining enough rental income to cover management costs. This is financially viable at either Tower Hamlets Living Rent or Local Housing Allowance rate. However, the slowness of this process and the failure of the owner to engage so far are significant factors weighing against this option.

3. DETAILS OF THE REPORT

Compulsory Purchase Orders

- 3.1 A CPO can only be made where there is a compelling case in the public interest. As set out above in part 1, this case seems to meet compellingly the public interest tests:
 - it has been empty for at least two years; and
 - attempts have been made to engage with the owner but this has not resolved the situation; and
 - the property is likely to remain unoccupied if there is no change in ownership.
- 3.2 There are a large number of powers enabling local authorities to compulsorily acquire land, each of which specifies the purposes of the power and the purposes for which the land can be acquired. The purpose for which an acquiring authority seeks to acquire land will determine the statutory power under which compulsory purchase is sought.
- 3.3 Section 226(1)(a) of the **Town and Country Planning Act 1990** provides that a local authority can obtain a Compulsory Purchase Orders (CPO) on any land or building if it thinks that the acquisition will facilitate its development, redevelopment or improvement - provided that this will also contribute to the promotion or improvement of economic, social or environmental well-being. In practice, this power may be available where an empty home requires improvement because of its poor condition; though compulsory purchase of single empty properties is more usual under the Housing Act 1985.

- 3.4 Section 17 of the **Housing Act 1985** empowers local housing authorities to acquire land, houses or other properties by compulsion for the provision of a quantitative or qualitative housing gain. The main uses of this power have been to assemble land for housing and ancillary development; to bring empty properties into housing use; and to improve substandard or defective properties.
- 3.5 Officers would serve notice on the owner providing full information about what the compulsory purchase process involves, the rights and duties of those affected and an indicative timetable of events; and make a written offer to purchase at independently valued price.
- 3.6 In the event that a voluntary purchase cannot be negotiated, officers would proceed with the CPO statutory process, the first steps of which are in summary:
- prepare statement of reasons and compulsory purchase order in conformity with the Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004.
 - serve notice of an order with minimum 21 day period on qualifying persons, along with a copy of the statement of reasons.
 - notify the general public through newspaper notices and site notices and invite the submission of objections to the relevant government minister.
- 3.7 A CPO is made by a local authority but is not effective until it is confirmed by the Secretary of State.
- 3.8 If no objections are made to a CPO and the confirming minister is satisfied that the proper procedure for serving and publishing notices has been observed, the minister can confirm, modify, or reject the CPO without the need for any form of hearing.
- 3.9 If there are objections to the CPO, the confirming minister will either arrange for a public local inquiry to be held or – where all the remaining objectors and the acquiring authority agree to it – arrange for the objections to be considered through the written representations procedure.
- 3.10 Acquiring authorities will be required to meet the administrative costs of an inquiry and the expenses incurred by the inspector in holding it. Likewise, the acquiring authority will be required to meet the inspector's costs associated with the consideration of written representations. Other administrative costs associated with the written representations procedure are, however, likely to be minor, and a confirming minister will decide on a case by case basis whether or not to recoup them from the acquiring authority. The daily amount of costs which may be recovered where an inquiry is held to which section 250(4) of the Local Government Act 1972 applies, or where the written representations procedure is used, is £630 per day.

- 3.11 If it is confirmed, the CPO gives the local authority the power to take ownership of the property.
- 3.12 Compensation is payable for compulsory acquisition. The level of compensation is assessed on various elements. However, in this case, the elements of compensation are likely to be limited to the market value of the property. An initial valuation estimates that the market value of the Freehold interest of the property is £860,000.
- 3.13 Basic Loss Payment as defined in s33 (A) Land Compensation Act 1973, equivalent to 7.5% of the value of his interest in the land to a maximum figure of £75,000, is payable where a non-resident owner has had their property compulsorily purchased. However, s33(D) Land Compensation Act 1973 sets out that Basic Loss Payment is not due where notice under s215 of the Town and Country Planning Act 1990 has been served, is operative, and has not been complied with in full. Such notice was served on the owner on 20 January 2017 and has not been complied with (see 3.41 below).
- 3.14 In addition to these costs, compulsory purchase would entail the costs of valuation (in the region of £500) and stamp duty (in the region of £62,000 presuming an effective tax rate of 6.89 % payable for buying a second home).
- 3.15 Where the purchase of a chargeable interest is by way of a compulsory purchase order made by the purchaser, the purchaser may claim relief from Stamp Duty Land Tax, if the purchase is to facilitate development by a third party. In order to obtain relief, the purchaser must be the person who made the compulsory purchase order. This would usually be the local planning authority. Any subsequent transfer of the chargeable interest to the third party is subject to Stamp Duty Land Tax in the normal way.
- 3.16 In the event that the council retained the property for letting across five years, renovation would add a minimum cost of £38,000.
- 3.17 Total costs of this CPO are therefore estimated as £960,000.

Empty Dwelling Management Orders

- 3.18 Chapter 2 of the Housing Act 2004 enables the council to take possession of an empty property for up to seven years and place tenants in it through an Empty Dwelling Management Order (EDMO).
- 3.19 The first stage is for the local authority to give the owner three months' notice of the intention to apply for an EDMO. Once this notice period has lapsed , application can be made to a Residential Property Tribunal for an interim order.
- 3.20 The property meets the criteria for grant of an interim EDMO: the tribunal will grant an interim EDMO if it is satisfied that the property has been empty for at least two years, that it has been vandalised or actively used for "antisocial" purposes, and that there is local support for the use of an EDMO. An EDMO

cannot be granted if the owner proves the properties are in the process of being sold.

- 3.21 Once an interim EDMO has been granted, it lasts for up to twelve months. During that period, the authority must try to work with the owner to agree a way to put the property back into use, including by putting tenants into the property and managing it.
- 3.22 If no agreement is reached, the authority may make a final EDMO, which lasts for up to seven years. A final EDMO differs from an interim EDMO in that the authority is not required to obtain the owner's consent before finding a tenant for the property.
- 3.23 When a tenant has been found under the EDMO, the rent is paid to the local authority, which is able to recover any costs they may have incurred by taking possession of the property and making it habitable. Any money over and above these costs is to be paid to the owner of the property.
- 3.24 A final EDMO would give the council powers to let and manage the property for a period of up to seven years, retaining enough rental income to cover management costs.
- 3.25 Management costs including maintenance assumed to be in the region of £6,500 pa alongside the £38,000 cost of bringing the property to Decent Homes standard would be recoverable in full over seven years at £994.04 pw. This makes an EDMO financially viable over seven years at either Tower Hamlets Living Rent or Local Housing Allowance rate, both of which are in excess of £994.04 pw.
- 3.26 In this case, the failure of the owner to engage so far is a factor weighing against this option.

4. EQUALITIES IMPLICATIONS

- 4.1 The recommended action and two of the three other options would result in the council managing the property either temporarily or in perpetuity and using it for homelessness relief. These would benefit those protected groups who are disproportionately affected by homelessness: 85.6 percent of Tower Hamlets homeless households in January to March 2018 were from an ethnic minority group. In 2015/16, 80 per cent of households accepted as homeless were from BAME groups. Similarly, BAME households accounting for over 70 per cent of households on the Common Housing Register: and the majority of those are living in overcrowded conditions. Retaining the property for homelessness relief would therefore have a positive impact on protected groups.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
- 5.2 Best Value would be achieved following compulsory purchase by retaining the property for a defined period: this would generate a surplus for the council. A back-to-back sale following CPO entails a financial loss. An Empty Dwelling Management Order would be cost neutral.
- 5.3 A CPO entails the risk of financial loss in any event: the owner may successfully challenge the process, or may sell the property before compulsory purchase is completed. In each case the council would bear unrecoverable costs.
- 5.4 The property is a blight on the amenity of the area: its return to residential use would have a positive impact in terms of the environment and in terms of community cohesion.
- 5.5 In the last twelve months, the property has been squatted twice. On each occasion the police have made multiple interventions including for drug dealing and there has been considerable noise nuisance. Returning the property to residential use would therefore have a positive impact in terms of Crime Reduction.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report seeks approval to commence Compulsory Purchase Order proceedings to acquire an empty street property within the borough.
- 6.2 Officers have previously met the owner of the property with a view to offering an Empty Property Grant whereby ownership would not change, but the house would be brought back into use to be let to tenants nominated by Housing Options. As set out in the report however, this option has not been successful to date, and as a result it is proposed that CPO proceedings are initiated. Although proceedings may commence, negotiations with the owner will continue.
- 6.3 If compulsory purchase is ultimately necessary and the Council acquires the property, the total costs are likely to be in the region of £960,000. This includes the purchase costs, necessary renovation costs, fees, statutory home loss payments and SDLT. This will be financed from the capital estimate of £46.5 million that was adopted for the acquisition of properties to

be used as temporary accommodation. The acquisition will be fully funded from General Fund capital resources

- 6.4 If acquired, it is proposed that the Council will use the property for homelessness relief for a five year period prior to it being resold on the open market, although this option will be reviewed in future to ensure that disposal is still in the best interests of the Council. The capital resources generated from the sale of the property will be 100% usable if used for regeneration purposes. The Council would not usually consider purchasing properties of this value for use as temporary accommodation which is why future resale to recover the capital costs is proposed. The sale value will however be dependent upon the housing market at the time and therefore there is a risk that the Council will not recover the full value of the capital costs incurred, although if prices increase the Council will benefit from the surplus.
- 6.5 The short term use of the property as temporary accommodation will provide a revenue income stream that, after allowing for any maintenance costs, will partly contribute towards the capital financing charges that are incurred prior to sale. The management of the property will be undertaken by the Council's Housing Options service with costs contained within existing budgets.
- 6.6 Statutory CPO acquisition powers lie with the Council which must therefore acquire the freehold of the property itself. Due to its value, it is not considered that this property will be suitable to be leased or sold to one of the Council's Housing delivery vehicles (Mulberry Housing Society or Seahorse Homes Ltd).

7. COMMENTS OF LEGAL SERVICES

- 7.1 The report seeks approval on various recommendations relating to and including:
- i. The making, confirmation and implementation of a CPO; and
 - ii. Disposal of Council interest acquired pursuant to the above CPO after the initial five years.
- 7.2 As stated in the report above the statutory powers exist to acquire land in which the Council has no legal title for the provision of quantitative or qualitative housing gain pursuant to section 17 Housing Act 1985. One of the uses of this power has been to bring empty properties into housing gain and to improve substandard or defective properties.
- 7.3 If contested the case might take 18 months and a Public Inquiry may be needed. During this period it will always be possible for the Council and the owner to enter into a negotiated agreement to bring the property back into use at any stage of the compulsory purchase procedure prior to notice to treat or the vesting under a general vesting order.

- 7.4 There is a risk that the price of the property could fluctuate during the acquisition process. The statutory date of valuation is the date of entry onto the land after having served a notice of entry or on vesting at the end of the acquisition process.
- 7.5 The Planning and Compensation Act 2004 has added a supplemental payment of 7.5% “basic loss payment” in addition to the market value (subject to a maximum of £75,000) payable to persons who have a qualifying interest. Whether such a person has a qualifying interest would be determined on an individual basis. Legal and surveyors professional fees of the owner are also paid.
- 7.6 If the CPOs are authorised by the Council, the Council through its Officers are authorised to enter into a written agreement, if appropriate, whereby if the land owner does not object to the CPO and they undertake to get the property repaired and occupied within an agreed time, the Council will agree not to take action to take steps to obtain the property by compulsory purchase order within the period specified in such agreement.
- 7.7 A compulsory purchase order of a dwelling interferes with the Human Rights of the property owner under Article 8 of the European Convention (right to a home) (if they live there) and also breaches the right to property under Article 1 of the First Protocol to the Convention (this right includes the right to peaceful enjoyment of the property and is subject to the State’s right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest). It is necessary to judge if these breaches are justifiable.
- 7.8 The Human Rights Act 1998 and the Convention makes it clear that such breaches can be justified if the gain for the public interest is sufficient; the public gain must be proportionate to, or exceed the individual loss. European case law establishes that the English system of proper regard to objection and fair compensation is proportionate and lawful, provided there is a good case for the CPO in the public interest. In general if the public interest case is well founded the human rights test will be met in English cases. Exceptional circumstances may need individual consideration. The Council is therefore required to consider whether the actions would infringe the human rights of anyone affected by the making of the CPO. The Council must carefully consider the balance to be struck between individual rights and the wider public interest. It is considered that any interference with the Convention rights caused by the CPO will be justified in order to secure the social, physical and environmental improvement to the local community that the CPO will bring. However at present as the property is and has been empty for seven years and has been neglected resulting is in such a poor condition it is unlikely that there are to be any such breaches under The Human Rights Act and/or the Convention. In any event appropriate compensation will be available to those entitled to claim it under the relevant provisions of the national Compensation Code as referred to above.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1: Details of the council's attempts to date to bring the property back into residential use [Exempt]
- Appendix 2: Letter of 14 September from neighbours supporting the CPO on basis of its impact [Exempt]
- Valuation Report [Exempt]

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

- NONE.

Officer contact details for documents: Marc Lancaster, 6040

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of the Local Government Act 1972.

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Spitalfields Community Governance Review</p>	

Lead Member	Mayor John Biggs
Originating Officer(s)	Robert Curtis, Head of Electoral Services Matthew Mannion, Committee Services Manager Steve Morton, Senior Strategy, Policy and Performance Officer
Wards affected	Spitalfields & Banglatown and Weavers Wards
Key Decision?	No
Forward Plan Notice Published	N/A
Reason for Key Decision	N/A
Strategic Plan Priority / Outcome	All

Executive Summary

This report seeks to outline the necessary next steps regarding the launch of a Community Governance Review (CGR) in the Spitalfields area following the presentation of a petition to the Council under Part 4 of the Local Government and Public Involvement in Health Act 2007.

The Community Governance Reviews Order 2015 specifies that the petition requires the inclusion of the signatures of at least 7.5% of the registered electors (3784) within the area concerned. The petition has been validated by the Head of Electoral Services as containing 324 signatures which is in excess of the 284 required. The receipt of a valid petition requires that the Council conduct a CGR for at least the area in question. The petitioners are specifically looking to establish a 'Town Council' in the Spitalfields area with 3 Parish Wards.

This report sets out the proposed Terms of Reference for the review as well as supporting information for the consultation period.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Review and agree the proposed Terms of Reference of the Community Governance Review as set out in Appendix 1.
2. To note that the Terms of Reference trigger a Community Governance Review of the Spitalfields area, based on the map submitted with the original petition.
3. To review and note the draft consultation brochure set out in Appendix 2 to the report, the final version of which will be included as part of the consultation documentation.

1. REASONS FOR THE DECISIONS

- 1.1 Following receipt of a valid petition the Council is required to undertake a CGR.

2. ALTERNATIVE OPTIONS

- 2.1 There is no alternative to the requirement to undertake a CGR, however the Council could decide to undertake a review of the whole borough rather than just the area referenced in the petition.

3. DETAILS OF THE REPORT

- 3.1 The power to establish Parish Councils within London was re-established by the Local Government and Public Involvement in Health Act 2007. Local authorities can consider whether it would be in the local interest to establish parish councils through a Community Governance Review (CGR).
- 3.2 A CGR can be triggered by the receipt of a valid petition from a specific area requesting that such a review be undertaken. The Council received such a petition on 23 July 2018.
- 3.3 The text of the petition states

“We, the undersigned, are electors who live in Spitalfields and believe that Spitalfields should have a Town Council which we hope will be subdivided into at least three electoral wards.

We ask that Tower Hamlets Council undertake a Community Governance Review in accordance with its duties under Section 83 of

the Act. We hope that the outcome of this review leads to the creation of a new local council for Spitalfields to be called Spitalfields Town Council, which would work with Tower Hamlets to represent our community and bring about improvements to our town. We recommend the Town Council area includes Spitalfields Neighbourhood Planning Area and the Former Bishopsgate Goods Yard site (only that part within Tower Hamlets).”

- 3.4 A map was provided with the petition, a version of which is included in the Terms of Reference in Appendix 1 to this report. The petition was “jointly organised and circulated by Spitalfields Forum, the Spitalfields Society and Spitalfields Community Group”.

Community Governance Review

- 3.5 A CGR is a review of part or the whole of the borough to consider one of more of the following:
- Creating new parishes
 - Abolishing, merging or altering parishes
 - Electoral arrangements for parishes
- 3.6 The review should consider whether governance arrangements continue to reflect local identities and facilitate effective and convenient local government. In carrying out a review the Council is required to:
- Consult local people and consider any representations
 - Consult other bodies that may have an interest in the review
 - Consider the wider picture of community governance e.g. if there are already established local forums or associations.
- 3.7 The 2007 Act allows the principal authority (Tower Hamlets Council) to determine the Terms of Reference for the Review and the proposed terms are attached in Appendix 1.
- 3.8 There are two approaches that the Council could take in response to this petition. The Council could conduct a review of the Spitalfields area along the lines proposed in the petition, or the Council could conduct a wider review of the whole borough. This report is proposing to only undertake a review of the Spitalfields area at this stage as this is the only area of the borough which has been subject to a petition expressing an interest in this form of local governance. However, should it become apparent that a full-borough review was desirable then a further report would be prepared to separately consider that issue. Due to the timelines set out in the regulations, a full-borough review could not delay the conclusion of this specific review.
- 3.9 Whilst the review request was based on the map provided in the petition, the Council will also look to specifically consult with the surrounding area as there may be different views on the best boundary for such a body. For example, the Council will look to contact all local government electors within the Weavers and Spitalfields & Banglatown Wards.

Process and Timeline

- 3.10 Taking account of the Regulations, government and boundary commission guidance and previous reviews at other local authorities, it is proposed to undertake a two-stage consultation process with final recommendations being presented to a meeting of Council by the end of July 2019. A more detailed timeline is set out in the Terms of Reference in Appendix 1 to this report.

First stage consultation

- 3.11 The first stage consultation would be triggered following the agreement of this report. The consultation would be open to everyone in the borough to contribute but the Council has specific duties to consult with local government electors, businesses, groups and others who would be directly affected by the proposed Parish Council. In addition to the Terms of Reference a consultation document is in preparation that will set out background information on the process and on what a Parish Council is and what it can do.
- 3.12 Following the first stage consultation, officers and Members will review the submissions received before preparing draft recommendations that will themselves be put out for review during a second round of consultation.

Powers of the Parish Council

- 3.13 Parish Councils are not tasked with statutory responsibilities relating to the provision of housing, social care, education and waste collection etc. They are a statutory consultee in relation to planning but they are not a Planning Authority. However, they have the option to exercise a variety of powers and duties including the delivery of a number of specific local services that add to those provided by the principal council such as those on parks and open spaces, community centres, leisure facilities, crime prevention and more. More information on example powers and duties are set out in the draft consultation document attached to this report at Appendix 2.

4. EQUALITIES IMPLICATIONS

- 4.1 The CGR will be undertaken taking account the Council's approach to equality analysis in order to comply with the general equality duty in the Equality Act 2010. In drafting recommendations, the Council will need to take account of the impact of any proposals on people with protected characteristics. The Council and Cabinet reports setting out any draft or final recommendations following the review will set out the relevant equalities information to inform those final decisions.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are

required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.

5.2 The regulations require that the Council must conclude its review with a period of twelve months starting on the day on which the council received the CGR application. The timetable is concluded when the council publishes the final recommendations made in the review. Government guidance is that the same timetable is applicable to the consequential matters that emerge in a review.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 It is estimated that the cost of the full CGR will be in the region of £10k-£20k including consultation materials and officer time based on CGRs undertaken elsewhere. However, this is the first CGR undertaken by Tower Hamlets and so this is purely an estimate. The additional cost will be contained within existing directorate budgets.

6.2 In addition, should the establishment of a Parish Council be agreed at the conclusion of the process, there would be costs associated with the establishment process and the Parish Council itself would have its own ongoing financial requirements. More details on these issues will be set out during a later part of the consultation process.

7. COMMENTS OF LEGAL SERVICES

7.1 Section 83 of the Local Government & Public Involvement in Health Act 2007 (the 2007 Act) requires the Council to respond to a valid community governance petition and undertake a Community Governance Review (CGR) with terms of reference that allow for the petition to be considered.

7.2 Section 81 of the 2007 Act requires the Council to adopt and publish terms of reference for conducting the CGR and which must specify the area under review. Section 79(2) provides that the CGR must be conducted in accordance with the Act and the terms of reference adopted for the CGR by the Council.

7.3 Section 100 of the 2007 Act provides that the Council must have regard to guidance issued by the Secretary of State and the Local Government Boundary Commission for England in conducting the CGR. Section 93 provides that the CGR must be completed within 12 months and the commencement date is defined as the day on which the Council receives a valid community governance petition.

- 7.4 Section 93 of the 2007 Act also sets out the duties the Council must comply with when undertaking a CGR. The Council must consult with local government electors for the area under review and any other person or body (including a local authority) which appears to have an interest in the review. In carrying out the CGR the Council must also have regard to the need to secure that community governance within the area under review reflects the identities and interests of the community in that area and that the community governance is effective and convenient. In addition, in deciding what recommendations to make the Council must take into account any other arrangements that have already been (or could be) made for the purposes of community representation or community engagement in respect of the area under review. More generally, the Council must take into account any representations received in connection with the review.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Terms of Reference for the Community Governance Review
- Appendix 2 – Draft consultation brochure.

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

- None.

Officer contact details for documents:

N/A

**COMMUNITY GOVERNANCE REVIEW
LONDON BOROUGH OF TOWER HAMLETS**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

**DRAFT
TERMS OF REFERENCE**

Published on: 8 October 2018.

Introduction

Tower Hamlets Council ('the council') is carrying out a community governance review ('the review') under the provisions of the Local Government and Public Involvement in Health Act 2007 ('the 2007 Act').

The council is required to have regard to the government's [Guidance on Community Governance Reviews](#). This is to ensure that the review reflects the identities and interests of the community in that area and that any arrangements put in place by the review are effective and convenient. This and other relevant legislation and guidance have been considered in drawing up these terms of reference.¹

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the council to publish its terms of reference for the review. The legislation also expects the terms of reference to set out clearly the matters on which a community governance review is to focus.

Why is the council undertaking the review?

Tower Hamlets Council has received a valid petition from local residents requesting the creation of a new parish council² under the 2007 Act as detailed below:

'This petition is addressed to Tower Hamlets Council under section 80 of the Local Government and Public Involvement in Health Act 2007.

We, the undersigned, are electors who live in Spitalfields and believe that Spitalfields should have a Town Council which we hope will be subdivided into at least three electoral wards.

We ask that Tower Hamlets Council undertake a Community Governance Review in accordance with its duties under section 83 of the Act. We hope that the outcome of the review leads to the creation of a new local council for Spitalfields, to be called Spitalfields Town Council, which would work with Tower Hamlets to represent our community and bring about improvements to our town. We recommend the Town Council includes Spitalfields Neighbourhood Planning Area and the Former Bishopsgate Goods Yard site

¹ In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and the Local Government Boundary Commission for England in March 2010, and the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626). (The 2007 Act has transferred powers to the principal councils which previously, under the Local Government Act 1997, had been shared with the Electoral Commission's Boundary Committee for England.)

² References in these terms of reference to a 'parish' should be taken to include a parish which has an alternative style. Legislation allows for that area to be known as a town, community, neighbourhood or village, rather than as a parish.

(only that part within Tower Hamlets). A detailed map of this area has been sent separately to your officers.

This petition was jointly organised and circulated by Spitalfields Forum, the Spitalfields Society and Spitalfields Community Group.'

The petition was submitted to the council on 23 July 2018. The petition was signed by the required number of local government electors for the area as set out in Section 80(3) of the Local Government and Public Involvement Health Act 2007. The council is therefore required to undertake a review in accordance with Section 83(2) of the 2007 Act.

What is a community governance review?

Community governance reviews provide the opportunity for councils to review and make changes to community governance within their areas. The recommendations made in a community governance review have two main objectives:

- To improve community engagement and better local democracy;
- More effective and convenient delivery of local services

A community governance review considers one or more of the following:

- Creating, merging, altering or abolishing of parish councils;
- The naming of and the style of new parish councils;
- The electoral arrangements for parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council and warding);
- Grouping or degrouping parish councils.

In this case, the review is considering whether a parish council for the Spitalfields area should be created and the electoral arrangements for that parish council should the proposal be adopted.

Review objectives

The objectives of the review as a whole are as follows:

1. To fulfil the council's obligations to undertake a community governance review following the receipt of a valid petition. The current guidelines state that we must complete this review within 12 months of the receipt of the petition.
2. To consider whether the creation of a parish council reflects the identities and interests of the community in the area.
3. To ensure that any proposed arrangements provide effective and convenient local government including viability in the provision of services, the promotion of well-being and community cohesion.
4. To take into account any other arrangements for community representation and engagement in the area that are already in place or that could be made.
5. To consider options for electoral arrangements for the parish council should the proposal to create a parish council be adopted.

Which area is being reviewed?

The area being reviewed includes the area proposed in the petition as well as adjacent areas within the borough. This comprises all of Spitalfields and Banglatown ward and Weavers ward.

A map of the area proposed by the petitioners is attached to this document at appendix 1. The map also shows the boundaries of current council wards.

How will the review take place?

A full timetable is set out in Appendix 2 but in summary the following steps will be followed:

1. Initial general consultation based on this terms of reference (phase 1 consultation)
2. The council considers the responses and prepares draft recommendations
3. The draft recommendations are presented for consultation (phase 2 consultation)
4. The council prepares final recommendations which are considered by a council meeting.

Who will be consulted in the review?

Tower Hamlets Council is responsible for conducting the review. The council will consult with all local government electors for the wards of Spitalfields & Banglatown and Weavers and any other person, organisation or business who appears to have an interest in the review.

How will the consultation be conducted?

The council will write to all local government electors in the area informing them of the review and asking for their views on the proposals in the petition. It will also write to organisations and businesses who appear to have an interest in the review. Information will be made available in a range of community venues and on the council website (phase 1 consultation). Following this initial phase of consultation the council will prepare and publish draft recommendations and the reasons for making them. There will be a further period of consultation (phase 2) on the draft recommendations before final proposals are agreed by the council.

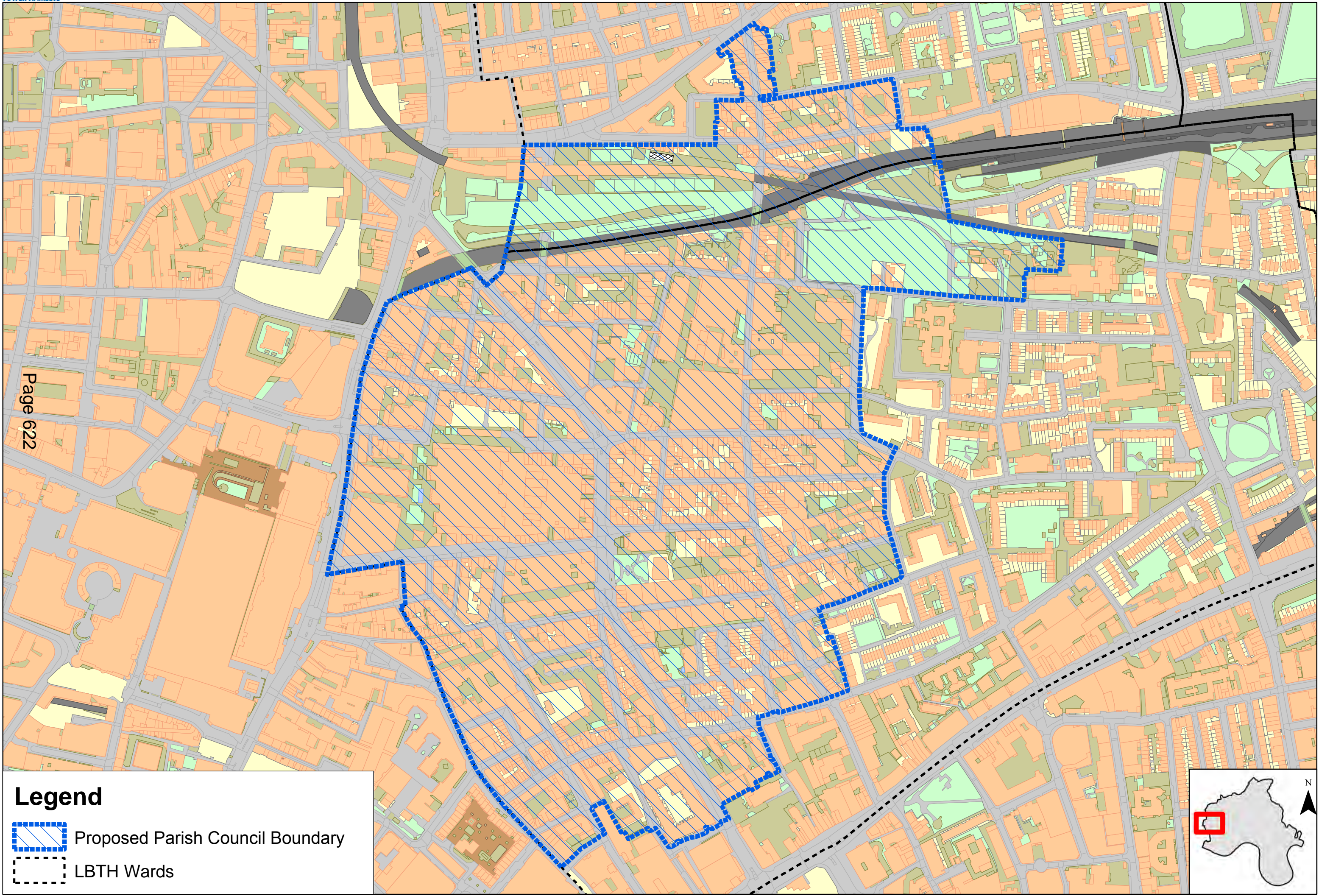
Information relating to the community governance review will be published on the council's website. Information will also be made available at a range of public venues and sent to community groups and business networks in the borough.

In order to keep the consultation as transparent as possible all consultation responses made will be published on the council's website.

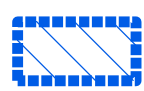

The review timetable is at appendix 2.

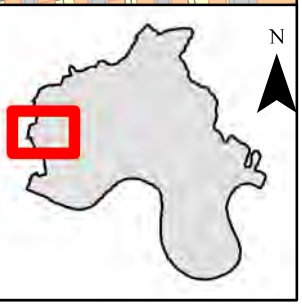
Appendix 1 – the area proposed by the petitioners

[Next Page]



Legend

-  Proposed Parish Council Boundary
-  LBTH Wards



Appendix 2 Timetable for the review

Publication of these Terms of Reference formally begins the community governance review. The review must be completed within twelve months of the receipt of a valid petition.

<i>Stage</i>	<i>What happens?</i>	<i>Timescales</i>	<i>Dates</i>
Initiation	Valid petition received	Milestone	23 July 2018
Preparing for the review	Project planning Preparation of terms of reference	Two months	1 August – 30 September
Review begins	Terms of Reference published	Milestone	8 October 2018
Consultation phase 1	Initial submissions are invited	Two months	8 October – 9 December 2018
Review phase 1	Consideration of submissions received Draft recommendations are prepared	Two months	10 December 2018 – 31 January 2019
Draft recommendations	Draft recommendations published	Milestone	1 February 2019
Consultation phase 2	Consultation on draft recommendations	Three months	1 February 2019 – 30 April 2019
Review phase 2	Consideration of submissions received Final recommendations prepared and agreed by council	Two months	1 May 2019 – 30 June 2019
Conclusion of review	Final recommendations are published – concluding the review	Milestone	1 July 2019
Implementation	Council resolves to make a Reorganisation Order if required	Milestone	July / August 2019

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Community Governance Review

Tower Hamlets

October 2018

Contents

[relevant section headings here]

Appendix 1 Further background information

Appendix 2 Initial list of consultees for phase 1 consultation

Appendix 3 Map of the proposed boundaries for 'Spitalfields Town Council'

Introduction

This document is being published to support the consultation on Tower Hamlets Council's community governance review for the two wards of Spitalfields & Banglatown and Weavers. Local residents have presented a valid petition to Tower Hamlets Council requesting the establishment of a new parish council to be named 'Spitalfields Town Council'. The review is considering the question of whether Spitalfields should have a parish council.

The petition was received by the council on 23 July 2018. The wording of the petition is as follows:

"We, the undersigned, are electors who live in Spitalfields and believe that Spitalfields should have a Town Council which we hope will be subdivided into at least three electoral wards.

We ask that Tower Hamlets Council undertake a Community Governance Review in accordance with its duties under Section 83 of the Act. We hope that the outcome of this review leads to the creation of a new local council for Spitalfields to be called Spitalfields Town Council, which would work with Tower Hamlets to represent our community and bring about improvements to our town. We recommend the Town Council area includes Spitalfields Neighbourhood Planning Area and the Former Bishopsgate Goods Yard site (only that part within Tower Hamlets)."

A map showing the proposed boundaries of the new parish council was presented with the petition. The map is at appendix 4.

This document provides background information to inform the initial consultation on the proposals made in the petition. A more extensive consultation putting forward the council's draft recommendations will take place with residents and others with an interest in the review early in 2019. The review must be completed by 22 July 2019.

What is the role of Tower Hamlets Council?

Tower Hamlets Council is a unitary authority which is responsible for providing a range of services within its boundaries. These include education, highways, transport planning, social care, housing, libraries, leisure and recreation,

environmental health, waste collection, waste disposal, planning applications, strategic planning, council and business tax collection.

What does a parish council do?

A parish council operates at a local level below the principal council. It is a democratically elected, additional and legally independent tier of local government with its own councillors, which can provide a range of local services within a defined area (such as Spitalfields).

A parish council can also be styled 'community council', 'neighbourhood council', 'village council', or 'town council'. They all operate within this framework. Parish councils are at the heart of many communities in England. They provide neighbourhoods, villages and towns with a voice and a structure for taking local action – real people power at grassroots level. They are able to tackle specific local issues of concern and residents can work closely with their parish and parish councillors to improve their locality.

Parish councils work towards greater responsiveness to community needs and interests. Their activities fall into three main categories:

- representing the local community;
- delivering services to meet specific local needs;
- striving to improve quality of life and community wellbeing, including promoting community cohesion.

Parish councils are not tasked with statutory responsibilities relating to the provision of housing, social care, education and waste collection. They are a statutory consultee in relation to planning but they are not a Planning Authority. They have the option to exercise a variety of powers and duties including the delivery of a small number of specific local services that add to those provided by the principal council such as:

- Recreation grounds
- Allotments
- Public conveniences
- Control of litter
- Play areas
- Community centres
- Parks and open spaces
- Crime prevention
- Festivals and fêtes
- Traffic calming measures
- Tourism activities
- Markets

A parish council can choose not to deliver any services and instead act purely as a means of influencing local service provision made by the principal council or other partners such as the police. Alternatively, a parish council can provide additional services to those provided by the principal council such as the provision of car parking with the consent of the principal council. A parish council is not a replacement for a principal council and will not deliver

complete independence and autonomy for an area.

When a parish council (e.g. Spitalfields) is formed it can enter into discussions with the principal council (e.g. Tower Hamlets Council) about the transfer of services, budgets and assets within the service areas listed above. However this is subject to mutual agreement and securing “Best Value” by law.

The Localism Act 2011 enables relevant bodies, including parish councils, to express an interest in running a local authority service. This is called the Community Right to Challenge (CRC). Exceptions to this are services which are excluded by legislation (e.g. packages of services for health and social care for named individuals). The CRC relates to ‘relevant services’ and not functions. Principal councils must consider an expression of interest submitted by a relevant body. There are various reasons why an expression of interest can be rejected or modified, but if it is accepted, the authority must carry out a procurement exercise. Hence, there is no guarantee that the eventual provider of the service would be the organisation that launched the expression of interest. Parish councils can also exercise the Community Right to Bid in order to purchase assets of community value.

The Localism Act 2011 also created a new process for Neighbourhood Planning, which enables parish councils as well as neighbourhood forums to work with the principal council (the Planning Authority) to create a plan for their area. The plan sets out policies and priorities for the physical development of the area and must be in accordance with the Local Development Plan approved by the Planning Authority and the Secretary of State. Details of the process are in the Appendix 2. Guidance on Neighbourhood Planning in Tower Hamlets can be found at [RELEVANT LINK HERE]

What are the governance requirements of a parish council?

A parish council requires:

- The appointment of parish councillors, from which a Chair and Vice Chair are elected (these positions can be termed Mayor and Deputy Mayor). Based on the numbers elected elsewhere, it is likely that Spitalfields parish council, if created, would require in the region of xx parish councilors [insert number] parish councilors, although there is no upper limit. Parish councilors may be volunteers or may be paid an allowance determined by the parish council. These councilors would be in addition to the councilors already elected to Tower Hamlets Council for the wards of Spitalfields & Banglatown and Weavers.
- A responsible finance officer.
- A parish clerk is essential to oversee the administration of a parish council and would also need to be appointed.
- In addition to this there are other responsibilities such as the required meetings of the parish council (four per year), the elections of councilors (every four years) central administration functions (and associated posts), compliance with standing orders and financial regulations (for the supply of goods and services) and financial auditing requirements.

What are the financial implications of a parish council?

Parish councils are funded principally through an annual precept – an additional Council Tax levied on local tax payers. The money raised locally through the precept belongs to the parish council, not the principal council, and the parish council takes decisions on how it is spent, within its legal remit. This has always been the primary funding mechanism of parish councils, as a means to deliver governance and administration related to the council and to provide additional services to enhance at a local level those already provided by the principal council. Funding can also be raised through income, for example from car parks or markets, or rental of property owned by the parish council. Parish councils may also apply for grant funding and be awarded a portion of the planning gain from developments in their area. These can also be used to fund the work of the parish council.

Estimates of the costs of running a parish council in Spitalfields will be included in the second phase of this consultation where more detailed recommendations will be set out.

Other possible models of community governance

In considering the proposal to create a parish council for Spitalfields, residents will need to weigh up the benefits of other models of community governance review and the benefits of having a parish council either alongside or instead of those proposals. Furthermore, residents from across the two wards covered by this review will need to consider whether a parish council in Spitalfields is something they feel would benefit the area as a whole or whether other options would provide greater benefits.

The approach to community governance in the area could include further support for the two existing neighbourhood planning forums in Spitalfields and Weavers.

Consultation questions

A further consultation on our recommendations in this community governance review will be carried out with residents and others with an interest in the review early in 2019.

At this stage we are inviting you to comment on the following questions:

1. Do you support the proposal to create a parish council ('Town Council') for the Spitalfields area? (YES / NO)
2. Please give the reasons for your response (FREE TEXT)
3. Do you support the proposed boundaries for the parish council ('Town Council') (see attached map) (YES / NO)
4. Please give the reasons for your response (FREE TEXT)
5. If a parish council is created, the petitioners propose that it is called 'Spitalfields Town Council'. What do you think? (FREE TEXT)
6. If a parish council is created, the petitioners propose that it is divided into at least 3 electoral wards. What do you think? (FREE TEXT)

You can fill in a form on the council website at www.xxxx

Alternatively you can write to:

[mailbox address]


Responses must be received by no later than 5pm on 9 December 2018.

Please ensure that you state your name and address clearly on any submission made. Any submissions made anonymously will not be considered. In the interest of transparency and openness the council will make available for public inspection full copies of all representations it takes into account as part of this review. (Details of names and addresses will not be made public.)

What happens next?

Following the close of the first phase of consultation the council will draft recommendations. It will publish these and invite further comments from electors and others with an interest in the review. The timetable for the review is included with the terms of reference published separately on the council website.

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<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Will Tuckley, Chief Executive</p>	<p>Classification: Unrestricted</p>
<p>OSC Brexit Challenge Session – Report containing the Action Plan of the recommendations of the Scrutiny Challenge session held on 7th of December 2017.</p>	

Lead Members	Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit
Originating Officer(s)	Shibbir Ahmed – Corporate Strategy, Policy & Performance Officer
Wards affected	All wards
Key Decision?	No
Forward Plan Notice Published	Not required
Reason for Key Decision	N/A
Tower Hamlets Plan Themes	<ul style="list-style-type: none"> • Strong, resilient and safe communities • Good jobs and employment

Executive Summary

This report contains the Action Plan based on the recommendations of the Scrutiny Challenge session held on 7th of December 2017 and its link with the work of the Brexit Commission that was officially announced at the 25th July 2018 Cabinet meeting.

The majority of these actions will form part of the Brexit Commissions work and will be delivered by end of the municipal year 2018-19.

Recommendations:

The Mayor in Cabinet is recommended to:

1. To consider and agree the Action Plan document.

1. REASONS FOR THE DECISIONS

- 1.1 The Council’s constitution requires the Executive to respond to recommendations from the OSC. The action plan within this report outlines the Executive response to the recommendations arising from the Challenge Session.

2. ALTERNATIVE OPTIONS

- 2.1 Cabinet may decide not to agree the Action Plan. This is not recommended as the report outlines work that will be undertaken by the Brexit Commission to better understand the impact of different scenarios on the borough’s economy, civil society and public services and the actions that the Council and Partners will take

to manage key risks and to ensure appropriate preparedness.

3. DETAILS OF THE REPORT

Background to the development of the Scrutiny Action Plan:

- 3.1 As part of his work programme for 2017/18, the Scrutiny Lead for Governance, Councillor Ayas Miah undertook a Scrutiny Challenge Session (held on 7th of December 2017) focused on the potential impact of Brexit on the Council. There were a total of 10 recommendations that were agreed at the Challenge Session. **See attached Appendix 1.**
- 3.2 This report submits the draft Action Plan based on these 10 recommendations which needs to be formally approved by Cabinet in order to for officers to complete and implement the recommendations in a timely and efficient manner. **See attached Appendix 2.**
- 3.3 The Challenge Session offered the opportunity to begin exploratory discussions on the Council's resilience planning and to recommend key priorities for mitigation planning. Due to uncertainty around the UK government's ongoing Brexit negotiations, the time available for this meant that its scope was limited to an initial assessment of corporate risks and opportunities facing the authority as an organisation.
- 3.4 Therefore, one of the key recommendations was for the 2018/19 Overview & Scrutiny Committee to continue the Brexit Scrutiny work into the new municipal year and provide officers with sufficient information to allow them to organise a full Brexit Scrutiny Review to obtain further assessment of the progress of Brexit and consider its implications for the Council, Partners and our wider community.

The Scrutiny Action Plan link to the Brexit Commission work:

- 3.5 The election manifesto of Executive Mayor John Biggs committed to establishing a Commission that would examine the impacts that Brexit will have on the Council, local economy and our residents, and to ensure that we can take action to minimise these impacts.
- 3.6 This in effect implemented the key recommendation of the Brexit Scrutiny report and it was agreed that majority of the Scrutiny actions will be subsumed and will form part of the Tower Hamlets Brexit Commissions work programme.
- 3.7 Although OSC will not be leading this work, however the new Scrutiny Lead for Governance (Cllr Mohammed Pappu) has been appointed as a Commissioner for the Brexit Commission. He will work closely with the Chair of the Brexit Commission to ensure that the key recommendations of the Brexit Challenge Session are incorporated into the Brexit Commissions work and each of the Scrutiny actions are completed and implemented in a timely and efficient manner.
- 3.8 At the 25th July 2018 Cabinet meeting it was agreed that the Tower Hamlets Brexit Commission would be chaired by Cllr Amina Ali (Cabinet Member for Culture, Arts and Brexit).

- 3.9 The Brexit Commission would examine the impact of Brexit and obtain detailed assessment to better understand the impact of different scenarios on the borough's economy, civil society, public services and the boroughs' residents. It will also look to develop high level contingency plans to manage key risks and to ensure appropriate preparedness.
- 3.10 The Commission will focus on three broad areas; local economy, civil society and public services. Evidence gathering will be conducted through Select Committee style hearings, with three themed meetings for oral evidence from invited guests that will take place between September and late October 2018. These oral hearings will be supplemented with an open submission for written evidence for local residents and organisations. There will also be 'Brexit Roadshow' advice sessions for EU27 residents to obtain information about the settled status/pre-settled status process in mid-September. The findings and recommendations of the Commission will be written up into a final report, to be launched at the beginning of 2019.

4. EQUALITIES IMPLICATIONS

- 4.1 The OSC Brexit Action Plan includes ways to promote diversity and community cohesion as well as consider appropriate and specific support that could be offered to EU migrants and residents and consider potential impact on different equalities groups and how the borough can mitigate these impacts.
- 4.2 The Brexit Commission will consider potential and specific impact of Brexit on all the protected equalities groups and how the borough can work together to mitigate against any adverse impacts. These include protecting and promoting:
- Women's rights: including, maternity and parental leave;
 - Disability rights: including improved employment opportunities and protections at work;
 - Tackling workplace discrimination: including protection on grounds of religion or belief, sexual orientation and age.
- 4.3 The Brexit Commission will look to explore ways to promote diversity and community cohesion as well as consider appropriate and specific support that could be offered to EU migrants so that all our residents feel reassured and can live, work and study in the borough free from discrimination.
- 4.4 The Brexit Commission will also try to collectively lobby central government to ensure equality and key worker rights continue to be treated as priorities and setting a progressive agenda for post-Brexit Britain.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 There are no direct statutory implications in terms of Best Value and Risks but they have been considered broadly in drafting the terms of reference, scope and timetable of the Brexit Commission.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report details the findings and recommendations of the Scrutiny Challenge session held on the 7th of December 2017 to consider the potential impact of Brexit on Tower Hamlets Council.
- 6.2 There are 10 specific recommendations being put forward for Cabinet consideration. It should be possible to deliver a number of these recommendations through existing resources. However, where this is not possible officers will be obliged to seek appropriate approval through the Council's financial approval process.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants. The Committee may also make reports and recommendations to Council or the Executive in connection with the discharge of any functions.
- 7.2 The Challenge Session looked at the potential impact of Brexit on the Council and to obtain an overview of the Council's understanding of the likely impact of Brexit on the organisation. It was also to begin exploratory discussions on the Council's resilience planning for the organisation and to recommend key priorities for mitigation planning going forward. In that regard, 10 recommendations have been proposed and all are capable of being undertaken within the Council's powers.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 – OSC Brexit Challenge Session Report (including Recommendations)
- Appendix 2 – Brexit Challenge Session – Action Plan (Updated)

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

- NONE.

Officer contact details for documents:

afazul.hoque@towerhamlets.gov.uk

Overview & Scrutiny Committee

Brexit Scrutiny

Challenge Session



February 2018

1

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The Chair's Foreword

I conducted this Brexit Scrutiny Challenge session to obtain an overview of the Local Authority's understanding of the likely impact of Brexit on the organisation. It was also to begin exploratory discussions on the Council's resilience planning for the organisation and to recommend key priorities for mitigation planning going forward.

This is just the start of the discussions on the impact of Brexit. Due to uncertainty around Brexit negotiation, limited time, resources and scope, this Challenge Session was not able to fully discuss the impact of Brexit on Tower Hamlets as a place, such as our economic stability and community cohesion. This is not because these are not important, they are absolutely vital, but because our main focus at the session was to consider the potential impact of Brexit on the Council's operations.

The broader issues are already being considered by the Tower Hamlets Strategic Partnership and as clearly recommended in this report; Scrutiny will need to have further sessions devoted to more detailed discussions on the possible impact of Brexit on our attractiveness and competitiveness as a business destination and the communities that call it home.

I envisage that the Brexit Scrutiny work will go over into 2018/19 and I expect it to be picked up by the new Overview & Scrutiny Committee after May 2018. The reason for putting aspects of this Challenge Session back into next year is that it should then be clearer what kind of Brexit the country is facing.

This report makes it clear that the Council needs to be fully prepared for all eventualities (including a "no deal Brexit") and constantly keep abreast of all key Brexit developments, by identifying and reviewing areas of potential impact. This will allow it to increase resilience and develop high level contingency plans that protect our revenue streams, workforce, local regeneration, infrastructure projects and community cohesion priorities.

I am grateful to all the Officers and Scrutiny Members for their contributions, time, energy, thoughts, and insights which really focussed our discussion and were instrumental in producing this report.

Councillor Ayas Miah
Scrutiny Lead, Governance



1. Executive Summary

Brexit Impact

1.1 The potential impact on the population in Tower Hamlets:

- Brexit will have an impact on the UK economy, labour market and migration patterns, which will consequently affect the population of Tower Hamlets, especially non-UK EU citizens;
- Local third sector organisations supporting migrant, refugee and asylum seeker communities in the borough have reported an increase in hate crimes in the period immediately after the vote to leave the EU and Police figures record an increase in hate crime reporting at this time.

1.2 The potential impact on the Council's legal and governance considerations:

- There will be no real effect on the Council's Powers to Act;
- The current procurement rules are likely to remain intact;
- There may be small opportunities to assist our objectives e.g. speeding up tendering and increased local expenditure, but this will all depend on the final Brexit arrangement and model that the UK government agrees with the EU.

1.3 The potential impact on the Council's workforce:

- Potentially more EU nationals leaving the country/fewer coming in. There is currently insufficient information to make a determination on the specific impact this might have but it could result in skills losses/shortages in areas more dependent on EU workers e.g. care workers, nurses, health care and construction;
- Wellbeing issues for all Council staff, including EU nationals – e.g. a reported rise in hate crimes since referendum.

1.4 The potential impact on Council funding:

- European Social Fund (ESF) resources will be unavailable in the future. Whilst not likely to be affected this time, local programmes currently funded by ESF include the Community Employment programme (£1.35m over next 3 years, half of it being funded through ESF), which helps local residents into work and Usage of ESF funds (approximately £100,000 per quarter) in Economic Development area might be at risk; however, these funds are likely to be replaced by s106 monies.
- European Regional Development funding revenue and/or capital funds for stimulation of markets, access and employment, supply chains, business start-ups (current programme £1.6m incl. £25,000 from Council for enhancing supply chain trade locally).

1.5 The potential impact on the Council's development and regeneration schemes:

- A loss of consumer confidence and rising build costs will affect the financial viability of schemes and could result in stalled development. This may lead to the Council being unable to meet its housing supply targets and to potential social and safety issues associated with sites being closed for a substantial period of time;
- Diminished infrastructure funds, housing loans from the European Investment Bank and housing association borrowing abilities;

- Construction sector - skills shortages, job losses and reduced employment opportunities.

Mitigations

1.6 Key mitigations include:

- Ensure the Council is regularly appraised of the latest developments in Brexit negotiations for clarity of on areas of potential impact and to allow for action to be taken as appropriate;
- Keep abreast of key Brexit issues and leading/latest thinking from Human Resources and Employment Law specialists and assess their local impacts.
- Increased communications and stakeholder engagement on Brexit;
- Identify any areas where support/guidance can be given by the Council to help and support contractors and suppliers;
- A robust research programme to identify European labour volume and sectors, effects on population and businesses in the borough;
- Review the re-distribution of funds to replace lost inward investment – e.g. through grants, loans, co-operatives etc.;
- Consider and reference Brexit in the development of key partnership and corporate strategies and plans.

2.0 Summary of Recommendations

Recommendation 1:

The Council should carry out a more detailed migration analysis of the potential impact of Brexit on our local population and develop an updated profile of the European Migrant community in Tower Hamlets.

Recommendation 2:

The Council should carry out a more detailed equalities analysis of the potential impact of Brexit on community cohesion in Tower Hamlets and publicise the 'No Place for Hate' campaign to reassure and address wellbeing and insecurity issues of EU Nationals.

Recommendation 3:

The Council should identify the specialist skills and the number of EU nationals within its workforce and those employed by our key suppliers and ensure retention strategies and positive wellbeing provisions are in place.

Recommendation 4:

The Council should commission research to examine the contribution European migrants make to the borough's labour market and the potential impact of Brexit on the Financial & Professional Services, construction industry and the borough's key growth sectors.

Recommendation 5:

- a) The Council should produce a finance report which identifies all EU funded projects and services that our key partners deliver in Tower Hamlets including regeneration schemes at risk of stalling.
- b) The Council should work closely with developers and partners to develop mitigation strategies to replace lost EU funds for community employment programmes, services and regeneration projects.

Recommendation 6:

The Council should work closely with other Local Authorities and London Councils to co-ordinate the lobbying of Central Government to replace the EU funding loss.

Recommendation 7:

The 2018/19 Overview & Scrutiny Committee should carry out a full Brexit Scrutiny Review to obtain detailed assessment and better understanding of the progress of Brexit and its implications for the borough including a focus on:

- 1) Impact on the Council, core funding and services for residents;
- 2) Challenges and opportunities for local economy;
- 3) Community Cohesion.

Recommendation 8:

The Community Plan and all our strategic and risk management plans should reference Brexit.

Recommendation 9:

The Council should proactively seek out and respond to all direct and indirect opportunities to communicate and represent the Tower Hamlets interests in the Brexit process.

Recommendation 10:

The Council should develop policies and targeted marketing strategies to promote the Borough to retain and attract business and enable the future economic growth.

3.0 Introduction and Rationale

- 3.1 As part of the Overview & Scrutiny work programme for 2017/18 the Scrutiny Lead for Governance conducted a Brexit Scrutiny Challenge session to obtain a brief overview of the Local Authority's understanding of Brexit and its likely impact on the Council as an organisation.
- 3.2 It was also to begin exploratory discussions on the Council's resilience planning for the organisation and to recommend key priorities for the Council's mitigation planning.
- 3.3 The key questions that the Challenge Session explored and addressed were:
- What impact could Brexit have on Tower Hamlets as a Local Authority, particularly in relation to our legal powers and responsibilities?
 - What are the likely challenges and opportunities of Brexit for our workforce and funding for core services? What is the likely impact of this on our local residents and regeneration schemes?
 - How could the Council ensure that it develops a comprehensive and proactive plan to mitigating the impact of Brexit?
 - In preparing the Council for Brexit what should be our priority areas of contingency planning and how do we ensure that this is effectively communicated to all our internal and external stakeholders?
- 3.4 The Challenge Session received brief presentations on the following areas:
- Context of Brexit, for example local demographics
 - Impact of Brexit on our legal powers and responsibilities
 - Impact of Brexit on our workforce
 - Impact of Brexit on our core funding
 - Impact of Brexit on our development and regeneration schemes
- 3.5 The format of the Challenge Session consisted of presentations followed by a question & answer session and then an exploratory discussion on key priorities and mitigation plans. The findings and recommendations from the session are conveyed in this report.

3.6 The challenge session attendance

The following Members and officers attended the challenge session held on 7th December 2017:

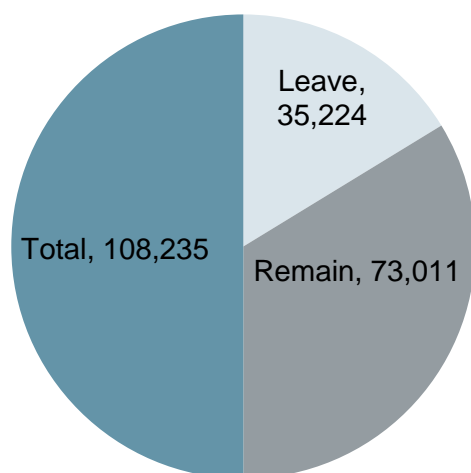
Name	Title	Organisation
Councillor Ayas Miah	Chair of Brexit Challenge Session Scrutiny Lead for Governance	LBTH
Councillor Dave Chesterton	Chair of the Overview and Scrutiny Committee (OSC)	LBTH
Councillor Rabina Khan	OSC Member People's Alliance of Tower Hamlets (Leader of PATH Group)	LBTH
Anne Ambrose	Co-opted Member for Housing Scrutiny Sub-Committee	Housing Scrutiny
Anna Finch-Smith	Employee Relations Officer	LBTH
Bethan Lant	Brexit Research Project Lead	PRAXIS
Emily Fieran-Reed	Cohesion, Community Engagement & Commissioning Service Manager	LBTH
Juanita Haynes	Senior Research Officer Strategy and Performance	LBTH
Jonathan Fox	Contracts Team Leader Legal Service	LBTH
Hannah Ismail	Trainee Solicitor Legal Service Observer	LBTH
Holly Bell	Trainee Solicitor Legal Service Observer	LBTH
Elizabeth Bailey	Senior Strategy, Policy & Performance Officer	LBTH
Shibbir Ahmed	Strategy, Policy & Performance Officer	LBTH
Joseph Ward	Planning & Building Control Officer	LBTH
Owen Whalley	Divisional Director - Planning & Building Control	LBTH
Andy Scott	Acting Service Head for Economic Development	LBTH
Neville Murton	Service Head of Finance and Procurement	LBTH

4.0 Background & Legislative Context

Brexit Background

- 4.1 The United Kingdom European Union (EU) Membership Referendum on 23rd June 2016 resulted in Britain voting to leave the European Union. Tower Hamlets overwhelmingly voted to remain in the European Union: with a Turnout of 64.59% (108,235 residents), 67.46% (73,011) voted Remain and 32.54% (35,224) voted Leave. There was however a lower turnout in TH (64.59%) compared to the UK (72.2%).¹

EU Referendum Vote in
Tower Hamlets



- 4.2 Brexit is one of the biggest political events in UK's history, and will have major implications in the way the country is governed. The Office of Budget Responsibility estimated that Brexit will cost the UK economy £58.7 billion over the next five years and there are likely to be unquantifiable social impacts too.²

The Legislative Context

- 4.3 The Government formally triggered Article 50 on 29th March 2017 and published details of its EU (withdrawal Bill) also known as the "Great Repeal Bill".
- 4.4 This Bill will repeal the 1972 European Communities Act, which took Britain into the European Community and meant that European law took precedent over laws passed in the UK Parliament.
- 4.5 Prime Minister Theresa May used a speech in Florence on 22nd September 2017 to set out proposals for a two-year transition period after the UK leaves the EU in March 2019.

¹ <http://democracy.towerhamlets.gov.uk/mgElectionAreaResults.aspx?ID=121&RPID=11340903>

² <http://www.independent.co.uk/news/business/news/brexit-latest-news-lost-tax-revenue-treasury-productivity-growth-rate-obr-office-budget-a7838891.html>

Brexit Negotiations

- 4.6 Formal negotiations began between UK and EU officials on 19th June 2017. The UK and EU negotiating teams meet face-to-face for one week each month, with extra sessions ahead of EU summits. It is anticipated that the UK departure from the EU should be completed by April 2019.
- 4.7 Their first priorities have been to reach agreement on the rights of UK and EU expat citizens after Brexit, establish a figure for the amount of money the UK will pay on leaving (the so-called "divorce bill") and the status of the Northern Ireland border. Agreement on these issues was reached on 8 December 2017:³
- Guarantee that there will be "no hard border" between Northern Ireland and the Republic and that the "constitutional and economic integrity of the United Kingdom" will be maintained;
 - EU citizens living in the UK and vice versa will have their rights to live, work and study protected. The agreement includes reunification rights for relatives who do not live in the UK to join them in their host country in the future;
 - Financial settlement – no specific figure is referred to in the document but Downing Street sources indicate it will be between £35bn and £39bn, including budget contributions during a two-year "transition" period after March 2019.⁴

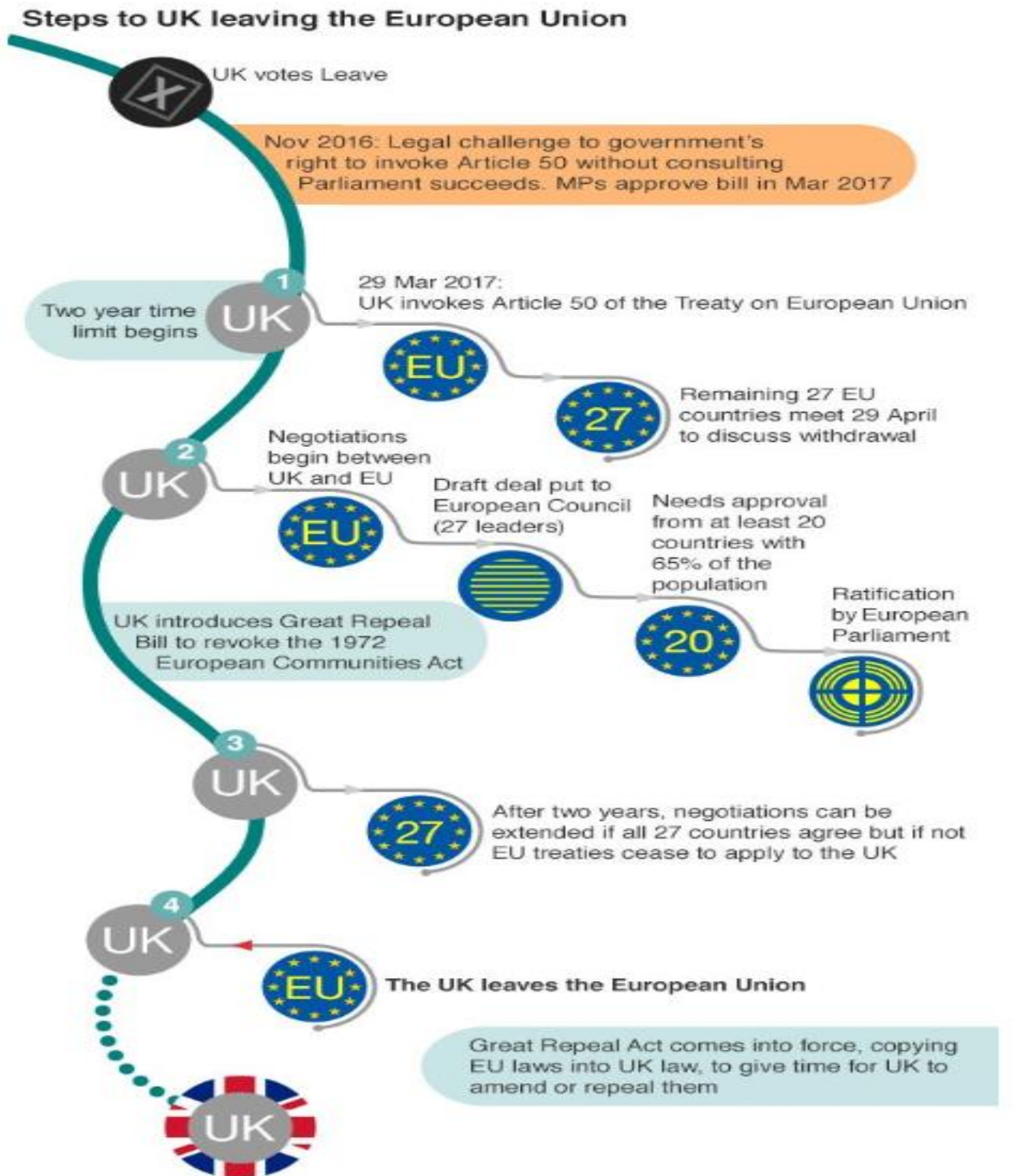
Transition Period

- 4.8 Prime Minister Theresa May has said the transition period, which the UK side tends to refer to as an "implementation phase", will allow businesses time to prepare for the new arrangements, and avoid disrupting holiday-makers and things like international security measures.
- 4.9 Although we do not exactly know yet what the transition period will look like, (because this is what is currently being negotiated between the UK and the EU) we do know the following things the two sides want:
- The EU, which published its demands recently, has said the transition period should not extend beyond 31 December 2020, 21 months after Brexit is completed and wants the UK to continue to follow its rules during this time - but not be involved in making decisions.
 - The UK has said businesses should not have to adapt twice to new rules and regulations - suggesting it agrees on a largely "status quo" arrangement and free movement of people, goods and money can continue, and that it will still be subject to European Court of Justice rulings.
 - The UK wants a "right to object" to new EU laws it doesn't agree with, and has predicted an "argument" with the other side about this.
 - Another potential point of disagreement comes with regards to citizens' rights - in particular EU nationals who move to the UK during the transition period. Do they get treated the same as if they had arrived while the UK was in the EU? The EU says yes, the UK no.
 - The UK also wants to be able to strike trade deals with other countries - which it cannot do as an EU member - although these cannot come into force until the transition ends. The EU has not objected to this.

³ BBC News Website: <http://www.bbc.co.uk/news/uk-politics-42277040> (Dec 2017)

⁴ BBC News Website: <http://www.bbc.co.uk/news/uk-politics-42277040> (Dec 2017)

4.10 Steps to Leaving the EU



5.0 Regional and Local Context

- 5.1 Research published by the Migration Observatory suggests that uncertainty caused by the EU Referendum is already beginning to have an impact on migration. International migration statistics published by the Office for National Statistics at the end of November 2017 shows that net migration to the UK has fallen by 106,000 and that this decrease has been mainly driven by the fall in immigration of EU citizens. Nationally the departure of migrants from the A8 countries, those that joined the EU from the A8 countries in 2004 – Poland, Latvia, Lithuania, Estonia, Hungary, the Czech Republic, Slovakia and Slovenia – appears to be driving the decline.⁵
- 5.2 The Migration Observatory also suggests that there are number of factors which may be influencing the decline:
- The fall in the value of the pound leading to the reduction in the relative value of wages for foreign workers in the UK;
 - The UK no longer appearing attractive to A8 workers because of the lack of clarity about their long term rights of residence; and
 - The increase in the number of hate crimes which appeared to particularly affect Polish and other Eastern European migrants immediately after the EU Referendum.⁶

London

- 5.3 London contributes 30% of the UK's tax revenues and its population and economy have been growing since the 1990s. Today the capital is one of a handful of truly global cities in an increasingly urbanised world. Its global character is reflected in the diversity of its population, in its relatively relaxed attitude towards immigration and the clear majority of Londoners who voted to remain in the EU.⁷
- 5.4 London is a global centre for finance, for tech, for creative industries, for not-for-profits and for higher education. Its vitality, diversity and economic growth have made it a magnet for young and creative people from across both the country and the world. London's economy generates one fifth of the UK's GDP and one third of UK taxes, and firms based in the capital provide jobs across the country. Growth has also brought strains to the capital. Speculation and undersupply have pushed up house prices to levels that are unaffordable for many middle-income Londoners. Transport congestion constrains mobility and worsens air quality, while transport costs are also rising as workers have to commute longer distances.⁸
- 5.5 London's success is not solely a result of EU membership, but Brexit presents big challenges to the capital – challenges that are different both in degree and in character from those posed for the rest of the UK. Addressing these obstacles – and the opportunities that Brexit could offer – in the upcoming negotiations and in domestic devolution, will be essential to ensuring a prosperous future for the UK.⁹

⁵ <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/november2017>

⁶ <http://www.migrationobservatory.ox.ac.uk/resources/briefings/determinants-of-migration-to-the-uk/>

⁷ Better Brexit – Better City Report 2017: <https://www.centreforlondon.org/reader/better-brexit-better-city/>

⁸ Better Brexit – Better City Report 2017: <https://www.centreforlondon.org/reader/better-brexit-better-city/>

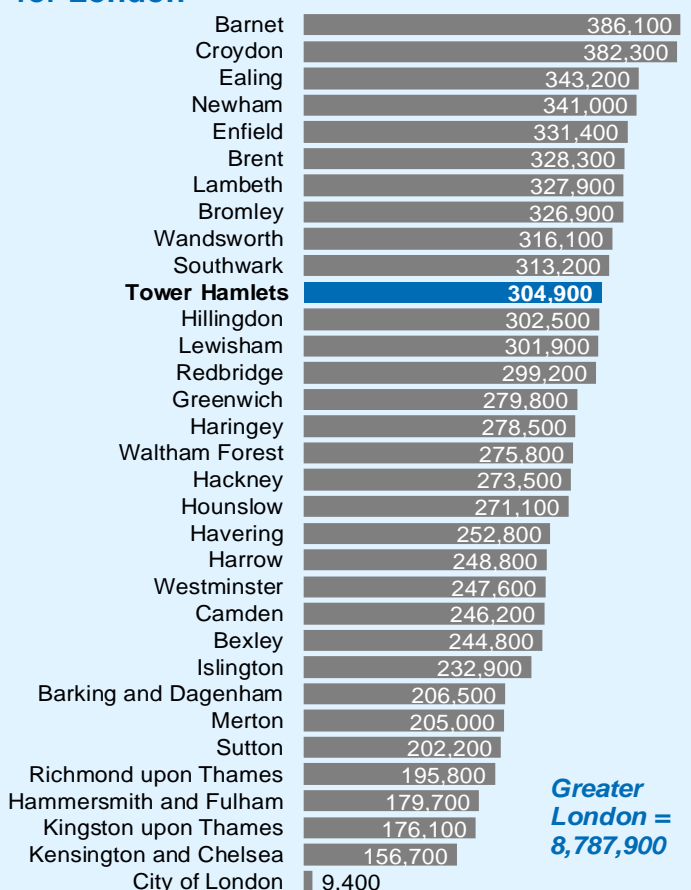
⁹ Better Brexit – Better City Report 2017 <https://www.centreforlondon.org/reader/better-brexit-better-city/>

- 5.6 The new independent economic analysis commissioned by the Mayor of London, Sadiq Khan, indicates that a 'no deal' hard Brexit could lead to a lost decade or longer of significantly lower growth. The worst-case scenario could result in:
- 500,000 fewer jobs
 - 87,000 fewer jobs in London by 2030
 - nearly £50bn UK-wide investment lost by 2030¹⁰
- 5.7 The GLA Brexit research report (Preparing for Brexit) suggests potentially the impact could be greater in Inner than Outer London. Inner London is expected to experience a larger negative impact as a result of Brexit in terms of Gross Value Added (GVA), employment and population (compared to what may have happened if the UK remained in the Single Market and Customs Union), as this is where the majority of EU-dependent economic activities occur. In particular, sectors in London that are likely to be more exposed to the risks of Brexit, such as Financial & insurance, Media, IT Services, Legal & accounting and Head offices & management consultancy, have a greater presence in Inner London areas such as Tower Hamlets and the City of London than in Outer London areas. Together, these sectors account for 44% of total GVA and 29% of total employment in Inner London in 2016, compared to 18% of total GVA and 13% of total employment in Outer London.¹¹
- 5.8 Financial and professional services could be the hardest hit with 119,000 fewer jobs nationally. Other sectors reported include: science and technology (92,000 fewer jobs), construction (43,000 fewer jobs) and the creative sector (27,000 fewer jobs).¹²
- 5.9 Even softer Brexit scenarios, like the UK remaining in the Single Market, but leaving the Customs Union after a transition period could still result in a 176,000 fewer jobs across the country.¹³

6.0 Tower Hamlets

- 6.1 The Office for National Statistics (ONS) estimated the usual resident population of Tower Hamlets to be 304,900 as at 30 June 2016.ⁱ This is the first time the area's population has exceeded 300,000 since before the Second World War. Figure 2 shows that in terms of population size, Tower Hamlets is ranked 11th largest out of the 33 local authority areas in London (32 boroughs and City). The borough previously ranked as the 14th largest London borough in mid-2015 – we surpassed Hillingdon, Lewisham, and Redbridge in the past year.

Figure 2.1: Mid-2016 population estimates for London



¹⁰ <https://www.london.gov.uk/press-releases/mayoral/jobs-under>

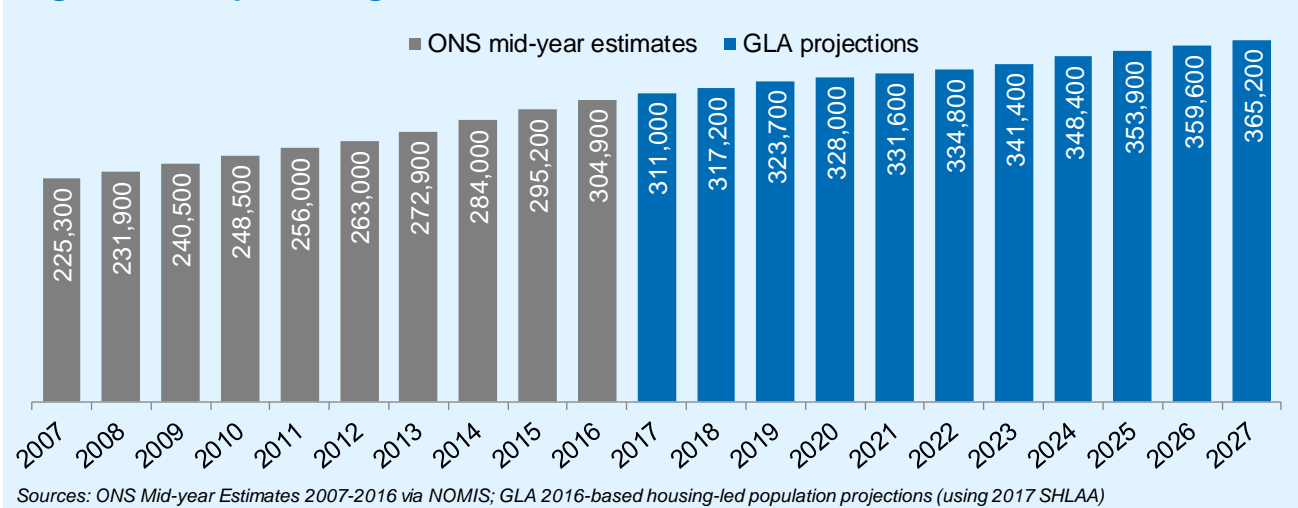
¹¹ https://www.london.gov.uk/sites/default/files/preparing_for_br

¹² <https://www.london.gov.uk/press-releases/mayoral/jobs-under>

¹³ <https://www.london.gov.uk/press-releases/mayoral/jobs-under>

- 6.2 The borough’s population is very diverse with around 43% of our residents born outside the UK and more than two thirds of the population (69%) are from ethnic minority groups. Tower Hamlets has the 9th highest proportion in England of residents born outside the UK. Our migrant population is hugely diverse and includes older residents who arrived in London decades ago alongside recent arrivals.¹⁴
- 6.3 The population of Tower Hamlets has more than doubled in the past 30 years, rising from 150,200 in 1986 to 304,900 in 2016. Growth has been particularly fast over the last decade. Between 2006 and 2016, the population grew by 86,500 residents – a 40% increase. This was the fastest population increase out of all 391 local authority areas in the UK. The borough’s population growth rate (40%) was more than double that in London (16%) and more than four times that in England (8%).¹⁵
- 6.4 Taking this expected development into account, projections from the Greater London Authority (GLA) expected to reach 365,200 by 2027 (see [Figure 2.2](#)). This would be an increase of nearly 54,000 residents over the next decade – equivalent to an average of around 15 additional residents every day for the next ten years. The borough’s population is expected to reach 400,000 by 204.¹⁶

Figure 2.2: Population growth in Tower Hamlets, 2007 to 2027



- 6.5 However, it should be noted that these projections based on recent trends and do not attempt to take into account the impact of Brexit. This will likely have an impact on the UK economy, labour market and migration patterns, which will consequently affect the population of Tower Hamlets.

Impact of Brexit on our local population

- 6.6 The borough’s population growth has largely been driven by international migration. Over the past ten years, it is estimated that net international migration increased the

¹⁴ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

¹⁵ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

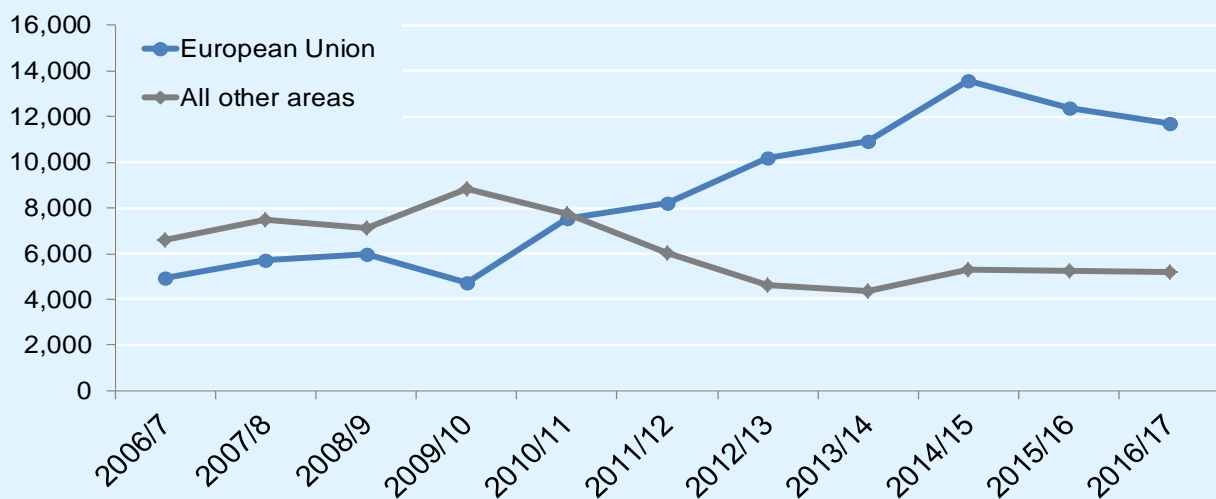
¹⁶ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

population by around 67,800 residents with a significant proportion coming from the European Union¹⁷. In 2011, one in ten of the borough's residents were born in EU countries (other than the UK). EU nationals have accounted for seven in ten of the borough's economic migrants over the past five years.¹⁸

6.7 Brexit is likely to reduce migration from EU countries, so our population growth may well be lower than what is projected. Figure 2.3 shows that while economic migration, when measured by National Insurance Number Registrations is still high for EU nationals, there has been a fall over the past two financial years. Tower Hamlets has the fourth highest number of NINo registrants in the country after Newham, Birmingham and Brent.

6.8 Our analysis shows that EU migrants account for 70% of all registrants and in Tower Hamlets the most common country of origin is Italy, with Italians accounting for over 20% of all registrants in the borough.¹⁹ It should be noted that this data only tells us about the local authority where the new registrant was located at the time of their application and not when they arrived in the country or indeed whether they are still resident in that local authority area.

Figure 2.3: Number of National Insurance Number registrations to overseas nationals in Tower Hamlets by region of birth, 2006/7 to 2016/17



Source: DWP, National Insurance Number Registrations to Overseas Nationals via Stat-Xplore

¹⁷ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

¹⁸ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

¹⁹ https://www.towerhamlets.gov.uk/.../A_Profile_of_the_Migrant_Population_in_Tower_Hamlets.pdf

Top five countries of origin for NINo registrations in Tower Hamlets, 2016/17		
Country of birth	Number of NINo Registrations	% of all NINo registrations
Italy	3,816	22.7
France	1,936	11.5
Spain	1,621	9.6
Romania	753	4.5
India	747	4.4
Total	16,844	100

Source: DWP, National Insurance Number (NINo) registrations via Stat-Xplore

- 6.9 Table 2 (above) shows the top five countries of origins in Tower Hamlets. This is very different from the top five countries of origin for London and England. In London the most common are Romania, Italy, Spain, Poland and France whilst nationally they are Romania, Poland, Italy, Spain and Bulgaria.
- 6.10 Analysis of census data helps us profile the European migrant community in Tower Hamlets. Between 2001 and 2011 the proportion of residents born outside the UK increased from 35% to 43%. The most significant increase, in terms of numbers, was amongst European migrants with the number residents born in European countries (other than the UK) which trebled in size increasing from 10,269 in 2001 to 29,363 in 2011 an increase of 186%. European migrants now make up 12% of the population compared to 5% in 2001.²⁰

Table 1: Change in population by region of birth, Tower Hamlets, 2001-2011

			Change 2001-2011		Population composition (% totals)	
	2001	2011	Increase	% change	2001	2011
All usual residents	196,106	254,096	57,990	30	100	100
Born in UK	128,129	144,662	16,533	13	65	57
Born outside UK	67,977	109,434	41,457	61	35	43
<i>Born outside UK: by area</i>						
Europe*	10,269	29,363	19,094	186	5	12
Africa	7,147	11,342	4,195	59	4	4
Middle East*	560	1,687	1,127	201	<1	1
Asia	42,130	54,819	12,689	30	21	22
- Bangladesh	35,820	38,877	3,057	9	18	15
- Rest of Asia	6,310	15,942	9,632	153	3	6
Americas & Caribbean	4,340	8,257	3,917	90	2	3
Australasia/Oceania/other	3,531	3,966	435	12	2	2

Source: ONS 2001 Census (Table UV08); 2011 Census (Table KS204)

* In 2001, ONS included Cyprus under the Middle East, whereas in 2011, it was included as part of Europe. To adjust for this, 2001 data have been adjusted in this table to include Cyprus under Europe not the Middle East to provide a better like for like comparison. This means these figures are marginally different from published ONS data.

Impact on EU migrants working in London & Tower Hamlets

- 6.11 In London 13% (600,000) of the five million jobs are held by EU migrants. Analysis published by the London Assembly's Economic Committee suggests that roughly one quarter of EU migrants are concentrated in elementary occupations, e.g. manual labour, and one in five in professional and senior level positions. Particular sectors in London

²⁰ https://www.towerhamlets.gov.uk/Documents/Borough_statistics/Population/Mid_2016_Population_Estimates_for_Tower_Hamlets.pdf

appear to be dependent on EU-born workers and these include the accommodation and food service activities sector (79,000 jobs), the construction sector (88,000). A sizeable proportion of the workforce in both the NHS and the tech sector are also from EU countries, roughly one in ten NHS workers in London and about one third of those in the tech industry.²¹

- 6.12 Analysis of 2011 Census data shows that in Tower Hamlets the financial, real estate, professional and administrative services, distribution, hotel and restaurant services, and transport and communications sectors are most reliant on EU migrant workforce.
- 6.13 Brexit is likely to have an impact on the population of Tower Hamlets not only through restrictions on migration but may also change people’s perception of London and the UK as an open and welcoming country, in effect making less people wanting to live here.

Community Cohesion Impact

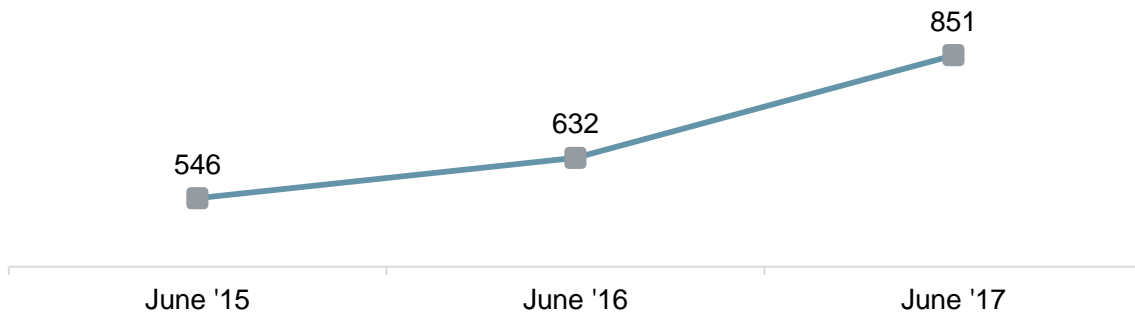
- 6.14 Although the Challenge Session did not plan to focus on the community cohesion impact of Brexit at this stage; the submission from the Officers from Corporate Strategy and Equality included reference to it.
- 6.15 It was mentioned in the session that local third sector organisations supporting migrant, refugee and asylum seeker communities in the borough reported an increase in hate crimes in the period immediately after the vote to leave the EU. Data from the London Metropolitan Police showed there was an increase of 136% in the number of reported incidents for the period between 23rd June 2016 and 31st July 2016 compared to the same period for the previous year. There were 69 reported incidents in June and July 2015 compared to 163 incidents in June and July 2016.

<u>23rd JUNE 2015 TO 31st JULY 2015</u>			
Category	Incidents 2015	Incidents 2016	% INCREASE
Racial & Religious	50	118	+136
Faith Hate	5	13	+160
Anti-Semitic	0	2	+200
Islamophobic	3	11	+266
Homophobic	9	16	+78
Transphobic	1	0	-100

²¹ https://www.london.gov.uk/sites/default/files/eu_migration_report_final_2.pdf

Disability	1	3	+300
Total Hate Crime	69	163	+136

Reported hate crimes in Tower Hamlets



6.16 The New Residents and Refugees Forum invited feedback and input from migrant residents across the borough about their experiences and concerns following the referendum. Key findings included:

- Feeling less safe or comfortable since the referendum;
- Some have experienced some levels of abuse including people saying things such as ‘your benefits are going to be stop and you will be told to go’;
- People were very aware of press reports of serious racist incidents and this increased their sense of unease and insecurity;
- Those with EU residence were very anxious about their own situations and had a lot of questions about what steps they should take.

Recommendation 1:

The Council should carry out a more detailed migration analysis of the potential impact of Brexit on our local population and develop an updated profile of the European Migrant community in Tower Hamlets.

Recommendation 2:

The Council should carry out a more detailed equalities analysis of the potential impact of Brexit on community cohesion in Tower Hamlets and publicise the ‘No Place for Hate’ campaign to reassure and address wellbeing and insecurity issues of EU Nationals.

7.0 What impact could Brexit have on the Tower Hamlets workforce?

7.1 Based on the submission from the Human Resources (HR) and brief analysis taken from the Brexit research project by 'Collaborate'; the key impacts could be as follows:

7.2 EU Labour / Workforce

- Potential impacts from Brexit concerns the number of EU nationals who currently work directly for the Council, or as agency staff for our suppliers in the health and social care services who may leave the UK;
- Despite the UK Government reaching agreement with the EU to protect and preserve the rights of EU citizens living, working and studying in the UK (and vice versa), concerns and anxieties remain about their future employment prospects which may prove pivotal in whether they choose to remain in the UK;
- This Council has not yet undertaken detailed information gathering and analysis regarding EU nationals within the workforce and our suppliers so we are not yet able to determine the full impact or which services may be impacted.
- Anecdotal data and research suggest that some Council's rely heavily on EU nationals to fill caring and hospitality roles in social care and nursing homes. In some Local Authorities EU nationals make up over 50% of the workforce in 'low skilled' jobs in the construction and catering sector.

7.3 Suppliers and Contractors

- Skills losses / shortages, e.g. in terms of agency staff or staff working for Council suppliers could have impact on contracts already in place and ability to deliver on these by providers.
- Construction Sector - skills shortages, job losses and reduced employment opportunities will also impact adversely on the local council, businesses and employers within the borough, e.g. financial institutions in Canary Wharf.
- Financial impact on suppliers and contractors.

7.4 What are the challenges?

- The makeup of the Council workforce – potentially more EU nationals leaving the country/less coming in – currently insufficient information to make a determination on the impact so far or to project future impact.
- Potential skills losses/shortages and the retention of skilled workers. For example, the adult social care workforce has a unique set of skills, but struggles with recruitment and retention.
- Wellbeing issues for all staff, including EU nationals – e.g. a reported rise in hate crimes since referendum.
- Increased demand and competition for 'talent'

7.5 What are the Opportunities?

- Other potential sources of labour depending on post-Brexit migration arrangements could be available and there may be more opportunities for our local graduates and young apprentices and locally trained staff through our various work schemes.

- Given that Tower Hamlets is still seen as an attractive business destination, new businesses may relocate into the borough, bringing different skills and experience and different employment opportunities.

7.6 What could the Council do to mitigate the impact?

- Undertake more detailed information gathering and analysis re EU nationals within the Council workforce.
- Ensure positive wellbeing provisions supporting all staff, e.g. EAP in place
- Publicise 'No Place for Hate' campaign.
- Identify our 'talent' and ensure retention strategies in place.
- Work to become 'Employer of Choice' so attract the best talent.
- Identify any areas where support/guidance can be given by the Council to help and support contractors and suppliers
- Stay up to date on debates around incorporating EU law into UK law as part of the Great Repeal Bill
- Stay informed of potential models for future governance e.g. replacing the European Court of Justice etc.
- Keep abreast of leading/latest thinking from HR and Employment Law specialists.
- Ensure up to date on latest developments for clarity of impact, which will then inform actions.

7.7 Priority areas of contingency planning

- Once the potential impact on the Council workforce is known, identify if there are any priority areas that need mitigating action, e.g. where there is a substantial impact on any service/roles in particular
- Ensure talent management and workforce planning are central to the Council's future approach
- Early communication of any changes and their impacts once known
- Early planning for any changes so that impact is minimal as can be
- Identify any impacts that could have a cost to the Council and include in planning
- Keep abreast of key issues and their impacts and ensure communication channels to suppliers and contractors.
- Once any impacts are known, work with other businesses, suppliers and contractors to minimise.

Recommendation 3:

The Council should identify the specialist skills and the number of EU nationals within its workforce and those employed by our key suppliers and ensure retention strategies and positive wellbeing provisions are in place.

Recommendation 4:

The Council should commission research to examine the contribution European migrants make to the borough's labour market and the potential impact of Brexit on the Financial & Professional Services, construction industry and the borough's key growth sectors.

8 What impact could Brexit have on the Council's legal powers and responsibilities?

- 8.1 Based on the submission from the Legal Services and latest analysis taken from Local Government Association (LGA) briefings as most of the Council's statutory powers and duties come from domestic legislation, if the UK leaves the EU there will be little change. The Localism Act 2011 provides a "catch all" power but also provides the requirement to pay sanctions to the EU for breaches of EU Law such as in relation to procurement. This may still be effective.
- 8.2 According to the Legal Representative; "there will be no real effect on the Council's Powers to Act. Tendering is here to stay. There may be small opportunities to assist our objectives e.g. speeding up tendering and procurement process and increased local expenditure".
- 8.3 However, whilst general powers/duties might not be affected, there are likely to specific impacts in the following areas:

8.4 Energy efficiency

Local Authorities must manage their buildings and procurement in line with energy efficiency rules based on EU law. The basis of these is the 2012 Energy Efficiency Directive which is transposed into UK law via a number of pieces of secondary legislation. The Directive establishes measures to help the EU reach its 20% energy efficiency target by 2020 and places a requirement on public authorities, which includes local councils, to ensure they purchase energy efficient buildings, products and services. In the past councils have raised concerns that such a requirement places additional costs on council procurement activity.

8.5 Waste collection and disposal

- The key piece of EU legislation is the Waste Framework Directive²² which sets out key definitions and duties relating to how waste must be collected, transported, recovered and disposed of. It also introduced recycling and recovery targets to be achieved by 2020. A detailed summary of current waste legislation applicable in the UK is set out on the Gov.uk guidance page on waste legislation. The majority of EU waste management law has been transposed directly into domestic law within the UK. This means that the relevant legislation and requirements on Local Authorities will not be automatically or immediately affected by the UK's exit from the EU.
- However, if the UK leaves the EU and does not become a member of the European Economic Area (EEA), then the UK Government will be able to amend and/or repeal the domestic legislation that gives effect to EU waste legislation. The

²² Difference between EU Regulation and Directive.

Regulations have binding legal force throughout every Member State and enter into force on a set date in all the Member States. Example: Food Information to Consumers Regulation 1169/2011

Directives lay down certain results that must be achieved but each Member State is free to decide how to transpose directives into national laws. Example: Directive 2002/46 on the approximation of the laws of the Member States relating to food supplements

benefits of effective waste management to both the environment and the economy may mean that an EU exit will not lead to a substantial change in approach from the UK Government, but some commentators have suggested that in this scenario it is likely that legislators would repeal or weaken EU requirements (for example, recycling targets) with the objective of reducing the regulatory burden on businesses.

8.6 This could also manifest in a change in approach to waste collection and disposal services for some Local Authorities, particularly if lower cost solutions (such as landfill disposal) are permitted with a relaxation of environmental protections and technical requirements. Global law firm Norton Rose Fulbright has suggested that Local Authorities may push for such changes in order to reduce their costs: there might be greater pressure from Local Authorities to move away from the objectives set by the EU Landfill Directive; to reduce the landfilling of waste by introducing stringent technical requirements for waste and landfills. These EU driven targets have caused local councils to incur large fines for missing the landfill reduction levels.

8.7 **Trading standards**

As with waste directives, most trading standards legislation consists of EU directives transposed into domestic law: therefore, this would not be repealed automatically on leaving the EU.

8.8 **Procurement**

Local Council's must comply with EU public sector procurement rules. The most significant requirement is for all public contracts over £209,000 to be published in the Official Journal of the European Union (OJEU), thus making them accessible to suppliers from across the EU. In the medium term, public procurement rules more generally will remain in place as they have been implemented via UK law.

8.9 **Employment Law**

The Government's stated intention is to incorporate all EU law into UK law – there is potential, however, for changes to be made, e.g. debate over Charter of Fundamental Rights. There is uncertainty around transition arrangements and ongoing cases and precedents. The risk is that 'unpopular' pieces of legislation, such as the Working Time Regulations and the Agency Workers Regulations, may be vulnerable to amendment or repeal in the longer term.

9 What impact could Brexit have on the Council's Funding and Finances?

9.1 Based on the submission from Council Finance and brief analysis taken from the Brexit research project by Collaborate; the key impacts could be as follows:

External grant funding

- The Council receives £2.6 million in funding to improve the local economy, development, infrastructure, employment and training currently comes from the European Union.
- The EU funding sits in two funds
 - 1) European Regional Development Fund (ERDF) for research and innovation, business enterprise and creating a low carbon economy;
 - 2) The European Social Fund (ESF) is for investment in skills, social inclusion and promoting employment opportunities. Leader funds are supporting rural connectivity and small businesses.
- Access to further funding to improve our local economy is a result of match funding these grants but continued support is needed to reverse the trend of social deprivation as Tower Hamlets has the highest rates of child poverty in the country;
- EU funding supports the valuable work of Tower Hamlets community groups to deliver development projects. Such examples include the support to access financial growth for East London SMEs, mobile commerce innovation, green printing processes, Women's Business Innovation Network and a homelessness project;
- The European Social Fund (ESF) Community Employment programme (£1.35m over next 3 years, half of it being funded through ESF), while not likely to be affected this time, will be wrapped up in the future. The programme helps local residents into employment.

Business rates

- 9.2 Workers and businesses in Tower Hamlets make up the third highest contributor to UK tax revenues (£12 billion).
- 9.3 Restrictions on free movement of labour and access to the European market could accelerate the move of financial firms to other European centres like Paris, Frankfurt and Amsterdam from Tower Hamlets economic centre, Canary Wharf; impacting on growth, jobs, development and enterprise.
- 9.4 The loss of business rates in particular due to companies moving out of the borough could be devastating for the Council's budget.
- 9.5 The Government plans to scrap local authorities' Revenue Support Grant by 2020, with Local Government collectively retaining 100% of business rates revenue. Local Authorities would raise most of their revenue locally. They would become more exposed to falls in tax revenue resulting from economic downturns and this maybe a real possibility with a hard-Brexit. The difficulty of forecasting may also increase as result of this; potentially making long-term financial planning trickier.

- 9.6 Finance and insurance is by far the largest sector in Tower Hamlets, followed by professional services and information and communication. These sectors are key economic drivers, and are together with “Tech City” type firms forecasted to grow more than other sectors.
- 9.7 The current business landscape in Tower Hamlets mirrors that of London with 99% of businesses being Small and Medium Enterprises (0-249 employees) and 89% of those being micro businesses (less than 10 employees).
- 9.8 Small businesses are particularly sensitive to the uncertainty of the market due to the weakening of the Pound, which is bad for a net importer like the UK; buying from overseas has been made more expensive. A weak pound that is pushing up inflation which, in turn, increases the price of goods.
- 9.9 This has an impact on small businesses since it means their customers all feel the squeeze. Therefore small business in Tower Hamlets may be adversely affected as a result of a hard Brexit and this could reduce the business rates collected by the Council.
- 9.10 If lots of small businesses are squeezed out and shops boarded up in our high streets this may negatively impact our town centres and also have the potential to increase crime and anti-social behaviour in these areas.
- 9.11 The level of business investment in the UK is predicted to be around 25% lower by 2019 relative to its pre-referendum forecasts, effectively damaging future productivity growth. In turn, this could affect the number of jobs available and the nature of businesses located in TH.

What could the Council do to mitigate the impact?

- 9.12 The Council will produce a register of all ESF related projects and services in the Borough to assess the potential impact of the EU funding loss. Although the Council does not hold information about the EU funds that are received by regional and local providers but this information is a matter of public record and should be available on the EU website.
- 9.13 The Council will work closely with other Local Authorities and London Councils to co-ordinate and strengthen the lobbying of Central Government to replace the EU funding loss. Although there is no certainty around success of a replacement fund, however Councils are grouping together to form joint proposals. London has a particular strong approach through the regional London Councils voice and can submit strong arguments due to the value of funding it stands to lose.
- 9.14 The Chair of London Councils and the London Mayor has already written to the Secretary of State for Communities and Local Government with a joint London Councils paper on proposals around the “UK Shared Prosperity Fund”, (SPF), which is proposed, will replace EU funding after Brexit. It makes the case for four requirements of the Fund:
- 1) London’s share of the UK SPF be fully devolved to London
 - 2) Allocation of the UK SPF is based on a fair measure of need, not regional Gross Value Added.

- 3) London to receive at least as much funding as currently via EU programmes.
- 4) UK SPF administration is much simplified by comparison with EU programmes.

What are the Opportunities?

- 9.15 All EU funds are usually tied with Council match funding funds to extend or increase the volume of existing programmes of work and the workforce usually expands in the short term to accommodate the additional workload. If no alternative funds are available the Council will continue to delivery programmes of work within its budgets without the additional funding opportunities. This does however mean that the matched funding requirements of Council funds can be more freely used for delivery rather than ring-fenced to particular eligible client groups.
- 9.16 The Council still has the opportunity to utilise section 106 and CIL funds and can develop submissions to alternative additional funding streams from central and regional government. The Council can also develop linkages to investment in the locality through Corporate Social Responsibility agendas of major businesses locally

Recommendation 5:

- a) The Council should produce a finance report which identifies all EU funded projects and services that our key partners deliver in Tower Hamlets including regeneration schemes at risk of stalling.
- b) The Council should work closely with developers and partners to develop mitigation strategies to replace lost EU funds for community employment programmes, services and regeneration projects.

10. The potential impact of Brexit on the Council's housing, development and regeneration schemes:

10.1 According to our Senior Housing and Economic Development Officers submission at the Challenge Session; the key impact and challenges of Brexit are likely to be as follows:

- The decision to leave the EU has prompted warnings across the construction industry about the impact of prolonged uncertainty on house prices and the cost of borrowing may result in development schemes stalling which may lead to Councils such as Tower Hamlets being unable to meet our housing supply targets.
- Construction is an industry that is highly reliant on migrant labour; between 2007 and 2014, the proportion of EU migrants in the construction sector rose from 3.65% to 7.03%. Limits on free movement could, therefore, have an adverse impact on building costs and supply, at least in the short to medium term and make some of our regeneration / construction schemes financially unviable due to rising construction costs and which could ultimately lead to schemes stalling or being scrapped altogether. This may also have the effect of Tower Hamlets being unable to meet our housing supply targets.

10.2 Affordable homes

- Local Authorities play a relatively limited role in adding to the stock of newly built affordable homes – the key providers are private developers and housing associations. However, authorities with a development programme will want to ensure that their plans are sustainable in the current environment.
- Diminished infrastructure funds, housing loans from the European Investment Bank and housing association borrowing abilities will hamper the ability of developers and reduce the supply of new affordable homes;

10.3 Access to Council housing

- Changes to the free movement of EU nationals may impact on their eligibility to apply for Local Authority housing and thereby reduce local demands.
- The most recent statistics on social housing lettings in England released by DCLG (October 2015) cover the period April 2014 to March 2015. The bulletin compares lettings since 2007/08 with reference to the nationality of the "household reference person" (HRP). The vast majority of lettings were made to UK nationals.
- Based on this data, the impact of EU migration on demand for Council housing is limited. Changes to free movement may reduce demand, but much will depend on whether UK nationals living in the EU are forced to return.

10.4 What could the Council do to mitigate the impact?

- A robust research programme to identify European labour volume and the potential impact of Brexit on the construction industry and businesses in the borough;
- Identify early and discourage stalling of regeneration schemes and establish mitigation measures;
- Work closely with housing industry bodies to explore ways to replace lost EU funds for re-generation schemes – such as investment through grants and loans.
- Increased communications and stakeholder engagement on Brexit;

Recommendation 6:

The Council should work closely with other Local Authorities and London Councils to co-ordinate the lobbying of Central Government to replace the EU funding loss.

11.0 Exploratory discussion on priorities

In preparing the Council for Brexit what should be our priority areas of contingency planning?

- 11.1 The consensus that came out of the Challenge Session discussion was that the priority areas of the Brexit Scrutiny work should be on getting detail assessment and contingency plans of the potential impact on the Council core funding and the services that we provide for our residents. A focus should be on assessing the impact on the wider local economy, businesses and future growth as well as the impact and opportunities on local communities.
- 11.2 The Challenge Session resolved that the Council should consider commissioning an independent and robust research programme and produce a local impact report of Brexit which includes a detailed analysis of each of our core services and operations and takes into account equalities impact assessment.
- 11.3 As such the scrutiny work programme looking at the impact of Brexit should be split into three areas:
- 1) Impact on the Council, core funding and services for residents
 - 2) Impact on the local economy and development and growth
 - 3) Impact and opportunities for local communities
- 11.4 The main suggestion that came from the discussion was that the consultation with local community groups, residents and businesses regarding mitigating the impact of Brexit needs to be carefully planned, community facing and publicly accessible.
- 11.5 Whilst it's important to have open and frank discussion about Brexit with residents and local business, we should not be alarmist in our approach or just focus on the potential negative impacts.

What should be the scrutiny milestones and the process by which we can maintain a regular and meaningful oversight of the Council's Brexit mitigation plans?

- 11.6 It was mentioned that the new Overview & Scrutiny Committee (OSC) will be in place in June 2018, realistically it is unlikely to get its work programme under way before October 2018. Brexit is scheduled to take place at the end of March 2019. For an OSC Report on Brexit to be of any value it should be finalised in advance of Brexit. Unless the current OSC plans this work for the next OSC to undertake, it is unlikely the work will be completed in time.
- 11.7 The Challenge Session resolved that the formation and timetabling of the Brexit Scrutiny Full Review should be done as soon as possible to ensure a coherent and manageable work programme and to avoid diary clashes.

How do we ensure cross party support, input and involvement?

- 11.8 Challenge Session members raised the concern that given we do not know the complexion of the new OSC following the local election; it is important we secure cross party support for what is proposed now.

- 11.9 The suggestion was the Brexit Scrutiny Lead Member should pull together a small cross-party group of OSC members to agree the Brexit Scrutiny programme for after the election. The Lead Member will need officer support to plan this and put together a detailed Scoping Paper setting out key objectives and focus (key lines of enquiries).
- 11.10 The following Members have been approached and they have agreed to be part of the OSC Brexit Scrutiny committee to help set up the Brexit Scrutiny Full Review for the new municipal year:
- Cllr Ayas Miah (Labour)
 - Cllr Muhammad Mustaquim (Independent Group)
 - Cllr Rabina Khan (People's Alliance)
 - Cllr Andrew Wood (Conservative)
 - Cllr Andrew Cregan (Liberal Democrat)
 - Three Co-opted OSC Members
- 11.11 The proposals and draft Scoping Paper for the Brexit Scrutiny Full Review has been attached to the appendix of this report.
- 11.12 The draft Scoping Paper will need to be brought back to OSC for sign off no later than the March 2018 OSC meeting. This will involve our agreeing the subject areas, those who will be asked to provide evidence, the date and locations for sessions, etc.

12. Conclusion and Next Steps

- 12.1 The aim of this Brexit Challenge Session was to obtain an overview of the Local Authorities understanding of the likely impact of Brexit. It was recognised and appreciated by all who attended, that this was just the start of the conversations on the impact and the beginning of exploratory discussions on the Council's resilience planning and to recommend key priorities for mitigation planning.
- 12.2 Due to limited time and resources the Challenge Session was deliberately very focused on a narrow set of issues. Going forward Scrutiny will need to have further sessions to devote more detailed and specific discussion to the impact of Brexit on the borough.
- 12.3 This Challenge Session highlighted very clearly that there is a lot of uncertainty nationally and it is still not clear what kind of Brexit the country face. Until we have the full and final agreed Brexit agreement in place, it will be difficult to determine the exact impact.
- 12.4 Despite this the Council needs to be fully prepared for all eventualities (including a "no deal Brexit") and constantly keep abreast of all key Brexit developments, by identifying and reviewing areas of potential impact.

Next Steps

- 12.5 The Council should consider commissioning independent and robust research programmes and produce a local impact report of Brexit which includes a detailed analysis of each of our core services and operations and takes into account equalities impact assessment.
- 12.6 Based on these detailed research reports the Council should develop a high level Contingency Plan to protect our revenue streams, workforce, local regeneration, infrastructure projects and community cohesion priorities.
- 12.7 Brexit should feature in our Community Plan and all our strategic and risk management plans going forward. This will allow for regular strategic monitoring and management oversight.
- 12.8 The formation and timetabling of the Brexit Scrutiny Full Review should be done as soon as possible to ensure a coherent and manageable work programme and to avoid diary clashes.
- 12.9 The Council should proactively seek out and respond to all direct and indirect opportunities for Tower Hamlets Council to communicate and represent Tower Hamlets interests in the Brexit process.

Recommendation 7:

The 2018/19 Overview & Scrutiny Committee should carry out a full Brexit Scrutiny Review to obtain detailed assessment and better understanding of the progress of Brexit and its implications for the borough including a focus on:

- 1) Impact on the Council, core funding and services for residents;
- 2) Challenges and opportunities for local economy;
- 3) Community Cohesion.

Recommendation 8:

The Community Plan and all our strategic and risk management plans should reference Brexit.

Recommendation 9:

The Council should proactively seek out and respond to all direct and indirect opportunities to communicate and represent the Tower Hamlets interests in the Brexit process.

Recommendation 10:

The Council should develop policies and targeted marketing strategies to promote the Borough to retain and attract business and enable the future economic growth.

ⁱ Office for National Statistics, [2016 Mid-year Population Estimates](#). See table MYE2. This estimate includes all residents who are expected to live in the borough for at least 12 months, including migrants and term-time students. This estimate does not include short-term visitors or migrants who may live in the borough for less than a year.

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Brexit Scrutiny Challenge Session - Action Plan

Recommendation 1:

The Council should carry out a more detailed migration analysis of the potential impact of Brexit on our local population and develop an updated profile of the European Migrant community in Tower Hamlets.

Comments from SPP Service:

The Corporate Strategy, Policy and Performance Service already publish in-depth analysis of the socio-economic characteristics of the borough's population including analysis of the migrant population. The published briefings will be updated and shared with the Brexit Commission and form part the Commissions evidence base. The Council has secured additional resources from the Controlling Migration Fund to deliver a "Welcome to Tower Hamlets programme" over 2 years. Research and analysis will also be undertaken of participants in this programme.

Actions	Responsible Officer	Deadline
Update the already published profile of migrant population to capture more in-depth analysis of the European migrant communities in Tower Hamlets.	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	October 2018
In-depth analysis of migrant communities participating in the "Welcome Tower Hamlets" programme.	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	July 2019

Recommendation 2:

The Council should carry out a more detailed equalities analysis of the potential impact of Brexit on community cohesion in Tower Hamlets and publicise the 'No Place for Hate' campaign to reassure and address wellbeing and insecurity issues of EU Nationals.

Comments from SPP Service:

The Brexit Commission will consider potential and specific impact of Brexit on all the protected equalities groups and how the borough can work together to mitigate against any adverse impacts. These include protecting and promoting:

- Women's rights: including, maternity and parental leave;
- Disability rights: including improved employment opportunities and protections at work;

- Tackling workplace discrimination: including protection on grounds of religion or belief, sexual orientation and age.

The Brexit Commission will look to explore ways to promote diversity and community cohesion as well as consider appropriate and specific support that could be offered to EU migrants so that all our residents feel reassured and can live, work and study in the borough free from discrimination.

The Brexit Commission will also try to collectively lobby central government to ensure equality and key worker rights continue to be treated as priorities and setting a progressive agenda for post-Brexit Britain.

Actions	Responsible Officer	Deadline
Publicise No Place for Hate Campaign at Brexit Roadshow events	Menara Ahmed (Domestic Violence & Hate Crime Officer)	October 2018

Recommendation 3:

The Council should identify the specialist skills and the number of EU nationals within its workforce and those employed by our key suppliers and ensure retention strategies and positive wellbeing provisions are in place.

Comments from HR Service:

There has been no progress on collecting direct information from staff that may be affected by Brexit, we do not hold this information currently and we will need to develop a voluntary mechanism for staff to flag any concerns and gain support if they think they might be affected. This will need to be sensitively managed so that people do not feel at risk by giving the information to the council.

The Council has recently launched the new Occupational Health service with refreshed publicity regarding the wellbeing provision of staff.

Comments from Procurement Service:

As part of our broader supply chain management activities, procurement service could look into completing an exercise with its core suppliers to assess any impact of Brexit amongst contractor's workforce but will not be able to obtain information on nationality of contractor's workforce.

Actions	Responsible Officer	Deadline
Consider a method to request the relevant information with regards to nationality	Dena Smart	October 2018

from staff.	(Head of HR and Workforce Development)	* <i>Awaiting further updates</i>
Analysis of any data gathered to determine whether staff likely to be affected by Brexit are in particular areas or have particular skills	Dena Smart (Head of HR and Workforce Development)	November 2018 * <i>Awaiting further updates</i>
Develop a plan to address findings from the data	Dena Smart (Head of HR and Workforce Development)	December 2018 * <i>Awaiting further updates</i>
Undertake a supply chain analysis to assess potential impact of Brexit on Councils contracts.	Zamil Ahmed (Head of Procurement)	September 2018 * <i>Awaiting further updates</i>

Recommendation 4:

The Council should commission research to examine the contribution European migrants make to the borough's labour market and the potential impact of Brexit on the Financial & Professional Services, construction industry and the borough's key growth sectors.

Comments from SPP Service:

The SPP Service will work with the Growth and Economic Development Team to support the Brexit Commission to collate up to date research and intelligence about the potential impacts on the borough's key sectors and labour market characteristics of EU workers in the borough.

The Brexit Commission will explore evidence about the threats and opportunities of Brexit to our big, small businesses and medium size enterprises (SME's) including the tourism sector. It will consider the competitiveness of the borough for international business over the short, medium and long term.

The Commission will also consider specific mitigation activities that can be developed to retain and attract the required workforce, develop skills and improve business productivity to enable future economic growth.

Recommendation 5:

- a) The Council should produce a finance report which identifies all EU funded projects and services that our key partners deliver in Tower Hamlets including regeneration schemes at risk of stalling.
- b) The Council should work closely with developers and partners to develop mitigation strategies to replace lost EU funds for community employment programmes, services and regeneration projects.

Comments from Service:

Housing Regeneration team has established that there was no specific EU funding going into our current council led housing regeneration schemes. They have written to the council's key RSL regeneration partners on schemes at this time: Poplar HARCA, Swan, L&Q and Eastend Homes – all of whom we either partner with directly on projects or have assisted by facilitating land assembly. They had a limited response so far but will chase up more responses.

The feedback received from one local RSL regeneration partner suggests they are certainly experiencing a much cooler market. Footfall on some schemes is less than this time last year and there is definitely an air of uncertainty. Brexit is a factor in this uncertainty, but there is also concern about rising interest rates. Potential buyers are also adopting a wait and see approach, possibly hoping for a drop in prices or greater sales incentives. Every developer I know operating in this area is totally reliant on Help to Buy. In summary, the current uncertainty is likely to lead to a slowdown in delivery as developers pause schemes or split them into smaller, less risky and more manageable chunks. We have also noted that developers are thinking about trying to increase the affordable numbers in their developments by leveraging in grant, thereby reducing their overall sales risk.

Comments from Third Sector Team:

We do not have any information on external organisations funding arrangements with the EU. The only European funding we currently involved is the ESF Community Employment Fund the £1.35m – over 3 years 50% of this has been provided by the LBTH, which currently has two more rounds and managed by London Councils.

Actions	Responsible Officer	Deadline
Consult with existing RSL regeneration partners and enquire if they are anticipating specific impacts in the short to medium term on their scheme funding.	Niall McGowan (Housing Regeneration Manager – Place Directorate)	Ongoing
Consult with Community and Voluntary Sector partners and enquire if they are anticipating specific impacts in the short to medium term on their scheme funding.	Steve Hill (Head of Benefits – Resources Directorate)	July 2018 * <i>Awaiting further updates</i>

Recommendation 6:

The Council should work closely with other Local Authorities and London Councils to co-ordinate the lobbying of Central Government to replace the EU funding loss.

Comments from Mayor's Office:

The Brexit Commission has been set up and a communication strategy is being developed that will enable us to effectively share the findings of the Tower Hamlets Brexit commission with the GLA, City of London and The London Councils and use that as leverage to connect this up with their Brexit impact studies and mitigation strategies.

The Communication strategy will also include how to successfully engage with our local MP's and GLA Member and provide further evidence and support to their lobbying efforts in Parliament on behalf of the borough.

Recommendation 7:

The 2018/19 Overview & Scrutiny Committee should carry out a full Brexit Scrutiny Review to obtain detailed assessment and better understanding of the progress of Brexit and its implications for the borough including a focus on:

- 1) Impact on the Council, core funding and services for residents;
- 2) Challenges and opportunities for local economy;
- 3) Community Cohesion.

Comments from SPP Service:

The setup of the Brexit Commission has been announced at 25th July Cabinet. The Commission would examine the impacts that Brexit will have on the Council, local economy and our residents, and to ensure that we can take action to minimise these impacts.

The new Scrutiny Lead for Governance (Cllr Mohammed Pappu) has been appointed as a Commissioner for the Brexit Commission. He will provide regular updates to the OSC of the progress of the Commission.

Actions	Responsible Officer	Deadline
The Scrutiny Lead for Governance (Cllr Mohammed Pappu) is appointed as an Commissioner for the Brexit Commission	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	Completed
The Scrutiny Lead for Governance (Cllr Mohammed Pappu) provides bimonthly updates to the OSC of the work and progress of the Brexit Commission.	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	Ongoing

Recommendation 8:

The Community Plan and all our strategic and risk management plans should reference Brexit.

Comments from SPP Service:

The Tower Hamlets Plan includes a clear reference to Brexit and the Brexit Commission will look to develop high level contingency plans to manage key risks and to ensure appropriate preparedness.

The Tower Hamlets Partnership Executive Group has been briefed and consulted on the formation and scope of the Brexit Commission and two members of the PEG will be appointed as Commissioners and evidence will be gathered from local partners of their Brexit impact assessments and mitigation plans.

Comments from Risk Management Dept:

The Audit and Risk team have been proactive in engaging all sections of the Council to give adequate consideration to the threats and opportunities faced by the Council from the decision to leave the European Union. The current position is to wait for further outcomes from the negotiations between central government and the European union. We have conducted a number of risk workshops with various directorates and divisions within the council in which the impact of Brexit to business objectives have been considered and documented. We also held a risk talk in March 2018 on the impact of Brexit on the Council and local economy with an analysis of the impact on jobs and on migration as well as the strategy to secure the best possible mutual market access for financial services post Brexit. Further consideration was given to the impact of European union laws on council services such as food regulations and procurement. We currently have the following Brexit related risks on our risk registers;

1. Opportunity – O-RM0001 - Ensuring opportunities arising from leaving the European Union are maximised to ensure the borough remains a thriving, vibrant and successful place. The Fundamental Review of Support Services provides an opportunity to ensure that it is fit for purpose to support structures and is in place by 2019/20. (Risk Management)
- 2.RM-ER0004 - Impact of leaving the European Union on the local economy. (Brexit - Emerging Risk)
- 3.RS0047 - Impact of leaving the European Union on the Council and the local economy. (Corporate Resources)
 - Financial impact.
 - Staff impact.
 - Procurement impact.

We aim to build on this work as the negotiations progress and we begin to get a clearer understanding of the outcome.

Actions	Responsible Officer	Deadline
Sharing information about the potential impact of Brexit with all internal services,	Sharon Godman	Ongoing

community partners and stakeholders	(Divisional Director for Strategy, Policy and Performance)	
Developing mitigations plans about emerging risks in all our management plans	Steven Tinkler (Head of Audit & Risks)	Ongoing

Recommendation 9:

The Council should proactively seek out and respond to all direct and indirect opportunities to communicate and represent the Tower Hamlets interests in the Brexit process.

Comments from SPP Service:

The SPP Service will support the Brexit Commission to keep a close track of the UK Governments Brexit negotiations and analysis of the transition plans. The Brexit Commission will proactively seek out and respond to all direct and indirect opportunities to communicate and represent the Tower Hamlets interests in the Brexit process.

The Brexit Commission will explore potential benefits and opportunities for the borough post-Brexit and consider the development of new policies and programmes for economic development and community cohesion.

Actions	Responsible Officer	Deadline
Ensure that the Council proactively seeks out and responds to all Brexit related consultations and provides local intelligence and evidence to Parliamentary Select Committees in a timely and efficient manner	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	Ongoing
Keep abreast of national and regional Brexit related policy developments and communicate Brexit related consultations and opportunities with all our statutory and community partners	Sharon Godman (Divisional Director for Strategy, Policy and Performance)	Ongoing

Recommendation 10:

The Council should develop policies and targeted marketing strategies to promote the Borough to retain and attract business and enable the future economic growth.

Comments from Service:

The Council has launched a consultation on the Growth Strategy and it is due to be formally adopted by Cabinet in March 2019. The Economic Development Team is currently developing a new round of Enterprise projects in outline form to support the Budget process.

Actions	Responsible Officer	Deadline
The emerging TH Growth Strategy will include policies and strategies to attract businesses and support growth	Vicky Clark (Divisional Director, Growth & Economic Development, Employment and Enterprise)	October 2018
Our current suite of enterprise support projects are due to finish at the end of the 18/19 financial year. New projects will be developed in the context of Brexit and its implications for the borough	Vicky Clark (Divisional Director, Growth & Economic Development, Employment and Enterprise)	October 2018
We will continue to monitor impacts on Borough employers via published data and via our Growth and Economic Development Partnership, and refine policies accordingly. We will also use the GED Partnership to test and explore project concepts.	Vicky Clark (Divisional Director, Growth & Economic Development, Employment and Enterprise)	March 2019

<p>Cabinet</p> <p>26 September 2018</p>	
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Food Law Enforcement Service Plan 2018/2019</p>	

Lead Member	Councillor David Edgar, Cabinet Member for Environment
Originating Officer(s)	David Tolley - Head of Trading Standards and Environmental Health
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	17 July 2018
Reason for Key Decision	To approve the regulatory food law plan
Tower Hamlets Plan Theme	Better health and wellbeing

Executive Summary

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.

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.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the Tower Hamlets Food Law Enforcement Service Plan 2018//2019 and Food Sampling Policy attached at Appendix One of the report.
- 2 To delegate the sign off of the Food Law Enforcement Service Plan to the Corporate Director in consultation with the lead Member. The findings and recommendations within the annual review will be included in the strategic plan.
- 3 To agree the Food Law Enforcement Service Plan will be published on the

Councils website.

1. REASONS FOR THE DECISIONS

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

2. ALTERNATIVE OPTIONS

- 2.1 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.

3. DETAILS OF REPORT

- 3.1 The Plan incorporates the Council's objectives as set out in the Community Plan and the Environmental Health and Trading Standards 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 and promote regeneration. The standard format of the plan will allow easier comparisons with other authorities.
- 3.2 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 2,989 food premises which require inspection. The frequency of such inspections is determined by a nationally agreed risk based inspection rating scheme.
- 3.3 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.
- 3.4 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.
- 3.5 Last year the Food Safety Team achieved 84% of all food premises being broadly compliant with food safety legislation. This is a slight increase of 3% compared to last year.

3.6 A range of interventions has been developed aimed at increasing and sustaining this compliance rate. The broadly compliant rate 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.

3.7 The plan at Appendix One also covers the wider remit of food safety work including complaints and enquiries, sampling, food hazard warnings, outbreak control, health promotion, training and publicity. These tasks remain relatively constant year on year.

3.8 The plan also highlights some of the major successes during 2017/18. Some notable examples are:-

- 100% of all A rated high risk premises were inspected for food hygiene/standards
- 100% of all B rated food hygiene premises were inspected
- 97% of all A-C rated Food Hygiene premises inspected
- 89 food samples were taken as part of the surveillance programme
- 33 new and 32 renewed Food For Health Awards were issued

3.9 The Food Standards Agency requires details of the assessment of resources for all functions within the plan. The resource analysis estimates the gap to be 1.45 full time equivalents for 2018/19. This is the identified resource gap when providing a full inspection and sampling programme. This resource gap has reduced since last year due to an additional one off £100,000 being awarded to the team. This additional funding is due to cease in 2019/20. This funding has been spent on additional agency staff to supplement the shortfalls identified last year.

3.10 During 17/18 the Team achieved:

- £95,300 in fines and costs
- 83% of premises broadly compliant with food law
- 8% of samples found to be unsatisfactory and required follow up
- Service Requests and number of food premises remained static

The following trend in complaints has also been identified:

Year	Premises	Service Requests	Allergy Alerts	Food Alerts	Food Poisoning
2013/14	2636	1036	47	36	113
2014/15	2797	1171	65	35	123
2015/16	2964	1328	94	53	124
2016/17	2977	1532	123	53	222

2017/18	2989	1521	90	53	217
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- 3.11 The estimated resource gap identified in the report is calculated based on the activity carried out in the previous year. With the increase in food premises the Food Team will therefore have to reduce inspection activity in the lower risk food premises and carry out a lower level response into the service requests received. During 18/19 the additional one-off £100,000 funding has reduced this gap.
- 3.12 In addition the Environmental Health and Trading Standards Service has entered into a bursary scheme whereby students that have completed their academic studies join the Service for one year to complete their professional portfolios to enable them to become Food Safety Officers/Environmental Health Officers. We currently support two individuals who are receiving a £10,000 bursary.
- 3.13 From 2009-18 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. The scheme resulted in a further 33 new awards being achieved and 32 renewals last year.
- 3.14 A benchmarking exercise has been carried out using two sets on data (Appendix Two) The first set of data compares key information with our neighbouring authorities in North East London in 2017/18, whereby we demonstrate that we have a low number of unrated premises yet to be inspected but a higher number of high risk activity premises (denoted by the risk category A and B). In addition the annual Which? survey of Local Authority performance in 2016/17 puts us as 363 out of 389 – this has not taken into account the one off- additional funding provided in 18/19. In order to increase our performance standing from the Which? survey an additional growth bid will be submitted to sustain the one off funding received in 18/19.
- 3.15 An Equalities Impact Assessment checklist has been carried out at Appendix Three .
- 3.16 Cabinet can consider if they wish to continue to receive this annual report or delegate approval to the Corporate Director and lead Member. *The Frame Work Agreement on Official Feed and Food Controls by Local Authorities* created by the Food Standards Agency, the monitoring and auditing body for food safety requires that the Food Law Enforcement Service Plan is formally approved the Council.
- 3.17 Local Authorities have the flexibility to decide whether or not this plan should be approved at Member level. To help ensure local transparency and accountability, Food Law Enforcement plans and performance reviews should be approved at the relevant level established for the Council, whether that is Member, Cabinet or other suitable delegated senior Officer. The approval process needs to be recorded to show that the Food Law Enforcement Plan have received appropriate approval. The FSA do have an auditing role and

therefore a suitable approval process should be clearly outlined to demonstrate the Councils commitment to ensuring food safety within its area.

- 3.18 It is therefore recommended to delegate the sign off of the Food Law Enforcement Service Plan to the Corporate Director in consultation with the lead Member. The findings and recommendations within the annual review will be included in the strategic plan.

4. EQUALITIES IMPLICATIONS

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

5 OTHER STATUTORY IMPLICATIONS

- 5.1 Best Value implications: The Council is fulfilling its best value duty by ensuring that staff resources are targeting the higher risk food premises as determined by the national rating scheme. The report details how this targeting is maintaining the current broadly compliant rate across the food premises in the Borough. Officers are using a range of interventions to seek compliance, as detailed in the plan.
- 5.2 Environmental considerations: There are no environmental impacts with regards to this plan
- 5.3 Crime reduction: There are no crime and disorder reduction implications with this report.
- 5.4 Safeguarding: There are no safeguarding implications with this report
- 5.5 Risk management implications: 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. Failure to ensure that the Council discharges its responsibilities can have serious consequences for the Council and these are set out below.
- 5.6 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.
- 5.7 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.
- 5.8 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.

5.9 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.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 This report sets out the annual Food Law Enforcement Service Plan that the Food Standards Agency requires the Council to have in place. The plan is delivered through the Food Safety budget of £656,897 for 2018/19. The budget process for 2018/19 approved additional one-off resources to help manage the funding gap identified in the previous year's annual plan report. A total of £100,000 was made available to support 2 full time equivalents for one year to help manage the 3.59 FTE funding gap. A further sum of £30,000 supports a bursary scheme that enables graduates to complete their work based professional portfolios. The aim of the scheme is to encourage the attraction and retention of new applicants to the service.

6.2 Where additional revenue resources are required to support future Food Law Enforcement plans these will need to be considered along other competing priorities for the Council and included in the budget and Medium Term Financial Strategy process for the relevant years.

7. LEGAL COMMENTS

7.1 The Food Safety Act 1990 ('the 1990 Act') designates the Borough as a food law enforcing authority and creates an obligation to enforce the Act, as such the London Borough of Tower Hamlets has statutory functions in respect of food safety.

7.2 The Food Standards Act 1999 gives powers to the Food Standards Agency (FSA) to oversee and monitor how Local Authorities enforce food safety legislation. The FSA acts as regulator for local authorities on Food Safety matters.

7.3 The Food Law Code of Practice, produced by the FSA, gives statutory guidance to which local authorities must have regard when engaged in the enforcement of food law. Local authorities must follow and implement the relevant provisions of the Code. The FSA published a revised Food Law Code of Practice (England) on 30 March 2017.

7.4 It is a requirement of the FSA under the 'Framework Agreement on Local Authority Food Law Enforcement' for Local Authorities to have Food Law Enforcement Service Plan. Chapter 5.1 of the Food Law Code of Practice sets out the requirements for Food Service Plans. The Plan must be subject to regular review and clearly state the period of time during which the Plan has effect.

7.5 The Council must have an up-to-date, documented Food Service Plan which

is readily available to food business operators and consumers. The Plan should reflect the requirements detailed in paragraph six of the Regulators' Code (produced by the Department for Business Innovations and Skills, April 2014), which provides as follows:

“Regulators should ensure that their approach to their regulatory activities is transparent

- 6.1 Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them.
- 6.2 Regulators' published service standards should include clear information on:
 - a) how they communicate with those they regulate and how they can be contacted;
 - b) their approach to providing information, guidance and advice;
 - c) their approach to checks on compliance, including details of the risk assessment framework used to target those checks as well as protocols for their conduct, clearly setting out what those they regulate should expect;
 - d) their enforcement policy, explaining how they respond to non-compliance;
 - e) their fees and charges, if any. This information should clearly explain the basis on which these are calculated, and should include an explanation of whether compliance will affect fees and charges; and
 - f) how to comment or complain about the service provided and routes to appeal.
- 6.3 Information published to meet the provisions of this Code should be easily accessible, including being available at a single point⁷ on the regulator's website that is clearly signposted, and it should be kept up to date.
- 6.4 Regulators should have mechanisms in place to ensure that their officers act in accordance with their published service standards, including their enforcement policy.
- 6.5 Regulators should publish, on a regular basis, details of their performance against their service standards, including feedback received from those they regulate, such as customer satisfaction surveys, and data relating to complaints about them and appeals against their decisions”.
- 7.6 This report sets out the Council's annual Food Law Enforcement Service Plan

for 2018/2019 and includes benchmark data.

- 7.7 The proposed Plan is aligned with the Food Law Code of Practice, the Regulator's Code and the Council's enforcement policy. It covers all areas of food law that the Council has a duty to enforce and sets out how the Council intends to deliver Official Controls within its area as is also required.
- 7.8 Before adopting the Plan, the Council must have due regard to 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 do not (the public sector equality duty). An Equalities Impact Assessment has been done and a Checklist is at Appendix 3.
- 7.9 Para 3.16 and 3.17 of this report refers to the position of The Framework Agreement on Official Feed and Food Controls by Local Authorities in relation to Member approval i.e. local authorities have the flexibility to decide whether service plans are approved at Member level. There is no constitutional requirement for the plan to be approved at Member level.

Linked Reports, Appendices and Background Documents

Linked Report

NONE

Appendices

Appendix One – Food Law Enforcement Service Plan 2018/19
Appendix Two - Benchmarking data
Appendix Three - Equalities Action Checklist

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

None

Officer contact details for documents:

David Tolley



Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

FOOD LAW ENFORCEMENT SERVICE PLAN

2018/2019

CONTENTS

Executive Summary

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2.0 Background

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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 published on the Council's website. The layout of the plan is dictated by the Framework Agreement between the Food Standards Agency and Local Authorities.

The plan sets out the aims and objectives of the Environmental Health & Trading Standards (EHTS) 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 2017/18 and our programme of work for 2018/19.

Inspection Plan

In 2017/18, the Food Team carried out 97% of all Food Hygiene inspections due in the higher bands of A-C (100% A, 100% B and 97.6% C) and 86% of all food standards inspections due in the higher bands of A-B (100% A). 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 during 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

In 17/18, 10 premises were closed using emergency prohibitions whereby one food business was closed twice using emergency prohibitions. The premises closures were for pest infestations; a total of £95,294 fines/costs were issued by the court from 7 court cases taken during the year.

Food Hygiene Rating Scheme

We currently have 83.6% of our food premises broadly compliant with food hygiene law; this excludes those new premises yet to be inspected. The steady influx of new food businesses accounts for some of the not broadly compliant premises as they count against this overall figure; if they remain uninspected we have potentially broadly compliant premises counting against us. We have introduced a triage system to ensure that those who register as a food business are contacted to confirm they are actually going to start trading before they are entered on to the database

Food for Health

The Service has continued to receive external funding to continue 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 17/18 175 Food for Health visits were carried out at food businesses. 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 2019. In 17/18 the Healthy Eating Award scheme resulted in 33 unique premises awards (in 16/17 there were 18 unique premises awards and 32 renewals/upgrades).

Reducing Inspection Burdens

We have reviewed our services to determine if the inspection burden can be lifted on local businesses but ensuring 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 2018/19. 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.

As stated above, food hygiene work takes priority over standards work. "A" rated standards inspections are the only standards work that is built into the inspection programme as a priority 100% of the premises rated A for standards will be inspected. B and C rated standards inspections are accounted for in the programme, but are largely picked up where hygiene inspections are due. There are 871 standards inspections due (as of 01/04/18). 16 are A rated and so will have to be inspected for standards only. B and C standards inspections that are due outside the hygiene programme and are unlikely to be inspected unless for example a complaint is received or officers carry out sampling at the premises.

- 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. The promotion of Food for Health award in conjunction with Public Health 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
 - Council's Enforcement Policy
- 1.2.2 The activities of the Environmental Health & Trading Standards (EHTS) - 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 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 EHTS 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*
- *Promotion of business awards for smoke free and healthy eating in conjunction with public health services*
- *Animal welfare and the control of zoonotic infections (infections that pass from animals to humans)*
- *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, Gouman, 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)
- 93 schools
- Billingsgate – London’s major Wholesale & Retail Fish Market
- World famous street markets at Petticoat Lane, Whitechapel, Brick Lane, Columbia Road and Roman Road
- London Guildhall University, Queen Mary University of London and The Royal London Hospital Medical Schools
- The Royal London, Mile End 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 Environmental Health & Trading Standards Service (EHTS). EHTS is part of the Public Realm Division which is part of the Place Directorate. A Team resource analysis has been undertaken at Annex A, the Council’s administrative committee structure is set out in Annex B and the structure showing where the service sits in the overall council organisation is in Annex C.

2.2.2 Food Safety falls within the portfolio of Cllr David Edgar as Cabinet Member for the Environment

2.3 Scope of the Food Service

2.3.1 The Environmental Health & Trading Standards Food Team is responsible for the following functions in all commercial premises.

- food hygiene – food preparation and handling

- food standards – food labelling and composition
- health and safety
- infectious disease control
- public health activities

2.3.2 Nuisance and Pollution control issues related to commercial premises are dealt with by the Pollution Team. The Trading Standards Team deals with animal feeding-stuffs and fraudulent activities covered by the Food Safety Act 1990.

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 misled as to the nature of food products when it is sold to them. Premises that are inspected included importers and exporters who may not even hold food on their premises – this accounts for the difference in total numbers in Table 1 and Table 2 below.

2.4.4 The Food Code of Practice details how premises should be scored for Food Standards, the following criteria are used,

- Risks to consumers/businesses
- Hazardous processes
- Ease of compliance
- Consumers at risk
- Current compliance
- Confidence in management systems

The above criteria are used to score food standards activities as A – C, with A being high risk. It is at this category that we undertake separate inspections; the remainder of the inspections for food standards are carried out when the necessary food hygiene inspection is due. The criteria are weighted and the Officer makes undertakes the scoring during the routine inspection, from the calculated score, an overall risk rating is achieved.

2.4.5 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. Inspections are mainly carried out at higher risk premises (A-C). The Food Law Code of Practice, the guidance document that must be followed by Local Authorities, classifies food premises by risk in several key criteria:

- Type of Food/Method of handling
- Method of processing
- Consumers at risk
- Vulnerable Groups
- Food Hygiene and Safety
- Structural Compliance
- Confidence in management systems
- Significance of risk/likely contamination

2.4.6 The above criteria have weighted scores and the total score is calculated by officers during their routine inspections to give an overall risk rating. 'A' being high risk and 'E' being low risk. The inspection frequencies are assigned nationally to each risk rating.

2.4.7 D/E rated premises are lower risk premises. They do not constitute zero 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 i.e. self-audit questionnaire by the business. 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 18/19 and their inspection category for food hygiene (at May 2018)

	Row Labels	A	B	C	D	E	OUTSIDE	UNRATED	Grand Total	
<p>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</p> <p>The Category for premises classed as unrated is determined at the first visit and can be A-E.</p> <p>Premises can move across the risk bands after inspection.</p> <p>Category D/E premises may be dealt with using an alternative enforcement strategy (AES).</p> <p>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).</p>	Slaughterhouses					1	1		2	
	Manufacturers/packers	1	4	11	9	7			32	
	Packers				2	1			3	
	Import/Export					2	4		6	
	Importers (3rd countries)				1				1	
	Distributors/Transporters		2	16	36	33		1	88	
	Retailers				2	5	3		10	
	Restaurants & caterers			7	9	2			18	
	Man/supplier artcl contact with food					1	1		2	
	Supermarket/hypermarket	1		3	18	34			56	
	Small retailer	5	21	74	171	255			524	
	Retailer - other			2	4	67			73	
	Restaurant/cafe/canteen	28	109	332	370	52	1	2	894	
	Pub/club	1	5	32	64	68			170	
	Takeaway	6	53	153	111	30	3	1	357	
	Caring premises	1	5	48	21	57			132	
	School/college	1	11	50	51	10			123	
	Mobile Food Unit			6	16	6	1		29	
	Restaurant & caterers - other	1	13	73	229	91	2	5	414	
	Hotel/Guest house			13	17	7			37	
	Premises not yet trading			5	6	1		4	16	
	Food enforced by Port Health Authority.								0	
	Grand Total		45	223	825	1137	730	16	13	2989

Table 2 : Standards: Food businesses 18/19 and their inspection category for food standards (at May 2018)

	Row Labels	A	B	C	OUTSIDE	UNRATE	Grand Total
The frequency of inspection is:	Slaughterhouses		1	1			2
	Manufacturers/packers	2	24	6		1	33
A: every 12 months	Packers		2	1			3
	Import/Export		5	1		2	8
B: every 2 years	Importers (3rd countries)		1				1
C: every 5 years.	Distributors/Transporters	3	74	9		2	88
	Retailers		2	5	3		10
The Category for premises classed as unrated is determined at the first visit and can be A-C.	Restaurants & caterers		6	12		1	19
	Man/supplier article contact with food			1	1		2
Category C premises may be dealt with using an alternative enforcement strategy (AES).	Supermarket/hypermarket		10	46			56
	Small retailer	4	259	260	1	1	525
	Retailer - other		10	56	7		73
	Restaurant/cafe/canteen	3	507	379		9	898
	Pub/club		73	97			170
	Takeaway	2	197	132		15	346
	Caring premises		30	96		5	131
	School/college		41	82			123
	Mobile Food Unit		6	22	1		29
	Restaurant & caterers - other	1	97	308	1	10	417
	Hotel/Guest house		14	23			37
	Premises not yet trading		6	10		9	25
	Food enforced by Port Health Authority.						0
	Grand Total	15	1365	1547	14	55	2996

Note: The premises category relates to the main food activity and is unitised in larger premises, so a restaurant or bar in a hotel will be shown under restaurants or bar, not as a hotel. A hotel may have several restaurants and these are therefore counted as individual restaurants as they may have varying risks. The food usage is only counted as a hotel, if the central kitchen supplies the whole hotel.

- 2.4.5 As of May 2018 there are 73 establishments were approved by the Council to handle, produce and manufacture food incorporating Products of Animal Origin (POAO) for wholesale purposes.

Table 3: Approved Establishments

Cold Stores	6
Dairy products	9
Fresh Fishery Products Plant	1
Processing Plant (Fish)	41
Processing Plant (Fish) Dispatch Centre	4
Processing Plant (Meat)	1
Re-wrapping centre	11

- 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-EU 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 members are multilingual.

2.4.10 Reception and Information Service

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

John Onslow House,
1 Ewart Place
Bow
London
E3 5EQ

With the postal address remaining the same 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 EHTS 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 officers; it reflects the Council's 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 Council's Enforcement Policy is considered by the Team during all enforcement matters and is specifically referenced to when commencing a prosecution by the Council Legal Services.

2.5.3 Legal Services review all evidence in matters sent for enforcement by officers. Legislation and regulations are considered alongside the Council's Enforcement Policy when a case is considered for prosecution; this includes proportionality in

applying the law and securing compliance, being consistent in its approach to prosecutions, transparency and being targeted in its enforcement action.

3.0 **Service Delivery**

3.1 Inspection Programmes

3.1.1 Food establishments in the Borough are risk rated by the Food Law Code of Practice for England, which we must follow. A risk score of 10 points or below in the Officers scoring criteria with the compliance to regulations in relation to i) structure ii) hygiene preparation and iii) confidence in management determine if the premise is broadly compliant with food hygiene law. The indicator of broadly compliant with food hygiene law is used internally and by the Food Standards Agency. This indicator covers all the food premises in the Borough, not just those that are due for inspection this year.

3.1.2 The Food Law Code of Practice for England (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 premises i.e. a formal inspection is not always required every time they fall due.

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 83.6% of all food premises currently broadly compliant with food hygiene legislation.

3.1.6 The Food Safety Officers carry out programmed food hygiene/standards inspections at frequencies determined by the Food Standards Agency and the Food Law Code of Practice. (The frequency of inspections are shown in Tables 1 and 2). 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 at alternative years.

3.1.8 For 2018/19 the number of food hygiene inspections that fall due is shown in Table 3 and the number of food standards inspections due is shown in Table 4:

Table 4

The number of food hygiene inspections tagged at 1st April 2018 and due to be carried out in 2018/19.

Inspection Rating <i>needs a report running to confirm figures</i>	Number of food hygiene inspections due
A	45 x 2 = 90
B Broadly compliant	39
B <i>not Broadly compliant</i>	179
C Broadly compliant	354
C <i>not Broadly compliant</i>	127
D Broadly compliant	495
D <i>not broadly compliant</i>	43
E (verification)	14
Unrated	11
Total Full Inspections (i)	450
Total Surveillance inspections (s)	888
Total Interventions (i) + (s) + verification	1352

Table 5

The number of food standards inspections due in 2018/19 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	16
B	641
C (verification)	118
Unrated	96
Total	871

- 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 Since the introduction of the Food Hygiene Rating Scheme food businesses scoring less than 5 are able to request a re-inspection in an attempt to improve their rating score. There is a minimum period of three months from the original inspection where the inspection to re-rate will take place and inspections will take place subject to evidence of a sustained compliance being provided. There have been 78 such requests during 2017/18.
- 3.1.14 Food Standards re-inspections are of a lower priority and not required as often as for food hygiene.
- 3.1.15 The resource estimated for programmed hygiene inspections, including alternative enforcement strategies (AES) for lower risk premises for 18/19 is **3.7 Full Time Equivalent (FTE)**, and **1.1 FTE** for programmed standards inspections. The resource for re-inspections for food hygiene and standards is estimated to be **1.93 FTE**. **Annex A** gives details of the

assessment of resources for all functions within the plan. The shortfall stands at **1.45 FTE for 18/19** due to an additional £100,000 awarded this year. 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, namely off- licences, newsagents and chemists.

3.1.16 Additional priorities have been identified for action in 2018/19 including:

- Inspections will be carried out at major festivals
- Sampling plan involving microbiological & environmental sampling
- 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 issues will be dealt with via hazard spotting during food hygiene visits
- Focus on speciation sampling to verify that foods are what they are purported to be
- Sampling plan involving chemical analysis, authenticity, traceability, and labelling
- Focus on allergens during food hygiene visits
- Closures and follow-up enforcement action, including prosecution of businesses as appropriate
- Project on butchers specifically focussing on hygiene, food safety management systems, traceability, speciation & imported foods
- Specific targeting of A risk premises and Higher B's with advice and enforcement
- Use of alternative enforcement strategies in low risk premises and consideration of not inspecting some if reactive demands are increased.

3.2 Food Complaints/Requests for Service

3.2.1 The Environmental Health & Trading Standards 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 2017/18 was 1521 with 1532 for the previous year.

3.2.3 The resource estimated for dealing with service requests is **1.93 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 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 2018/19 is approximately 180 (Proactive sampling in conjunction with NE sector, planned internal sampling and HPA; Reactive Sampling: a contingency sampling quota of 32 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 2017/18 was 89 of which 7 results were unsatisfactory and follow up action was required. 4 of these unsatisfactory results were reported for the microbiological sampling of imported paan leaves. Follow up action was carried out and the importer of the paan leaves and their local authority were informed.
- 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
Public Analyst Scientific Services Limited.
i54 Business Park
Valiant Way
Wolverhampton
WV9 5GB
- 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 Public Analyst Scientific Services Laboratories.
- 3.5.6 The resource required for food sampling is estimated to be **0.6 FTE**
- 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 number of allegations of food poisoning amounted to 217 in 2017/18. 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. Food Alerts: For Action 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 2017/18, there were 53 Food Alerts and 90 Food Alerts: Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.07 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 to twelve 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 central Support Services team provides administration support.

3.11 Management

3.11.1 The Head of Environmental Health & Trading Standards Service provides overall management of all services in EHTS. The Food Team is managed by the Food Team Leader. The post of Food Team Leader is currently being filled with an "Acting up role" by the Principal Officer which therefore means that the Principal Officer post is vacant. 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 EHTS Food Team cost centre.

4.1.2 Training costs are included in the Employee related expenses and a number of free courses were run by the Food Standards Agency though they will not be offering any training courses in future.

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 Environmental Health & Trading Standards Service
 1x Food Team Leader (Acting)
 1 x *Principal Environmental Health Officer (PEHO) (Post vacant)*
 2 x Senior Environmental Health Officers (SEHO)
 3 x Environmental Health Officers (EHO)
 3 x Food Safety Officer (FSO)
 1 x Food Safety Officer (Agency supplied)
 1x Health Promotion Officer

(Total Technical Staff as of 18/19 = **12.2 FTE**)

(Total Technical Staff required for work identified in plan = 13.65 FTE)

4.2.3 Additional resources located outside of the EHTS Food Team are as follows:

TSO/CSO –Animal Feeding-stuffs – resources allocated as required

Environmental Health & Trading Standards Food & Trading Standards Teams share administration resources:

Food Safety allocation is approximately: (This is split between hygiene and standards as part of the LAEMS return).

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 Environmental Health & Trading Standards 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 and competencies)
- Take all levels of enforcement action (with the exception of any officers who do not have the required competencies 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 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 2018/19 is prioritised as follows:

Food Issues

Update Seminars – providing technical information on food safety topics

Use of free online training facility from the Food Standards Agency

Consistency of scoring for the Food Hygiene Rating Scheme

Imported foods

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

4.4 Allocation of Resources

4.4.1 **Table 5** in **Annex A** sets out the total resources available (i.e. **12.2 FTE** officers) and how the resources identified to complete the plan in 2017/18 were allocated. The table also sets out the resources required to fulfil the plan for 2018/19.

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2017/18

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 88% of those due inspections for hygiene banded A-E and Unrated and 88% for due standards inspections rated A to C and Unrated.
- The Team concentrated on the higher risk premises to ensure food safety (i.e. 97% inspection rate for higher risk premises (A-C) due for hygiene). The inspections that have not been done will be carried forward into 2018/19

- 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 EHTS 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
- 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 Environmental Health & Trading Standards 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 2017/18 is set out in 6.17 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 year's 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 year's plan. Key areas for improvement identified from the review are detailed in paragraph 6.17.

6.4 Inspection Programmes

6.4.1 97% 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 (19) have been carried forward to the 2018/19 programme.

6.4.2 413 re-inspections were carried out; this is an increase from 335 the previous year. Taking into account that 2791 programmed inspections were carried out this loosely equates to 15 % of inspections warranted a re-inspection.

6.4.3 86% of the food standards inspection programme was carried out – most were food standards inspections that fall due alongside food hygiene inspections. The remaining was not carried out as hygiene inspections were not due or the premises had been assessed as low risk.

6.5 Enforcement

6.5.1 7 (6 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 £ 95,294 (£93,159.69 in the previous year)

6.5.2 23 (117 in the previous year) formal improvement notices were issued.

6.5.3 There were 10 Emergency prohibitions in 2017/18. All were closures of a business for uncontrolled pest infestations. In 2016/17 there were 11 emergency prohibitions or voluntary closures.

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 1521 service requests were received (1328 in 15/16 and 1532 in 16/17).

6.7.2 The main types of complaints received were: were 217 with regards to food poisoning complaints concerning food premises in the Borough (a slight decrease from 222 last year), 122 about pest infestations (an increase from 99 last year), 91 for poor hygiene practices (a decrease from 101 last year), 18 for cleanliness of premises (a decrease from 24 last year), and 127 complaints were received about food standards issues, such as food labelling (Use by dates, allergens etc.) (a decrease from 201 last year).

6.7.3 A significant number of requests have been received from food business operators who wish to have their premises re-inspected in accordance with the provisions of the Food Hygiene Rating Scheme, in order to attempt to improve their score. In 2015/16, it was 56 such requests, 52 for 2016/17 and 78 for 2017/18.

6.7.4 A re-inspection can be requested when a food business operator provides evidence that sufficient works have been carried out to comply with the legislation they were lacking on the original inspection. Once Officers are satisfied by the evidence provided that works have been progressed then an inspection will take place no sooner than 3 months after the original inspection to enable a sustainable improvement. Officers make an unannounced visit no later than 3 months after the standstill period and carry out a full inspection

6.8 Home Authority Principle

6.8.1 No formal Home Authority or Primary 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 89 food samples were taken, of which there were 7 failures. All of these failures were subsequently followed up by warning letter and further sampling.

- 6.10.2 A full Sampling Plan has been produced for 2018/19. 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 217 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough.
- 6.12 Food Alerts
- 6.12.1 53 Food Alerts and 90 Food Alerts (allergy alert) were received from the Food Standards Agency. A Food Alert is a national alert on certain food stuffs i.e. contamination, food labelling deficiency. Most of these did not require any action.
- 6.12.2 Food Alerts: For Action 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. There were no Food alerts: For Action in 17/18.
- 6.13 Liaison with Other Organisations
- 6.13.1 The food safety unit fulfilled all of its liaison activities in the 2017/18 Plan and carried out benchmarking each quarter to assess our performance against neighbouring Authorities.
- 6.14 Food Safety Promotion
- 6.14.1 Promotional activities on food hygiene were undertaken. Food businesses were provided with advice and the chance to take the level 2 certificate training in food hygiene.
- 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 almost fully staffed during most of the year. The post of Principal Environmental Health Officer was vacant until it was recruited to in January 2018.

6.16 Training

6.16.1 The food safety officers undertook a range of training activities during the year, these included:

- Allergens
- Labelling
- Consistency
- Legal updates

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 as it is now written into the Food Law Code of Practice that officers must maintain their competence and complete a minimum of 20 hours per year CPD (10 hours core and 10 hours supplementary).

6.17.2 Working with the private markets to control the hazards produced by stall holders and to obtain up to date trading details. The code of practice has altered and there will be much more administration required to contact registered authorities to ask if premises should be inspected on their behalf and the information shared. Funding has been secured for the post of a Food Safety Officer whose specific role it will be to secure compliance with the stall holders, liaise with registered authorities and carry out necessary administrative duties.

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 facilitate better reporting to LAEMS
- 6.17.8 Development of hand held/tablet computer IT systems
- 6.17.9 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 2018/2019

Annex A: Assessment of Resources for 2017/2018

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 (HYGIENE)

High risk premises (Cat A, B, unrated and not broadly compliant premises (Category C and D)) = **489** inspections due (Table 4 as Total Inspections), at 3 ½ hours per inspection (this is in line with the average London authority – LFGG bench marking exercise), therefore **1711.5** hours to inspect 100%.

Broadly compliant Category C and D premises (includes the 14 E rated premises to be done) = **863** inspections (Table 4 as Surveillance Inspections) due at 1.5 hours per inspection, therefore **1294.5** hours to inspect 100%.

Total for inspections/surveillance therefore = **3006** hours (**430** days)

Low risk (E hygiene) premises are likely to be subject to alternative enforcement strategies:

Allow 5 hrs for management of scheme. Allow 0.25 hrs per premises (**466**) for implementation of scheme

Total for Alternative Enforcement Strategies = **121** hrs (**17.4** days)

Approval inspection on processes of HACCP 73 premises @ 14 hours = 1022hrs (146 days)

Resource required to achieve 100% inspection rate (total 593.4 days = 3.7 FTE).

Programmed Inspections (STANDARDS)

High risk premises (Cat A) = 16 inspections due (Table 4). 11 of these will be inspected during hygiene inspections, at ½ hour per inspection (this is in line with the average London authority – LFGG bench marking exercise). 5 will be inspected as standards only as hygiene is not due at 2 ½ hour per inspection (this is in line with the average London authority – LFGG bench marking exercise). Therefore 5.5 hours to inspect the 11 A's due alongside hygiene inspections,
12.5 hours to inspect 5 A's due for standards only.
100% of A's inspected = Total of 18 hours (2.6 days) = **0.02 FTE**.

As stated previously efficiency is gained as medium to low risk food standard inspections are undertaken in the year that the food hygiene is due. 641 B's due, but 252 due alongside hygiene. 118 C's due, but 13 due alongside hygiene.

Other programmed inspections (B and C) due with hygiene = 265. At ½ hour per inspection 133 hours required = 19 days = **0.15 FTE**.
B inspections where no hygiene due = 389. At 2½ hours per inspection 972.5 hours required = 139 days = **0.86 FTE**.

Low risk (C standards) premises are likely to be subject to alternative enforcement strategies:

Allow 5 hrs for management of scheme. Allow 0.25 hrs per premises (105 C's not due for hygiene) for implementation of scheme = 26.25 hours = 3.75 days = **0.02 FTE**

Resource required to achieve 100% inspection rate (total 169) days = **1.1 FTE**.

Re inspections following programmed hygiene inspections

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

A = 45 x 2 @ 3.5hrs = 315 hrs (**45 days**)

Premises that fall out of the broadly compliant range = 360 @ 3.5hrs = 1260 hours (**180 days**)

Resource required for re-inspections of not broadly compliant premises = 225 days = **1.4 FTE**

For the remaining broadly compliant premises (888 B, C and D category premises), revisits will be required to 15% of those premises (estimation based on a 15% ratio for inspections/revisits in 2017/18)

15% of 888 = 133 revisits @ 3.5 hours = 466 hours (**66 days**) = **0.4 FTE**

Resource required for re inspections = 181 days = **1.8 FTE**

Re inspections following programmed standards inspections

Food standards inspections outside programmed food hygiene inspections = 499 (Revisits for standards inspections which are incorporated into food hygiene inspections will be accounted for under the food hygiene revisits estimation)

15% of standards inspections will require a revisit which equates to 75 @ 2hrs = 150 hrs (21 days)

Resources required for food standard revisits = **0.13 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)

100 food alerts @ 0.5 hr each = 50 hrs

10% approx will require extensive investigations etc. 10 @ approx. 3.5 hrs each = 35 hrs

Total time for Food Alerts = 85 hrs (12 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 = 311 days = **1.93 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)

Enforcement:

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 £70,000 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 2019.

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 Resources Division.

Management

The Head of Service for Environmental Health & Trading Standards is responsible management functions across EHTS (0.1 FTE). The Food Team Leader is responsible for management functions in the Food Team (0.5 FTE). Total for management is therefore **0.6 FTE**

A summary of resources required to meet the requirements of the service plan for 2018/19, 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 (2015/2016)	Time identified to complete work in Service Plan (2016/17)	Time identified to complete work in Service Plan (2017/18)	Time identified to complete work in Service Plan (2018/19)
Programmed Inspections (hyg)	3.1	3.5	3.9	3.7
Programmed Inspections (std)	0.83	0.83	0.83	1.1
Re-inspections	2.1	2.1	2.1	1.8
Food standards re-inspections	0.04		0.04	0.13
Service Requests	1.93	1.93	1.93	1.93
Home Authority	0.26	0.26	0.26	0.26
Advice to businesses	0.2	0.2	0.2	0.2
Food sampling	0.6	0.6	0.6	0.6
Food Poisoning outbreaks	0.02	0.02	0.02	0.02
Liaison	0.03	0.03	0.03	0.03
Food Safety Promotion	0.03	0.03	0.03	0.03
Other Activities	1.8	1.8	1.8	1.8
Technical Officer Support	0.25	0.25	0.25	0.25
Management	0.8	0.8	0.8	0.8
Healthy Eating Award	1	1	1	1
Total	12.99	13.35	13.79	13.65
	Actual availability	Actual availability	Actual availability	Actual availability
	10.7	10.2	10.2	12.2

Annex B ; Decision Making Structure:

Cabinet

Mayors Executive Decision Making

Grants Determination (Cabinet) Sub Committee

Council

Overview and Scrutiny

Health Scrutiny Panel

Housing Scrutiny

Inner North East London Joint Health Overview & Scrutiny Committee

Grants Scrutiny

Overview and Scrutiny Committee

Committees and Panels of Council

Appeal Committee

Appointments Sub Committee

Audit Committee

Development Committee

Freedom of Borough Ad hoc Panel

General Purposes Committee

Human Resources Committee

Investigation and Disciplinary Sub-Committee

Joint Committee of the Six Growth Borough

King Georges Field Charity Board

Licensing Committee

Licensing Sub Committee

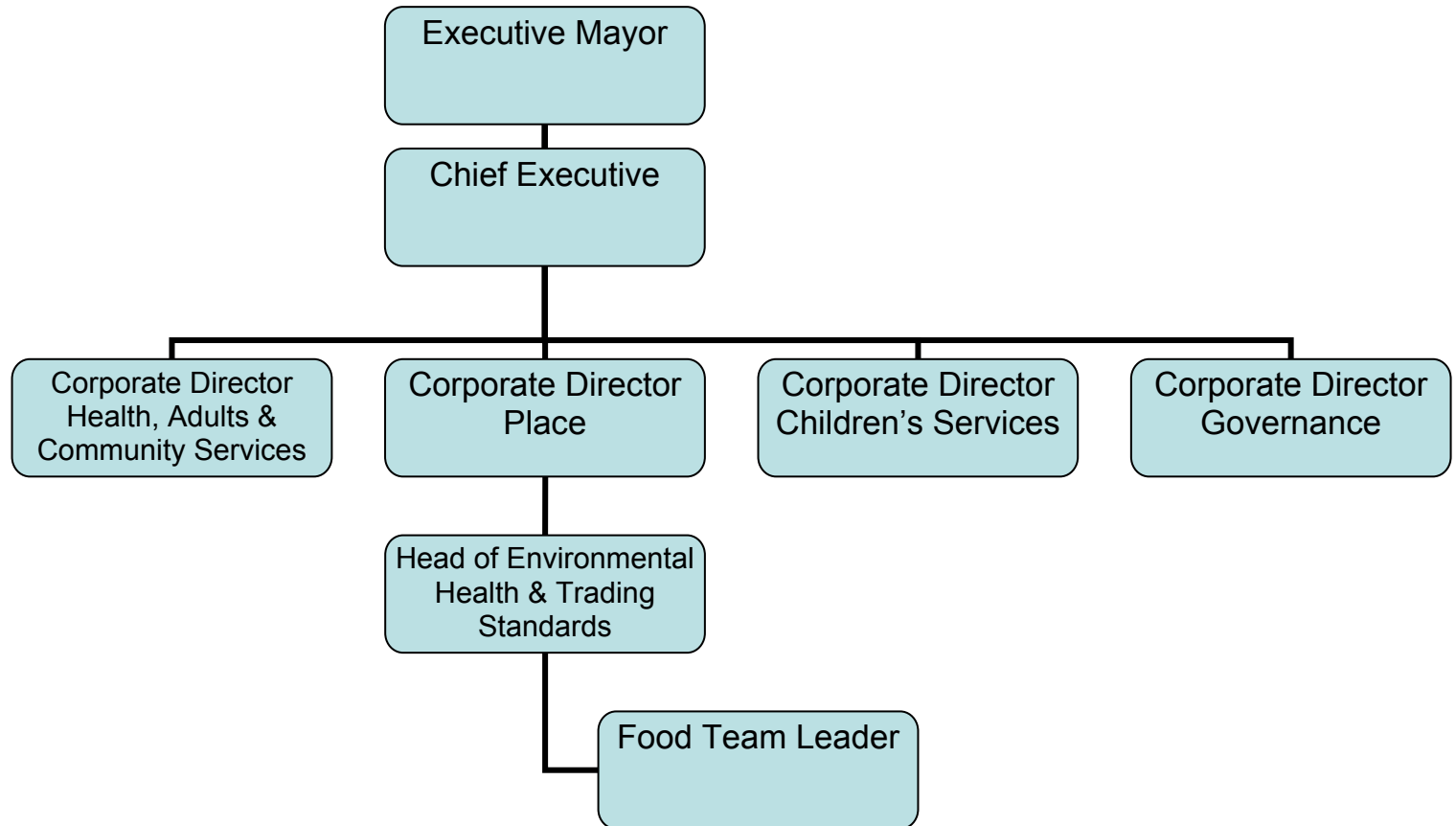
Pensions Committee

Standards (Advisory) Committee

Strategic Development Committee

Tower Hamlets Best Value Improvement Board

Annex C: Corporate Structure



Annex D
LONDON BOROUGH OF TOWER HAMLETS
FOOD SAMPLING POLICY 2018/19

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.

BENCHMARKING ACTIVITIES FOR LONDON BOROUGH TOWER HAMLETS FOOD SAFETY:

There are several benchmarking activities, both internal and external, that the food team employ to ensure the team meet expectations and work effectively.

Below, is a broad synopsis of the benchmarking mechanisms.

Local Authority Enforcement Monitoring System (LAEMS):

LAEMS is a web-based system used to report local authority food law enforcement activities to the Food Standards Agency (FSA). Local authorities upload end of financial year data to the FSA that has been generated from local systems where data is recorded on food law enforcement activities.

This annual data for all Local Authorities is then published by the FSA. It aids in creating service plans and benchmarking services across the country.

North East London Food Liaison Group (NELFLG):

Every quarter managers from each North East London authority meet to discuss Environmental Health matters, cross borough issues, and benchmark each service against each other. As part of this “best practice sharing” the group submit figures for their current quarter regarding broadly compliant status (see table below).

The term “broadly compliant” relates to the way a food business complies with food hygiene legislation. Previously a National Performance Indicator (NI184), it was intended for the monitoring of Local Authorities. We, as a Council, still use broadly compliant status as a general internal indicator of performance. A Food Safety Officer currently risk assesses every food business that they inspect having regard to a food hygiene scoring system located in the Food Law Code of Practice.

A food business will be classed as broadly compliant, if they score in the manner described below in the categories listed.

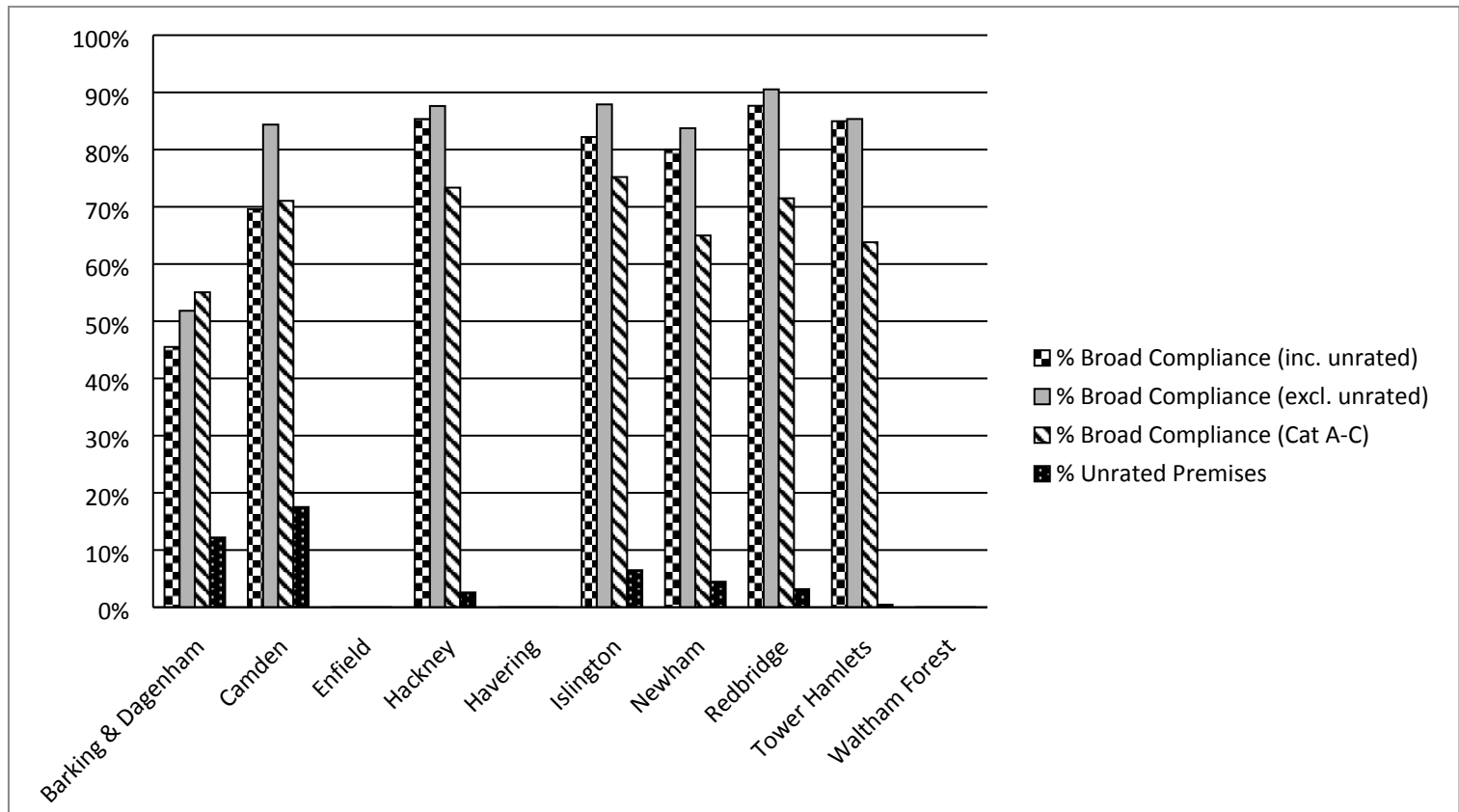
- | | |
|---------------------------------|--------------|
| a) Hygiene compliance record | = 10 or less |
| b) Structural compliance record | = 10 or less |
| c) Confidence in management | = 10 or less |

Therefore in order to be classed as broadly compliant the business should score 10 or less in each category a) to c), and have a total of 30 or less for the sum of the categories. In lay-terms, one would class a broadly compliant business as generally satisfactory – not perfect, but largely satisfactory and not presenting any risk.

We also benchmark how many unrated premises are currently recorded as these are a perceived risk and impact detrimentally against our Broad Compliance figures.

Appendix Two – Benchmarking

LA	Premises	Total No. of Unrated	Percentage of Broadly Compliant premises	Total No. of Broadly Compliant Premises	No. of Category A	No. of category B	No. of Category C
Barking & Dagenham	1369	167	46%	623	8	90	307
Camden	3801	666	70%	2645	52	289	1203
Enfield	Data not provided	-		-	-	-	-
Hackney	2778	72	85%	2371	12	202	713
Havering	Data not provided	-		-	-	-	-
Islington	2360	153	82%	1940	13	168	787
Newham	2240	100	80%	1792	22	154	518
Redbridge	1734	55	88%	1520	7	148	301
Tower Hamlets	2887	13	85%	2453	40	219	802
Waltham Forest	Data not provided	-		-	-	-	-



The Consumer's Association - Which? Magazine:

Appendix Two – Benchmarking

Which? produce a ranking of the 389 food safety authorities nationally every year based on our LAEMS return.

Which? Magazine has over the past few years has collated the result of the LAEMs data and assessed the data and it ranked local authority areas based on three indicators using the following criteria:

- how many food establishments were rated for risk,
- how many of the medium and high-risk premises met hygiene requirements, and
- how many planned interventions (such as inspections or follow up actions) were actually carried out.

The report which was released on 25 June 2018 relates to figures collated from the LAEMs data for 2016/17. The improvement in the broadly compliant figure and the reduction in unrated premises in Tower Hamlets over the period 2017/18 will not therefore be reflected in this Which? Report.

The Which? Report acknowledged that the authorities responsible for enforcing food safety are increasingly under-resourced and that on average across the UK, one member of staff polices 403 food businesses.

Tower Hamlets were 363rd out of 389. The formula used by Which? is not weighted to account for how many premises or officers you have; where you are in the country; different demographical issues you face; how much enforcement takes place. As such, a smaller, rural authority with similar inspection percentages but more staff and less enforcement will rank better.

The movement on the tables can be significantly influenced between the monitoring years due data cleansing of properties that are not operating as food premises but are recorded as such. The number of 'unrated' or unassessed properties could against the local authority – these may be records of prospective food businesses rather than real ones.

When you take London as a microcosm of 33 authorities Tower Hamlets performed reasonably well (see below). In a Borough that has high levels of poverty, and issues surrounding education and language barriers we still managed to come 24th in London out of 32 (data for Westminster was not submitted)

Below us in the overall rankings were 3 of our neighbours Newham, Waltham Forest and Lewisham. Of all 32 London Authorities Richmond, and Redbridge showed significant improvement rising 315 and 153 respectively on the rankings. Four London councils were ranked in the bottom 10 overall. (Camden, Lewisham, Croydon and Waltham Forest). This further shows the difficulty of being a food authority in London. Our closest NE London equivalent in the rankings was Hackney at 354th, 8 positions above us. The biggest drop in rankings for the London Boroughs was for Bexley and Kingston with -119 and -59 respectively.

Appendix Two – Benchmarking

WHICH? ranking of the 33 London Boroughs:

Borough	2015 Which? Ranking (/398)	2016 Which? Ranking (/386)	2016/17 Which? Ranking (/389)	Change in ranking -ve = drop +ve = rise	2016/17 Standing in London
Richmond	354	367	52	+315	1
Kensington	166	80	76	+4	2
Bexley	377	36	155	-119	3
Redbridge	110	328	175	+153	4
Hammersmith	308	241	193	+48	5
City of London	235	268	244	+24	6
Havering	379	364	301	+63	7
Barking	313	274	303	-29	8
Hillingdon	191	258	304	-46	9
Haringey	383	327	306	+21	10
Wandsworth	217	304	307	-3	11
Harrow	394	372	311	+61	12
Merton	322	326	321	+5	13
Hounslow	382	332	323	+9	14
Barnet	230	323	324	-1	15
Sutton	343	356	335	+21	16
Greenwich	298	331	338	-7	17
Islington	350	349	341	+8	18
Enfield	398	370	343	+27	19
Kingston	314	291	350	-59	20
Hackney	381	374	354	+20	21
Lambeth	319	341	356	-15	22
Bromley	326	369	362	+7	23
Tower Hamlets	310	350	363	-13	24
Brent	389	344	367	-23	25
Ealing	395	383	371	+12	26
Southwark	387	357	375	-18	27
Newham	370	384	376	+8	28
Waltham Forest	344	361	380	-19	29
Lewisham	396	382	381	+1	30
Croydon	336	373	386	-13	31
Camden	390	381	387	-6	32
Westminster	Incomplete data	-	-	-	-

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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 2018/2019
Directorate / Service	Place, Public Realm, Environmental Health and Trading Standards Service
Lead Officer	David Tolley, Environmental Health and Trading Standards Service
Signed Off By (inc date)	Robin Payne
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: flex-start;"> <div style="width: 20px; height: 20px; background-color: green; margin-right: 10px;"></div> <div> <p>Proceed with implementation</p> <p>As a result of performing the QA checklist, the policy 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. However, enforcement action should be kept under review to ensure there are no adverse consequences.</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	This proposal sets out the Council's annual plan for effective

			<p>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.</p> <p>Once the plan is approved by Cabinet, effective enforcement of food safety legislation will be implemented to encourage businesses to maintain high standards and help protect customers.</p>
b	<p>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?</p>	<p>Partial</p>	<p>The Plan aims 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 the Borough.</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. Due to the identified resource gap, the service had to reduce inspection activity in the lower risk food premises and carry out a lower level response into the service requests received. This may affect the effectiveness of the service, although this is unlikely.</p> <p>Among a number of food safety activities included in the Plan, enforcement activity potentially makes significant impact on businesses, especially those not being compliant with the requirements. In 2017/18, there were 10 premises closures.</p> <p>Whilst the profile of food law enforcement or compliance against equality strands is not known, the service believe that the make-up of food businesses reflects the borough's population profile in general, i.e. one third of the population is of Bangladeshi origin and over half of Tower Hamlets'</p>

			<p>population are from ethnic minorities.</p> <p>The data picture is further complicated by the fact that the service engages with companies who may be owned by people in different equality strands from those who operate the business premises in the Borough.</p>
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.
	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 (83% currently).

<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Zena Cooke – Corporate Director, Resources</p>	<p>Classification: Unrestricted</p>
<p>Contracts Forward Plan – Quarter Two (FY2018-2019)</p>	

Lead Member	Councillor Candida Ronald, Cabinet Member for Resources & the Voluntary Sector
Originating Officer(s)	Zamil Ahmed – Head of Procurement
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	7 August 2018
Reason for Key Decision	Significant Financial Expenditure and Significant Impact on two or more wards.
Strategic Plan Priority / Outcome	All

1. EXECUTIVE SUMMARY

- 1.1. The Council's Procurement Procedures require a quarterly report to be submitted to Cabinet, setting out a forward plan of supply and service contracts over £250K in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides the information in quarter two of the current Financial Year. Only contracts which have not previously been reported are included in this report
- 1.2. Annual procurement expenditure analysis for financial year 2017-18 and an update on our performance against the Councils Procurement Strategy is included in Appendix 3 of this report.

2. DECISION REQUIRED:

Mayor in Cabinet is recommended to:

- 2.1. Consider the contract summary at Appendix 1, and identify those contracts about which specific reports – relating to contract award – should be brought before Cabinet prior to contract award by the appropriate Corporate Director for the service area
- 2.2. Confirm which of the remaining contracts set out in Appendix 1 can proceed to contract award after tender

- 2.3. Authorise the Divisional Director - Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2.2 above
- 2.4. Review the procurement forward plan 2018-2022 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle
- 2.5. Review the annual procurement report 2017-2018 set out in Appendix 3 and note the achievements against the Councils Procurement Strategy

3. **REASONS FOR THE DECISIONS**

- 3.1. The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250K, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after quarter two of the current financial Year.

4. **ALTERNATIVE OPTIONS**

- 4.1. Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

5. **BACKGROUND**

- 5.1. Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documentations and guidance to suppliers have been transformed to ensure they reflect best practice in Public Sector procurement. Our efforts in maintaining effective dialogue with our bidders during the procurement process has helped to minimise procurement challenges.
- 5.2. To ensure the Council continues to be recognised for its sound procurement practices and effective engagement with the supply community, it is imperative that delays in contract award are minimised and adherence to the timetable outlined within our Invitation to Tender documentations.
- 5.3. The importance of procurement as an essential tool to deliver Councils wider social, economic and environmental aims has resulted in the need to ensure effective elected Member engagement in the pre-procurement and decision making process as identified in the recent Best Value audit.
- 5.4. This report provides the forward plan for quarter two of the current financial Year in Appendix 1, and gives Cabinet Members the opportunity to select contracts about which they would wish to receive further information, through subsequent specific reports.

- 5.5. Additionally, the report also includes a Procurement Forward Plan 2018-2022 to provide Mayor and Cabinet members with high level visibility of our planned procurement activity and the opportunity to be engaged in advance of the procurement cycle.

6. FORWARD PLAN OF CONTRACTS

- 6.1. Appendix 1 details the new contracts which are planned during the period Q2 of the Financial Year. This plan lists all of the new contracts which have been registered with the Procurement Service, and which are scheduled for action during the reporting period.
- 6.2. Contracts which have previously been reported are not included in this report. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to Cabinet as individual contract reports.
- 6.3. Cabinet is asked to review the forward plan of contracts, confirm its agreement to the proposed programme and identify any individual contracts about which separate reports – relating either to contracting strategy or to contract award – will be required before proceeding.
- 6.4. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the Council’s Tollgate process which provides an independent assessment of all high value contracts, and ensures that contracting proposals adequately and proportionately address both social considerations and financial ones (such as savings targets). The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to procurement.
- 6.5. The Tollgate process is a procurement project assurance methodology, which is designed to assist in achieving successful outcomes from the Council’s high value contracting activities (over £250K, for revenue contracts, and £5m, for capital works contracts which have not gone through the Asset Management Board approval system). All Tollgate reviews are presented to Strategic Procurement Board; contracts require approval of the Board before proceeding.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1. This is a quarterly update report on the Council’s contract forward plan for 2018-19 which details the list of contracts that are due for renewal in the next 3-6 months (appendix 1).
- 7.2. There are 19 specific contracts detailed in appendix 1 with a cumulative annual value of £9.8m-£9.9m and total contract value of £45m. The cost of these contracts will be met through existing General Fund and HRA budgets.
- 7.3. Members are directed toward a number of the proposed contracts where they may wish to consider further involvement or make comments:
- 7.3.1. THH5346 (Fire Risk Assessments) this is a proposed 10 year contract and Members will want to assure themselves that there are valid reasons for this approach, including how inflationary increases will be reflected in order

to ensure that it continues to provide value for money over the life of the contract.

- 7.3.2. G5373 (Community Information Panels [CIP]) The generation of additional income is being considered across the Council as part of the Medium Term Financial; Strategy and budget planning process. Members may want to receive further information before this contract is let to ensure that the council's broader strategic objectives are being fully considered and that therefore the potential benefits are being maximised.
- 7.3.3. CS5367 (Film locations concession) in the same way as for the CIP ensuring that this concession will deliver the maximum benefits to the council is essential particularly in this case as the proposed contract length of 5 years (with options to extend to 7) is relatively long for what may be a fast evolving market. The Council will want to ensure that it does not lose the longer term benefits from regular market testing exercises and whether in that context the proposed contract duration is appropriate.
- 7.3.4. CS5391 (Ready made sandwiches) In the context of the Council's Contract Services financial position members will want to assure themselves that the broader financial considerations for that service have been taken into account in the proposed letting of this contract.

8. LEGAL COMMENTS

- 8.1. The Council has adopted financial procedures for the proper administration of its financial affairs pursuant to section 151 of the Local Government Act 1972. These generally require Cabinet approval for expenditure over £250,000 for revenue contracts and £5m for capital works contracts.
- 8.2. Cabinet has approved procurement procedures, which are designed to help the Council discharge its duty as a best value authority under the Local Government Act 1999 and comply with the requirements of the Public Contract Regulations 2015. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed specified thresholds. The arrangements are consistent with the proper administration of the Council's financial affairs.
- 8.3. Pursuant to the Council's duty under the Public Services (Social Values) Act 2012, as part of the tender process and where appropriate, bidders will be evaluated on the community benefits they offer to enhance the economic social or environmental well-being of the borough. The exact nature of those benefits will vary with each contract and will be reported at the contract award stage. All contracts delivered in London and which use staff who are ordinarily resident in London will require contractors to pay those staff the London Living Wage. Where workers are based outside London an assessment will be carried out to determine if the same requirement is appropriate.
- 8.4. When considering its approach to contracting, 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 do not (the public sector equality duty). Officers are expected to continuously consider, at every stage, the way in which procurements conducted and contracts awarded satisfy the requirements of the public sector equality duty.

This includes, where appropriate, completing an equality impact assessment as part of the procurement strategy, which is then considered as part of the tollgate process.

9. BEST VALUE (BV) IMPLICATIONS

- 9.1. The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The Council procures annually some £350m of supplies and services with a current supplier base of approximately 3,500 suppliers. The governance arrangements undertaking such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.
- 9.2. Contracts listed in Appendix One are all subject to the Council's Tollgate process which involves a detailed assessment by Procurement Review Panel and Strategic Procurement Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice.

10. ONE TOWER HAMLETS CONSIDERATIONS

- 10.1. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the tollgate process, and all contracting proposals are required to demonstrate that both financial and social considerations are adequately and proportionately addressed. The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 11.1. Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process, and supported through the Corporate Social Responsibility work stream.

12. RISK MANAGEMENT IMPLICATIONS

- 12.1. Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

13. CRIME AND DISORDER REDUCTION IMPLICATIONS

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

14. EFFICIENCY STATEMENT

- 14.1. Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

15. APPENDICES

Appendix 1 – new contracts planned: Q2 of the Financial Year and beyond.

Appendix 2 - Procurement Forward Plan 2018 -2022

Appendix 3 – Annual Procurement Report

Appendix one – new contracts planned: Q2 of the Financial Year 2018-19

Contract Ref & Title	THH5377 - Water Hygiene Risk Assessments		
Procurement Category:	Construction and FM	Funding:	General Fund Revenue and Capital
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	August 2018	Contract Duration and Extensions:	2 years
Value P/A:	Circa £350,000	Value Total:	Up to £700,000
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

This contract will ensure that a competent consultancy and the right infrastructure are in place to support Tower Hamlets Homes' compliance with the current legislation on water hygiene risk assessments and manage risks associated with Legionella. The contract will ensure the health and safety of tenants by keeping water supply and storage systems safe and free from health hazards. The contract will ensure that periodic risk assessments are in place to minimise exposure to Legionella bacteria. The contract will enable THH to complete risk assessments on all housing blocks.

Contracting Approach

The consultancy firm will be appointed through a mini-competition from an existing framework contract. The risk assessments and the resultant actions and works will be completed within a 2 year period.

Community Benefits

This area of work is specialist and not expected to provide huge community benefits. The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the nature and contract size of the contract will be sought from the provider through the tender process.

Contract Ref & Title	THH5347: Repair, Maintenance and Upgrade of Door Entry System and Related Equipment		
Procurement Category:	Construction and FM	Funding:	HRA delegated budget
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£250k	Value Total:	£2.5m
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The current Repairs & Maintenance, minor improvements to door entry, CCTV, Aerials & any other related work: Contract H3912c has been extended until March 2019. The procurement for the replacement of this contract will be undertaken to put in place a new contract from April 2019. The current and replacement contracts are Qualifying Long Term Agreements.

Competition Board approved a two year extension to this contract in April 2017 limited to 31st March 2019. The full term of five years was not granted due poor performance. Performance issues were to be addressed through a tougher contract management approach. Current performance measures demonstrate there has been no improvement in H3912c and therefore a further extension of this contract is not recommended.

Scope:

- Additional and revised price schedules.
- A commitment by the contractor to maintain and undertake minor upgrades to existing older Status (brand) systems.
- Maintenance of the new ETS (Brand) IP/HTTP based Door Entry systems installed under the capital programme.
- Servicing and compliance requirements for Automated Gates
- A life-cycle asset condition report on existing systems to inform future planned maintenance (and capital) programmes.

Contracting Approach

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

Community Benefits

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	THH4348: Installation, Repairs and Maintenance of TV Aerials, Integrated Reception System, CCTV, and Broadband Systems		
Procurement Category:	Construction and FM	Funding:	Housing Revenue Account
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£350k	Value Total:	£3.5m
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Repairs to TV and Broadband Systems are currently undertaken by Openview under the existing H3912c Repairs & Maintenance, minor improvements to door entry, CCTV and Aerial contract which THH intend to conclude at the end of March 2019. There is currently no installation (works) contract in place.

The intention is to include the TV/IRS/CCTV element of the existing H3912c contract in a new Installation, Repairs & Maintenance contract to commence April 2019, scope of works as follows:

- Existing TV aerial Repairs & Maintenance.
- Maintenance and upgrades of existing IRS systems.
- Installation of new IRS systems.
- Infrastructure and cable management, installation and maintenance.
- Maintenance and upgrade of existing CCTV systems.
- Installation of new CCTV systems.
- A life-cycle condition report on existing systems to inform future planned maintenance (and capital) programmes

The contract will be for 4 years with up to 2 number 3 year extension terms. A total of up to 10 years.

Contracting Approach

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

Community Benefits

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	THH5346: Fire Risk Assessment		
Procurement Category:	Construction and FM	Funding:	Housing Revenue Account
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	4 years with option to extend for 3 years plus 3 years.
Value P/A:	£200k	Value Total:	£2.2m
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Following recent industry developments and thinking, the current FRA content requires to be enhanced to include areas not previously covered in adequate detail. The previously completed Savills' FRAs are deemed suitable as a basis for new FRAs. Going forward it is envisaged that FRAs for each block will be adapted and developed over the years as necessary in order that ultimately as much of the block as is possible is inspected to provide thorough identification of the inherent risks and consideration of the impact of ongoing works and improvements to the blocks.

The new FRAs will involve:

Assessment of the common parts of a building.

- Completion of a PAS79+ fire risk assessment template
- Consideration of the external materials of the building
- Consideration of compartmentation between common areas and the flats
- Inspection of a sample of service risers on all floors
- Inspection above a sample of readily accessible demountable false ceilings if present
- Inspection of a sample of flat front doors
- Comprehensive assessment report to include the significant findings, issues identified and actions required

Plus the following in a sample of flats:

- Consideration of compartmentation between flats
- Consideration of the fire resistance of doors between rooms
- Consideration of the means of escape from the flat
- Consideration of the means of fire detection in the flat
- Testing of the smoke alarm (where present) in the flat

- Destructive inspection of the common parts of a building and the flats.
- Inspection of areas of construction in the common parts and the flats by use of a camera and borescope as appropriate
- Inspection of areas of construction in the common parts and the flats opened up as necessary

Contracting Approach

Our intention is to procure this contract through an existing OJEU compliant framework agreement, subject to the Framework having suitably qualified and experienced consultants and scope for the services required. Expression of interest will be issued to all suppliers on the framework. A single supplier will be appointed to deliver the programme.

Community Benefits

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	P5372: Framework for Retained Development Viability Consultants 2018		
Procurement Category:	Corporate Services	Funding:	Council Resources
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	01/10/2018	Contract Duration and Extensions:	3 years with the option to extend for 1 year.
Value P/A:	£167,500	Value Total:	£670,000
Reviewed by Competition Board <input type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The main objective of this commission is to appoint a panel of consultants to a framework agreement which will enable Planning and Building Control the appoint expert consultants to review Financial Viability Assessments in support of planning applications, in a manner that will ensure statutory timeframes concerning the approval of planning applications can be met. The frameworks will mirror the current framework (DR5053) which has been in place since 2016 and is expected to expire later this year.

Contracting Approach

Planning and Building Control project that up to the end of the year 2022/23 there will be circa 65 planning applications received by the Council (alongside Financial Viability Assessment's) which will require the appointment of viability consultants. Based on the on the previous expenditure of from the existing framework and taking in to account inflation, officers have estimated that the value of this framework should be £670,000

Based on the Council's Housing Trajectory we have identified 65 sites that will potentially come forward for development over the next 3-5 years. They will require viability reviews to be undertaken and like the current framework, the schemes will vary in sizes from small to large but many will be medium to large strategic sites.

Our intention is to procure this contract through the Open procurement route. A pre-determined set of criteria will be used to identify the most economically advantageous tender. The pricing matrix will be made up of schedules of rates / day rates for relevant assessments. It is intended to appoint 5 suppliers onto the framework.

Community Benefits

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from providers through the tender process.

Contract Ref & Title	CS5367 Film Location Concessions Contract		
Procurement Category:	Corporate Services	Funding:	Revenue generating
Invitation to Tender <input type="checkbox"/> Contract Signature <input checked="" type="checkbox"/>	October 2018	Contract Duration and Extensions:	5 years, with option to extend for 1 year plus 1 year
Value P/A:	£500,000	Value Total:	£2,500,000 (£3,500,00)
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of contract

Due to the historic nature of the borough and diversity of location we receive a large number of requests from productions for location filming. Under the current contract LBTH has gone from 7th busiest borough to 2nd busiest borough with over 1300 filming days in 2017.

By maintaining a contract with an established location management company overseeing all aspects of location filming from initial enquiry to permission granted and on site management, LBTH can generate income across a multiple departments. Monies generated through location fees go direct to services such as parking, parks, property services and highways, where the profit share generated covers the costs of managing the contract and supports film related services to residents. We propose the contract to be let for 5 years with an option to extend for 1 year plus 1 year maximising continuity of service resulting in improved service delivery, and established best practice. This will reduce impact of the service on residents business and other council departments.

Market conditions

This is a very specialised market. Tower Hamlets is becoming one of the most popular boroughs to film in, achieving 1000+ filming days between 2012-2017, managing and maintaining this number of filming days requires, a filming location specialist that operates a dedicated 24/7 responsive service. Such a company will provide a one stop shop for all stakeholders and users of a film location service including parks, parking, highways and property services as well as for productions and residents. This service will also include the marketing of Tower Hamlets as a Film Friendly borough and the adherence to the Film Location Code of Practice of which Tower Hamlets is a signatory.

Contracting Approach

Since the contract was last let we have seen an increase in income and filming days, therefore based on these results and market knowledge it has been decided that the best route to market is via the OJEU open procedure with the appointment of a single supplier.

Community Benefits

The income to the Council generated via the Film Location Service supports the council's objectives through the provision of free advice and film focused activities to all communities in Tower Hamlets, supporting film activity as both a leisure pursuit and in professional development. Key objectives for the council are addressed through ensuring local people have access to lifelong learning opportunities, through the delivery of community cohesion projects for our most excluded groups and to those at risk of becoming excluded, support for young people and new business with advice and signposting thus ensuring Tower Hamlets is a place where entrepreneurship and local enterprise is successful.

In addition to the income generated through the profit share there are also substantial fees going to parking, property services, schools, parks and highways. In cases where filming takes place on estates or areas where there is an active and recognised TRA, voluntary donations will be negotiated.

Contract Ref & Title	HAC5383 Mental Health Recovery College		
Procurement Category:	Care and Commissioning	Funding:	General Revenue Funding
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	October 2018	Contract Duration and Extensions:	3 + 1 + 1
Value P/A:	£226,910	Value Total:	£1,134,550
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The Local Authority and the Clinical Commissioning Group jointly commission the Recovery College which is due to be recommissioned in July 2019. The contract value of the service is £226,910 of which the Local Authority contributes £110,000 and the CCG contributes £116,910 per annum. It is currently provided by ELFT.

The contract supports recovery and wellbeing through an educational model targeted at adults with mental health problems, their carers and professionals. The model of delivery is three academic terms a year. The contract delivers an educational model of courses which cover the areas relevant to mental wellbeing and recovery such as 'discover yourself', 'understanding health', 'life skills' and 'getting involved.' The contract is designed to meet the needs of our local community, examples from Summer Term 2018 include Jinns, Black Magic and Evil Eye; Understanding Psychosis; Parenting and Recovery; and Train the Trainer.

Contracting Approach

The preferred procurement approach is to undertake an open OJEU tender. Commissioners will undertake a market engagement/bidders briefing as part of the tender process in September 2018. Representatives from Integrated Commissioning Team, Mental Health professionals and people with lived experience of mental health problems will be invited to be members of the tender panel, who will review and evaluate submissions against the service specification requirements to ensure that the contract delivers maximum value for money.

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	HAC5382 Mental Health Recovery and Wellbeing Services		
Procurement Category:	Care and Commissioning	Funding:	General Revenue Funding
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	October 2018	Contract Duration and Extensions:	3 + 1 + 1
Value P/A:	£1.2 million	Value Total:	£6 million
Reviewed by Competition Board <input type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The Local Authority and the Clinical Commissioning Group jointly commission the Recovery and Wellbeing Service. The annual contract value is £1.2 million of which the CCG contributes £309,629 and the Local Authority £890,371.

The contract is the borough's main offer for mental wellbeing and recovery. Within the scope of the contract is provision of positive social, educational and personal development opportunities for people with mental health problems. The contract is currently delivered by a consortium of eight third sector mental health providers. These services are comprised of a first point of access service, short and long term support planning, group work and an employment hub.

There is currently a review of services in coproduction which is expected to result in recommendations that refresh the current model in light of national priorities and local feedback.

Contracting Approach

The preferred procurement approach is to undertake an open OJEU tender. We are currently exploring the contractual options. A lead provider model was implemented for the 2016/19 contract and the review will cover the benefits and dis-benefits of this approach. Commissioners will undertake a market engagement/bidders briefing as part of the tender process in September 2018.

Representatives from Integrated Commissioning Team, Mental Health professionals and people with lived experience of mental health problems will be invited to be members of the tender panel, who will review and evaluate submissions against the service specification requirements to ensure that the most economically advantageous bidders are selected.

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	HAC5320 - LD Residential Care - Huddleston Close		
Procurement Category:	Care and Commissioning	Funding:	General Funds
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	5 years (3+1+1)
Value P/A:	£730,000	Value Total:	£3,723,000 to £4m
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The Contract supports the delivery of the Adults Learning Disability Strategy, Living Well in Tower Hamlets. The Strategy was approved by the Mayor in Cabinet on 19th September 2017 and sets out 6 outcomes areas and a number of improvements that adults with learning disability in Tower Hamlets said were important to them. Developing a greater range of local supported living accommodation and support options was an area of improvement people with learning disabilities felt would make a difference as this would enable them to live in their own accommodation, closer to their families, friendship networks and local community. Due to an undersupply of supported accommodation, people with learning disability are being offered placements outside of the borough.

The borough is therefore seeking to increase the capacity of learning disability supported accommodation as

an alternative to high cost out of borough residential care. We are seeking to reprocur Huddlestone Close as it is currently the only learning disability Residential Care service in the borough. The service is run by Mencap in premises they currently lease from Gateway Housing.

The service is required to deliver residential care and has the capacity to support up to 7 people across three adjoining houses (four in 34 and 35 plus a further three in number 36). The service is much needed and delivers residential care and intensive support to people with learning disability who also have high levels of physical and mobility needs. The service provides tailored and flexible support delivered in accordance with an individual's need 24 hours a day, 7 days a week.

Contracting Approach

The preferred procurement approach is to undertake an open OJEU tender under the Light Touch Regime. A supplier event will be held to allow bidders to seek clarification and guidance on the tender process and their submission. Representatives from Health Adult and Community, the Community Learning Disability Team (CLDT) and the Clinical Commissioning Group will be invited to be members of the tender panel, reviewing the specification and evaluating submissions to ensure that the most economically advantageous tender is selected for future delivery of the service. Service users will be invited to evaluate the service user involvement and choice criterion of submissions which bidders will be asked to produce in easy read format.

The tender will offer a 3 plus 1 plus 1 contract (3+1+1) to give both stability to service users and facilitate changes and focusing to meet future as well as current need. The tender will be aligned to Living Well in Tower Hamlet, The Adult Learning Disability Strategy 2017-2020.

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	CS5386 - Short Breaks for Children and Young People with a Disability – Holiday and Weekend		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	3 years
Value P/A:	£422,500 (up to)	Value Total:	£1,267,500
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.

The procurement of provision of short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.

The tender will be for the provision of holiday and weekend short breaks for children and young people with:

- Autistic Spectrum Disorder (ASD) and severe learning difficulties
- Complex health needs. Complex health needs includes children and young people with profound and multiple learning difficulties and complex and severe medical needs who may also have additional physical and/or sensory impairment.

Contracting Approach

We intend to go through an open tender for the service; this is in line with both internal procurement policy and also EU procurement regulations. We intend to tender this service as two separate Lots as block contracts for a period of 3 years commencing on 1st April 2019. We will undertake extensive market engagement to ensure a broad range of providers bid for the services. We will also be consulting children and families to inform the service specification. A parent/carer and or young people will take part in the tender evaluation process but will not score the bids.

Community Benefits

Providers will be expected to deliver a range of community benefits. These are likely to include local recruitment, opportunities for volunteers and training opportunities and/or apprenticeship programmes including those for adults with a learning disability where appropriate.

Contract Ref & Title	CS5388 - Short Breaks for Children and Young People with a Disability – Befriending Support		
Procurement Category:	Care & Commissioning	Funding:	Children’s Services
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	3 years
Value P/A:	£220,000	Value Total:	£660,000
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The ‘Breaks for Carers of Disabled Children Regulations’ (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.

The procurement of provision of short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer. The tender will be for the provision of befriending short breaks for children and young people with SEND. This is currently delivered through a framework agreement with two providers and the existing contracts come to an end on 31st March 2019.

Contracting Approach

We intend to go through an open tender for the service; this is in line with both internal procurement policy and also EU procurement regulations. We will undertake a market warming event to stimulate the market to ensure a good response to the tender. Young people and parents/carers will be involved in the tender evaluation although they will not score the tenders.

Community Benefits

Providers will be expected to deliver a range of community benefits. These are likely to include local recruitment, opportunities for volunteers and training opportunities and/or apprenticeship programmes including those for adults with a learning disability where appropriate.

Contract Ref & Title	CS5385 - Children's Rights Advocacy Service		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Enter Date	November 2018	Contract Duration and Extensions:	36 months
Value P/A:	Lot 1: £133,480 Lot 2: £50,000	Value Total:	Lot 1: £400,440 Lot 2: £150,000
Reviewed by Competition Board <input type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Advocacy plays a vital role in safeguarding children and young people, and protecting them from harm and neglect. As such, it is a statutory requirement for all Local Authorities with social services responsibilities to ensure that advocacy services are provided for children and young people making or intending to make a complaint under section 24D or section 26 of the Children Act 1989.

In addition, the statutory guidance on children who go missing from care January 2014 requires Local Authorities to prevent children from going missing and to protect them when they do by offering independent return interviews. This guidance is issued under Section 7 of the Local Authority Social Services Act 1970 which requires local authorities in exercising their social services functions, to act under the general guidance of the Secretary of State.

The **Children's Rights Advocacy Service** will offer advice and support to all Tower Hamlets' Looked After Children, Care Leavers and Children with Disabilities (CWD) to help empower them to reach their potential and uphold their human rights. The tender will consist of 2 lots, as follows:

1. **Advocacy:** this lot of the Service is to offer children and young people independent and confidential advice, information, representation, and have their wishes and feelings heard and views responded to appropriately. The Service will:
 - Ensure up to 90 Looked After Children & Care Leavers, and CWD per year will have access to an independent advocacy worker to support their needs and empower them to help reach their full potential, including making complaints.
 - Convene, administer and co-chair two separate Children in Care Council (CiCC) per month for children (0-14 years) and young people (16 years plus).
 - Conduct up to 25 exit interviews with Care Leavers annually resulting in a report that will be submitted to Tower Hamlets Leaving Care Service.

2. **Return Home Interviews (RHI):** this lot of the Service will offer independent Return Interviews for Looked After Children who go missing from home or care. Independent return interviews provide an opportunity to speak to the child in confidence to ascertain the factors that led to the child going missing and any risks they may have been exposed to while missing and enable the Local Authority to implement measures to prevent reoccurrence and to safeguard the child and young person from harm. The Service will:
 - Ensure all Looked After Children who go missing will be offered an independent Return Interview.
 - Ensure interviews are carried out as soon as possible, but within 72 hours of the child returning to their care setting.

- Be available 7 days a week.

Tower Hamlets requires provider(s) to deliver a Advocacy and/ or RHI Service of high quality in order to safeguard Looked After Children, Care Leavers and CWD, and/ or . The provider(s) must demonstrate fitness of purpose in organisation, financial viability and staff competence.

Contracting Approach

The preferred procurement approach is to undertake an open tender; this is in line with both internal procurement policy and also EU procurement regulations. The tender will allow providers to either bid for one or both of the above outlined Service Lots. Lot 1: Advocacy Lot 2: Return Home Interviews (RHI)

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, volunteer opportunities and work placements. Delivery of community benefits will be included in the tender award criteria and clear targets agreed through the procurement process.

Contract Ref & Title	R5389 Stationery and ancillary supplies		
Procurement Category:	Corporate Services	Funding:	Revenue
Invitation to Tender <input type="checkbox"/> Contract Signature <input checked="" type="checkbox"/>	December 2018	Contract Duration and Extensions:	2 years + 2 years
Value P/A:	£500,000	Value Total:	Up to £2m
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Supply of office stationery including general office stationery, office copier paper, electronic office supplies and palletised/print room paper, Office equipment except furniture and Educational supplies and equipment paper.

Contracting Approach

The project team will consider different options:

- A re-tender collaborative exercise with (London Councils Supply Group (LCSG) who with other London Boroughs create joint consortia
- Use of an available framework via ESPO or Crown Commercial Services - a further competition using e-auction.
- A non-collaborative exercise carrying a full OJEU tender lead by the Council

Community Benefits

The contract will be structured and tendered to take account of the council's procurement imperatives and approach to delivering community benefits. Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	HAC5020 Direct Payments Support Service		
Procurement Category:	Care & Commissioning	Funding:	Core funding
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	November 2018	Contract Duration and Extensions:	2 + 3 years
Value P/A:	£336,000	Value Total:	£1,680,000

Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract
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Scope of Contract

The scope of this commitment extends to the following groups: adults who are eligible to receive community care services under the NHS and Community Care Act and associated legislation; adults who are eligible to receive a direct payment under the NHS (Direct Payments) (Amendment) Regulations 2013 and disabled children eligible for services under the Children Act and associated legislation. The Council recognises that the provision of such a support service plays a vital role in maximising people's independence, choice, control and wellbeing.

Contracting Approach

The procurement will be undertaken as an open tender under the Light Touch Regime in accordance with the Public Contracts Regulations and EU Procurement rules. The tender will offer a two year contract, with the option to extend for up to three years. The potential five year contract will provide stability to the service, and allows the council to meet current and future needs. The Council will be procuring the service with the Tower Hamlets Clinical Commissioning Group, with the Council acting as lead commissioner.

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, work placements and volunteer opportunities.

Contract Ref & Title	HAC 5393 Weight Management Service		
Procurement Category:	Health and Social care	Funding:	PH Grant
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	24/09/2018	Contract Duration and Extensions:	3 years plus 2
Value P/A:	£487,000	Value Total:	£1.461m (3years), £487k for each additional year of plus 2
Reviewed by Competition Board <input type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Provision of weight management services to residents of Tower Hamlets to enable them to achieve and maintain a healthy weight funded as part of the Public Health Grant. This will consist of a tiered approach reflecting the amount of weight loss needed and complexity of social circumstances. This replaces existing contracts which have expired. MTFs savings have been applied.

Contracting Approach

Competitive procurement of lots to reflect different tiered approach

Community Benefits

The successful provider(s) will need to meet the council's requirements for community benefits commensurate with a contract of this size and will include requirements for local procurement of services.

Contract Ref & Title	CS5376 DPS for Education Support Workers Supply		
Procurement Category:	Corporate Services	Funding:	Department for Education Pupil Premium Plus Grant
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	24/09/2018	Contract Duration and Extensions:	60 months
Value P/A:	£320,000	Value Total:	£1,600,000
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The Virtual School is seeking to secure supply staff to meet the needs of children in care, these are extremely varied e.g. age specific, subject specific or special needs specific and can be needed for long term support or extremely short term intervention. Staff would be needed anywhere in the UK but with a focus on London. The majority of staff required will be tutors, teaching assistants and QTS teachers with specialist skills.

Contracting Approach

The Virtual School will secure staff to achieve this work by using a Dynamic Purchasing System (DPS) which will enable the Council to secure the required services from a range of vetted providers in an open competitive market place created by the scheme and contract conditions.

Community Benefits

The benefit to looked after children will be that the Virtual School can quickly source vetted DBS staff to meet their needs. Reduced costs will mean that the Pupil Premium Grant will be effectively spent to create a greater impact on outcomes. It is also envisaged that the tendering process can be across London promoting inter-LA links and collaboration on projects to the benefit of all looked after children.

Contract Ref & Title	CS5391 Ready-made sandwiches		
Procurement Category:	Corporate Services	Funding:	Department for Education Pupil Premium Plus Grant
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	02/07/2018	Contract Duration and Extensions:	24 months
Value P/A:	£160,000	Value Total:	£320,000
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Provision of ready-made sandwiches, snack & hospitality platters for Secondary Schools and LBTH Cafes managed by Contract Services. This contract will be a new commission for 2 years through the YPO Framework in collaboration with LBB&D and Greenwich securing better rates for the participating boroughs.

Contracting Approach

LBTH intend to collaborate with LBB&D and Greenwich on a tri-borough Call-off with Tiffins. By collaborating with local boroughs for the provision of sandwiches the combined total spend will be higher and will assist in the negotiation process of driving product prices down and therefore contribute to overall savings for all.

Contract Ref & Title	CS5387 Semi-Independent Living Framework		
Procurement Category:	Care & Commissioning	Funding:	Children's Services
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	October 2018	Contract Duration and Extensions:	36 months
Value P/A:	£3,083,000	Value Total:	£9,249,000
Reviewed by Competition Board <input checked="" type="checkbox"/>	03/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Tower Hamlets has a statutory duty to provide care, support and accommodation for Looked After children and Care Leavers. One such type of provision is Semi-Independent Living placements, these placements offer accommodation and support, and are a crucial part of the Children and Young People's Commissioning Pathway. Tower Hamlets currently commission these placements on a spot-purchase basis; this approach does not offer value for money and obstructs the Council from managing the market and assessing the quality and outcomes provided through placements.

In 17/18 Tower Hamlets commissioned 3625 weeks of SIL placements, from 27 different providers, across the Children's placements Team and the Leaving Care Services, at a total cost of £3,083,387. Through 17/18 131 children and young people utilised Semi-Independent Living placements, and there was a total 147 placements agreed.

Through a competitive tender process organisations will bid to become accepted providers of the Semi-Independent Living (SIL) Framework for Tower Hamlets. Successful providers will have achieved the required quality assurances as set out by Tower Hamlets through the submission of quality assessed method statements. Providers will also submit a framework cost for each placement they are able to provide to Tower Hamlets, this will ensure the brokerage of placements is agreed for the duration of the framework and not negotiated on a case by case basis at the point of referral.

Providers successfully being accepted onto the framework will provide accommodation and support to both Looked After Children and Care Leavers. Placements will support children and young people to achieve independence by increasing their life skills, promoting health and wellbeing and securing the safety of children and young people in their care. Framework providers will, through their practise promote placement stability and continuity for children and young people to achieve their goals and aspirations in a safe and secure environment.

The framework will at a minimum consist of 3 Lots reflecting the needs of Tower Hamlets looked After/Care Leaver population:

- **Lot 1:** Accommodation and Support delivered to those exhibiting high and complex needs. Service must be staffed 24/7.
- **Lot 2:** Accommodation and Support delivered to those with medium level of support needs.
- **Lot 3:** Accommodation and Support delivered to Unaccompanied Asylum Seeking Children.

Contracting Approach

We intend to procure the framework via an open tender procedure; this is in line with both internal procurement policy and also EU procurement regulations.

Phase 1- The framework will replace current practise of spot purchasing from a large pool of providers, the objective is to reduce the number of providers used by Tower Hamlets and in doing so better manage the market place. The tender process ensures all successful providers have been quality assured via their submissions, and that the costs of each placement are agreed prior to the need to refer, whilst promoting effective budget management.

Phase 2 - Tower Hamlets will 'call-off' the framework either through direct award or a mini-competition with a view to block purchasing placements at substantially reduced costs. This approach has been successful across a number of other London boroughs and as well as further savings be achievable it also allows Tower Hamlets to further influence the type of placement being provided. The proposed duration of the framework is 36 months; any block purchase arrangements would not exceed this timeframe.

Community Benefits

The framework will highlight community benefits including, and where possible, local recruitment and local resourcing. As it is anticipated that many of the SIL Framework providers may be based outside of Tower Hamlets to meet the needs of our children and young people, we expect at a minimum that all providers accepted onto the Framework commit to local recruitment and ensure that current and former service users, are supported to apply for internal apprenticeships, traineeships, volunteering and employment opportunities.

Contract Ref & Title	G5373 Community Information Panels		
Procurement Category:	Services	Funding:	Concession
Invitation to Tender <input type="checkbox"/> Contract Signature <input type="checkbox"/>	25/07/2018	Contract Duration and Extensions:	3 + 2years
Value P/A:	Approx £200,000	Value Total:	£1,000,000
Reviewed by Competition Board <input type="checkbox"/>	03/08/2018	<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

Council currently has 43 x 6 sheet size advertising sites across the borough all of which are traditional static sites not offering digital solutions. The purpose of this procurement exercise is to re-procure our expired Community Information Panels (CIP) advertising contract across the borough securing the most possible coverage while also ensuring the best value for money for the Council

Currently the exposure received from these is 50% for the council via coverage wholly on one side while the reverse is used entirely for external advertisers. We will request suppliers that show an interested to put forward a proposal to extend the current number of units to 60, and look to convert as many as possible to digital units. Any additional CIPs identified will need planning permission as well as any static sites that are to be converted to digital sites.

We are proposing a 5 year contract (3 + 2) enabling any suppliers tendering for this contract to maximize their income to cover any costs for new digital units and the conversion of current static units to digital units. We will look to identify possible sites to change the number of units from 43 to 60 alongside the planning team, and identify which units are best placed for digital conversion.

Contracting Approach

A restricted EU procedure has been proposed to shortlist effectively and make best use of available resources. We will plan to run the tender process, which will be a concession contract, over a 2/3 month period to maximise the opportunity for potential bidders to work with the Council Planning Department to understand the planning requirements so that this might feed into their bid and so minimise mutual levels of risk in that regard.

Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process.

Contract Ref & Title	R5402 – Early Payment Service		
Procurement Category:	Corporate Services	Funding:	General Fund /Concession
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	September 2018	Contract Duration and Extensions:	5 years
Value P/A:	-	Value Total:	Circa £2.1m
Reviewed by Competition Board <input checked="" type="checkbox"/>	20/08/2018	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

Scope of Contract

The purpose of this contract is to appoint an early payment service provider to work with the council over a five year term to help generate additional income through payment of supplier invoices quicker than the standard 30 days payment term.

The implementation of early payment software has potential to generate income without affecting service quality with any minor implementation costs being more than covered from income generated. Suppliers would also benefit from earlier payment which could reduce their debt management costs.

Contracting Approach

The early payments service provider will be appointed through an existing framework contract.

Community Benefits

Community benefits commensurate with the nature of the contract will be sought from the provider.

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**London Borough of Tower Hamlets
Procurement Forward Plan 2018-2022**



Current Contract Reference	Title	Current Contract Expiry Date.	Total value	Contract type	Division	Category
R4423	Provision of Internal Audit Services	31/03/2019	£540,000.00	Services	RE	Corporate Services
PH5045	Healthy Teeth in Schools	01/06/2019	£450,000.00	Services	HAC	Care & Commissioning
LPG4801	Translation, Transcription and Interpretation Services LOT 1	08/07/2019	£450,000.00	Services	G	Corporate Services
AHS5186	HIV Support for Sexual Health Service for Adults living with HIV	31/07/2019	£705,000.00	Services	HAC	Care & Commissioning
CLC4784	Adult Drug and Alcohol Services	01/10/2019	£5,735,148.00	Services	HAC	Care & Commissioning
ESCW4900	Contract for the supply of fresh and frozen meat	31/12/2019	£2,650,000.00	Supplies	CS	Corporate Services
AHS5035	Heather Lodge and Glaucus street	31/03/2020	£336,359.00	Services	HAC	Care & Commissioning
CLC5033	Independent Domestic Violence Advocacy and Violent Crime Caseworker Service	31/03/2020	£540,000.00	Services	HAC	Care & Commissioning
AHS5041	Mental Health Family and Carer Support Services	31/03/2020	£742,000.00	Services	HAC	Care & Commissioning
AHS5098	Independent Mental Health Advocacy (IMHA)	31/03/2020	£878,535.00	Services	HAC	Care & Commissioning
AHS5034	Mental Health Forensic Accommodation Based Service	31/03/2020	£1,899,995.00	Services	HAC	Care & Commissioning
CLC5077	Material Recovery Facility (MRF) Services	31/03/2020	£2,100,000.00	Services	Place	Corporate Services
AHS5040	Mental Health Supported Accommodation (previously High Support and Step down Mental Health Accommodation)	31/03/2020	£3,396,755.00	Services	HAC	Care & Commissioning
CLC4969	Interim Recycling Services	31/03/2020	£10,236,000.00	Services	Place	Corporate Services
AHS5129	Providence House	31/03/2020	£809,681.49	Services	HAC	Care & Commissioning
CLC4903	Supply & Servicing of Library Aquisitions	31/03/2020	£810,000.00	Services	Place	Corporate Services
HAC5231	Edward Gibbons House direct award	31/03/2020	£1,350,504.48	Services	HAC	Care & Commissioning
AHS5110	Daniel Gilbert House Supported Housing Accomodation for Vulnerable Single Adults	31/03/2020	£1,692,585.00	Services	HAC	Care & Commissioning
AHS5112	LinkAge Plus	31/03/2020	£1,935,833.19	Services	HAC	Care & Commissioning
CS5218A	Youth Activity Hub	31/03/2020	£1,962,975.92	Services	CS	Care & Commissioning
R5157	Supply of Clothing and Uniforms	19/04/2020	£310,000.00	Supplies	RE	Corporate Services
LPG5043	Statutory Public Notices and External Printed Media Advertising - Lot A	07/05/2020	£1,650,000.00	Services	G	Corporate Services
CS5269	Overnight Short Breaks for children and young people with Autistic Spectrum Disorder (ASD)	31/05/2020	£1,040,000.00	Services	CS	Care & Commissioning
CS5268	Overnight Short Breaks for children and young people with complex needs	31/05/2020	£1,060,000.00	Services	CS	Care & Commissioning
R5323	Occupational Health and Wellbeing Services	30/06/2020	£452,000.00	Services	RE	Corporate Services
HAC5295	Public Health GP Enhanced Services	30/06/2020	£1,058,248.00	Services	HAC	Care & Commissioning
DR4932	Removal and Storage Services	10/08/2020	£374,000.00	Services	Place	Construction & FM
DR5075	London Postal Service Board	15/09/2020	£3,500,000.00	Services	RE	Corporate Services
DR4907	Security Services Framework Agreement	31/10/2020	£4,000,000.00	Services	Place	Construction & FM
DR5027	Estate Management Professional Services	04/12/2020	£520,000.00	Services	Place	Construction & FM
PL5242	Resource Centre for Rough Sleepers	31/03/2021	£584,904.00	Services	Place	Care & Commissioning
CS5273	Young People Assessment and Support Service	31/03/2021	£734,996.25	Services	CS	Care & Commissioning
HAC5221	Prostitution Support Programme	31/03/2021	£356,258.00	Services	HAC	Care & Commissioning
LPG5029	Healthwatch Tower Hamlets	31/03/2021	£706,876.00	Services	HAC	Care & Commissioning
DR5054	Enhanced Rough Sleeping Outreach Service (EROS)	31/03/2021	£1,930,635.00	Services	Place	Care & Commissioning
CLC5136	Insurance Services	31/03/2021	£2,123,300.00	Services	RE	Corporate Services
H3190	THH Repairs and Maintenance	31/03/2021	£150,000,000.00	Services	THH	Construction & FM
CLC4371	Highway Maintenance and Improvement Works	30/06/2021	£60,500,000.00	Works	Place	Construction & FM
AHS5147	Tower Hamlets North Young Persons Support Service	31/08/2021	£584,000.00	Services	HAC	Care & Commissioning

**London Borough of Tower Hamlets
Procurement Forward Plan 2018-2022**



Current Contract Reference	Title	Current Contract Expiry Date.	Total value	Contract type	Division	Category
AHS5146	Mile End Road Young Persons Support Service	31/08/2021	£1,603,772.00	Services	HAC	Care & Commissioning
DR5025	Energy	31/08/2021	£36,000,000.00	Services	Place	Corporate Services
DR4957	EIA Review Contract	03/09/2021	£2,500,000.00	Services	Place	Construction & FM
CLC5193	Production and Event Management Services	24/09/2021	£965,000.00	Services	Place	Corporate Services
CLC4951	Arboricultural Contract	30/09/2021	£1,250,000.00	Services	Place	Construction & FM
P5219B	Professional Valuation Service-Residential acquisitions for social housing & investments services	31/10/2021	£500,000.00	Services	Place	Construction & FM
AHS5145	Tower Hamlets Campbell Road Young People's Support Service	31/10/2021	£1,417,516.00	Services	HAC	Care & Commissioning
AHS5046	Handyperson service	31/12/2021	£361,585.00	Services	HAC	Care & Commissioning
AHS5124A	Young People Health and Wellbeing service	31/12/2021	£699,681.00	Services	HAC	Care & Commissioning
AHS&CS5019	The provision of domiciliary care to adults aged 18+	14/01/2022	£21,763,000.00	Services	HAC	Care & Commissioning
R5089	Managed Service Provider (MSP) Temporary Agency	31/01/2022	£6,400,000.00	Services	RE	Corporate Services
H3912	LOT NO 4 THH horticulture works	31/03/2022	£7,000,000.00	Works	THH	Construction & FM
AHS5109	Hackney Road Project Supported Accommodation Services	31/03/2022	£2,331,758.90	Services	HAC	Care & Commissioning
AHS5111	Tower Hamlets Floating Support	31/03/2022	£2,483,330.00	Services	HAC	Care & Commissioning
CS5080	Pan-London Care Impact Partnership	31/03/2022	£4,808,170.00	Services	CS	Care & Commissioning
DR3911	Offsite Data Storage and Destruction of confidential waste	16/06/2022	£1,000,000.00	Services	Place	Corporate Services
AHS5037	Independent Living Community Support (ILCS)	17/07/2022	£2,749,106.00	Services	HAC	Care & Commissioning
AHS5187	Specialist Smoking Cessation	31/07/2022	£1,550,000.00	Services	HAC	Care & Commissioning
AHS5128	Dellow Supported Housing Accommodation for Vulnerable single adults	31/07/2022	£2,320,683.60	Services	HAC	Care & Commissioning
AHS5039	Complex Needs Mental Health Service	01/08/2022	£1,773,655.00	Services	HAC	Care & Commissioning
AHWP4352	Framework for Community Equipment Services	01/09/2022	£2,600,000.00	Services	HAC	Care & Commissioning
AHS5185	Tower Hamlets Healthy Communities	30/09/2022	£3,964,405.00	Services	HAC	Care & Commissioning
CLC5176	Seasonal Bedding	30/10/2022	£375,000.00	Supplies	CS	Construction & FM
AHS5189	Extra Care Sheltered Housing	05/11/2022	£11,910,708.35	Services	HAC	Care & Commissioning
HAC5326	Riverside House hostel	31/01/2023	£2,571,126.10	Services	HAC	Care & Commissioning
HAC5252	Teresa House and Hamlets Way high support mental health accommodation	31/03/2023	£2,864,922.05	Services	HAC	Care & Commissioning
HAC5223	Infant Feeding and Wellbeing Service	31/03/2023	£1,900,000.00	Services	HAC	Care & Commissioning
HAC5249	Tower Hamlets Women's Refuge	01/04/2023	£645,380.00	Services	HAC	Care & Commissioning
HAC5248	Tower Hamlets Asian Womens Refuge	01/04/2023	£695,520.00	Services	HAC	Care & Commissioning
DR5116	Cleaning and Associated Services	02/07/2023	£7,261,986.00	Services	Place	Corporate Services
HAC5224	School Health and Wellbeing	31/07/2023	£4,919,280.00	Services	HAC	Care & Commissioning
P5219A	Professional valuation Services – Asset Valuations	30/09/2023	£480,000.00	Services	Place	Corporate Services
H3948	Concierge and Related Security Services	02/10/2023	£3,000,000.00	Services	THH	Construction & FM
HAC5253	North East London Integrated Sexual Health Service	30/11/2025	£40,000,000.00	Services	HAC	Care & Commissioning
CS3247	Mulberry School PFI	01/05/2027	£19,000,000.00	works	Place	Construction & FM
CLC4970	Waste Reception, Treatment and RRC Services	31/03/2035	£250,000,000.00	Services	Place	Corporate Services

Annual Procurement Report 2017-2018

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A SNAPSHOT OF 2017-18

98%

of all applicable contracts include London Living Wage



47%

of all contracts have secured Employment and Community Benefits for our residents



First UK Local Authority to affiliate with

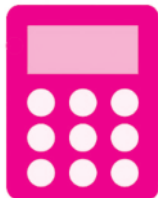
Electronics Watch



to continue our commitment to ensure ethical practices within our Supply Chain

£325m

of spend with third party contracts



2,669

suppliers used in 2017/18



£264m

spend with SME's (81% of total spend)



492

staff trained to develop procurement knowledge, skills and strengthen compliance



92%

of spend on contract



Tower Hamlets Procurement practises is accredited by Chartered Institute of Purchasing and Supply (CIPS)

CIPS



1. INTRODUCTION

This report provides a summary of the council's addressable procurement spend in 2017-18 on supplies and services and a baseline for identifying future savings opportunities and areas for operational performance improvement.

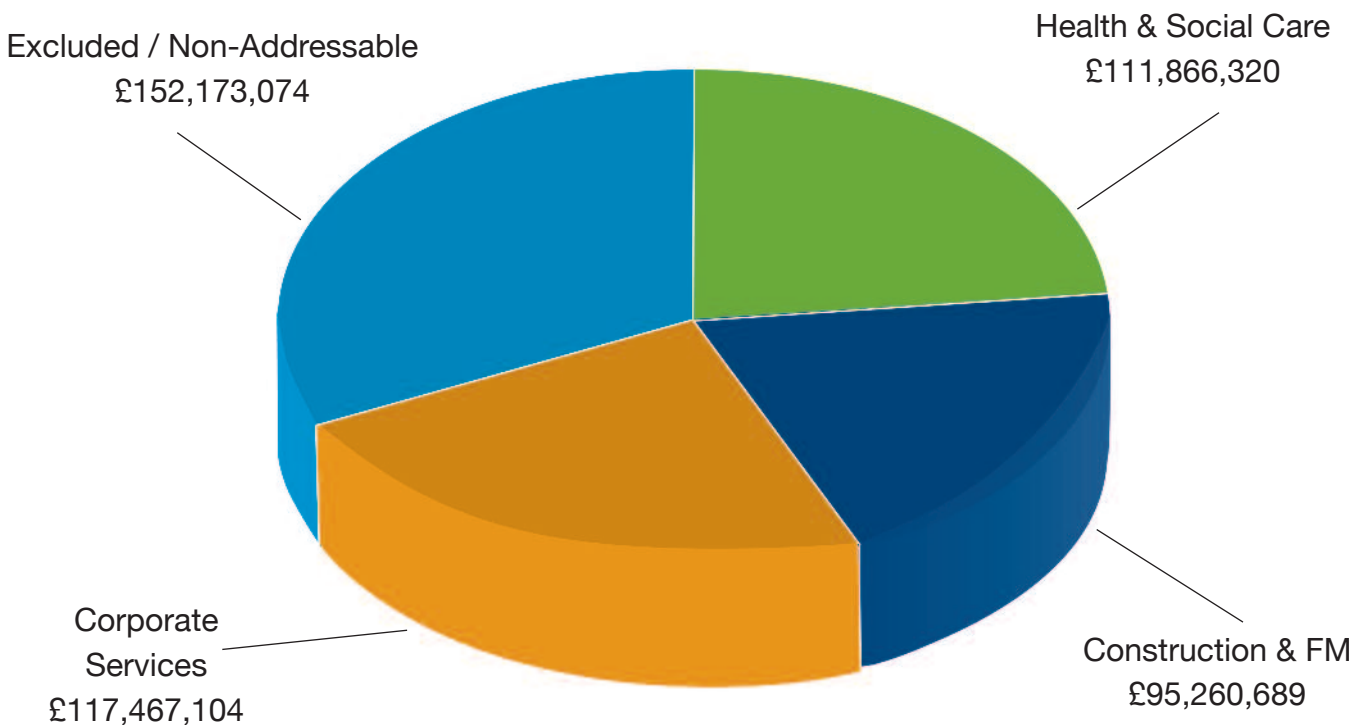
The total addressable procurement expenditure was £325m. A further £152.1m was spent with non-council payees but this spend could not be influenced by procurement activity (e.g. social care direct payments, staff expenses, foster carer payments)*.

We are aware that we are spending public money so it is important to ensure that all our spending decisions secure value for money in the services we deliver to our local community in an open and fair way.

The chart below provides a breakdown of the addressable spend into key procurement categories of expenditure.

A breakdown of our third party spend across key procurement categories is included in Appendix A.

FY 2017-18 spend by procurement category



Total Spend : £476m

Addressable: £325m (68%)

Excluded / Not Addressable: £152m (32%)

*Excluded/non-addressable
£152,173,074 in the pie chart

2. PROCUREMENT PERFORMANCE

Procurement Strategy 2016-2019 approved in Cabinet July 2016 sets out in broad terms how the council intends to organise its Procurement and commissioning resources and skills to achieve value for money whilst stimulating local markets and securing community benefits.

The strategy is a statement to everyone about the outcomes we wish to achieve through integrated procurement, commissioning and contract management and how we intend to get there. We have set a new vision for our procurement:

“We will pursue procurement excellence through deploying innovative and effective sourcing strategies to achieve value for money whilst stimulating local markets and securing community benefits”

Zamil Ahmed – Head of Procurement

We believe this vision is best achieved by striving towards the following strategic objectives:

- **Integration** - full integration of commissioning, procurement and contract management activity and commercial principles into our core business
- **Governance** - governance, transparency, accountability and probity with proportionality in our operational processes
- **Approach** - unified approach to managing the activities in the commercial cycle and in engagement with markets and suppliers
- **Partnership** - working with our partners
- **Technology** - effective use of digital technology
- **People** - making the most of our people, increasing capacity and skills and building an in-house strategic commissioning and procurement capability

We recognise the importance of identifying and managing the cultural changes that adopting this strategy will create both internally and externally and which will link to the Council’s wider transformation programme.

The following sections of this report provide a summary of our performance in delivering the aspirations and objectives set out within our procurement strategy.

3. INNOVATION AND SMART PROCUREMENT

3.1 Enabling Innovation

In January 2018, Tower Hamlets led a collaborative procurement exercise to award its first Dynamic Purchasing System (DPS) for the commissioning of apprenticeship training programmes under the Apprenticeship Levy.

Changes to the Procurement Regulations have made the use of DPS much more versatile so that it has become a very useful tool for the council. Whilst making some of our own commissioning processes easier it opens procurement opportunities to a wider market, creates greater opportunity for suppliers to bid for contracts and is also proving to be a potential source of income for the Council.

Apart from the Apprenticeship Levy DPS, other DPSs are currently being developed with service leads across council departments.

Our Procurement innovation does not stop there. We are embarking on a series of pilot e-auctions, specifically designed to drive down costs of supplies and are establishing a new social value marketplace to match community benefits from procurements with key community based projects aligned to the council's strategic plan priorities.

3.2 Developing internal capacity and talent

To enhance procurement knowledge and skills of officers involved in commissioning, procurement and contract management across the organisation and ensure greater compliance, a series of targeted training

sessions on specification writing and tender evaluation was held to improve the quality of our contracts.

A total of 492 officers were trained to develop their procurement knowledge and skills and strengthen compliance across our procurement and commissioning activities.

As part of our continuous drive to streamline and smarten up our procurement practices we introduced a set of short and simple guidance notes on specific aspects of the procurement procedure. Designed to explain processes to non-procurement people, they are light-hearted in their approach: 13 'Bytes' (so far) cover everything from internal Governance to how the EU's Light Touch Regime works.

Well received, these Bytes' are made available on the council's Intranet page and the list of 13 will grow to meet the ever-changing needs of innovative procurement.

3.3 Peer Recognition

The capability of the LBTH Procurement Function has been recognised by PLACE (the Pan London Accommodation Collaborative Enterprise). PLACE is spearheading an innovative approach to meeting the capital's housing needs through the purchase and deployment of portable modular homes, set up as blocks of flats on vacant member-authority land.

Creating national and international interest, the need for innovative and reliable procurement practices is of paramount importance and the LBTH procurement function is providing this service.

4. PARTNERSHIP AND SOCIAL VALUE

4.1 Supporting Local Economies

Tower Hamlets Council is committed to delivering better outcomes for residents. There is a growing awareness that commissioning and procurement can contribute directly to the council's broader strategic objectives.

Beyond the requirement for Value for Money and cost control, the Procurement Strategy explicitly recognises the key role that social value in procurement and commissioning activities can play in achieving the priorities of the council.

As an early adopter of Social Value in our procurement, the council has successfully secured considerable employment and economic benefits for its local community. Currently, approximately 47% of all our contracts include employment and community benefits for our residents.

A working group of representatives across council departments and partner organisations including Tower Hamlets Homes, THCVS, TH CCG and an external consultancy (Social Enterprise UK) completed a review and benchmark of the council's current approach to

social value. The outcome of this review has resulted in the development of a new Social Value Framework agreed by Cabinet in July 2018. Through this framework, we will set out our intention to build on our existing Community Benefits approach, broadening the scope of how we interpret social value to include a wider range of key priorities for the council.

Alongside this framework, documents will be developed for key officers working in procurement and commissioning, as well as for potential suppliers, to help them understand how the council interprets social value and how they can tailor their bids to best fit the approach.

A selection of case studies demonstrating the employment and community benefits secured through our contracts is presented below.

Case Study 1 School Health and Wellbeing Service



- Contract of £1.6m per annum over 5 years awarded to a local supplier
- Workforce within the new provider is currently 320 people, most of whom live, and all of whom work in Tower Hamlets.
- Will promote healthy workplace and actively seek to employ people with mental health problems, physical disabilities and learning disabilities, as well as helping unemployed people get back into work.
- Commitment to support 20 such people across the workforce over the lifetime of the contract.
- Commitment to employ 5 apprentices, 20 trainees, 50 graduates annually.

Case Study 2 Metal Works



- Contract of £700k per annum over 4 years awarded to a firm based in Dagenham
- 70% of the workforce are TH residents boosting local employment
- The use of local suppliers for materials
- Commitment to engage in local job fair and volunteering opportunities for locals.

Case Study 3 Learning and Disability Supported Accommodation



- Contract of £515,00 over 3 years awarded to a local East London provider
- Recruit 20 volunteers over the contract lifetime
- Provide 10 apprenticeship placements during 2018/2019
- 100% Local recruitment
- Ring-fence opportunities for 2 locally recruited apprentices
- Commitment to offer volunteer places for Tower Hamlets service users
- Employ 2 Tower Hamlets based service users over contract lifetime.

5. SUPPLY CHAIN AND ETHICAL STANDARDS

5.1 Supply Chain Code of Conduct

The Council is committed to ensuring that the working conditions in our supply chain are safe, that workers are treated with respect and dignity and that manufacturing processes are environmentally responsible.

As a follow up to our Supply Chain Ethical Code of Conduct, Tower Hamlets is the first council in the UK to join Electronics Watch, an independent monitoring organisation, to enforce a tough new code of conduct for its suppliers. As an extension, the Council recently signed up to the Co-operative Party's Charter on Modern Slavery.

As part of this commitment work has begun to ensure all members of the procurement team and contract managers are fully trained on Modern Slavery as well as broader ethical procurement commitments.

Over the coming months, we will work with our key partners and representatives from across council departments to develop a new Ethical and Sustainable Procurement Policy for the council.

5.2 Fair Trade, London Living Wage and Ethical Procurement

The Council received Fair Trade borough status in 2009 and since then has applied these principles to all appropriate contracts. A working group with representatives from Tower Hamlets Fair Trade steering group, Tower Hamlets Co-operative and council officers have been working in partnership to provide a peer challenge and help ensure Fair Trade, sustainable and ethical procurement are embedded across our procurement and supply chain activities.

Currently, 98% of all applicable contracts include London Living Wage.

5.3 Local Suppliers

The Council is committed to supporting local businesses, especially SME and alternative providers, including third sector organisations. We have refreshed our procurement thresholds to provide greater opportunity to engage local suppliers. The table below provides a breakdown of our supply base.

SUPPLY CHAIN ANALYSIS		
	No. of Suppliers	%
Local Suppliers	501	16%
Rest of London	1,450	46%
Rest of UK	1,188	38%

6. LEADERSHIP AND DELIVERING BEST VALUE

6.1 Delivering our vision

Effective procurement practice is becoming an increasingly important focus for Local Authorities across the UK. Local Authorities are working to improve their procurement performance to drive additional cost savings, increase probity and deliver better outcomes.

Our focus in the first two years of the procurement strategy has been to set the foundations through investment in our staff and technology to ensure that, as well as having full visibility of our procurement expenditure, our staff are equipped with professional training and skills to prepare robust contract specifications and secure the best contract deal for the council.

In July 2017, we engaged Chartered Institute of Purchasing and Supply to undertake an external assessment of the council's procurement function.

The CIPS external assessment involved an in-depth assessment and measure of the Council's procurement function against CIPS world class standards across five dimensions; Leadership, Strategy, People, Process and System, Performance Measurement and Management.

Having reviewed over 280 pieces of supporting evidence based around the five dimensions, in July 2018 CIPS awarded the council its Corporate Certification.

The CIPS certification programme has been a truly valuable exercise in benchmarking the council's procurement function. Achievement of the CIPS Corporate Certification demonstrates that the Council is progressive in an ever changing business environment.

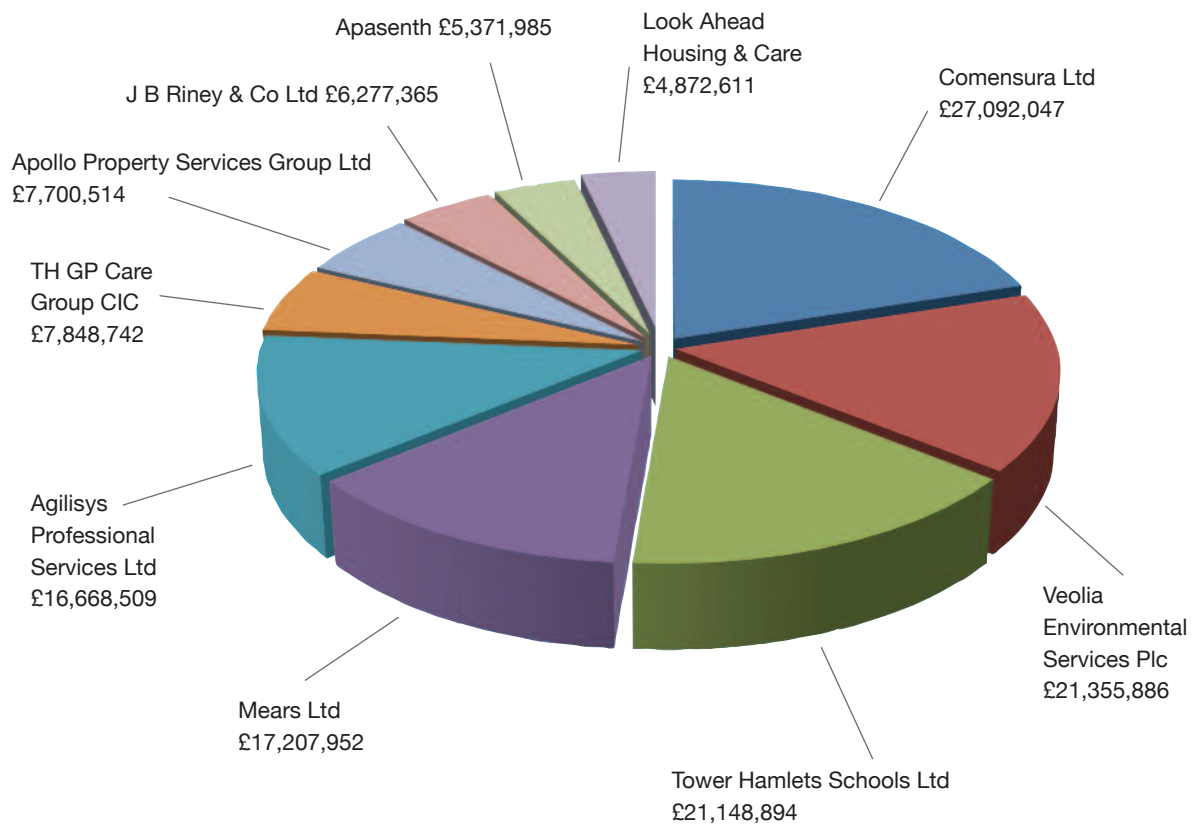
It also demonstrates and evidences that there are robust professional procurement practices and systems in place across the Council as well as areas for improvement.



7. CONTRACTUAL VIEW

The following section provides an overview of our third party spend contracts and suppliers. A total addressable spend of £325m (17-18) was conducted with 2,669 suppliers and the chart below provides a further breakdown of the spend by key category.

FY 2017-18 Spend by Supplier - Top 10 (over £5m)

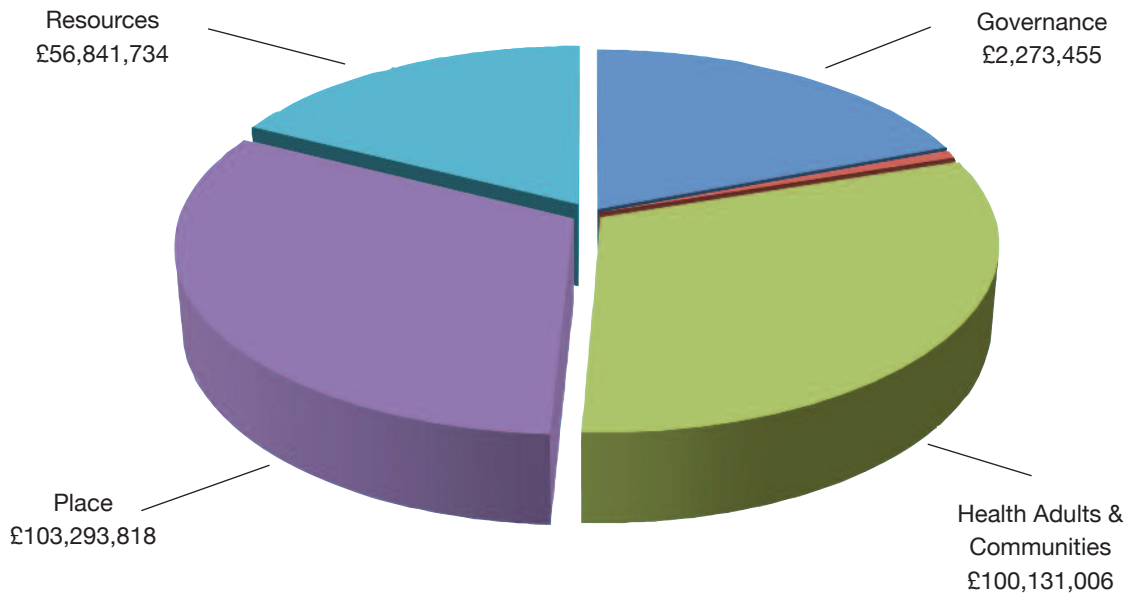


Total spend across 2,669 suppliers £325m (100%)

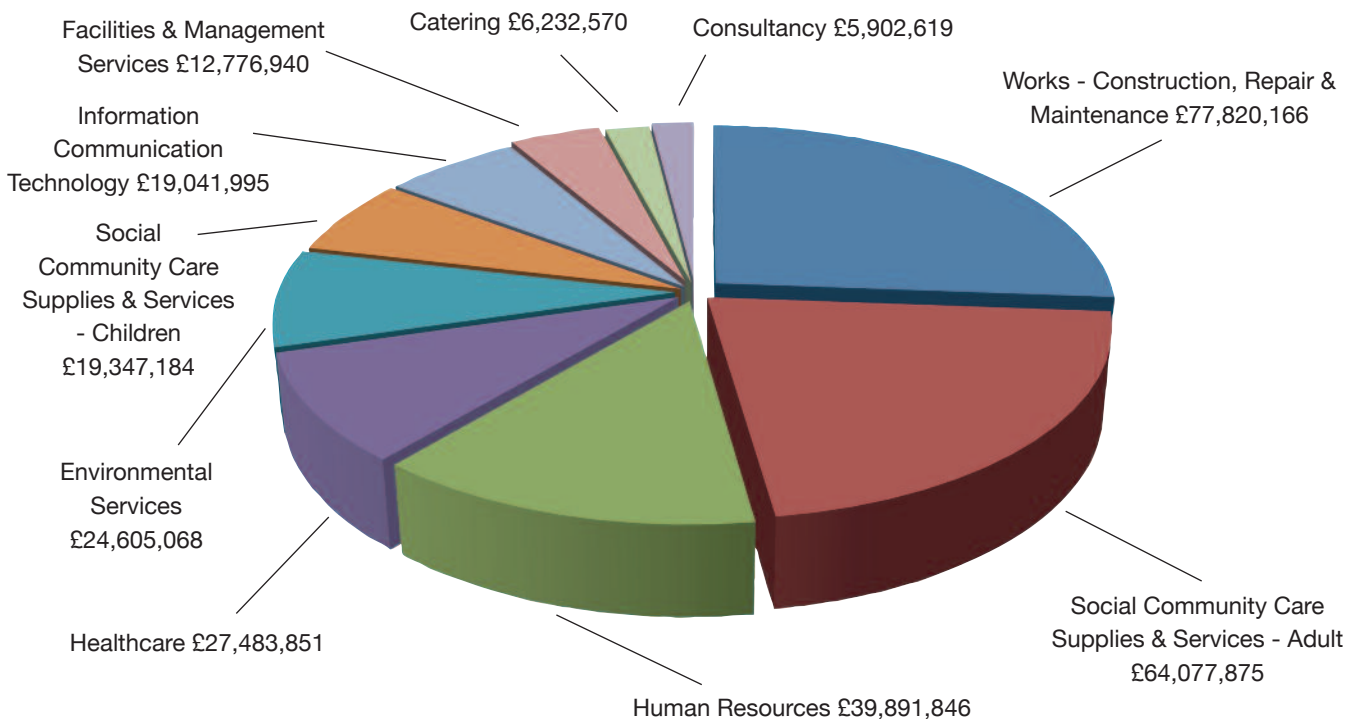
Top 10: £136m (42%)

Rest: £189m (58%)

FY 2017-2018 Spend by Directorate



FY 2017-2018 Spend by Sub Category (top 10)



Total Spend across 32 Sub Category: £325m (100%)

Top 10: £298m (92%)


Rest : £27m (8%)

CONTACT DETAILS

Corporate Procurement Service

London Borough of Tower Hamlets

E: procurement@towerhamlets.gov.uk

<p>Cabinet</p> <p>26 September 2018</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Denise Radley, Corporate Director for Health, Adults & Community</p>	<p>Classification: Exempt [Changed to Unrestricted]</p>
<p>Future Management of the Integrated Community Equipment Service</p>	

Lead Member	Councillor Denise Jones, Cabinet Member for Adults, Health & Wellbeing
Originating Officer(s)	David Jones, Interim Divisional Director Adult Social Care
Wards affected	All
Key Decision?	Yes
Forward Plan Notice Published	1 August 2018
Reason for Key Decision	Financial Impact
Strategic Plan Priority / Outcome	People are aspirational, independent and have equal access to opportunities;

~~By virtue of section 100A of the Local Government Act 1972 and paragraph 3 of Schedule 12A of the Local Government Act 1972, this report is Exempt as it contains information relating to the financial or business affairs of any particular person (including the authority handling the information). The Report is exempt to the extent that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the report as it could have an adverse impact on future negotiations with potential contractors.~~

Executive Summary

This report considers the options for the future management of the Council's integrated Community Equipment Service (CES). The service loans a variety of disability related equipment to children, adults and older people within Tower Hamlets. The equipment helps service users to maintain and maximise their independence, enables them and their carers to be safely supported and improves their quality of life.

The service has been subject to various reviews over the past few years. The latest due diligence work is detailed in this report. The due diligence examined a number of different options, but once the selection criteria were applied, (Appendix B), the vast majority of these were excluded. This has concluded there are only two viable options: the outsourcing to the Hammersmith & Fulham / Medequip Framework – as recommended – and retaining an in-house service which is high risk, as implementation and achievement of a high quality service and savings within the

required timescale would be highly unlikely.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Support awarding a contract to Medequip for the Community Equipment Service via a call-off from the framework agreement procured by Hammersmith & Fulham, for four years, from 1st April 2019 to 31st March 2023. The contract will have an option to extend for a further two years which will give the Council and the CCG further service stability. The estimated value is circa £6.1 million over the 4 year contract period and circa £9.3 million over 6 years (if the extension was utilised).
2. Delegate award of the outsourcing contract and further extension to the Corporate Director, Health, Adults & Community.
3. Note the recommendation will enable delivery of the savings target for CES of £308,000 for 2019/20 as agreed by the Cabinet in the MTFS plan.
4. Note the early surrender of the lease on the Yeo St premises (12 years unexpired) would result in the landlord paying the Council an estimated £900,000 as a surrender premium. This would be a one-off payment back to the Council, and in part be utilised to cover the one-off moving and setup costs.
5. Authorise the surrender of the lease on the Yeo St premises and delegate authority to the Corporate Director, Place to agree the terms.

1. REASONS FOR THE DECISIONS

- 1.1. The report considers the options for the future management of the Council's integrated Community Equipment Service. The service loans a variety of disability related equipment to children, adults and older people within Tower Hamlets. The equipment helps service users to maintain and maximise their independence, enables them and their carers to be safely supported and improves their quality of life.
- 1.2. Service standards have improved over the past year and there has been a recent positive health and safety report. Recycling rates for equipment have also improved. However, there continue to be real difficulties in recruiting and retaining staff and the service requires a disproportionate amount of management time to ensure essential requirements are met.
- 1.3. Demographic pressures and the expectation that government is unlikely to provide the required increased funding, means more equipment must be bought with a similar budget to today's to enable more people to retain their independence and avoid an unsustainable increase in care package costs.

2. ALTERNATIVE OPTIONS

- 2.1.** The report summarises the due diligence work which examined all the available options.
- 2.2.** It concluded there are only two viable options: the outsourcing via the Hammersmith and Fulham / Medequip Framework – as recommended – and retaining an in-house service.

3. BACKGROUND

- 3.1.** The Community Equipment Service (CES) loans a variety of disability related equipment for children, adults and older people within Tower Hamlets to use, generally at home. The equipment helps service users to maintain and maximise their independence, enables them and their carers to be safely supported and improves their quality of life. Furthermore, the service offer supports individuals in their homes, avoids hospital admissions and reduces care package costs.
- 3.2.** Key 2017/2018 facts and figures for CES are:
 - Deliveries: 9,526 items
 - Collections: 2,267 items
 - Repairs: 1,119 items
 - Items issued: 11,500 items
 - Recycled: 4,700 items
 - Electrical testing: 400 items
 - Active prescribers: 150 (at year end)
 - Service users served: 8,212
- 3.3.** This provider service which orders, supplies, delivers, installs, maintains repairs, collects, cleans and refurbishes equipment is jointly funded by Tower Hamlets Council and Health through Tower Hamlets CCG.
- 3.4.** The total cost in the 2017/18 financial year was £2.01m, including the wheelchair service (£104k) and pharmacy prescriptions (£146k). The spend on equipment and delivery included £65k for children. Health contributes £791k to the pooled budget.
- 3.5.** The aim of any change must be to provide the best possible services to local residents that are responsive, cost effective and able to meet increasing needs assuming additional government funding is very unlikely. Through a better offer, it will be possible for more people to remain independent for longer, which will improve their health and wellbeing. This in turn should reduce some of the increasing pressure to fund costly traditional packages of care.
- 3.6.** The review of the service stretches back several years. In May 2016, the Institute of Public Care (IPC) published its review of the community equipment

services in Tower Hamlets. The key message from the review was to improve the quality, efficiency and effectiveness of the service. An options appraisal of CES was undertaken in order to establish quality and cost effectiveness of managing the service in-house or externally.

- 3.7. Last autumn it was decided that the options appraisal needed more work so a specialist consultant was engaged to undertake the required due diligence.
- 3.8. Service standards have improved over the past year and there has been a recent positive health and safety report. Recycling rates for equipment have also improved. However, there continue to be real difficulties in recruiting and retaining staff and the service requires a disproportionate amount of management time to ensure essential requirements are met.
- 3.9. Therefore, senior management is not confident it will be possible to take the service to the level of the best in London and beyond. Added to this is the requirement to achieve the £308,000 2019/20 savings target for CES as agreed by the Cabinet in the MTF5 plan.
- 3.10. This report focuses on recent due diligence work and the need to make a decision no later than this autumn.

The Strategic Direction

- 3.11. In the future it is proposed that the CES is part of a comprehensive offer to local residents to support independence in the community through a broad range of cost effective services including:
 - Improved information and advice to increase use of equipment and assistive technology – an essential in-house service. This would be provided at the ‘front door’ with some simple equipment being regarded as a ‘universal service’ not being subject to an unnecessary and costly assessment process.
 - Increased access to mobility and other low-cost equipment through the ‘retail model’ (where prescriptions for equipment are issued to residents and can then be redeemed at local pharmacies)
 - Local display plus an online catalogue to see some equipment and signpost to Health and voluntary and retail outlets so residents can make informed choices and triage for assessment
 - Continuation of small local stores at the Royal London Hospital and possibly at Day Centres, from which simple equipment items can be issued directly to service users (for example when they are discharged from hospital)
 - Continuation and further development of an in-house occupational therapy service within our Initial Assessment and Locality Teams to assess and support people with mobility needs

- A Community Equipment Service – subject to approval of the recommendations – which, unlike all the services listed above, is provided by an external organisation investing in the latest technology, efficient ordering processes, high health and safety standards, and which will maximise equipment recycling/reuse. This will enable the provision of more equipment at lower unit costs to meet increasing demand, so that more residents can retain their independence. This will increasingly be an alternative to traditional packages of care for some people, and will reduce the cost pressures on Adult Social Care.

4. EXAMINATION OF THE OPTIONS

- 4.1** The options appraisal initially considered undertaking a full OJEU tendering exercise. However, as it would require a dedicated procurement project manager for 12-18 months at an estimated £60k per annum plus the cost of the procurement process and be unlikely to yield economies of scale when negotiating with the providers, this option was rejected. Also, other London Boroughs have already established and demonstrated the cost effectiveness of a contract framework approach. Tower Hamlets can simply join a contract framework saving on lengthy specification drafting, procurement time, expertise and cost.
- 4.2** It should be noted that most local authorities no longer consider that they are able, by themselves, to provide and invest in the technology for complex warehouse logistics and distribution nor meet the high industry standards required for a modern cost-effective equipment service.
- 4.3** Therefore, all of the London boroughs, besides Tower Hamlets, have externalised their equipment services. 29 boroughs have either outsourced or participate in a shared service type model, whilst the others have spun their services out into a separate “non-shared service” company.
- 4.4** Nevertheless, retaining an in-house service has been seriously considered as part of the due diligence work.
- 4.5** The first part of the work was to establish which of the 11 initially identified options (besides running a tender) were viable.
- 4.6** It was found that for legal reasons the Redbridge / Millbrook community equipment framework could not be accessed by Tower Hamlets, and Inspire Community Trust (Bexley) could not be used without a full tender.
- 4.7** The other major community equipment service provider, NRS, had not been awarded any full community equipment service frameworks that Tower Hamlets could access.
- 4.8** The Barnet / Millbrook framework only had a short time remaining (the framework is due to expire on 30 June 2020) and the Independence and

Wellbeing Enfield and Croydon “IPH” depots were too far from Tower Hamlets, so all of these options were discarded.

4.9 The due diligence, therefore, concentrated on three options:

- Enabled Living Healthcare Ltd, a social enterprise set up by the London Borough of Newham
- The Hammersmith & Fulham / Medequip framework
- An improved in-house service (in a new depot)

4.10 They were assessed according to the criteria below (the appendices include the detailed analysis).

- Impact on savings target i.e. estimated savings or additional costs
- Quality assurance implications
- Logistics - access to stores / speed of delivery
- TUPE – implications for staff
- Joining - conditions; costs; timescale
- Risks – assessment of likelihood of achievement, including savings
- Duration – how long we could use the option
- Track record

4.11 Enabled Living Newham offered some advantages although there were some concerns about the potential to achieve the required savings and some risks in delivering this option. However, at the beginning of May 2018, Newham Council withdrew their interest. (The assessment to this point is still included to illustrate that this option was seriously considered).

4.12 The remaining part of the report, therefore, covers the only two viable options.

4.13 18 London councils (Kensington and Chelsea, Westminster, Hammersmith and Fulham, Hillingdon, Ealing, Camden, Islington, Bromley, Greenwich, Lambeth, Southwark, Lewisham, Richmond, Hounslow, Barking and Dagenham, Haringey, Wandsworth and Harrow) utilise the Hammersmith & Fulham / Medequip framework. Confirmation has been received that the London Community Equipment Consortium (which consists of all the councils which have called off the framework) would be willing for Tower Hamlets Council to access the framework. The benefits of utilising the framework are that the core requirements have already been specified and performance is monitored through the Consortium. Tower Hamlets would then specify its own additional local requirements.

4.14 Medequip would offer comparable delivery “speeds” covering similar hours to our current service. A range of additional “speeds” would also be available from the company, which Tower Hamlets would have the option to use.

- 4.15** Medequip has a well-established track record for delivering quality services since being awarded the contract for the London Borough of Hillingdon in 1993. It now runs 38 contracts operating out of 20 specially adapted depots across the country, covering a population of over 18.5m people. The company provides the ability to order equipment online through well developed logistics.
- 4.16** There would be a joining fee of no more than £12,000 (which is a contribution to the original framework procurement and implementation costs). Medequip has also agreed to Tower Hamlets Council accessing the framework with a 4 plus 2 year call off contract to take effect from early 2019.
- 4.17** Their nearest stores in South Woodford and Woolwich are both only about 8 miles from Tower Hamlets and would have sufficient capacity for our additional stock.
- 4.18** Medequip has confirmed and due diligence has demonstrated that the MTFS 2019/20 savings target of £308k would be achieved through this framework option (see Appendix A - Financial Modelling).
- 4.19** Medequip has considerable experience of employing transferred staff via TUPE. The company is a London Living Wage employer and has confirmed it would take the CES staff (see appendix B part 4); subject to negotiating the scope of the transferred service, the number would be in the range of 8.5 – 12.6 FTEs.
- 4.20** Under TUPE regulations, where a service transfers to a new provider, employees will automatically transfer to the incoming employer. Their terms and conditions of employment, such as pay, holidays, job titles, sick pay provisions etc. and continuity of service transfer with them. The policies and procedures from the previous employer will also transfer with the employees. Although occupational pensions do not automatically transfer, the incoming employer must be able to offer a comparable pension to the Local Government Pension Scheme for those staff who transfer. TUPE legislation offers protection to staff in relation to dismissal or redundancy where that relates to the TUPE transfer, and any changes would need to be for an economic, organisational or technical reason which will require staff consultation.
- 4.21** With their proven track record of customer satisfaction, speedy delivery, quality service and adherence to industry and health and safety best practice standards, LBTH would not need to manage complex warehouse logistics and distribution and be able to focus on contract monitoring (costings included in the calculations) to ensure there is an improved quality and cost-effective service.
- 4.22** This would enable the early surrender of the lease on the Yeo Street premises (12 years unexpired) and would result in the landlord paying the Council an estimated £900,000 as a surrender premium. This would be a one-off payment back to the Council, and in part be utilised to cover the one-off

moving and setup costs.

- 4.23** In addition to the challenge of providing a high quality service through the in-house option, there would be a high risk of failing to deliver the savings target for CES as agreed by the Cabinet in the MTFs plan. Moreover, there is currently a review of the rent taking place of the Yeo Street premises. It is estimated that the rent will increase to £160k from £125k. This increase of £35k would therefore be an additional pressure on the CES current budget.
- 4.24** Consideration has been given to moving to a smaller site in order to reduce the rent and other utilities charges as well as enabling the Council to take up the offer from the landlord of an estimated £900k for earlier surrender of the lease. A smaller warehouse with a higher ceiling for stacking equipment would meet the service requirements.
- 4.25** An investigation into identifying an alternative store in or near Tower Hamlets suggests this is very unlikely to be achieved within an early timescale and could be expensive as well as incurring the associated cost of moving stock and the required technology.
- 4.26** Whilst there would be advantages in moving to Council premises because of savings that could be made on the rent rates, the Council's Asset Management review has concluded that it is unlikely suitable premises will be available in the next 12-18 months.
- 4.27** In order to find external premises, the Council will need to commission the work to an approved agent. This cost plus agent fee would be approximately £20k. Once a suitable premise is found, the cost to move and set up of the new depot would be approximately £341k.
- 4.28** It is important to recognise that with both options the Wheelchair and Pharmacy Prescribing Services will continue as at present, and therefore be outside of any changes.
- 4.29** The proposal only relates to the CES which is a provider service. Adult Social Care, Children's Services and Health via the CCG will continue to have access to a wide range of equipment and a delivery and installation service.
- 4.30** Regardless of the option, it will be essential to develop a risk sharing pooled budget arrangement as part of the Better Care Fund Section 75 Partnership Agreement. This will need to recognise that the CCG income has remained constant over the past couple of years but greater transparency should ensure all partners make appropriate contributions to an improved service offer. The work will also review the processes for accessing services.
- 4.31** Given the time spent in reviewing the options over recent years, it is imperative that uncertainties are removed through an early decision which is implemented by early 2019.
- 4.32** Partners have been involved in the work and the Joint Commissioning

Executive has expressed support for the recommendations.

4.33 In summary, the thorough due diligence work undertaken over recent months was narrowed down to two viable options: outsourcing via the Hammersmith & Fulham / Medequip Framework or retaining an in-house service. The service and financial assessment strongly supported the recommendation of outsourcing the service, particularly as: -

- All other London Boroughs have some form of external provision and the Hammersmith & Fulham / Medequip option is tried and tested through long standing arrangements with 18 Local Authorities. It is well recognised as providing quality services and benefits from economies of scale so should enable increasing demand to be met in a cost effective way.
- It is the lower risk option which ensures savings are delivered, achieves a one-off payment of an estimated £900,000 through the surrender of the lease on the store, and does not risk having to potentially pay a higher rent as the risks would be transferred to an external provider through using their own store and providing their own vehicles.
- It would also avoid the risk and associated cost of having to find a new store which would be a requirement of retaining an in-house service.

4.34 If the recommendations are supported, the priorities for the next 6 months will be:

- The delivery of an implementation plan by early 2019.
- Putting in place robust contract monitoring arrangements.
- Focusing on developing in-house services such as improved assessment, information/advice, assistive technology, and the other strategic priorities detailed in the report.

5. ONE TOWER HAMLETS CONSIDERATIONS

5.1 The equality impact analysis conducted for the CES outsourcing proposal found that if the service is moved from in-house to an outsourced provider, it will not adversely affect service users. There will be no major changes to the service received by vulnerable adults or children social care users. Any changes are likely to be positive for the users, in that there will be fewer delays from assessment recommendation to delivery of equipment.

5.2 The preferred option would factor in how staff will be affected by the change from in-house to outsource, how that change will be managed in terms of staff consultation, redundancy, transfers/TUPE, competitive tendering and special considerations relating to staff, such as those on maternity leave. This process would include consideration of staff who are suitable for alternative employment in line with normal recruitment processes, other than the opportunities being ring-fenced to the staff affected.

- 5.3** There were 12.6 FTEs employed by the CES as at April 2018. Currently it is too early to finalise the number of staff members who would be TUPE/transferred to a new provider. This is due to a number of factors including the possibility of CES staff members starting and/or leaving before the transfer date, the need for detailed job matching and legal/HR advice, and the outcomes of staff consultations.
- 5.4** Any redundancy benefits are governed by the Local Government Pension regulation. Where application for voluntary redundancies/severance are being considered, the business case for each application would be evaluated to identify the options for the Council taking account of costs and other relevant factors.
- 5.5** In the event of an employee being redeployed to a lower grade as a result of change, pay protection would apply for a period in line with the HR policy.

6. BEST VALUE (BV) IMPLICATIONS

- 6.1** The options appraisal considered retaining the service in-house, outsourcing via a suitable contract framework and full OJEU tendering. Undertaking a full tendering exercise is not recommended as it is unlikely to yield economies of scale. It will also require a dedicated procurement project manager for 12-18 months at an estimated £60k per annum plus the cost of the procurement process.
- 6.2** The best value option is to join an existing contract framework, as full OJEU procurement procedures and process have already been followed. The key reasons for opting for a contract framework over retaining the service in-house is due to:
- Lower fixed Council management, premises and support costs. The contract framework option only requires a contract manager and clinical lead input.
 - More efficient ordering and delivery processes – providers are experts in managing professional distribution and logistics operations of a complex nature.
 - Cashable recycling credits – councils receive cash credits for items made ready for re-use after collection costs.
 - One-off savings in 2018/19 of £1.0m would be expected, compared with £0.5m for the in-house (new depot) option, primarily due to avoiding depot re-location costs (as these would be covered by Medequip) and due to Medequip purchasing much of Tower Hamlet's depot stock at the start of the contract.
 - Ongoing MTFS savings of £308k would be achieved.

- 6.3 There is also an opportunity to receive an estimated £900,000 from the landlord of the current CES building, if the Council surrenders the lease before September 2020.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 Medequip operates modern Euro 6 jumbo vans, which balance fuel efficiency with greater carrying capacity. This will help to lower CO2 emissions and improve air quality in the borough compared with running the older vans that the CES has been operating. Medequip also takes action to reduce pollution through greener driving training and supervision, the installation of tracking and on-board cameras to promote fuel economy, and through planning manifests using traffic analytics to optimise journeys.
- 7.2 Improvements in equipment recycling/re-use should lead to approximately £100,000 of additional equipment being re-used per annum, compared with current performance. This will conserve resources and reduce plastics usage, as well as reducing manufacturing, transportation and disposal related pollution.
- 7.3 Operating out of a shared depot, where more than one borough is being served, will help to reduce energy usage, for example for heating and lighting.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The following risks have been identified, if the proposed recommendation is not authorised by the Cabinet:
- Unable to realise the required service efficiency to provide better outcomes for service users
 - Loss of opportunity to provide high quality equipment provision to the service users
 - Loss of opportunity to receive an estimated £900,000 from the landlord of the current CES building, if the Council cannot surrender the lease early
 - Not meeting the proposed MTFs savings target of £308k approved by Council for CES
 - Unable to meet the service demand in the current management arrangement as it is forecasted to rise by 3% per annum due to demographic ageing and population increases

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no crime and disorder implications arising from this proposal.

10. SAFEGUARDING IMPLICATIONS

- 10.1** There are potential benefits of implementing the CES outsourcing proposal as there would be more efficient ordering and delivery processes – providers are experts in managing professional distribution and logistics of a complex nature. There would be improvement in the current level of service. The equality analysis has no negative impact on the protected groups.
- 10.2** The framework contract includes a section that covers safeguarding vulnerable adults.

11. COMMENTS OF THE CHIEF FINANCE OFFICER

- 11.1** As part of the medium term financial plan for 2017-18 to 2019-20, the Council agreed savings targets for community equipment of £179k in 2017-18 and £308k in 2019-20. The savings to date are being achieved through efficiencies such as reviewing the catalogue to reduce high cost special orders, however the successful achievement of the 2019-20 further savings will require a fundamental redesign of the way the service is provided.
- 11.2** This report recommends the transfer of future service provision to an external provider through the Hammersmith & Fulham / Medequip Framework to achieve the 2019-20 required savings. The directorate would still need to monitor activity and spend closely to ensure that demand and inflationary cost pressures are controlled and mitigated.
- 11.3** There would also be a one-off financial benefit in 2018-19 from the lease surrender receipt estimated at £0.9m.

12. COMMENTS OF LEGAL SERVICES

- 12.1** A review of the advert and the circumstances surrounding the Hammersmith and Fulham framework shows that the use of the framework by this Council satisfies the Council's obligation to competitively tender this service for the purposes of European Law.
- 12.2** The duration of the Council's contract extends beyond the initial framework term. However, the framework term has been extended to 6 years in total. This is allowable under European Procurement Law since the value of the extension will by definition be not more than half of the original contract value.
- 12.3** Also, frameworks may extend beyond a period of four years where the subject matter of the contract is of a variety that allows this. Typically this is where the contract requires significant up front expenditure by the contractor which would be uneconomic to recoup over only a four year period. The investment required by the Contractor in order to provide this service to the Council and to the other authorities is of this nature and therefore, it is permissible for the contract period to be greater than 4 years.

- 12.4** The procurement exercise carried out by Hammersmith and Fulham also demonstrates that this Council will be abiding by its Best Value obligations in using this framework. Also the Contract structure allows for appropriate monitoring mechanisms to ensure that the Council can achieve the stated quality of service.
- 12.5** The equality assessment demonstrates that the Council has given appropriate consideration to the Equalities Impact of this decision whilst the decision is at a formative stage. The nature of the result of the assessment also demonstrates that there is not a need to perform further consultation to gain an appropriate understanding of the Equalities need as the final contract will not lead to a major change in the actual service delivery.
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Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix A – Financial Modelling
- Appendix B – Three Main Options Comparison

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

- None

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Appendices

Appendix A – Financial Modelling

Estimated recurrent costs for 2019-20 onwards

Financial modelling of the proposed in-house model demonstrates an estimated recurrent annual overspend of £337k from 2019-20. This assumes that the fleet vehicles cost remains at £67k for 2019-20 however there is a risk that the renewal of vehicles (to be compliant with lower emission regulations) may incur a higher annual cost which would increase the overspend pressure.

Financial modelling of the proposed framework model demonstrates an estimated recurrent annual underspend of £3k from 2019-20, showing that the 2019-20 MTFS savings of £308k would be achieved through this option. This assumes a TUPE cost of £141k in 2019-20. The TUPE cost will reduce over future years increasing the underspend in the equipment service and/or helping to compensate for demographic activity increases and inflationary cost increases.

Table A1(a): Estimated recurrent costs from 2019-20 onwards

	Proposed In-house Model (£000's)	Proposed Framework Model (£000's)	Notes
Employee costs	678	141	<i>Refer note 1</i>
Equipment and delivery	931	1,326	<i>Refer note 2</i>
Other (including premises costs and contract management costs)	258	60	
Total estimated cost	1,867	1,527	
2019-20 Budget	1,530	1,530	
Over/(under) spend	337	(3)	

Notes: 1. The proposed framework model employee cost of £141k relates to the TUPE cost, which will reduce in future years.

2. The proposed framework model equipment and delivery cost of £1,326k includes the staffing costs for warehouse and deliveries, which are included in the equipment and delivery charges under the framework.

Estimated one-off net benefit in 2018-19

Financial modelling of the proposed in-house model demonstrates an estimated one-off underspend of £524k in 2018-19. This is primarily due to the lease surrender receipt estimated at £900k, reduced by the estimated cost of moving to and setting up a new depot location (£341k).

Financial modelling of the move to a proposed framework model from 1/1/19 demonstrates an estimated one-off underspend of £1,148k in 2018-19. This is mainly due to the lease surrender receipt estimated at £900k and the sale of existing equipment stock to the framework provider estimated at £200k.

Table A1(b): Estimated one-off net benefit in 2018-19

	Proposed In-house Model (£000's)	If Proposed Framework Model started from 1/1/2019 (£000's)
2018-19 Operational costs	1,813	1,731
Lease surrender receipt	(900)	(900)
Depot stock purchase credits	-	(200)
Moving and setup costs	341	-
Other one-off costs	60	59
Total estimated net cost	1,314	690
2018-19 Budget	1,838	1,838
Over/(under) spend	(524)	(1,148)

Notes:

1. All budget and expenditure figures exclude the wheelchair service and pharmacy prescriptions service which are not in scope of the proposed changes.

Appendix B – Three Main Options Comparison

Option	H & F / Medequip Framework	Enabled Living (Newham)	In-House Service (New Depot)
1. Impact on savings target i.e. estimated saving or additional costs	See Appendix A		
2. Quality assurance implications	<p>Online ordering and online catalogues result in more reliable ordering processes, and are likely to save prescriber time. There may also be some benefit to prescribers only needing to use one system for retail prescription and loan service equipment orders (TH CES already uses TCES Connections for retail prescriptions).</p> <p>Electronic authorisation is likely help to control spend, and/or save prescriber time compared with the manual authorisation processes currently used.</p> <p>Largely paperless, electronic processes should result in improved data accuracy, data</p>	Enabled Living is Community Equipment Code of Practice Scheme (CECOPS) accredited. Further information not available.	IT investment and staff training would be needed to improve data accuracy and record keeping, and implement online ordering, an online catalogue, electronic authorisation, and scanners.

	<p>security and record keeping.</p> <p>Tracking of virtually all individual items via barcode scanning.</p> <p>Business intelligence tools should allow improved service performance monitoring, with ability to monitor a greater range of indicators.</p> <p>Medequip provides service users with 4 hr timeslots (via SMS) at the start of the day when they run their routing algorithms. SMS reminders are also sent to service users.</p> <p>“Choose & book” is a system that allows prescribers to select a delivery slot, which can be an exact time, 1 hour, 2 hours, 4 hours or a specific day. This is currently being piloted so there is uncertainty about when it would be available to TH.</p> <p>Refurbished specials are stored outside of London (in Ely), although there is a daily service to deliver specials to London. Specials are photographed and catalogued, reducing the need for prescribers</p>		<p>TH CES provides service users with a 9AM to 5PM time slot.</p> <p>Refurbished specials are stored in the Yeo Street depot.</p> <p>TH CES has a reasonable amount of control over its equipment catalogue, within the constraints of the IPH equipment</p>
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	<p>to need to physically inspect them.</p> <p>TH would have the ability to select which products to enable on the TH catalogue from the LC/MQ “global” catalogue. TH would have control, jointly with the other 18 LC members, over the LC/MQ “global” catalogue range.</p> <p>Medequip will provide training room facilities at the depot, however the depot is likely to be less convenient for service users, carers and prescribers to access.</p> <p>Euro 6 vehicles and use of electronic route optimisation tools should result in reduced emissions versus current vehicles and manual routing in use by TH CES.</p> <p>PAT and LOLER testing of equipment in the community may be more reliable, provided that TH works effectively with Medequip, for example to cleanse and manage the data and deal with “no replies”.</p> <p>Medequip operates a BS EN ISO 9001:2015 - Quality Management</p>		<p>range. Greater engagement with the IPH is needed to get the best from the relationship with the IPH, and ensure TH CES is using an optimal range of equipment.</p> <p>TH CES has a large training room set up with two beds (including the low floor beds, gantry hoists and other hoists), which is used for a variety of training, demos and equipment trials.</p> <p>New vehicles would need to be leased to achieve emissions reductions.</p> <p>There have been some issues with PAT and LOLER testing of equipment in the community, although these are being urgently addressed by the CES.</p> <p>KPI performance: Service performance data was last updated December 2017. A more limited number of</p>
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	<p>System and both of the depots that the TH contract could be run from are CECOPS accredited.</p> <p>Medequip's systems are NHS level 3 accredited, with GDPR compliance.</p> <p>KPI performance: Performance is measured against a range of KPIs set out in the framework agreement, and LBTH would have access to inspect KPI performance using the Business Information portal.</p>		<p>performance indicators are monitored, e.g.: on time completion, equipment reuse/recycling, clients issued with equipment.</p> <p>It may be that in-house staff are more flexible to deal with the unexpected and/or emergencies than an external provider would be. The CES manager has stated her staff are flexible and adaptable.</p>
<p>3. Logistics – Access to stores / Speed of delivery</p>	<p>Medequip has offered to host TH CES in either of their East London depots:</p> <p>Woodford Green: 8.6 miles, circa 24 mins drive Unit 2, The Orbital Centre, Southend Road, Woodford Green, Essex, IG8 8HH</p> <p>Woolwich: 8.2 miles, circa 34 mins drive The Io Centre, Unit 3, Cornwallis Road, Woolwich, SE18 6SR</p>	<p>The existing Enabled Living depot is thought to be close enough to Tower Hamlets to facilitate an efficient service (5.5 miles and about 20 mins drive from the centre of Tower Hamlets borough). It may have been possible for EL to accommodate the Tower Hamlets CES within their existing depot, after some modifications and possibly stock reductions.</p>	<p>The existing depot is at Yeo Street, E3 3QP. The fastest activity speed currently provided by the CES is “within 24 hours” although there is flexibility and prioritisation, with most of these being completed the same day.</p> <p>It is undoubtedly of some benefit to service users, carers and prescribers to have the CES provided from a depot in or very near to the Tower Hamlets borough. It is possible that TH could find a suitable depot which</p>

	<p>Woodford Green appears to be the more accessible. There will be significant capacity in excess of that required by LBTH from this summer.</p> <p>Existing CES staff members' commutes to Woodford Green appear easier than Woolwich (based on home postcodes).</p> <p>Medequip would provide the service using 5 vans.</p> <p>The current range of LC/MQ activity speeds would be available, with the fastest being within 4 hours of order receipt. This is not necessarily any faster than the existing CES.</p> <p>The depots are accessible by service users/carers and prescribers when necessary (e.g. for equipment collection and delivery).</p>		<p>is closer to Tower Hamlets than either of the Medequip depots that have been offered. However, there seem to be relatively few service users and carer visits to the depot (probably not more than 1 or 2 a day on average) and the need for prescribers to visit the depot could be reduced by an improved online refurbished specials catalogue.</p> <p>The depot is accessible by service users/carers and prescribers when necessary (e.g. for equipment collection and delivery).</p>
<p>4. TUPE – Implications for staff</p>	<p>There are 12 permanent staff members at the TH CES, of which at least 7 would be likely to TUPE transfer, as follows:</p> <ul style="list-style-type: none"> a) 1 cleaner (likely to TUPE transfer) 	<p>Information not available</p>	<p>There would be no TUPE transfers.</p> <p>In the short term, it's likely there would be no reductions in staff numbers and/or hours. There are</p>

	<ul style="list-style-type: none">b) 7 staff: 6 driver/techs + 1 senior driver/tech (at least 5 likely to transfer, into driver tech (x3) or driver/tech/service engineer (x2) roles)c) 2 business support officers (at least 1 likely to transfer to customer services)d) 1 admin system manager (may transfer to ops supervisor)e) 1 senior specialist OT (may transfer) <p>The remaining 5 permanent TH CES staff members could be transferred to Medequip, as Medequip has indicated it is likely roles could be found for them. Some of these individuals may not be employed on the TH contract, so the transfers would not be a TUPE legal requirement and TH would need to decide if the benefits of transferring these staff members to Medequip outweighed the additional TUPE supplement costs.</p> <p>Medequip's proposal indicates that they expect to be able to run the TH CES contract with 8.5 FTEs,</p>		<p>currently some unfilled vacancies which are likely to require recruitment. A change of depot location would have an impact on staff commutes which could result in some staff leaving, potentially necessitating further recruitment.</p> <p>In the longer term, it is possible that IT improvements and more efficient ways of working may allow some reduction in head count and/or hours.</p>
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	<p>whereas TH CES currently uses 12.6 FTEs (plus one agency worker).</p> <p>An alternative approach for some staff members (e.g. the Senior Specialist OT) could be for them to transfer to another TH in-house role.</p> <p>At the moment no requirements for competitive assimilation processes have been identified for any TH staff moving to Medequip, although a competitive process cannot be ruled out for some staff members.</p> <p>In addition TH CES has the following two temporary staff members. It is assumed these individuals would not transfer:</p> <ul style="list-style-type: none">• 1 driver / tech (agency or temporary assignment – assumed would leave)• 1 CES manager (temporary assignment – assumed would return to substantive role) <p>TH policies may require a staff consultation.</p>		
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	<p>Medequip has substantial experience with transferring staff from in-house CESSs.</p> <p>This information should be treated as indicative only for a number of reasons including:</p> <ul style="list-style-type: none"> • The staff members working at the CES frequently change (data on TH CES staff were correct as at 4th April 2018). • “Approximate” job matching has only been carried out based on job title. More detailed matching based on JDs, skills/qualifications and/or duties actually carried out would need to be done before transfer plans can be finalised. • Legal advice has been requested but not yet provided, e.g. on job matching. 		
<p>5. Joining – Conditions; Costs; Timescale</p>	<p>On 4th May we were notified that the London Consortium (LC) has “agreed in principle that if Tower Hamlets were to make a request to join the Consortium the request would be accepted”. No conditions were stipulated.</p> <p>The remaining process would be</p>	<p>In order to award a CES contract to Enabled Living without carrying out a tender, Tower Hamlets would need to have a share in the control of Enabled Living, by having board representation, and by being a part owner of the organisation or a member by guarantee. Further information not provided.</p>	<p>Not applicable</p>

	<p>as follows:</p> <ol style="list-style-type: none">1. TH can confirm with LC in June if we are recommending joining and re-commencing engagement with LC, including potentially sending delegates to some meetings if TH wishes.2. After TH obtains cabinet approval and the TH's call-in period finishes TH should send formal notification to the LC that they wish to join. There will be an "almost immediate response from the Consortium agreeing to [TH's] request". There will be no need to go through another LC Board meeting to ratify the decision.3. The implementation period can start & a project board will be convened including representation from Medequip, the LC (the CLO and at least two other Consortium Committee Members), and at least one representative from Tower Hamlets. The project will adhere to PRINCE2 methodology.4. Tower Hamlets will execute a call-off agreement with Medequip (ASAP after implementation starts)5. Tower Hamlets will execute an inter-authority agreement with the LC's lead borough (prior to go-live)		
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	<p>6. Tower Hamlets goes live (probably end 2018 or early 2019) – at which point the LC will invoice for the lump sum joining fee and regular subscriptions begin to be payable.</p> <p>The LC joining fee will be no more than £12,000.00 (it could be less – the final decision on exact fee still to be taken by the LC). The joining fee is a contribution to the costs of running the commissioning and procurement project for the current framework, and implementation costs.</p> <p>The annual subscription is £9450 per year (for the current financial year) and the first year’s payment would be proportionally calculated based upon an agreed go-live date. The annual subscriptions mainly fund staff members who work exclusively for the LC members, including working to manage the global catalogue, negotiate and implement improvements to the service and IT, and resolve any issues affecting multiple LC member boroughs.</p> <p>Medequip’s “normal”</p>		
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	<p>implementation period is 13 weeks. Medequip has stated they can reduce this to circa 8 weeks from award in the case of Tower Hamlets.</p>		
<p>6. Risks- Assessment of likelihood of achievement, including savings</p>	<p>Risks include:</p> <ul style="list-style-type: none"> • Prices may increase, especially during the extension periods. • Current KPI performance with the LC may be skewed by the use of “reason codes” by Medequip, resulting in actual performance for TH not being as good as expected after go-live. • There may be a need or desire for TH to reduce stock holdings prior to go-live, which could result in service performance issues whilst this is being done. • Although MQ stated that they can provide an extended hours service as per the specification document they were sent (see their response document “MQ response to TH specification doc 080518v1”), there is a risk that it is expensive for MQ to provide this, or that performance is not satisfactory. 	<p>Information not available</p>	<p>TH would have to find suitable and sufficient project staff resources to move to and set up the new depot and make a range of service improvements including IT upgrades, whilst mitigating risks and ensuring business continuity. There is a risk of failing to secure the additional project staff required. It is likely the project could be successfully completed and nearly all other risks mitigated provided that the right project staff resources are secured.</p> <p>Other risks include:</p> <ul style="list-style-type: none"> • Failing to find a suitable and cost effective depot in a suitable location • Problems implementing and using the IT upgrades (likelihood would be reduced by ensuring the project team has IT expertise and by working with the software

	<p>TH may wish to negotiate a local variation with Medequip to extend the normal hours of operation from the standard framework hours of 08:00 – 17:00 Mon-Fri to match or be close to TH CES’s current “extended hours”. Although the framework agreement allows adjustment of normal working hours, legal advice may need to be sought on this.</p> <ul style="list-style-type: none"> • Issues relating to data transfer from ELMS to TCES Connections • Issues with construction of a PIN matrix to ensure control and authorisation of prescriber ordering • Staff TUPE – there is a risk that TUPE assumptions have been incorrect when detailed matching and JD analysis are carried out and when legal advice is provided. • Change in product range being used causing problems for prescribers and carers • The financial models were based on a range of assumptions and were constructed using existing TH 		<p>provider (Ethitec).</p> <ul style="list-style-type: none"> • Ongoing difficulties with recruiting staff into the in-house CES persisting (although this should be mitigated if permanent contracts can be offered after the review is completed) • There may be a need to reduce stock holdings, or store it more efficiently, which could result in service performance issues whilst this is being done. • The financial models were based on a range of assumptions and were constructed using existing TH CES metrics from 2017-18. There is a risk that one or more of these assumptions turns out to be inaccurate, which could mean there would be a material difference between the forecast income and expenditure and actual income and expenditure in one or more financial years.
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	<p>CES metrics from 2017-18. There is a risk that one or more of these assumptions turns out to be inaccurate, which could mean there would be a material difference between the forecast income and expenditure and actual income and expenditure in one or more financial years.</p>		
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