



Executive

Monday, 14 March 2011 at 7.00 pm

Committee Rooms 1, 2 and 3, Brent Town Hall, Forty Lane, Wembley, HA9 9HD

Membership:

Lead Member Councillors:

Portfolio

John (Chair)	Leader/Lead Member for Corporate Strategy and Policy Co-ordination
Butt (Vice-Chair)	Deputy Leader/Lead Member for Resources
Arnold	Lead Member for Children and Families
Beswick	Lead Member for Crime Prevention and Public Safety
Crane	Lead Member for Regeneration and Economic Development
Jones	Lead Member for Human Resources and Diversity, Local Democracy and Consultation
J Moher	Lead Member for Highways and Transportation
R Moher	Lead Member for Adults, Health and Social Care
Powney	Lead Member for Environment, Planning and Culture
Thomas	Lead Member for Housing and Customer Services

For further information contact: Anne Reid, Principal Democratic Services Officer
020 8937 1359, anne.reid@brent.gov.uk

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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item Page

1 Declarations of personal and prejudicial interests

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2 Minutes of the previous meeting 1 - 20

3 Matters arising (if any)

Children and Families reports

4 Review of formula funding for SEN statementing in mainstream schools 21 - 40

This report seeks member's approval to proposed changes to the schools funding formula in respect of statements of special educational need (SEN) in mainstream schools. The changes proposed have been agreed by the Schools Forum at its meeting 31 January 2011. The proposals covered in this report affect only the Schools Budget and have no impact on the Council's General Fund

Ward Affected:
All Wards;

Lead Member: Councillor Arnold
Contact Officer: Krutika Pau, Director of Children and Families
Tel: 020 8937 3126 krutika.pau@brent.gov.uk

5 Authority to invite tenders for short break services for disabled children and young people 41 - 50

A report was approved by the Executive on 18th January 2010 to invite tenders for framework contracts for the provision of Short Break Services provided for disabled children and young people in their own home, as required by Contract Standing Orders 88 and 89. Due to need to achieve ever greater efficiencies and in view of the additional suppliers in this market, an alternate process of tendering the service is now envisioned with the establishment of multiple provider frameworks rather than single provider frameworks.

Ward Affected:
All Wards;

Lead Member: Councillor Arnold
Contact Officer: Krutika Pau, Director of Children and Families
Tel: 020 8937 3126 krutika.pau@brent.gov.uk

Housing and Community Care reports

6 Provision of transport for adult social care service users - promoting independence 51 - 80

In July 2010 the Executive agreed to adopt the proposed Eligibility Policy for access to Council funded transport subject to the satisfactory outcome from the public consultation. The consultation process is now complete and this report highlights the results from the series of consultation meetings and sets out the next steps for implementation of the new policy if adopted.

Ward Affected: All Wards;
Lead Member: Councillor R Moher
Contact Officer: Lance Douglas, Quality and Support
Tel: 020 8937 4048 lance.douglas@brent.gov.uk

7 Supporting people procurement plan and related contract issues 81 - 94

In May 2007 Brent Council's Executive agreed a 4 year Procurement Plan for contracts funded through Supporting People Grant. As the period covered by this plan is coming to an end, this report sets out a Procurement Plan for Supporting People funded services for the next 3 years. The report requests authority to approve the award of new contracts for Supporting People funded contracts providing services for women escaping violence and homeless families and services for single homeless people in order to allow sufficient time for them to be procured in line with the Procurement Plan.

Ward Affected: All Wards;
Lead Member: Councillor R Moher
Contact Officer: Helen Duckworth, Supporting People
Tel: 020 8937 2283 helen.duckworth@brent.gov.uk

8 ALMO amendment to Memorandum of Association - registered provider status 95 - 108

In order to meet regulatory requirements for access to grant funding to progress existing new build development, and to secure financial benefits for the delivery of the Settled Homes Initiative (SHI), Brent Housing Partnership (BHP) needs to become a Registered Provider with the Tenant Services Authority (TSA). Registered Provider status and the regulatory compliance regime with the TSA will only apply to BHP's directly owned social rented homes.

Ward Affected: All Wards;
Lead Member: Councillor Thomas
Contact Officer: Martin Cheeseman, Director of Housing and Community Care, 020 8937 2341, martin.cheeseman@brent.gov.uk

Environment and Neighbourhood Services reports

9 Environment and Neighbourhoods Capital Spend 20011/12: Highways Major Works Programme 109 - 162

This report makes recommendations to members detailing the prioritised programme for major footway upgrade projects, carriageway resurfacing

schemes, improvements to grass verge areas and accessibility, renewal of marginal highway land, new street signage, gulley maintenance, carriageway resurfacing – short sections, and footway upgrades – short sections. The Executive are asked to approve the expenditure of the £2,920k capital budget allocation for the 2011/12 capital works programme, which has been included in the Budget Setting report submitted to the meeting of the Executive on 15 February.

Ward Affected:
All Wards;

Lead Member: Councillor J Moher
Contact Officer: Tim Jackson, Transportation Unit
Tel: 020 8937 5151 tim.jackson@brent.gov.uk

Regeneration and Major Projects reports

10 South Kilburn Regeneration - Procurement of developer framework and regeneration update 163 - 182

This report seeks approval to finalise the procurement of the South Kilburn Regeneration Developer Framework. It also seeks approval to progress to planning application a design for two sites within phase 2 of the regenerations and updates on the progress of the wider regeneration of South Kilburn.

Ward Affected:
Kilburn;

Lead Member: Councillor Crane
Contact Officer: Andrew Donald, Director of
Regeneration and Major Projects
Tel: 020 8937 1049 andrew.donald@brent.gov.uk

11 Wembley Link Supplementary Planning Document (SPD) 183 - 202

This report asks the Executive to consider the consultation responses to the draft Wembley Link Supplementary Planning Document (SPD) and proposed changes to the consultation draft. Executive is asked to adopt the Wembley Link as supplementary to the council's 2010 Core Strategy and 2011 Site Specific Allocations.

Ward Affected:
Tokyngton;
Wembley Central;

Lead Member: Councillor Crane
Contact Officer: Dave Carroll, Planning and
Development
Tel: 020 8937 5202 dave.carroll@brent.gov.uk

Central Reports

12 Performance and Finance 2010/11 Quarter 3 203 - 216

This report summarises Brent Council's budget position, expenditure, activity data and performance trends for the quarter and recommends action where appropriate. The purpose of the report is to provide a corporate overview of financial and performance information in order to aid the decision-making process and effectively manage risk. Additional more in-depth analysis is available upon request.

Ward Affected:

Lead Member: Councillor John

All Wards;

Contact Officer: Phil Newby, Director of Strategy,
Partnerships and Improvement, Clive Heaphy,
Director of Finance and Corporate Services
Tel: 020 8937 1032, Tel: 020 8937 1424
phil.newby@brent.gov.uk,
clive.heaphy@brent.gov.uk

13 Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

14 Reference of item considered by Call in Overview and Scrutiny Committee (none)

15 Exclusion of Press and Public

The following item is not for publication as it relates to the following category of exempt information as specified in the Local Government Act 1972 namely:

“Information relating to the financial or business affairs of any particular person (including the authority holding that information)”.

- Appendices to South Kilburn report

Date of the next meeting: Monday, 11 April 2011



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.
- Toilets are available on the second floor.
- Catering facilities can be found on the first floor near The Paul Daisley Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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LONDON BOROUGH OF BRENT

MINUTES OF THE EXECUTIVE Tuesday, 15 February 2011 at 7.00 pm

PRESENT: Councillor John (Chair), Councillor Butt (Vice-Chair) and Councillors Arnold, Beswick, Crane, Jones, J Moher, R Moher, Powney and Thomas

ALSO PRESENT: Councillors Al-Ebadi, Harrison, Hunter, Lorber, Ogunro, Oladapo and HB Patel

1. **Declarations of personal and prejudicial interests**

Councillor Jones declared an interest in the report relating to the housing revenue account as a member of Brent Housing Partnership Board.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 17 January 2011 be approved as an accurate record of the meeting.

3. **Matters arising (if any)**

4. **Petition - Mission Dine Centre**

A representative of Mission Dine Centre addressed the meeting and set out concerns relating to proposals to demolish their premises on Fry Road NW10 to facilitate the expansion of Newfield Primary School on Longstone Avenue. She put that it had not been made clear that the building, which had been built by a charity, would be demolished. She stated the centre felt that they had not been well treated, having unexpectedly had a thirty year lease reduced to seven. The consultation, she felt, had been misleading and was flawed adding that MDC had not been included in the consultation list. It was felt that the compact between the MDC and the council had been breached. The school was not 'high performing' as defined under the legislation and as such did not qualify for expansion. Members were requested to take into account the view expressed that there were already sufficient schools in the area. The allegation that MDC was in rent arrears was refuted as the council had ceased grant funding in 2008/2009 but the organisation had continue to provide services.

5. **Deputations**

The Executive agreed to hear at the start of the meeting contributions from members and members of the public relating to a number of items on the agenda.

Preston Manor High School expansion

Local residents addressed the Executive and spoke against proposals to expand Preston Manor High School, Carlton Avenue East. Mr Singer referred to the intolerable increase in traffic in the area particularly at the start and end of the school day exacerbated when refuse trucks were in the vicinity. Some motorists resorted to making illegal manoeuvres in a bid to make progress and Mr Singer expressed concern at the possibility of accidents taking place. Mr Musto referred to the existing covenants on the school's playing fields that had been put in place to protect public and private life which he felt should be respected. He felt that the proposals would have a detrimental effect on quality of life and amenity value in an area said to be open space deficient and did not accept the assertion that the proposal was better than any other. Another concern was that the additional places at Preston Manor would increase demand for the nearby Preston Park Primary School. Mr Musto also felt that there had been a lack of consultation. Ms Hadlow questioned what alternatives were in place should the planned expansion not proceed as the government funding currently on offer would then be lost. She also stated that at the start of the consultation indications were that the proposals were for a one storey building however at a second meeting there was reference to a building two storeys high with a distinctive roof. There also appeared to be discrepancies between information given on the distance from the development to the nearest back gardens. Mr Freeson stated that issues raised previously had not been answered. Schools were being built in inappropriate places while existing temporary schools were only two thirds full. Mr Freeson felt that the all-through schools would have an unfair advantage over other schools, particularly those in the south of the borough. He also expressed concern over the appointed contractors. Mr Gordon referred to problems that residents were currently facing with the school which included street arguments between students, damage to residents' gardens and litter from fast food.

Councillor HB Patel (ward councillor, Leader of the Conservative Group) referred to the issue of school places and questioned whether the area in the vicinity of the school was one of high local demand. He put forward the possibility that, as demand was borough wide, pupils living in the ward may still not be able to get a place at the school despite the expansion.

Restructuring of children's centre buildings/provision in Brent

Ms Tait and Ms Quinn spoke against proposals to reduce service provision in children's centres and referred to support they had received from the Three Trees Children's Centre in Tiverton Road, NW10 at difficult times in their lives. They were grateful for the counselling services, professional advice and workshops that had helped them and increased their confidence. They commended the joint working between the professions.

Budget – library provision

Local residents spoke against library budget reductions and in support of retaining local libraries.

Samantha Warrington cautioned against implementing budget cuts without an appropriate level of scrutiny of the cost implications. She stated that the council was

prepared to spend money on a new civic centre and a new library while no attempt had been made to get funding from the private sector to help keep libraries open or to negotiate funding from S106 agreements. She raised concerns on the accuracy of the figures quoted as part of the library transformation consultation, the absence of measurable outcomes, any debate on the need for larger libraries or an assessment of the environmental impact of the proposals. Ms Warrington reminded the Executive of the importance of local libraries for children and for community cohesion. James Hogan spoke in support of the retention of local libraries in particular Kensal Rise library which had a long history. He stated that some local authorities had been able to make budget cuts without closing libraries and emphasised the value of services to the community over and above financial costs. David Butcher cautioned against making decisions to close libraries based on the current financial situation which would be irreversible in the future and which would have wider adverse effects on the public. The possibility of losing a local library had served as a reminder to the community of their importance and Mr Butcher urged the Executive to have the courage to make decision to save local libraries. He rejected the view that the opportunity to buy books more cheaply was a comparable alternative. Anna Dolezal spoke in support of retaining local libraries in particular Cricklewood library as once the current economic crisis was over, money could only be pumped back into libraries that were still in existence. Ms Dolezal expressed concern for the continued employment of library staff and the need to adhere to the spirit of covenant that was in place to protect Cricklewood library and for it not to be given away to be run by volunteers or charities.

Councillor Lorber (Leader of the Opposition) put forward the view that the decline in library usage was due to the low number of books available to borrow. He also referred to proposals for Willesden Green Library which may not be beneficial to residents.

Charteris Sports Club

Ms Jessica Hynes (local resident) addressed the Executive on behalf of petitioners who were against plans to close Charteris Sports Centre as contained in the budget report. She stated that it was a highly valued community asset also used by schools with an above national average usage, the closure of which would have an adverse effect on crime statistics. Ms Hynes advised that the residents of Kilburn were willing to help run the centre as part of a partnership arrangement and to work on ways of reducing costs. They had already met with representatives of Sport England and were committed to retaining the facility.

Festivals

Mr Paresh Modasia addressed the Executive on behalf of the Hindu Council and spoke against proposals to reduce funding for the Navratri festival which was now out for consultation having been the subject of a report to the meeting of the Executive in January. Budget provision for festivals was included in the report before members. Mr Modasia said that Navratri was an important part of Hindu Culture bringing everyone together to share cultural learning especially children and hard to reach communities. The need for savings was understood however it was felt that the cost of the Navratri was relatively low and the schools used for the events benefitted throughout the year. Mr Modasia called on the council to conduct a fair consultation exercise.

Decommissioning the Brent Community Law Centre and the Brent Private Tenants Rights Group

Jacky Peacock spoke on behalf of funding for BPTRG so that it could continue to provide services for people in the private rented sector which she said was unregulated. She referred to the poor living conditions still in existence in some areas and the landlords many of whom were unaware of their responsibilities. She feared that central government initiatives to reduce housing benefit would not lead to a reduction in rent levels but rather increase overcrowding and the number in rent arrears. Jamie Richie addressed the meeting against proposals in the budget report to decommission the Brent Law Centre which he said would amount to closure. Demand for services was increasing while additionally legal aid funding was being reduced. He felt that the voluntary sector deserved better treatment, to be given clear and consistent information on funding arrangements and to be properly consulted. Giving the public advice saved money in the long run.

Councillor John (Chair) on behalf of the Executive, thanked members of the public for attending and for their contributions. She explained that the council was required to set a legal budget and all concerns expressed would be taken into consideration. The final decision on the budget would be made at the meeting of Full Council on 28 February 2011.

6. Newfield Primary School - determination of proposal to alter Newfield Primary School

Councillor Arnold (Lead Member, Children and Families) introduced the report from the Director of Children and Families and the Director of Regeneration and Major Projects which informed the Executive of the outcome of the statutory proposals to alter Newfield Primary (Community) School through expansion by one form of entry from 5 September 2011. The representation period on the proposal ended on 30 December 2010 and the report sought Executive approval to permanently expand Newfield Primary School, conditional upon planning permission being granted.

Earlier in the evening the Executive had received a petition from a representative of Mission Dine Centre who spoke against the expansion of the school as the plans involved the demolition of the centre which was adjacent. Councillor Arnold referred to the unprecedented demand for school places and the particular shortage in year one. The council had a statutory duty to provide places and she referred to the advantages of extending the school accommodation and its capacity to improve. Councillor Crane (Lead Member, Regeneration and Economic Development) expressed regret that the council had had to serve notice on the Mission Dine Centre and recognised their objectives which the council had supported for many years. He added that notwithstanding the outstanding rent the council would continue to work with the centre and help identify alternative accommodation but felt that the needs of the young people outweighed those of the centre.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Newfield Primary (Community) School by one form of entry from 5 September 2011,

conditional upon the granting of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;

- (ii) that it be agreed that the main factor for approving the alteration of Newfield Primary School was to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

7. Brentfield Primary School - determination of proposal to alter Brentfield Primary School

The report from the Directors of Children and Families and of Regeneration and Major Projects informed the Executive of the outcome of the statutory proposals to alter Brentfield Primary (Community) School through expansion by one form of entry from September 2011. The representation period on the proposal ended on 23 December 2010. The report sought approval to permanently expand Brentfield Primary School, conditional upon planning permission being granted.

Councillor Arnold (Lead Member, Children and Families) in introducing the report added funding for the project would come from the Basic Needs Safety Valve and the governing body were happy to take on the additional pupils. Councillor Crane (Lead Member, Regeneration and Economic Development) referred to the tight timescales involved.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Brentfield Primary (Community) School by one form of entry from 5 September 2011, conditional upon the grant of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;
- (ii) that it be agreed that the main factor for approving the alteration of Brentfield Primary School is to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

8. Preston Manor High School - determination of proposal to alter Preston Manor High School

Councillor Arnold (Lead Member, Children and Families) introduced the report which informed the Executive of the outcome of the statutory proposals to alter Preston Manor High (Foundation) School by lowering the age limit of the school and as a result, enlargement of the premises of the school which would increase the physical capacity of the school. Representation period on the proposal ended on 16 December 2010. The governing body of Preston Manor High School proposed to alter the school by providing two form entry primary provision from 5 September 2011. The report sought Executive approval to permanently expand Preston Manor High School, conditional upon the planning permission being granted.

Earlier in the meeting members had received representations from residents living in the vicinity of the school objecting to the proposals Councillor Arnold (Lead Member, Children and Families) in introducing the report advised that the proposals would help children in year 6 to have guaranteed places. Councillor Crane (Lead Member, Regeneration and Economic Development) in response to the

representations received earlier in the meeting from residents stated that the council was aware of the covenant on the school land which would be addressed and that this would be a matter for the Planning Committee. The timescales were tight and if the scheme was not progressed the central government funding would be lost.

The Executive also had before them an appendix to the report which was not for publication as it contained the following categories of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

RESOLVED:-

- (i) that approval be given to the permanent expansion of Preston Manor High (Foundation) School to provide two forms of entry primary provision from 05 September 2011. This would allow the school to expand by a) lowering the age limit of the school and as a result, b) enlargement of the premises of the school which would increase the physical capacity of the school. This was conditional upon the granting of full planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 April 2011;
- (ii) that it be agreed that the main factor for approving the alteration of Preston Manor High School is to provide permanent primary places in an area of the borough which has severe shortage of reception and year 1 school places.

9. **Restructuring of Children's Centre buildings/provision in Brent**

The Executive received the report from the Director of Children and Families which set out information on how services to children under five years were to be provided through the SureStart Grant. The report also identified how savings of £2.25m could be made within the service area in 2011/2012. Councillor Arnold (Lead Member, Children and Families). referred members to the list of 17 centres, none of which would be closing. Responsibility for a further seven would pass to schools.

In response to concerns expressed earlier in the meeting Councillor John (Chair, Leader of the Council) advised that the children centres would continue to operate full time. While formal consultation would take place on the shared service arrangements (a compromise to avoid any closures) there were no plans to remove substantive services and those in need would continue to receive services. She referred members to the recommendations in the report.

RESOLVED:-

- (i) that agreement be given to not to build three phase three children's centres; Sudbury, Cricklewood and Kingsbury Intergenerational Centre;

- (ii) that the proposal for a further three phase three Children's Centres; Wykeham, Preston Park and Mount Stewart to be designated as service delivery points instead of full Children's Centres, and become, via a formal agreement, the responsibility of schools on whose sites they are being developed, be explored;
- (iii) that it be agreed that carrying forward the proposals in the previous two recommendations would still ensure that the Council's network of Children's Centres is sufficient to meet local need;
- (iv) that the proposal for the relevant maintained nursery schools to take responsibility for all running costs associated with Curzon Crescent, Fawood and Granville Plus children centres, be explored;
- (v) that authority be delegated to the Director of Legal and Procurement and the Director of Children and Families to finalise the terms of agreements with the governing bodies of Wykeham, Preston Park and Mount Stewart governing bodies as set out above;
- (vi) that the additional savings set out in paragraph 4 of the report from the Director of Children and Families be pursued.

10. **Housing revenue account**

Councillor Thomas (Lead Member, Housing and Customer Care) introduced the report from the Director of Housing and Community Care. The report presented to members the revised (probable) HRA budget for 2010/11 and the draft HRA budget for 2011/12 as required by the Local Government and Housing Act 1989. Members were required to consider these budget estimates and the associated options, taking account of the requirement to set a Housing Revenue Account (HRA) budget that did not show a deficit and need to consider and agree the level of HRA dwelling rents and service charges for 2011/12.

Councillor Thomas drew attention to the average overall rent increase (excluding service charges) of £5.50 per week, which was an average overall increase of 6.14% and the increase in service charges on the Brent Stonebridge Dwellings by an average of 5.3% (correcting the figure referred to in the report).

RESOLVED:-

- (i) that the revised (probable) budget for 2010/11 (Appendix 1 Table 1 of the report from the Director of Housing and Community Care) be approved;
- (ii) that approval be given to the draft budget for 2011/12 (Appendix 1 Table 1);
- (iii) that the revised growth of £138k in 2011/12, and the proposal for funding that growth, as set out in paragraph 3.41 of the report be agreed;
- (iv) that the growth proposal of £977k for the ALMO Round 2 interest rate adjustment as set out in paragraph 3.42 of the report be agreed;

- (v) that the savings/budget reductions as set out in paragraph 3.39.3 of the report be agreed;
- (vi) that approval be given to an average overall rent increase (excluding service charges) of £5.50 per week, which is an average overall increase of 6.14%, as set out in further detail in paragraphs 3.21 to 3.25;
- (vii) that approval be given to increase HRA Council Dwelling service charges by 4.6%;
- (viii) that approval be given to an average overall rent increase of £5.63p per dwelling per week on the Brent Stonebridge Dwellings, which is an average overall rent increase of 5.3% as set out in paragraph 3.59 of the Director's report;
- (ix) that approval be given to increase the service charges on the Brent Stonebridge Dwellings by an average of 50.3% or an average of £2.66 per dwelling per week as set out in paragraph 3.64 of the Director's report;
- (x) that authority be delegated to the Director of Housing and Community Care to agree in consultation with the Director of Finance and Corporate Services the Brent Housing Partnership (BHP) management fee for the financial year 2011/12;
- (xi) that, following the decision of the Executive, an electronic copy of the report be circulated to all Members.

(Councillor Jones declared a personal interest as a member of the Brent Housing Partnership Board).

11. The transfer of capital assets from NHS Brent to Brent Council in line with the Learning Disability Valuing People Now Strategy

The report before members sought agreement to the freehold transfer of four residential properties from Brent Primary Care Trust namely 54 Beechcroft Gardens, HA9, 7 Kinch Grove HA9, 63 Manor Drive HA9 and 1-5 Peel Road HA9. It also requested that legal charges were placed on each of the four properties and the Albert Road Day Centre. Councillor R Moher (Lead Member, Adults, Health and Social Care) advised that funds received would be reinvested.

RESOLVED:-

- (i) that authority be delegated to the Director of Housing and Community Care and Assistant Head of Property and Asset Management in consultation with the Director of Housing and Community Care to finalise terms and complete a transfer to Brent Council;
- (ii) that authority be delegated to the Head of Property and Asset Management to undertake an auction and complete a sale of Peel Road or if appropriate a letting;

- (iii) that approval be given to the attachment of a legal charge against the four residential properties and the Albert Road Day Centre replacement.

12. **Development of Contracts with Voluntary Organisations (Carer Services)**

Councillor R Moher (Lead Member, Adults, Health and Social Care) explained that the report from the Director of Housing and Community Care asked the Executive for approval to extend its partnership arrangements (and its contribution to the pooled budget detailed in paragraph 4.3 of the report) with NHS Brent to deliver services for carers in Brent for the period 2011-2013. It was also proposed to change the funding arrangements for organisations from grant funding mainstream services to provision under annual contractual arrangements starting from 1 April 2011 to 31 March 2012 and to agree that they need not be tendered in accordance with usual Contract Standing order requirements for reasons set out the report.

RESOLVED:-

- (i) that approval be given to a two year extension of the s75 partnership agreement (and its contribution to the pooled budget detailed in paragraph 4.3 of this report) with NHS Brent approved on 26 May 2009 for the establishment of a pooled budget, such extension to take effect from 1 April 2011 to 31 March 2013;
- (ii) that approval be given to an exemption in accordance with Contract Standing Order 84(a) from the usual tendering and quotation requirements of Standing Orders to permit negotiations leading to the award of one year contracts on the basis of good operational and financial reasons as set out in paragraph 3.15-3.21 of the report from the Director of Housing and Community Care.

13. **Re-adoption of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 (as amended by The Policing and Crime Act 2009) Licensing Of Sexual Entertainment Venues**

The Executive were reminded by Councillor Powney (Lead Member, Environment, Planning and Culture) that on 14 September 2010 agreement had been given to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of The Police and Crime Act 2009. Notice of the adoption failed to appear in a local newspaper two weeks in succession and therefore members were asked to re-adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of The Police and Crime Act 2009.

RESOLVED:-

that Schedule 3 of The Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Police and Crime Act 2009 be re-adopted.

14. **The Brent Placemaking Guide**

The Lead Member for Highways and Transportation, Councillor J Moher, introduced the report from the Director of Environment and Neighbourhood Services which advised that the Brent Placemaking Guide had been developed in order to support

and advise all those whose work impacted on the design of the public realm. Councillor Moher added that the guidance affected street users, and had been designed to also safeguard people with visual impairments.

RESOLVED:-

- (i) that approval be given to the Brent Placemaking Guide;
- (ii) that the Director of Environment and Neighbourhood Services, in consultation with the Director of Regeneration and Major Projects arrange a series of design workshops across council departments to ensure that the advice and guidance given in the guide is adopted and understood by all council staff whose work impacts on the design of Brent's public realm.

15. **Regeneration Strategy 2010-2030**

Councillor Crane (Lead Member, Regeneration and Economic Development) introduced the proposed new twenty year Regeneration Strategy for the Borough which would replace the current strategy, first published in 2001. It set out the rationale and gave details of the proposed new priorities that would be used to maximise investment into the Borough in order to deliver the vision. Councillor Crane referred to the recently created department of Regeneration and Major Projects that would be taking the lead on the strategy to achieve the new priorities.

RESOLVED:-

that the new Regeneration Strategy 2010 -2030, as set out in Appendix 1 of the report from the Director of Regeneration and Major Projects be approved and endorsed.

16. **The Willesden Green Project**

The report from the Director of Regeneration and Major Projects outlined redevelopment options for the Willesden Green Library site. It set out proposals for the comprehensive redevelopment of the entire site into a mixed used scheme to include a new bespoke flagship Council building with housing. Councillor Crane (Lead Member, Regeneration and Economic Development) stated that the intent at this stage was to gain approval to test the market and establish if the redevelopment of Willesden Green Library could be delivered at zero net capital cost to the Council and then to report back. He advised that some consultation had started and the intention, should the scheme progress, would be to minimise any period of closure and to put in place continuity plans.

Councillor Hunter (ward councillor) questioned whether in the event of the Willesden Green project proceeding, the local libraries at Neasden and Cricklewood currently being considered for closure as part of the library transformation programme could remain open at least for the transition period. Councillor Powney reminded that the project was still at feasibility stage but in any event robust arrangements would be in place during any transition stage.

The Executive also had before them appendices to the report which were not for publication as they contained the following category of exempt information as

specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that agreement in principle be given to the comprehensive redevelopment of the entire 0.86 hectare Willesden Green Library site in accordance with paragraph 3.11 of the report from the Director of Regeneration and Major Projects;
- (ii) that the proposed use of the Homes and Community Agency Developer Partner Panel Framework to procure a development partner be endorsed;
- (iii) that the proposed interim service delivery strategy for the library service be endorsed;
- (iv) that the proposed consultation strategy outlined in paragraph 3.33. of the report from the Director be endorsed;
- (v) that the Assistant Director of Regeneration and Major Projects (Property and Assets) dispose of the land at Chambers Lane Willesden Green shown crossed hatched black on Plan A at Appendix 1 of the report with vacant possession by way of auction, on such terms as he considers appropriate provided that such reserve price as he considers appropriate is achieved;
- (vi) that the Director of Regeneration and Major Projects be authorised (where the Director Regeneration and Major Projects in conjunction with the Director of Legal and Procurement consider applicable) to appropriate the Willesden Green Library site shown crossed hatched black on Plan B (at Appendix 1 of the report) for planning purposes when it is no longer required for the purposes for which it is currently held;
- (vii) that the Director of Regeneration and Major Projects (in conjunction with the Director of Legal and Procurement) in respect of the housing land shown cross hatched black on Plan C at Appendix 1 forming part of the Willesden Green Library site (together with such other areas of land acquired for housing purposes which investigations may subsequently reveal have not been previously appropriated) be authorised to seek consent of the Secretary of State (if applicable):
 - (a) under Section 19 of the Housing Act 1985 to an appropriation for planning purposes;
 - (b) under Section 32 of the Housing Act 1985 to the disposal of this land.

17. **11-15 Brondesbury Road**

The report from the Director of Regeneration and Major Projects sought agreement to the leasing of the offices known as 11-15 Brondesbury Road, NW6 6BX to the Central and North West London NHS Foundation Trust for a term of 12 years.

RESOLVED:-

that approval be given to the letting of the offices at 11-15 Brondesbury Road to the NHS Trust for a term of 12 years, for a total rent of £490,000 per annum. This rent is inclusive of service charges.

18. **Budget 2011/12**

The report from the Director of Finance and Corporate Services set out the key decisions to be made on the 2011/12 General Fund revenue budget; the 2011/12 Schools Budget; the 2011/12 Housing Revenue Account; the Council's capital programme for 2011/12 to 2014/15; the Council's treasury management strategy; and prudential indicators aimed at ensuring the affordability of capital spending and a secure approach to borrowing and investment.

Councillor Butt (Lead Member, Resources) introduced the budget report and the recommendations proposed to be made to Full Council. Councillor Butt referred to the emergency budget that had been announced by central government in June 2010 and the efforts that had been made to reduce the council's projected overspend. £43M would have to be saved in 2011/12 and Councillor Butt acknowledged the anxiety being felt by the community from concerns expressed earlier in the meeting. Consideration was being given to all aspects of the council's spending and the current efficiency savings programme would help to manage the process.

Councillor Powney moved an amendment to the recommendations in the report to add that the council was in discussion with community groups which may have an effect on the budget. The amendment was accepted.

RESOLVED:-

In respect of Section 3

- 1) to note the final 2009/10 outturn.
- 2) to note the latest forecast for the General Fund outturn (Appendix A(i)) for 2010/11.
- 3) to agree the 2010/11 budget virements (Appendix A(ii)).

In respect of Section 4

- 4) to note the process, including consultation, that has led to these budget proposals and also note that the council remains in discussion with a number of groups about the council's library strategy, Charteris Sports Centre and other council services which may have an effect on the council budget.
- 5) to agree the General Fund revenue budget for 2011/12, as summarised in Appendix B, or consider any amendments to that budget.

- 6) to agree the Service Area budgets including the cost pressures, savings and other adjustments detailed in Appendices C and D.
- 7) to note Appendix F and agree the budgets for central items and other budgets, or consider any amendments to those budgets.
- 8) to note and, where appropriate, make provision for the contingent liabilities and risks set out in this section of the report.
- 9) to agree the approach to balances set out in the report.
- 10) to receive the report from the Director of Finance and Corporate Services in paragraph 4.36 in respect of his statutory duty under Section 25 of 2003 Local Government Act.

In respect of Section 5

- 11) note that the GLA precept will be approved at the meeting of the Greater London Assembly on 23rd February 2011.
- 12) to note the advice of officers regarding council tax levels.
- 13) to agree there is no surplus or deficit at 31st March 2010 for that part of the Collection Fund relating to community charge.
- 14) to note and consider the advice of the Director of Legal and Procurement as set out in Appendix M.
- 15) to agree the instalment dates for council tax and NNDR for 2010/11, and the recovery policy for council tax as set out in Appendix G(ii).

In respect of Section 6

- 16) to agree the Medium Term Financial Strategy and the provisional service area cash limits for 2012/13 to 2014/15 set out in Appendix H.

In respect of Section 7

- 17) to agree the Schools Budget set out in Appendix I(i).

In respect of Section 8

- 18) to agree the Housing Revenue Account budget set out in Appendix J.

In respect of Section 9

- 19) to note the latest forecast outturn position on the 2010/11 capital programme, and agree the revised budgets.
- 20) to note the properties included within the disposals programme set out in Appendix K(v).

- 21) to agree the 2011/12 to 2014/15 programme as set out in Appendix K(iii), including the new capital allocations.
- 22) to note the inclusion in this Capital Programme of all capital schemes, irrespective of the source of funding and agree that all schemes are subject to the approval procedures as set out in the Constitution.
- 23) to note the levels of unsupported borrowing forecast for 2011/12 and future years and the impact on council tax levels.
- 24) to adopt the policy on repayment of principal in 2011/12 as set out in paragraphs 9.15 to 9.22.

In respect of Section 10

- 25) Agree the Treasury Management Strategy and the Annual Investment Strategy for 2011/12.

In respect of Section 11

- 26) to note the requirements of the Prudential Code.
- 27) to agree the Prudential Indicators set out in this section for affordability, capital spending, external debt and treasury management.
- 28) to note the arrangements for monitoring and reporting on Prudential Indicators.

In respect of Section 12

- 29) to note and agree the procedures for controlling expenditure set out in section 12.
- 30) to agree the updated schedule of Provisions and Earmarked Reserves set out in Schedule 1 of Appendix N.

In addition

- 31) to authorise the council's Director of Finance and Corporate Services to:
Make payments on approved capital schemes in 2011/12.
Borrow in 2011/12 up to the limits agreed within the Prudential Indicators.

Enter such leasing arrangements as are necessary to finance the programme for 2011/12 and terminate or renegotiate any existing leases.
Make such minor adjustments to budgets as are necessary.

The following sections of the recommendations relate to the calculation of the budget and council tax as set out by the statutory framework. Amendments to the above recommendations which alter figures in Appendix B will require this section to be changed to reflect these.

- 32) in agreeing the above recommendations and the budget in Appendix B, we note that the effect of all these measures is to produce overall council expenditure in 2011/12 of £268.895m.

33) that we note that £1.006m is attributable to the net deficit on the Collection Fund.

34) that we note that at its meeting on 25 January 2011 General Purposes Committee calculated the amount of 97,252 as its Council Tax Base for the year 2011/12 in accordance with the Local Authorities (calculation of Council Tax Base) Regulations 1992.

35) In relation to the council tax for 2011/12 we resolve:

That the following amounts be now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) £1,018,921,000 being the aggregate of the amount that the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.

(b) £751,032,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.

(c) £267,889,000 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

(d) £164,905,000 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant reduced by the amount of the sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with Section 97(4) of the Local Government Finance Act 1988.

(e) £1,058.94 being the amount at (c) above less the amount at (d) above, all divided by the amount for the taxbase specified above calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(f) Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
705.96	823.62	941.28	1,058.94	1,294.26	1,529.58	1,764.90	2,117.88

being the amounts given by multiplying the amount at (e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

36) that it be noted that for the year 2011/12 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with

Section 40 of the Local Government Finance Act 1992, in respect of the Greater London Authority, for each of the categories of dwellings shown below:

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
206.55	240.97	275.40	309.82	378.67	447.52	516.37	619.64

37) that, having calculated the aggregate in each case of the amounts at (f) and the precepting authority referred to in the preceding paragraph above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of council tax for the year 2011/12 for each of the categories of dwellings shown below:

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
912.51	1,064.59	1,216.68	1,368.76	1,672.93	1,977.10	2,281.27	2,737.52

38) (a) that the Director of Finance and Corporate Services be and is hereby authorised to give due notice of the said council tax in the manner provided by Section 38(2) of the 1992 Act.

(b) that the Director of Finance and Corporate Services be and is hereby authorised when necessary to apply for a summons against any council tax payer or non-domestic ratepayer on whom an account for the said tax or rate and any arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.

(c) that the Director of Finance and Corporate Services be and is hereby authorised to collect revenues and distribute monies from the Collection Fund and is authorised to borrow or to lend money in accordance with the regulations to the maximum benefit of each fund.

19. **Annual Audit Letter 2009/2010**

Members had before them the report from the Director of Finance and Corporate Services which accompanied the Annual Audit Letter for 2009/10 issued by the Audit Commission. Present at the meeting were Andrea White and Paul Viljoen (Audit Commission) Ms White in introducing the Letter advised that an unqualified opinion had been issued on the council's financial statements and arrangements to secure value for money. The detail of these had been discussed at the recent meeting of the Audit Committee. Ms White stated that some additional work had to be undertaken to verify information from some departments as a result of which additional fees had been levied. She reminded members of the need for a consistent approach to be adopted across the council. Ms White also referred to the perceived improvements in the council's human resources function and the One Council Improvement and Efficiency Programme and indicated that the council could do more to embed good practice. Regarding the council's involvement in the London Authorities Mutual Limited (LAML) case she was satisfied that the outcome had not resulted in any material loss to the Council. On the council's responsibility for the proper administration of the affairs of foundation schools Andrea White referred to her recommendations which had been acted on. She concluded by

acknowledging the many challenges which the council would be facing over the coming months, not least the need to deliver a high standard of service within increasing financial pressures.

The Executive thanked Ms White and Mr Viljoen for their contribution and for attending the meeting.

RESOLVED:

that the contents of the Audit Letter 2009/2010 be noted and that the Audit Committee will monitor progress against the main features highlighted and delivery of the Action Plan.

20. Authority to award contract for a server-based desktop solution

Councillor Butt (Lead Member, Resources) introduced the report which requested authority to award a contract for the supply of a server-based desktop solution for the council through an eAuction as required by Contract Standing Order 88. This report summarised the process being undertaken to procure this contract through a mini competition, under an existing pre-tendered local authority Framework established by Eastern Shires Purchasing Organisation ("ESPO"), and recommended approval of the processes and mechanisms of the mini competition and award to the successful eAuction bidder. Councillor Butt stated that the new equipment would be more efficient and would save money on licenses and was also environmentally friendly.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

- (i) that the process being undertaken for the procurement of a server-based desktop solution via the ESPO framework be noted;
- (ii) that agreement be given to the evaluation process for the award of the server-based desktop solution contract as outlined in paragraphs 3.15 – 3.25 of the report from the Director of Finance and Corporate Services and Appendices 1 and 2;
- (iii) that subject to (v) below, agreement be given to the award of contract for a server-based desktop solution for an initial term of three years with a twenty-four month extension to the successful supplier determined in accordance with the evaluation process (referred to in paragraph (ii) above) following the eAuction;
- (iv) that the Director of Finance and Corporate Services be authorised in consultation with the Director of Legal and Procurement to formalise the

contract award following the eAuction results in accordance with the council's Contract Standing Orders and Financial Regulations;

- (v) that the Director of Finance and Corporate Services be authorised to withdraw from the procurement process at any time prior to signing the call-off contract in exceptional circumstances as further explained in paragraphs 3.25 and 3.26 below of the report.

21. NNDR discretionary rate relief and hardship

The Council had the discretion to award rate relief to charities or non-profit making bodies. It also has the discretion to remit an individual National Non-Domestic Rate (NNDR) liability in whole or in part on the grounds of hardship. The report from the Director of Finance and Corporate Services set out applications received since last considered in June 2010.

The Executive also had before them an appendix to the report which was not for publication as it contained the following category of exempt information as specified in Schedule 12 of the Local Government (Access to Information Act) 1972:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

RESOLVED:-

that approval be given to the discretionary rate relief applications in Appendices 2 and 3 and to reject the hardship applications in the Appendix to the report from the Director of Finance Services.

22. Reference of item considered by Call in Overview and Scrutiny Committee

The Executive had before them, recommendations made by the Call in Overview and Scrutiny Committee at its meeting held on 2 February 2011 in connection with the decision taken by the Executive on 17 January to dispose of the former park keepers' houses at 776 and 778 Harrow Road in the open market.

Councillor Lorber (ward councillor) emphasised the Call in Committee's wish to have in place at the outset conditions on the sale of the land to ensure that any development would be suitable for the area. Councillor Crane (Lead Member, Regeneration and Economic Development) stated that there were already restrictions in place that would prevent undesirable development and that to impose additional conditions would reduce the purchase price. Additionally, there were also adequate planning controls in existence.

The Head of Property and Asset Management confirmed that as the property was held in trust the council had a responsibility to get the best value, the District Valuer had recommended that the council sell the properties as two separate dwellings in order to receive greater capital receipts and planning controls were in place.

RESOLVED:

that the recommendations from the Call in Overview and Scrutiny Committee be not agreed.

23. Exclusion of Press and Public

RESOLVED:-

that the press and public be now excluded from the meeting as the following report contains the following category of exempt information as specified in the Local Government Act 1972 namely:

information relating to the financial and business affairs of any particular person (including the authority holding that information).

24. ALMO Settled Homes Initiative - Tranche 2 loan facility

In order to meet the HCA's acquisition targets, BHP would need to secure a further loan facility from the Council, which is to be supported by BHP using a combination of their rental income stream and reserves. The report from the Director of Regeneration and Major Projects requested approval to provide BHP with a tranche two loan facility in order to finance the acquisition of affordable homes under the Settled Homes Initiative, as set out in paragraph 3.7 of the report and subject to final terms and conditions agreed by the Director of Finance and Corporate Services.

RESOLVED:-

- (i) that approval be given to the provision of a tranche 2 loan facility for to Brent Housing Partnership Limited (BHP) in order to facilitate the acquisition of affordable homes under tranche 2 of the Settled Homes Initiative (SHI) scheme, as specified in paragraph 3.7 of the report from the Director of Regeneration and Major Projects;
- (ii) that authority be delegated to the Director of Finance and Corporate Services, in consultation with the Director of Legal and Procurement, to agree the final terms and conditions of the loan facility, subject to the detail set out in paragraph 3.9 of this report;
- (iii) that it be noted that Council will rely on the General Consent provided by the Secretary of State for Communities and Local Government in December 2010 pursuant to section 25 of the Local Government Act 1988 as set out in paragraph 5.4 of this report as authority to enable the Council to provide a loan facility of a sum set out in paragraph 3.7 of this report to BHP to deliver tranche 2 of the Settled Homes Initiative scheme.

The meeting ended at 9.00 pm

A JOHN
Chair

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Executive
14 March 2011

Report from the Director of Children and Families

Wards Affected:
ALL

Review of Formula Funding for SEN Statementing in Mainstream Schools

1.0 Summary

- 1.1 This report seeks member's approval to proposed changes to the schools funding formula in respect of statements of special educational need (SEN) in mainstream schools.
- 1.2 The changes proposed have been agreed by the Schools Forum at its meeting 31 January 2011.
- 1.3 The proposals covered in this report affect only the Schools Budget and have no impact on the Council's General Fund.

2.0 Recommendations

- 2.1 That members approve a new system of resource bands with associated descriptors of SEN as set out in Appendix A for all new statements or individual pupil resource agreements issued from 1 April 2011 with any future changes to the descriptors and resource levels being agreed by the Schools Forum.
- 2.2 That members agree to increase the threshold, at which new statements of SEN will be provided, to the support equivalent of 0.5 Teaching Assistant with effect from April 2011.

3.0 Detail

- 3.1 The review of the formula for the funding of SEN statements in mainstream schools represents the third stage of a review of the formula funding of SEN following the agreement of a new Banding system for the funding of Special schools (stage 1) and Additionally Resourced Provision (stage 2).
- 3.2 As with the two earlier stages the review of mainstream statementing has been undertaken by officers working with a Working Group of headteachers and governors as a sub group of the Schools Forum.

- 3.3 One of the reasons for initiating the review was the growth in the level of funding being allocated to the statementing factor and the continuing overspends on the central schools budget contingency for in year statementing allocations.
- 3.4 The SEN statemented pupil allocations in the 2010/11 formula for mainstream schools total £7.4m. This is £4m or 120% greater than the formula allocation made in 2005/06. In aggregate there are 189 or 54%, more statements in 2010/11 than in 2005/06 on a like for like basis.
- 3.5 The overspend on the central statementing contingency for 2009/10 was £700k on a budget of £720k.
- 3.6 The additional Dedicated Schools Grant funding allocated to the statementing factor and to recover overspends on the central contingency has been at the expense of funds that would otherwise have been available to schools through other formula factors such as the age weighted pupil unit factor.
- 3.7 Earlier reports to the Schools Forum had highlighted concerns expressed at national and local level about use of the statutory assessment and statementing process as the main determinant of SEN funding. Statementing is a costly and bureaucratic process and funding through statements does not support early intervention in schools and nurseries. An Audit Commission study found that the statementing process is stressful and alienating for parents and does not necessarily lead to an equitable distribution of resources across schools.
- 3.8 The need to make budget reductions as part of the pressures on the council's budget has meant that central staffing involved in the processing of statements and funded from the General Fund has been reduced. The combination of continuing growth in the number of statements and the reduction in staffing to deal with these requests requires action to be taken to reduce the number of new statements.
- 3.9 Action has been taken to introduce individual pupil support agreements (IPSAs) to replace statutory assessments, where parents are in agreement, in order to facilitate the earlier allocation of funds to schools and reduce some of the bureaucracy.
- 3.10 The review has identified that the existing descriptors used to allocate resources for statements are in a number of cases no longer fit for purpose and that there was a need to substantially streamline the numbers of levels of resourcing used to allocate funds to schools. (Currently there are 50 different levels of support to schools for statemented pupils).
- 3.11 The threshold at which statements are issued has remained unchanged at £5,000 (cash value of support for the pupil) since the threshold was introduced in 2006/07.
- 3.12 Two proposals have been agreed by the Schools Forum to address these issues.
- 3.13 Firstly a much simplified resource allocation system is proposed whereby the support needs of various types of SEN are banded according to resource needs (see Appendix A). Each resource band has descriptors specifying the

criteria that need to be met for an allocation to be made at that resource level. The number of statementing resource levels is reduced from 50 in the existing system to 5 bands with a differential between bands of 0.1 TA (teaching support assistant) or £2,063 at 2010/11 prices.

- 3.14 Secondly it is proposed to increase the threshold beyond which new statements will be issued to 0.5 TA or £10,377 at 201/11 prices. Currently there are 54 statements at or below this level. The effect of this is that schools will need to meet the needs of pupils SEN support needs below this threshold from within the funding allocated to the school through other formula factors. In this respect the Attainment factor represents a proxy for SEN and significant extra resources have been added to this factor and other Additional Educational Needs (AEN) factors over the last three years.
- 3.15 The proposal is that the new banding system of allocations and the new threshold should apply only to new statements or individual pupil support agreements (IPSAs) issued from 1 April 2011 so there would be no change in resources already allocated to schools for named pupils until such pupils leave.
- 3.16 Brent maintains approximately 1500 statements of special educational needs. A statement sets out the additional help a young person requires over and above what is normally available in school. There is a strong national legislative framework underpinning the assessment and statementing process. There is currently a government review on SEN and a Green Paper is awaited. It is possible that this may lead to some changes to the statutory duties placed on local authorities but the national policy direction is not yet clear.

4.0 Financial Implications

- 4.1 The proposed changes to the formula have no direct financial implications for the council as they only affect the allocation of Dedicated Schools Grant funding between schools. All funding for SEN statements falls within the Schools Budget which is funded by the ring-fenced Dedicated Schools Grant.

5.0 Legal Implications

- 5.1 The Schools Forum have been consulted and resolved at their meeting 31 January 2011 to agree the changes proposed in the recommendations to this report.
- 5.2 There are no other legal implications.

6.0 Diversity Implications

- 6.1 There are no diversity implications contained within this report.

7.0 Staffing/Accommodation Implications

- 7.1 To the extent that increasing the threshold at which statements are issued will reduce the number of statements this will reduce pressure on central staffing involved in the statementing process. There are no accommodation issues.

Background Papers (essential)

i) Report to the Schools Forum 31 January 2011

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KRUTIKA PAU
DIRECTOR OF CHILDREN & FAMILIES



DESCRIPTORS AND RESOURCE BANDS FOR MAINSTREAM SCHOOL STATEMENTS

APPENDIX 1 – Review of Formula Funding for SEN Statementing
report to Executive, 14th March 2011

SUMMARY OF SEN FORMULA BAND FUNDING ALLOCATIONS

MET BY OTHER FORMULA FACTORS	MET BY STATEMENTING ALLOCATION FACTOR				
A	B	C	D	E	F
	0.6 TA	0.7 TA	0.8 TA	0.9 TA	1.0 TA
	£12,378	£14,441	£16,504	£18,567	£20,630

The threshold for new Statements/IPSAs is 0.5 TA (£10,377 at 2010/11 prices). At this level of support and below (Band A) the support needs of the pupil should be met by the school from within the funding allocated by other factors in the formula and in particular the Attainment factor.

APPENDIX 1 – Review of Formula Funding for SEN Statementing report to Executive, 14th March 2011

MAINSTREAM NON-STATEMENTED PUPIL CATEGORY: BAND A

Cognition and Learning:

These children and young people are likely to require:

- Minimal adaptations to the curriculum and/or learning environment will be required which will include high quality differentiation with a slower pace delivery allowing opportunities for repetition and over learning.
- Access to small groups within and/or outside the main classroom for part of the day.

These children and young people will be able to:

- Make sufficient progress over a reasonable period of time with their learning with the support provided and/or by the school implementing the advice of external professionals.
- Function reasonably well within small groups with minimal support, and will usually be working below their chronological age developmentally in the early years.

Social, Emotional and Behavioural Difficulties:

Children and young people will exhibit the following features:

- Difficulties in social relationships with peers and/or adults*
- Lack of self-esteem*
- Disruptive and unsettled behaviour in class*
- Inattention and disorganisation*
- Anxiety
- Over dependency on peer group approval
- Intimidation or bullying of peers
- Victim of bullying or intimidation

*see Band B.

Their educational progress will be impeded by these emotional and behavioural difficulties and they will display inappropriate and challenging behaviour but will usually back down when confronted by adults or else they will display withdrawn and/or passive behaviour.

Language and Communication Difficulties:

Children and young people may exhibit **three** of the following:

- Poor articulation with some repetition or hesitation of words and/or word finding difficulties significantly affecting fluency.
- Delayed and/or disordered expressive and receptive language in comparison with age peers.
- Frequent speech sound errors which make the pupil difficult to understand.
- Grammatical errors in comparison to same age peers affecting communication confidence and clarity of message.
- Some difficulty in selecting and using vocabulary in a meaningful and relevant way
- Weak receptive language skills causing difficulties in following instructions
- Poor social interaction and/or collaboration with adults and peers
- Mild repetitive behaviour and/or some echolalia.

Younger children especially, may require signs/symbols for language support.

**APPENDIX 1 – Review of Formula Funding for SEN Statementing
report to Executive, 14th March 2011**

All children in Band A are likely to be performing below age-expected NC levels and they will be able to function reasonably well within small groups with minimal support.

APPENDIX 1 – Review of Formula Funding for SEN Statementing
report to Executive, 14th March 2011

MAINSTREAM NON-STATEMENTED PUPIL CATEGORY: BAND A

Hearing Difficulties:

Children and young people will have mild/moderate conductive hearing loss (temporary or permanent) and unilateral hearing loss with their curriculum access requiring minimal adjustments via annual monitoring from a specialist (HI) teacher.

Visual Difficulties:

Children and young people will have mild visual impairment that does not impact on their access e.g. slightly reduced acuity, slightly reduced fields of vision with their curriculum access requiring minimal adjustments via annual monitoring from a specialist teacher (QTVI).

Physical/Medical Difficulties:

There is no resource allocation at this banding level.

APPENDIX 1 – Review of Formula Funding for SEN Statementing report to Executive, 14th March 2011

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND B

Cognition and Learning:

There is no resource allocation at this banding level.

Social, Emotional and Behavioural Difficulties:

Children and young people will exhibit at least three of the features marked with an asterisk (*) in Band A and will display frequent inappropriate challenging behaviour and will not back down when challenged by adults or they will display significantly withdrawn or passive behaviour leading to social isolation.

There will need to be evidence of any inappropriate behaviour which would include:

- Written summary of the incident, consequences and follow-up activity or support and disruption to teaching.
- Evidence over a period of time and a range of subjects and activities (especially relevant for secondary settings).
- Summary of subjects/settings where behaviour has been persistently challenging and persistently unacceptable.

Language and Communication Difficulties:

There is no resource allocation at this banding level.

Hearing Difficulties:

Children and young people will have a moderate hearing impairment such that their functional language and communication will need some targeted support. They will be able to use personal aids effectively and they will be able to manage them with some degree of independence. They will need access to:

- Targeted support by specialist teacher to access the curriculum with the necessary equipment checks.
- A learning environment with some adjustments in relation to acoustics, lighting and visual reinforcement.
- Specialist intervention to develop personal and learning skills
- Trained TA.

APPENDIX 1 – Review of Formula Funding for SEN Statementing report to Executive, 14th March 2011

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND B

Visual Difficulties:

Children and young people will have a moderate visual impairment with other moderate need/s and they will have compensatory strategies that need minimal intervention such that they will need access to:

- Monitoring as and when appropriate from a specialist teacher (QTVI) and input as required
- A trained TA.
- Class/subject teachers with some training in VI and ongoing support from VI team
- Appropriate materials and technology as and when appropriate
- Opportunities to meet other children and young people with a visual impairment.

Physical/Medical Difficulties:

These children and young people are likely to have any **two** of the following:

- More limited muscular control than those in children and young people in Band B.
- Extreme communication difficulties with some intelligible speech.
- More dependent on others for care than those in children and young people in Band B.
- A medical condition requiring high levels of care.

APPENDIX 1 – Review of Formula Funding for SEN Statementing report to Executive, 14th March 2011

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND C

Cognition and Learning:

These children and young people may have specific syndromes (e.g. Downs) with accompanying developmental delay requiring an individualised, developmental curriculum in which Level 1 NC descriptions represent long-term goals for teaching and learning.

Social, Emotional and Behavioural Difficulties:

Children and young people will exhibit **all** of the features marked:

- Persistent and severe difficulties in social relationships with peers and/or adults
- Lack of self-esteem
- Lack of co-operation with adults in nearly all situations
- A high level of disruptive classroom behaviour.

And frequent confrontational and provocative behaviour with adults **and/or** frequently occurring unprovoked aggressive behaviour towards others/property.

Their educational performance or that of their peers is likely to be affected by their behaviour, emotional and social difficulties to an extent that requires evidence of structured observations carried out by an external specialist such as an Educational Psychologist or by a SENCo in consultation with an external specialist.

There will need to be evidence of any behavioural outbursts or severe withdrawal which would include:

- Written summary of the incident, consequences and follow-up activity or support and disruption to teaching.
- Evidence over a period of time and a range of subjects and activities (especially relevant for secondary settings).
- Summary of subjects/settings where behaviour has been persistently unacceptable.

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND C

Language and Communication Difficulties:

These children and young people may have a diagnosis of, for example, autism or specific language impairment and they are likely to exhibit any **four** or more of the following:

- Marked delayed and/or disordered expressive and receptive language.
- Difficulties with social interaction with both adults and peers; poor social communication skills e.g. lack of facial expression, flat affect, inappropriate comments, and inability to see others' perspectives.
- Eye contact lacking communicative intent with restricted collaboration with adults and peers.
- Inflexibility of routines and resistant to change.
- Mild obsessional and/or repetitive behaviour/echolalia
- Immature/ reduced play skills.
- Frustration (possibly through challenging behaviour) at their own difficulty communicating.
- Difficulty following instructions in the classroom; sitting and attending to group/ whole class activities; expressing themselves e.g. giving explanations, description.
- Some sensitivity to noise in particular situations such as the dining hall or at school assemblies.
- Reduced narrative skills; poor syntax; reduced vocabulary; word finding difficulties.
- Poor conversation skills e.g. turn taking, topic maintenance, listening to others.
- Poor pragmatic skills e.g. appropriate language structure but unable to use language functionally
- Reduce auditory memory; difficulties with auditory process; difficulties with higher level language (e.g. verbal reasoning).

AND

- Uses alternative forms of communication
- Has diagnosed dyspraxia and/or dysphasia and severe pragmatic disorder
- Exhibits several autistic behaviours (without a diagnosis).

Hearing Difficulties:

Children and young people will have a moderate hearing impairment **or** a mild hearing impairment with conductive overlay **or** a mild hearing loss with additional needs such that their functional language and communication will need some targeted support. They will be able to use personal aids effectively but will not be able to manage them independently.

They will need access to:

- Targeted support by specialist teacher to access the curriculum
- Equipment checks 6x year
- A learning environment with reasonable adjustments in relation to acoustics, lighting and visual reinforcement

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- Long term specialist intervention to develop personal and learning skills
- Trained TA

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND C

Visual Difficulties:

Children and young people will have a moderate visual impairment with other moderate need/s and **or** a deteriorating or degenerative condition **or** a recently acquired visual impairment such that they will have compensatory strategies that need minimal intervention such that they will need access to:

- Regular monitoring from a specialist teacher (QTVI) and input as required
- A trained TA.
- Class/subject teachers with some training in VI and ongoing support from VI team
- Appropriate materials and technology as and when appropriate
- Opportunities to meet other children and young people with a visual impairment.
- Mobility assessment and input if required from a qualified practitioner
- Support for extended school activities

Physical/Medical Difficulties:

Children and young people will have **all** of the following:

- Extremely limited voluntary muscular control
- Dependent on others for mobility
- No verbal communication and may occasionally gesture or sign
- A medical condition requiring access to nursing or other care e.g. tracheotomy or catherisation.

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MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND D

Cognition and Learning:

There is no resource allocation at this banding level.

Social, Emotional and Behavioural Difficulties:

There is no resource allocation at this banding level.

Language and Communication Difficulties:

These children and young people will have a diagnosis of, for example, autism or specific language impairment and they will exhibit **more than FOUR** of any of the descriptions in Band C.

Hearing Difficulties:

Children and young people will have: a severe hearing impairment **or** a late diagnosis of permanent hearing impairment which continues to impact on language development **or** a fluctuating condition, deteriorating or degenerative progressive loss **or** a dual sensory impairment with moderate loss in most affected modality **or** a moderate hearing impairment with additional needs such that they will:

- Have functional language and communication needing a high level of targeted support
- Not use personal aids consistently or effectively, which affects access to the curriculum OR recently been issued with aids and use not yet established
- Use alternative methods of communication e.g. British Sign Language

They will need access to:

- A high level of targeted support by specialist teacher to establish and develop skills for learning
- Ongoing support if new user of equipment or monthly equipment checks and support for use of equipment
- Considerable improvement to the learning environment
- Intensive and significant specialist intervention because hearing impairment/dual impairment or complexity of need inhibits motivation, attention and interaction with others
- A highly trained TA who can sign
- Other staff who can sign
- Opportunities to meet other children with hearing impairment
- Support for extended school activities

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MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND D

Visual Difficulties:

Children and young people will have a severe visual impairment **or** a dual sensory impairment with a moderate loss in most affected modality and, may: have limited compensatory strategies that require high level support to support use of functional vision; find social situations challenging; and, need to learn through print and Braille such that they will need access to:

- Regular input from a specialist teacher (QTVI).
- A highly specialist TA(s).
- Key staff who know Braille (possibly).
- Class/subject teachers with some general training in visual impairment and ongoing support from VI team.
- Technology as and when appropriate.
- Key staff who understand and can support access technology.
- All learning materials modified and produced in accessible format.
- Pre teaching of new concepts that rely on vision.
- Support for the development of organisational and study skills.
- A programme of mobility, including long cane training, and life skills, from a qualified practitioner.
- Opportunities to meet others with visual impairment.
- Support for extended school activities.

Physical/Medical Difficulties:

There is no resource allocation at this banding level.

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MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND E

Cognition and Learning:

There is no resource allocation at this banding level.

Social, Emotional and Behavioural Difficulties:

There is no resource allocation at this banding level.

Language and Communication Difficulties:

These children and young people will have a diagnosis of, for example, autism or specific language impairment and they will exhibit **more than FOUR of any of the descriptions in Band D AND will have at least ONE other severe difficulty in:**

- *Cognition and learning*
- *Sensory difficulties (hearing/vision)*
- *Physical/medical difficulties*

Hearing Difficulties:

Children and young people will have: a severe hearing impairment **or** a late diagnosis of permanent hearing impairment which significantly impacts on language development continually **or** a fluctuating condition, deteriorating or degenerative progressive loss **or** a dual sensory impairment with a significant loss in most affected modality **or** a moderate hearing impairment with significant additional needs such that they will:

- Have restricted functional language and communication needing a higher level of targeted support than Band D
- Be unable to use personal aids which affects access to the curriculum OR recently been issued with aids and use not yet established
- Use alternative methods of communication e.g. British Sign Language

They will need access to:

- A higher level of targeted support than Band D pupils by specialist teacher to establish and develop skills for learning
- Ongoing support if new user of equipment or fortnightly equipment checks and support for use of equipment
- More considerable improvement to the learning environment than Band D pupils.
- More intensive and significant specialist intervention than Band D pupils because hearing impairment/dual impairment or complexity of needs inhibits motivation, attention and interaction with others more so than in Band D
- A highly trained TA who can sign
- Other staff who can sign
- Opportunities to meet other children with hearing impairment

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- Support for extended school activities

MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND E

Visual Difficulties:

Children and young people will have a more severe visual impairment than Band D pupils **or** a dual sensory impairment with a significant loss in most affected modality and, will: have limited compensatory strategies that require a higher level support than Band D pupils to support use of functional vision; find social situations more challenging than Band D pupils; and, need to learn through print and Braille such that they will need access to:

- More regular input from a specialist teacher (QTVI) than Band D pupils.
- A highly specialist TA(s).
- Key staff who know Braille.
- Class/subject teachers with general training in visual impairment and ongoing support from VI team.
- More technology than Band D pupils with access to key staff who understand and can support the use of the technology.
- All learning materials modified and produced in accessible format.
- Pre teaching of new concepts that rely on vision.
- More regular support than Band D pupils for the development of organisational and study skills.
- A programme of mobility, including long cane training, and life skills, from a qualified practitioner.
- Opportunities to meet others with visual impairment.
- Support for extended school activities.

Physical/Medical Difficulties:

Children and young people will have all of the features of Band C and severe difficulties in one or more of the following areas:

- Cognition and learning
- Language and communication
- Sensory difficulties (hearing and vision)

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MAINSTREAM STATEMENTED PUPIL CATEGORY: BAND F

Cognition and Learning:

There is no resource allocation at this banding level.

Social, Emotional and Behavioural Difficulties:

There is no resource allocation at this banding level.

Hearing and Visual Difficulties:

These children and young people will have: profound visual impairment (blind) and need to learn through non-sighted means **or** dual sensory impairment with severe loss in vision **or** severe visual impairment with additional needs and, may have compensatory strategies that need a high level of targeted support by specialist teacher to establish and develop skills for non-sighted learning and they may find social situations challenging. These pupils will need:

- Regular input from a specialist teacher (QTVI) and highly specialist TA(s)
- Key staff who know Braille and class/subject teachers with some general training in VI and ongoing support from VI team
- A range of access technology and key staff who understand and can support access technology
- All learning materials modified and produced in tactile format
- Pre teaching of new concepts that rely on vision
- Support for the development of organisational and study skills
- Long term programme of mobility and life skills from a qualified practitioner
- Opportunities to meet others with VI
- Support for extended school activities

Physical/Medical Difficulties:

These children and young people are likely to have **all** of the following:

- Extremely limited voluntary muscular control
- Completely dependent on others for mobility
- No verbal language and may occasionally gesture or sign
- A medical condition requiring constant access to nursing or other care (e.g. tracheotomy or catheterisation)

And, significant difficulties with cognition and learning and communication and interaction as well as hearing and/or vision.

**APPENDIX 1 – Review of Formula Funding for SEN Statementing
report to Executive, 14th March 2011**



Executive
14 March 2011

Report from the Director of the Children and Families

Wards
Affected:
ALL

Authority to invite tenders for short break services for disabled children and young people

1.0 Summary

- 1.1 A report was approved by the Executive on 18th January 2010 to invite tenders for framework contracts for the provision of Short Break Services provided for disabled children and young people in their own home, as required by Contract Standing Orders 88 and 89. Due to need to achieve ever greater efficiencies and in view of the additional suppliers in this market, an alternate process of tendering the service is now envisioned with the establishment of multiple provider frameworks rather than single provider frameworks.

2.0 Recommendations

- 2.1 The Executive to give approval to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 4.1 of the report.
- 2.2 The Executive to give approval to officers to invite tenders for three multiple provider frameworks and evaluate them in accordance with the approved evaluation criteria referred to in 2.1 above.

3.0 Detail

Statutory Background

- 3.1 The statutory duties held by the council to provide domiciliary care to disabled children were set out in the previous report to the Executive dated 18 January 2010. In addition, a new statutory duty under Section 25, Children and Young Person Act 2008 will come into force in April 2011 under which the council has to 'provide breaks from caring to assist parents and other who provide care for disabled children to continue to do so, or to do so more effectively'. The council will be required to provide a range of short breaks under this duty, including support within the family home and to enable the disabled child or young person to access social and

community activities, which framework agreements with domiciliary care agencies will support.

Description of Service

3.2 Short Break Services can be provided to meet two main needs:

- (a) Short break support provided by a personal care worker to assist the parent/carer in meeting the specific care tasks arising from the child or young person's disability where it has been assessed that the parent / carer cannot meet these tasks without support.
- (b) a short break if it is assessed that it is not in the child or young person's best interests to receive a short break away from the family home due to age or disability or lack of suitable placements

3.3 The care worker can be asked to engage with the child or young person to provide support in a number of different ways. This can be

- Personal care to meet assistance with bodily functions such as feeding, bathing and toileting and non-physical care, such as advice, encouragement and supervision relating to the above tasks.
- Developing independent life skills, including money management through shopping; travel awareness, food and hygiene by helping to prepare meals.
- Emotional and psychological support, including the promotion of social engagement and behaviour management.
- Care management of behaviour challenges, to include a more intensive care service to enable social integration for the child
- Intellectual support, including assisting the child to do their homework, following any learning plan devised by the school.
- Social support to assist the child to develop friendships by access to local youth clubs, social or local community events i.e. cinema, places of worship, and other places of interest to the child.
- A more intensive personal care service for children with higher technology dependency and health care.

Current Provision

3.4 The Integrated Services for Disabled Children and Young Person's team has been responsible for commissioning 'short break' services for disabled children in Brent since the coming into force of the Children Act 1989. In December 2006 a contract commenced with Personnel and Care Bank Agency for a three year period with the option to extend the contract for a further two years. The contract with Personnel and Care Bank Agency was extended by agreement beyond the initial 3 year period to 30 September 2010 but due to certain issues with the contract, Officers did not wish to

extend it for the full 2 years. Since September 2010 the Council has spot purchased Short Break Services from care agencies.

- 3.5 Once a Short Break package has been agreed, the needs of the child or young person and their parent /carers is regularly reviewed to ensure that the package continues to meet their needs in the future.
- 3.6 Where the identified social care tasks for a disabled child are combined with meeting health care needs, Short Break Services are provided after an additional assessment of the child's continuing care needs under the Primary Care Trust 'Continuing Care' criteria. The PCT use these criteria to determine the level of responsibility it has to jointly meet these needs. The Council then commissions social care services under its existing contractual arrangements and the PCT commissions health services under its health care arrangements (the PCT generally spot purchases health care needs). In very limited circumstances, the Council may be asked to use its contractual arrangements to purchase both social care and health care, with the PCT then reimbursing the Council for the health care costs.
- 3.7 Approximately 60 disabled children and young people up to the age of 19 now receive a total of 615 hours care at home each week. This is a decrease on the number who received care at home in January 2008 by 127 hours per week. This does not show a decrease in need for such services but reflects the fact that some of the families who originally received Short Break Service now arrange their own care at home services through Direct Payments provided by the authority, with families preferring to use personal assistants they have recruited directly rather than rely on agency care workers. As of December 2010, 102 families with a disabled child were in receipt of a Direct Payment. Further, despite the growth in direct payments, there is also likely to be a continuing growth in short breaks to be arranged by the Council.

Future Provision – Procurement Issues

- 3.8 The future provision of Short Break Services after December 2009 has been under consideration within Disabled Children Services for some time. A number of options have been evaluated. The Aiming High for Disabled Children transformation programme has given added impetus to design and offer more flexible Short Break Services which includes care at home to families of disabled children. Statutory guidance exists on how to safeguard and promote the welfare of disabled children through the provision of short break services; with the intent to improve outcomes for disabled children. The pattern of short breaks has changed substantially since the publication of the original Volume 2 of the Children Act 1989 Guidance. There has been a shift away from longer periods in residential or foster care to shorter periods often in the child's own home or community. Many of these services are now provided through direct payments or short break domiciliary care. Aiming High for Disabled Children contributed to this change by requiring a rapid rise in the amount of short breaks available to disabled children and their families.
- 3.9 As indicated in the report to the Executive dated 18 January 2010, the main options were for the service to return to a spot commissioning basis. This would allow flexibility for the service to be commissioned from one of the several agencies available to most suit the child or young person's needs but would reintroduce previous difficulties in the monitoring of quality standards. Another option was to tender for a block contract to commission a set number of short break service hours annually. Whilst it was indicated that this may be more administratively efficient, it

would not provide value for money as the block care hours would still need to be funded even if they have not been provided. The preferred option identified was the establishment of framework arrangements leading to the appointment of single suppliers to each framework lot.

3.10 Following approval by the Executive to pursue a procurement process for single supplier frameworks, Officers commenced drafting the necessary tender documentation. Prior to issue of tenders however, Officers became aware of an increasing number of providers coming into the market. In consequence, whilst framework arrangements are still considered to be the most appropriate way forward, rather than appointing one contractor to each framework lot, it is now proposed to appoint 3-5 providers to each framework arrangement. Award of call-off contracts as between the 3 – 5 providers under the various framework arrangements would then be by way of a mini-competition process. Officers consider that a mini competition process would lead to increased competition between providers and lower prices for the Council, particularly important at a time when there is a need to achieve ever greater efficiencies. The frameworks will be awarded for a 3 year term, with the option of extending it for a further two years. It is considered that this option offers value for money, whilst offering an ability to monitor quality standards, provide continuity of services to clients and provide more flexible Short Break Services including care at home for families with disabled children.

3.11 The Integrated Service for Disabled Children and Young Person's team wishes to procure a Short Break Service for families of disabled children and young people which may occur in the child or young person's family home or in the community; and could be provided either during the day or at night. Officers consider that there are 3 distinct elements of a Short Break Service which are as follows:

Lot 1: Personal care and short break support for disabled children and young people in their family home and or in the community.

Lot 2: Short Break support in the family home and or in the community for children and young people with behaviour challenges and/or autistic spectrum disorders.

Lot 3: Short Break support in the family home and or in the community for children and young people with complex health needs, including technology dependent children and young people.

3.12 Officers consider that all three lots identified in paragraph 3.11 should be procured separately as individual framework agreements in order to attract as many tenders as possible. Officers are conscious that some providers will bid for two or all three 3 lots and may therefore be appointed to more than one framework agreement.

Future Procurement – Consultation Issues

3.13 Continuing consultations have taken place with existing parents/carers. This has informed the exact specification for the new service. Consultations have taken place in the form of a questionnaire which has been sent out to all parents/carers, as well as consultations undertaken through the Aiming High for Disabled Children initiative.

- 3.14 In addition, consultation has taken place with children and young people who have identified the packages of short breaks they would like to engage in which include activities away from their home.
- 3.15 Parents/carers will be invited to a future consultation meeting where they will be informed of the tendering process and where they will be asked for their views on the service currently being provided and what/how improvements can be made.
- 3.16 During the tender process it is intended to involve one of the service user's relatives in the process of evaluating tenders. Whilst their role will not involve the scoring of tenders, they will consider the tenders and provide observations from a carer's perspective of the relative merits of the tenders.

Future Procurement - Contract Issues

- 3.17 The framework contracts will require the provider(s) to deliver the service which is culturally sensitive and meet any appropriate gender requests of parents/carers and to ensure that they maintain appropriate staff to fulfil this.
- 3.18 One of the consistent factors of high performance that has been identified throughout the monitoring of the current service provider is that of the continuity of care worker, whereby the same care worker(s) regularly attend the same child/young person. Obviously the potential changeover between service providers is an anxious time for parents/carers and the children and young people because the continuity of care worker is not guaranteed. To address this Officers are recommending that the contract period is 3 years with an option to extend the framework contracts for a further 2 years subject to satisfactory performance.

Future Procurement - Monitoring

- 3.19 The framework contracts will be monitored by a nominated Officer of the Integrated Services for Disabled Children. Monitoring of the service delivery is undertaken against a service specification and any service failures and complaints are investigated.
- 3.20 Officers have regular contact with the current service providers and hold regular monthly contract meetings. Officers will also undertake an annual site visit where service provider's records, premises, etc are checked thoroughly.
- 3.21 The Care Quality Commission will also be inspecting the service provider(s). It is envisaged that the framework contracts will be more service user centred, involving greater user involvement and feedback and can be more focussed on service quality within the resources available. Annual service user satisfaction surveys will continue to be carried out.

Future Procurement – PCT involvement

- 3.22 As detailed at paragraph 3.6, where a child has both social care needs and health care needs, generally the council will purchase social care under its own contractual arrangements and the PCT commissions health services under its health care arrangements. In very limited circumstances, the Council may be asked to use its contractual arrangements to purchase both social care and health care, with the PCT then reimbursing the Council for the health care costs. It is proposed that this

arrangement will continue in future with the framework contracts for Lots 1-3 used only on limited occasions to purchase both social care and health care, with the PCT then reimbursing the Council for the health care costs. As this is only likely to happen on very limited occasions, it will have minimal impact on the contract value.

4.0 Pre-Tender Considerations

4.1 In accordance with Contract Standing Orders 89 and 90, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response
(i)	The nature of the service.	Provision of Short Break Services for disabled children and young people.
(ii)	The future estimated value of the framework contracts	Lot 1 - £800k over 5 years (£440k over 3 years)_ Lot 2 - £200k over 5 years (£160k over 3 years)_ Lot 3 - £500k over 5 years (£300k over 3 years)_
(iii)	The contract term.	3 years with an option to extend for a further 2 years
(iv)	The tender procedure to be adopted.	A two stage process in accordance with the Council's Standing Orders. As Social Care transactions are 'Part B Services' for the purposes of the EU Regulations, the Regulations are of residual application only (forwarding of contract award notice, etc.) and do not dictate the procurement process to be followed.
(v)	The procurement timetable	<p>Indicative dates are:</p> <ul style="list-style-type: none"> • Adverts placed 21.03.11 • Expressions of interest (Pre-Qualification Questionnaire) returned 11.05.11 • Shortlist drawn up in accordance with pre-determined minimum standards as to financial standing and technical competence 20.05.11 • Invite to tender 23.05.11 • Deadline for tender submissions 11.07.11 <p>14 – 15.07.11</p>

		<ul style="list-style-type: none"> • Initial panel evaluation • Site visits • Interviews / Presentations • Panel evaluation • Report recommending Contract award circulated internally for comment • Executive approval • Contract start date 	<p>18 – 20.07.11</p> <p>27 – 28.07.11</p> <p>03 – 05.08.11</p> <p>08.08.11</p> <p>12.09.11</p> <p>03.10.11</p>
(vi)	The evaluation criteria and process	<p>Shortlists are to be drawn up in accordance with the Council's Contract Management Guidelines namely the pre qualification questionnaire (PQQ) and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise. The PQQ will also contain social care scenarios which require detailed responses from applicants to demonstrate technical expertise, good practice and experience. The panel will evaluate the tenders against the following criteria:</p> <p>Price</p> <p>Quality –to include the following:</p> <ul style="list-style-type: none"> • Business Continuity Planning and Disaster Recovery Planning • Best value considerations - Quality, Personnel & Service Provision Methodology to include Contract Management Records. • Implementation Plan – detailing how the services will be performed and carried out. • Proven record of working with Children and Young People up to 19 years old and approach to maintaining successful working relationships under call-off contracts. • Plan to maintain diversity of staff during the contract term • Plan to maintain cultural sensitivity and equalities in service delivery during the contract term. 	

(vii)	Any business risks associated with entering the contract	No specific business risks are considered to be associated with agreeing the recommendations in this report.
(viii)	The Council's Best Value duties	This procurement process and on-going contractual requirement will ensure that the Council's Best Value obligations are met.
(ix)	Any staffing implications	See sections 6 below
(x)	The relevant financial, legal and other considerations	See sections 5, 7 and 8 below

4.2 The Executive is asked to approve these proposals as set out in the recommendations and in accordance with Standing Order 89.

5.0 Financial Implications

5.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1m shall be referred to the Executive for approval to invite tenders and in respect of other matters identified in Standing Order 90.

5.2 The estimated contract value for the new Short Break Services framework contracts over the 5 year term (3 contract years plus the optional extension of up to two years) will be £1,500,000. This will be met from existing budgets.

5.3 The value of the individual framework contracts will be:

Lot 1 - £800,000
Lot 2 - £200,000
Lot 3 - £500,000

5.4 There will be costs incurred in the contract process for professional advice, in particular legal. These will be funded from existing resources.

6.0 Staffing Implications

6.1 This service is currently provided by one main external provider and there are no implications for Council Officer staff arising from this tendering exercise.

6.2 The Transfer of Employment (Protection of Employment) Regulations 2006, ("TUPE") operate so as to protect the continuity of service and the terms and conditions of employees where there is a "service provision change" as defined by TUPE i.e.

- (a) activities cease to be carried out by a contractor on a client's behalf and are carried out instead by another contractor on the client's behalf or by the client on its own behalf ; and
- (b) immediately before the change in the person carrying out the activities there is an organised grouping of employees situated in Great Britain which has as its principal purpose the carrying out of the activities concerned on behalf of the client and where the employees are assigned to the organised grouping of employees.

6.3 TUPE will also operate to protect the continuity of service and the terms and conditions of employees where there is a transfer from one person to another of an economic entity which retains its identity and where the employees are assigned to the economic identity which has been transferred.

6.4 Subject to the right of the employee to object to transferring, in the case of a service provision change the employee's contract of employment will transfer to the person who has taken over the carrying out of the activities while in the case of the transfer of an economic entity the employee's contract of employment will transfer to the person to whom the economic entity was transferred.

6.5 The communication of relevant staffing information by the transferor to the transferee and the provision of information about the implications of the transfer by the transferor and transferee to representatives of their staff affected by the transfer is a required part of the transfer process

6.6 In the present case, if the framework contracts are awarded to one or more new contractors TUPE may apply so as to transfer from the current contractors to the new contractor(s) those employees of the current contractors who spend all or most of their working time on the activities taken over by the new contractor(s).

7.0 Legal Implications

7.1 The Council has the necessary powers to enter into the proposed contracts under (amongst other provisions) s26 and s29 of the National Assistance Act 1948, s45 of the Health Services and Public Health Act 1968, s2 of the Chronically Sick and Disabled Persons Act 1970, the Children Act 1999 and s2 of the Local Government Act 2000, all in conjunction with s111 of the Local Government Act 1972.

7.2 The estimated value of Lots 1 and 3 over their lifetime is in excess of £500,000 and therefore the procurement and award of these contacts are subject to the Council's Contract Standing Orders and Financial Regulations in respect of High Value contracts . The estimated value of Lot 2 over its lifetime is in excess of the current EU procurement threshold and therefore the procurement of the contract is subject to the Council's Contract Standing Orders and Financial Regulations in respect of Medium Value contracts. As all contracts are to be procured together however, approval is sought to tender all three framework contracts

7.3 The framework contracts are for Part B Services under Public Contracts Regulations 2006 ("EU Procurement Regulations") and are therefore not subject to the full application of the EU Procurement Regulations. They are however, subject to the overriding EU principles of equality of treatment, fairness and transparency in the award of the process.

- 7.4 As the framework contracts are for Part B Services, they are not subject to the provisions under EU Procurement Regulations regarding the establishment and operation of frameworks. The framework contracts will however operate in a similar manner to multiple provider frameworks established under the EU Procurement Regulations, with there being call-offs by way of a mini-competition from the framework contract for individual short break packages of care.
- 7.5 Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.

8.0 Diversity Implications

- 8.1 Equalities issues are a core requirement for this contract. An equalities impact assessment has been completed. Diversity and equality perspectives will form part of the evaluation of the tendering organisations' capacity to deliver the services.
- 8.2 Contracts currently require providers of health, social care and housing support services to deliver services which are
- culturally sensitive by providing cultural awareness training for all care workers, matching language requirements if specifically required where possible and recruiting a local workforce which reflects the communities of Brent;
 - able to offer parents/carers a male or female support worker if specifically requested;
 - able to care for disabled children and young people through all staff receiving specialist training in specific areas such as management of challenging behaviour, .
- 8.3 The contract will continue to require the provider to deliver the service in this way. The provider will be monitored to ensure they are complying with these requirements through checking of their records, regular review of services provided to individual service users where feedback will be sought from parents/carers, monthly monitoring meetings and provision of quarterly Performance Indicators.

9.0 Background Information

Short Break Procurement Documents

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Krutika Pau
Director of Children and Families



Executive
14 March 2011

Report from the Director of the Director of Housing and Community Care

Wards Affected:
ALL

Report back on provision of transport for adult social care service users – promoting independence

1.0 Summary

- 1.1 In July 2010 the Executive agreed to adopt the proposed Eligibility Policy for access to Council funded transport subject to the satisfactory outcome from the public consultation.
- 1.2 The consultation process is now complete and this report highlights the results from the series of consultation meetings and sets out the next steps for implementation of the new policy if adopted.

2.0 Recommendations

- 2.1 That the Council adopts the Eligibility Policy for access to Council-funded transport for users of adult social care services. Under this Policy, eligibility will be determined by assessment of a service user's access to existing transport and an assessment of their mobility and ability to travel independently.

3.0 Detail

- 3.1 Over 750 carers and users were invited to attend one of 4 consultation meetings held at Stonebridge Projects centre. Following requests from users and carers we held a follow up meeting at Kingsbury Resource centre and 2 meetings at New Millennium. A summary of the views expressed at the 7 consultation meetings are attached in Appendix C. All meetings were hosted by the lead member for Adult Social Care and an Assistant Director. Whilst the 7 meetings have been held the consultation period closes on March 3rd 2011 and this report will be updated as appropriate with further views expressed by

Meeting
Date

Version no.
Date

service users and carers.

- 3.2 The consultation sessions did not disagree that the policy was fair. The idea that only those who need transport should receive transport assistance was widely accepted as correct. The comments and concerns were focussed around the application of the policy rather than in the detail of the policy itself.
- 3.3 The promoting independence theme of the proposed new policy was gratefully received by many users and carers alike. Positive views were expressed about the wide ranging benefits to a users' life after being travelled trained. One user explained how he no longer use Brent Transport service and is now much happier planning his own journeys.
- 3.4 Both carers and users expressed some concerns and anxieties about the] decision the Council had taken to close learning disability day centres and the misunderstanding that the Council may remove Brent Transport Service.
- One issue carers had was a request that the policy include factors such as users' lack of confidence or bullying when taking into account their readiness for independent travel training. These factors were already within the new policy in '**Stage 3 : Assessment of ability to travel independently**'.
 - Another concern raised was the need to involve trained professionals, eg. Occupational Therapists, in the assessment of client's mobility. This was dealt with in the consultation meetings by Alison Armstrong, Head of Learning and Disability service. She confirmed the multi disciplined approach to the assessment before being returned to her for final decision. This would include taking into account the family's views about user's travel readiness.
 - A minor change to the existing policy was to the wording in the Mobility/Independence chart in Stage 3 of the new policy. The chart suggests that a user with high/complex needs & no capability to travel independently "may require a door to door service". This now has been amended to "**require a door to door service**". This now reflects the concern of 2 carers with regards to the use of the word "**may**".
 - There were significant concerns expressed concerning the safety of service users when travelling independently and the policy has been amended to stress that no service users will travel independently unless it is safe to do so.
 - Service users also requested an adjustment to their travel plans in the event of severe weather and their consequent ability to travel independently. This has been added to the policy.
 - The eligibility policy has been changed to take into account a service users ability to pay for independent travel from their DLA. This change has been made following further officer considerations.

4.0 Current ASC Transport Provision

4.1 There are approximately 460 service users currently provided with transport. Annual spend is in the region of £1.74m or £3,776 per user. The breakdown by service area is as follows:

Service area	No. of users with transport	Annual spend 2009/10	Spend per user
Physical disabilities	75	£ 245,000	£ 3,267
Learning Disabilities	220	£1,170,000	£ 5,318
Older people	165	£ 322,000	£ 1,951
Total	460	£1,737,000	£ 3,776

4.2 The majority of service users are transported in Council minibuses, with 25 users provided with external transport through the Council's Framework Contract with taxi providers.

4.3 The current provision of transport in adult social care has been reviewed and there is evidence that the existing arrangements do not always promote the independence of the service user. Current provision often relates to historical factors – for example certain day care services provide transport to all clients – rather than a reflection of the individual's actual needs for transport and the availability of alternatives to Council-provided transport.

4.4 Furthermore, whilst it may be the case that individuals require assistance with transport, this will not always require the provision of minibuses and taxis. Alternatives may include escorting on public transport or walking, facilitated through independent travel training, which would also help develop the independence and life skills of the individual.

4.5 Therefore, there is a need for the Council to adopt and implement clear and objective criteria for the provision of transport assistance, based upon an assessment of individual's needs in order to access care and support services, and their ability access to other means of transport other than that provided by the Council, either directly or indirectly.

5.0 Principles of the Eligibility Policy

5.1 The Eligibility Policy is based on the following principles:

- Access to transport services should be based on the need to promote independence and to enable service users to remain independently in their home for as long as possible.

- Transport is provided to enable care service users to access community care activities/respite where necessary, and where parents/carers are unable to provide transport for the service user.
- The assessment of need for transport provision by the department requires a separate element (be it only one of the many factors to assess) in the community care assessment; i.e. no service should carry an automatic entitlement to transport provision by the Council.
- The test used in the assessment should be 'what will happen if the department does not provide transport', i.e., are there other ways in which the service user can reasonably be expected to attend day opportunities by making her/his own arrangements to get there
- The provision/funding for transport should **only** be considered if the client has needs categorised in accordance with the Council's Eligibility Criteria which accords to the Department of Health's guidance on eligibility 'Prioritising need'. -).
- Whilst recognising the Council's duty to arrange appropriate care services, the provision/funding of transport is designated a **desirable** service and is therefore only guaranteed as part of a care package where it is clearly demonstrated that without provision of transport the service user would be unable to access appropriate care services.
- Transport should **not** be offered as an incentive to take up a care package.

5.2 A copy of the revised Eligibility Policy and associated eligibility tests is attached at Appendix A. The tests are based upon:

- Whether the client has access to transport. Access to mobility vehicles will be considered as part of the assessment to determine whether it is reasonable to expect the service user with such a facility to make use of it meet the transport need associated with the provision of care services. Similarly, the availability and eligibility for the use of Freedom passes for public transport, and a service users receipt of DLA Mobility component will also be considered.
- Whether the client has difficulties with mobility;
- Whether the client is able to travel independently, based upon an objective assessment of the risks involved, and the prospective provision of appropriate training or other support.

5.3 Once eligibility has been assessed as described above, it will be the duty of Brent Transport Services to arrange appropriate transport where required and agreed by the relevant department in Housing &

Community Care. Directly provided transport services – whether internal or external – will be provided only once other alternatives have been considered and ruled out, and not as a matter of course.

5.4 The range of provision includes:

- Assistance with using public transport, eg travel buddies.
- Provision of transport by parents/carers - supported by payment of mileage allowance if appropriate.
- Independent travel – through referral to the Council’s Independent Travel Programme Manager.
- Existing taxi journey – shared with other clients
- Taxi service – solely for the use of the client
- Transport in Council vehicles, eg minibuses

6.0 Impact on Existing Service Users

6.1 If approved, the new Eligibility Policy will be applied to all new clients considered for the provision of care services, and to existing clients. In terms of the impact upon existing service users, the recent assessments undertaken by Community Care staff provide an indication of those clients who might be capable of transition to independent travel, in accordance with the Policy, subject to specific assessments and given appropriate support and training, as follows:

- Physical disabilities: 40 out of 79 clients.
- Learning disabilities: 50¹ out of 275 clients.
- Older people: 0² out of 165 clients.

In addition, a further 31 clients with Learning Disabilities may no longer be considered eligible for the provision of transport under the Policy, subject to consideration of the availability of Mobility vehicles to them, or their receipt of the Mobility Component of the Disability Living Allowance. Finally, it is noted that some 198 clients from the total client group have Freedom Passes for the use of public transport, and further assessment of these clients need for the provision of Council transport will need to be undertaken.

6.2 Given that a specific assessment of service users ability to travel independently has yet to be undertaken, it is estimated that if 45 service users out of the 121 identified above as potentially capable of independent travel make a successful transition, the saving to the Council would be in the order

¹ A further 57 clients already travel independently.

² Further detailed assessment may identify some clients who could travel by means other than Council-provided transport.

of £170K per annum with £127k savings in 2011-12 and the full £170k by 2012-13,

Obviously, the saving will increase if more service users make the transition. It should be noted that some of this saving will be offset by the cost of travel training or other support that the user may require, but this will be minimised by the Independent Travel Programme Manager who will be using existing staff and resources to undertake this work wherever possible.

6.3 For those existing service users who will lose their eligibility for transport under the Policy, their circumstances will be considered sympathetically and it is envisaged that there will be a transitional period of up to 3 months to support them to travel independently or to make use of alternative arrangements following their re-assessment.

6.4 It is proposed that the assessment and provision of transport should be reviewed annually.

7.0 Financial Implications

7.1 Annual expenditure on transport for adult social care clients is in the region of £1.74m. If the Eligibility Policy is not adopted then there is a risk that this cost may escalate as changing patterns of care provision increase the number of journeys that would be required to enable clients to undertake a wider range of activities at a larger number of locations.

7.2 As identified in paragraph 6.2 above, it is estimated that gross annual savings will be at least £170K through the implementation of this policy.

8.0 Legal Implications

Statutory Requirements

8.1 Section 21 of the Chronically Sick and Disabled Persons Act 1970 states that:

‘Where a local Council having functions under S.29 of the National Assistance Act 1948 are satisfied in the case of any person to whom that section applies who is ordinarily resident in their area, that it is necessary in order to meet the needs of that person for that Council to make arrangements for all or any of the following matters, namely –

d) the provision for that person of facilities for, or assistance in, travelling to and from his home for the purpose of participating in any services under arrangements by the Council under the said S.29 or, with the approval of the Council, in any services provided otherwise that as the foresaid which are similar to services which could be provided under such arrangements...’

8.2 ‘The Social Security Contributions and Benefits Act 1992 section 73(14) says that while social services authorities are empowered but not obliged to charge for such transport services, in assessing a persons ability to pay, his/her mobility component of DLA if received must be ignored.’

8.3 Under S.29(1) of the National Assistance Act 1948, local authorities have the power to provide free or subsidized travel for people who do not otherwise qualify for travel concessions.

9.0 Diversity/Equality Implications

9.1 The Eligibility Policy focuses upon enabling access to services for individuals with physical disabilities, learning disabilities and older people. The aim is to support the promotion of independence for service users by enabling individuals to move towards travelling independently where this is feasible. However, there will be an impact upon those service users who are currently in receipt of transport who will lose their eligibility under the proposed policy. An initial Equality Impact Assessment has been undertaken and is attached at Appendix B.

10.0 Staffing Implications

10.1 There are no direct implications for Council staff as a result of these proposals. Almost all clients in receipt of direct Council transport provision are carried in Brent Transport Services vehicles manned by temporary staff provided by agencies. A reduction in the number of clients transported would reduce the number of temporary staff required and would realise an immediate cost saving.

11.0 Accommodation Implications

11.1 There are no accommodation implications.

12.0 Background Papers

- None

Contact Officers:

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Email: lance.douglas@brent.gov.uk

Martin Cheeseman
Director of Housing & Community Care

Appendices:

- A. Policy for the Promotion of Independent Travel for Adult Social Care Service Users.**
- B. Equality Impact Assessment.**
- C. ASC Transport Policy Consultation Report.**

POLICY FOR THE PROMOTION OF INDEPENDENT TRAVEL FOR ADULT SOCIAL CARE SERVICE USERS

Background

Current policy for the provision of adult social care is aimed at promoting the maximum possible independence for the service user. In extending this principle to the Council's provision of transport services, this policy sets the criteria that will be used to assess whether the service user's transport need can be met best through independent travel arrangements or whether Council provided transport services are necessary.

Principles

In general, this Policy is based on the assumption that service users will travel independently to take advantage of care provision, except where assessment shows that this is not possible, and is based on the following principles:

- Access to transport services should be based on the need to promote independence and to enable service users to remain independently in their home for as long as possible.
- Individuals who are assessed and successfully travel trained will only travel independently if it is completely safe for them to do so.
- Transport is provided to enable clients to access a range of community activities/respite and where parents/carers are unable to provide their own transport.
- The assessment of need for transport provision by the department will be a separate element in the community care assessment; i.e. no service should carry an automatic entitlement to departmental transport provision.
- The test used in the assessment should be 'what will happen if the department does not provide transport', i.e., are there other ways in which the service user can reasonably be expected to attend day opportunities making her/his own arrangements to get there.
- The provision/funding for transport should **only** be considered if the client has needs categorised in accordance with the Council's Eligibility Criteria and Fair Access to Care Services (FACS).
- The provision/funding of transport is designated a **desirable** service and is **not** therefore guaranteed as part of a care package.
- Transport should **not** be offered as an incentive to take up a care package.

Process

There are 4 stages in the process for assessment of eligibility for the provision of assistance with transport and the identification of appropriate transport as follows:

- Access to existing transport
- Assessment of mobility
- Assessment of ability to travel independently
- Identification of appropriate transport provision for those eligible

Stage 1: Access to existing transport

Clients will **not** normally be eligible for transport if:

- They have a mobility vehicle which they drive themselves. In this instance there will be consideration of whether it is reasonable to expect that the service user will use that vehicle in order to travel to the location of the care service/activity.
- They have a mobility vehicle of which they are not normally the driver themselves. Similarly, there will be consideration of whether it is reasonable to expect that the service user will use that vehicle in order to travel to the location of the care service/activity.

Clients with the following will only be eligible for transport if they are assessed at Stage 3 as **not** capable of independent travel:

- Freedom Pass (and an appropriate public transport route is available)
- Mobility component of Disability Living Allowance where this can adequately meet the cost of travel to meet their assessed social care needs.

Stage 2: Assessment of mobility

An assessment will be made of the client's mobility. This will involve assessing issues such as:

- Ability to walk outside (including slippery/icy weather conditions)

- Requirement for wheelchair/ other walking aid
- Ability to get in and out of property
- Ability to get in and out of vehicle
- Risk of falling without support
- Ability to bear weight to transfer
- Whether mobile but at a risk when mobilizing due to uncontrollable movements
- Ability to use stairs, manage gradients, steepness of stairs in home, safety, energy levels

Clients will be categorized for this purpose as follows:

- No mobility problems
- Limited mobility problems
- High/ complex mobility problems

Some clients may need a weather plan put in place to ensure their safety during harsh or icy weather conditions. This may require a temporary return to BTS or direct payments covering this period.

Stage 3: Assessment of ability to travel independently

This assessment considers both physical and social reasons that enable or prevent the client from travelling independently. This will include:

- Extent of the mobility problems identified in Stage 2
- Availability of family/ carers
- Communication difficulties (for example ability to order taxi or use public transport)
- Psychological factors eg mental health, loss of confidence, agoraphobia
- Experience or risk of harassment
- Any other factors affecting personal safety

The assessor will determine whether the client:

- Is capable of travelling independently
- Requires some training, support or assistance that will enable them to be capable of travelling independently in the near future
- Not capable of travelling independently

Stages 1 to 3 will determine the eligibility of the client for some form of transport or transport assistance. Assuming the client is eligible under Stage 1 (access to existing transport) then the eligibility will be determined as follows:

		Mobility problems		
		None	Low	High/complex
Capable of Independent travel	Yes	Not eligible Use public transport Walk if < 1km Use concessionary pass	Not eligible Use public transport Walk if < 1km Use concessionary pass	Eligible May require door to door service
	Potentially	Eligible Directly-provided transport as last resort	Eligible Directly-provided transport as last resort	Eligible May require door to door service
	No	Eligible Designated pick-up points near home	Eligible Designated pick-up points near home	Eligible Require door to door service

Stage 4: Identification of appropriate transport

Once eligibility has been assessed as above, it will be the duty of the Adult Social Care to make appropriate arrangements for transport. Directly provided transport services – whether internal or external – will be provided only once other alternatives have been considered and ruled out and not as a matter of course.

The range of provision includes:

- Assistance with using public transport, eg escorts
- Independent travel – referral to the Council's Independent Travel Programme Manager

- Existing taxi journey – shared with other clients
- Taxi service – solely for the use of the client
- Transport in Council vehicles, eg minibuses

The assessment and provision of transport should be reviewed on a pre-determined basis, eg at the annual review, by the commissioner in consultation with the transport provider.

Where clients move from Children's to Adult Social Care services, then their needs will be reassessed by Adult Social Care in relation to the new services required.

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Department: Housing & Community Care	Person Responsible: Alison Elliott
Service Area: Community Care	Timescale for Equality Impact Assessment :
Date: February 2011	Completion date: February 2011
Name of service/policy/procedure/project etc: Policy on provision of transport for Adult Social Care Service Users	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Yes Retrospective <input type="checkbox"/>	Adverse impact Not found <input type="checkbox"/> Found <input checked="" type="checkbox"/> Early consultation with staff affected Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers No	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Policy relates to the provision of transport to people with learning and physical disabilities to access services	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Policy relates to the provision of transport to older people to access services
Legal opinion sought Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Consultation will be required	
Person responsible for arranging the review: Alison Elliott	Person responsible for publishing results of Equality Impact Assessment: Alison Elliott
Person responsible for monitoring: Alison Elliott	Date results due to be published and where: Initial: Report to Executive – Jul 09 Final: On completion of consultation
Signed:	Date:

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

1. What is the service/policy/procedure/project etc to be assessed?

Introducing a new policy for the provision of transport assistance for clients accessing adult social care services

2. Briefly describe the aim of the service/policy etc? What needs or duties are it designed to meet? How does it differ from any existing services/ policies etc in this area

There is currently no policy on provision, with transport provided on a historical basis in certain services with little consistency or focus on promoting independence. The new policy provides clarity on who will be provided with transport assistance and the type of assistance available

3. Are the aims consistent with the council’s Comprehensive Equality Policy?

Yes

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

The policy relates to service users with physical disability (75), learning disability (220) and older people (165) who are currently provided with transport to access adult social care services. The new policy will potentially result in 121 users no longer being provided with transport.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make you judgement separately (by race, gender, disability etc).

Assessments of the numbers of existing clients that might not be eligible for the continued provision of Council transport in each category supplied by HOSs

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

No

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

Opinion sought from Borough Solicitor as to the requirement for consultation with service users prior to adoption of the policy. Consultation required. Extensive consultation carried out, letter sent to all service users and carers using the BTS invitation to 4 public meetings issued to all, 3 additional meetings held in response to feedback from the service users. All meetings hosted by Lead member for Adult Social Care and led by Assistant Director.

8. Have you published the results of the consultation, if so where?

See attached (Appendix C from *Provision of Transport for Adult Social Care Users – Promoting Independence*)

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

No current policy in operation

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

There is currently no policy in place for the provision of transport. The new policy will provide clear guidelines on provision based upon a client’s mobility needs, ability to travel independently and access to existing transport. Where appropriate, clients will be provided with support to enable them to travel more independently.

11. If the impact cannot be justified, how do you intend to deal with it?

Not applicable

12. What can be done to improve access to/take up of services?

Not applicable

13. What is the justification for taking these measures?

No policy currently in place, hence a lack of consistency, relationship between needs and provision or focus on promoting independence

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

The provider will monitor the service and records of assessments will be held on the frameworki database, this system has reporting ability and can be used the monitor services. Service user feedback is regularly taken within the service via our service user and carer involvement worker, service user and carer forums. Complaints are routinely monitored.

Alison Elliott.

15. What are your recommendations based on the conclusions and comments of this assessment?

Complete consultation and assess the need for any changes to the policy before implementation.

16. If equality objectives and targets need to be developed, please list them here.

Not applicable

17. What will your resource allocation for action comprise of?

Not applicable

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment:

Full name (in capitals please): Lance Douglas Date:
Service Area and position in the council: [position]
Assistant Director WLA Commissioning

Details of others involved in the assessment - auditing team/peer review:

Tim Frondigoun, Northgate Public Services
Steve Caunt, Northgate Public Services
Marcelle Moncrieffe-Johnson, SHRM
Duncan Matthews, Independent Travel Programme Manager

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**

An online version of this form is available on the Corporate Diversity Team website.

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ASC Transport Policy Consultation Report

Councillor Ruth Moher & Assistant Director Lance Douglas set out the proposed new transport policy for adult social care clients. Transport Modernisation is a person centred process that has been going on for 3 years. Its purpose is to modernise transport provision for Adult Social Care clients to better meet their needs. Some people prefer to be more independent and travel independently to their chosen activities. But some people will always need the services that Brent Transport provides them at the moment. The consultation is to tell you about the proposal and also to listen to your views as it is very important to get your opinion.

Ruth Moher welcomed everyone to the meeting. She wanted to emphasize the message that Brent is not aiming to cut transport for people who need it. But if some people prefer to travel independently and they can safely do that, we fail them by not supporting them in this matter.

The purpose of the new Brent Transport Policy is not stopping the transport for service users but changing it for them and encouraging independent travel.

Lance Douglas underlined that the purpose of the policy is to promote people's independence. A lot of help will be given to anybody who can travel independently. Care managers and everybody involved understand carer's concerns about vulnerable people's safety. LD assured nobody will be put under unnecessary risk.

Historically Brent has been providing transport services for everybody who went through the system of special education regardless of whether they needed it or not.

He emphasized that the purpose of the transport transformation is to have better travel arrangements despite difficult financial situation. He said that the Council is prepared to listen and give clarification so that everybody can understand the whole process. He identified the different ways that the Council was consulting, including consultation meetings, inviting letters with self-addressed envelopes

and by email or telephone. He said the Council had written to every service user and sent them a copy of the draft policy for them to comment on.

Very soon we are starting a new wave of re-assessments for service users with learning disabilities where everybody who currently receives the services will be assessed. Alison Armstrong whose team is doing the assessments will be able to tell you more how they will be conducted.

If anybody is assessed and found to benefit from travelling independently then we will make sure that they can do so safely. Nobody will be forced to do this if this is not safe.

Very soon we are starting a new wave of re-assessments for service users with learning disabilities where everybody who currently receives the services will be assessed again. Transport needs will be assessed as part of these extensive, very comprehensive assessments. A multidisciplinary team of care managers, occupational therapists and physiotherapists will be working with the clients and their carers as part of their social care assessment. If anybody is found to benefit from travelling independently then we will make sure that they can do so safely. Nobody will do this if this is not safe.

Monday 10th January 2011 at 10:45 - Stonebridge Day Centre

Question	Answer
Mrs. Thompson suffers from a number of health conditions. Transformation meetings upset her. She is worried that her son who depends on Brent Transport Services will not get them because Brent is trying to save money.	Lance Douglas: We have not targeted transport as area of huge savings. If a service user is assessed that he needs the transport this person will continue receiving support suited to his needs. Councillor Moher: This meeting is not taking decision about any particular case.
Is Transport Transformation group working together with Alison Eliot's team who already conducted client's assessments?	Client's assessments will be done in the near future and we are working together with Alison Elliott's team. Transport is only one of the assessed needs. Alison Armstrong is responsible for the assessments. She will be answering questions on this. We did not

<p>Having this consultation so soon after Day Services Transformation consultation puts an additional layer of stress on people.</p> <p>Are you considering privatizing the transport?</p>	<p>want to conduct two consultations together.</p> <p>Transformation of transport services is based on a simple principle. If clients are assessed that they need transport they will continue receiving it. To use an alternative transport provision they have to be mobile, confident and judged safe.</p> <p>Privatisation was not considered.</p>
<p>Asmita Acharya, a service user is worried if transport picks service users up the same way as they have been doing all these years.</p>	<p>Lance Douglas: Yes, if you are assessed that you need the service.</p>
<p>How will travel training will be provided?</p>	<p>Lance Douglas: An appointed travel trainer will be providing the service. Duncan Mathews, the Independent Travel Programme Manager will work together with other Council departments to ensure the scheme is successful.</p>
<p>Mrs O'malley asked if the service will still pick-up as now and be door to door or at designated collection points because the policy currently talks about may be door to door and implies door to door will be stopped.</p>	<p>There is no intention to change the current system lance apologised if the policy was unclear we will change this to make it clear.</p>
<p>Brent Transport has been a beacon of Brent for many years. Why do you want to change it? How many clients you anticipate won't need its services?</p>	<p>Lance Douglas agreed that Brent Transport provides excellent services.</p> <p>We won't have an exact number before we complete all assessments. Until now there has been a culture of institutionalization. People who attend special education school automatically receive transport services with very little discussion and consideration of their actual needs.</p>

<p>Who will be doing assessments?</p>	<p>Alison Armstrong: The assessments are going to be comprehensive and transport is part of them. A multidisciplinary team of occupational therapists, nurses, physiotherapists and social workers will be doing the assessments.</p>
<p>You claim that some service users told you that they did not want Brent transport. Have you actually asked them this question or you are going to do that now?</p> <p>Why it has not been done before?</p> <p>Will it involve additional time and financial resources to conduct these assessments?</p>	<p>Lance Douglas: Transport needs will be assessed as part of the general assessments which are being done anyway.</p> <p>Ruth Moher: Adult Social Care transformation did not include transport. Transport is a different element.</p> <p>Lance Douglas: We want your views on the transport policy and we shall apply Transport policy to the assessments.</p> <p>Ruth Moher: In the past it was assumed that people will need transport if they want it or not. The purpose is to help people to travel independently and not to penalise them.</p>
<p>Carers are upset that their views are not listened to. They are disheartened by the results of the Adult Day Care Transformation consultations. Adult Social Care and Transport transformation are interlinked. Where the transport will be going to if the day centres are closing down? Carers feel very strongly that their views have not been heard and consultation is just a formality.</p>	<p>Lance Douglas: People need to be transported into community. It may require investment because service users will be going out to different places. Transport will still be provided to those people still attending day centres. Transport can be provided to other places. We will support those people who do not need transport and want to travel independently to do so.</p> <p>Brent Council's Executive made a decision that these two consultations should be carried out separately. They are separate changes and are quite different.</p> <p>LD said that he understood that carers felt frustrated. There is a genuine attempt to listen to the views of</p>

	users and carers.
Carer: Adult Care Transformation is just a cost cutting exercise.	Councillor Moher: Personalisation started about three years ago and then it was caught up in the cost cutting measures. We are looking to provide more personal services to the service users. Stonebridge and Strathcona day centres are underused. Stonebridge Day Centre is not fit for purpose. New provision gives an opportunity to the people and as a result they will gain more. The consultation identified that other council buildings can be used more flexibly.
Carers save the government millions of pounds by caring for their loved ones.	Lance Douglas agreed.
Do we only discuss transport to the day centres?	LD confirmed we are discussing transport provided by BTS
When one of the carers asked if people will be getting transport to get to Brent Cross another carer responded that it should be covered by the direct payment.	Lance Douglas replied that transport is not included in direct payment and individual budgets.
Are there plans to introduce payment for the transport services?	Lance Douglas: Not at the moment. There will be more consultations if charging for transport is considered.

Thursday 13th January 2011 at 18:00 - Stonebridge Day Centre

Questions	Answers
Where are the assessments are being held?	Lance Douglas: Care managers will be doing assessments in the day centres, in offices or in people's homes. Care managers will be supported by occupational and physiotherapists.

<p>Will you assess only people's mobility needs or you will take into consideration other factors e.g. people's anxieties?</p>	<p>Lance Douglas: People may be encouraged to travel independently only if they can travel independently. If the assessment shows that you cannot do that, nobody will force you to. Duncan Mathews is developing a set of measures on how to help people travel independently. He is putting in place an independent travel-training program. There will be support for people through the independent travel training scheme. Brent staff will provide the support.</p>
<p>What will happen if a client is assessed that they can travel independently but after they start on the travel training program it becomes evident that they cannot do that? Will there be a review?</p>	<p>Lance Douglas: Yes. If it's not safe and a person is not learning, there will be another re-assessment. Nobody will be forced to travel independently if they cannot safely do that. If someone cannot travel independently they will not have to.</p>
<p>What does it mean to travel independently?</p>	<p>There are different ways. They can travel on their own or have a travel buddy or support worker with them.</p>
<p>Lance Douglas gives carers a lot of reassurances but we need a clear statement in writing of what you are intending to do. Carers are disheartened by their experience with previous consultations and request that all verbal promises are put in writing. Can you promise us that if people want transport they will receive it?</p>	<p>Lance Douglas: The draft Brent Council Policy on Transport Support for Adult Social Care Clients has been sent out. We are consulting with carers and services users as Brent Executives told us. We cannot promise that if people want the transport they will get it. It is down to the assessment. Everybody who needs transport will continue receiving it. Ruth Moher: This policy covers the whole range of people including for example children with behaviour problems. Those people who cannot travel independently will continue travelling on Brent</p>

	coaches.
We always believed that the vulnerable will be protected. The decision is being forced on us.	With the current scale of budget cuts Brent is estimating that we will need to save £90 – 100 million over the next four years. But if somebody has been travelling on council transport for the last 20 years it is likely that this person will continue receiving this service.
Travelling on public transport especially at peak time can be dangerous even for people without disabilities. People with learning disabilities can be subjected to bullying and intimidating behavior. It can be scary even if they travel with somebody. You are not thinking about the whole picture. Carers do not believe that their views will be listened to. What are the criteria on which people will be judged that they can travel independently?	Duncan Mathews referred carers to the page 3 on the draft policy where it says that assessment will consider both physical and social reasons that might enable or prevent the client from travelling independently. DM read out a relevant part of the document. Alison Armstrong: AA reassured that the majority of current service users will still travel on Brent buses though they might not be travelling to the day centres five days a week. There will be more mainstream destinations. Care managers together with occupational and physiotherapists will be doing these assessments. All assessments will be personally signed by me. I'll only sign them if I am absolutely sure. If your GP sends us a letter it will also be taken into consideration.
Will you involve private Occupational therapist or will they will be employed by Brent?	Brent.
What is the timeline for the consultation?	The policy is up for consultation until 3 rd of March. The report on consultation and suggestions will be made after this date. The assessment will be done between April - October. The assessment team will be seeing service users and carers. In the

	intermediate period everybody who is currently receiving the services will still be getting them.
How carers will be involved in the assessments?	Alison Armstrong: If clients have capacity they will be asked if they want their carer to be present during assessments. There will be carers' assessments too.
How do you judge client's mental capacity?	Alison Armstrong: The Mental Capacity is that a person must be assumed to have capacity to make a decision or act for themselves. Only specially qualified social worker, GP or psychiatric nurse can identify if you have a capacity. The majority of the service users already had the capacity test. You can tell us if you want a re-test.
<p>Anjna Manek on behalf of the carers: Concern was raised that though the Section 3 of the proposed transport policy lists a number of physical and social reasons that might enable or prevent the client from travelling independently a softer criteria for accessing Brent Transport is not taken into consideration.</p> <p>In the 1980s Brent tried to implement similar measures. A client started the travel training programme but was withdrawn from it at the final stage.</p> <p>Carers are not trying to sabotage client's independence. Their main concern is their loved ones' safety. People are not resisting change for the sake of this. You need to start listening to the carers' concerns. Today service users receive reliable, systematic and safe services from Brent transport. Proposed Transport policy makes perfect sense but not for the learning disabilities.</p> <p>Carers don't think that using Brent Transport coaches bears a stigma of institutionalization the same way as using Transport for London does not.</p>	
Questions	Answers
The policy states that the assessment and provision of	Lance Douglas: The service users can request the review.

transport will be reviewed on a 3- or 6-monthly basis. Will it apply to everybody?	The review will take into consideration not only listed criteria but also more subtle aspects.
The judgment on softer aspects is very subjective. Difficulties arise when you try to convert it into what kind of services people will be receiving.	Alison Armstrong: That is why a multidisciplinary team will be doing clients' re-assessments. This team will include care managers, physio and occupational therapists. You can ask your GP to write a letter. All these professionals won't be in the room during the assessment because it would be very intimidating for the clients. If the service user is identified that they will benefit from employment, Mencap and organization called Toucan will support them.
Carers are worried about practicalities of travel training.	Duncan Mathews: DM gave a summary of travel training programme in its different stages. The travel trainer is responsible for making sure the student understands the realities of public transportation and learns the skills required for safe and independent travel.
Let us know a) when the report on the Policy is available b) when the decision is made.	Lance Douglas: The report on the Transport Policy is going to the Executives in March. The Report will be published on Brent website. We will write you about the results.

Wednesday 19th January 2011 at 10:45 - Stonebridge Day Centre

Questions	Answers
At the weekend people want to travel to different places e.g. West End and shopping but buses are crowded. Will Brent Transport help us to go there?	Lance Douglas: We would like to encourage people to go out more independently and with their carers.
One of the clients shared his	Lance Douglas praised the client and said that this


<p>achievements of travelling independently but said that it was very difficult because he was partially sighted.</p>	<p>person could even help other people to start travelling independently. He also agreed that not being able to see properly makes travelling very difficult.</p>
<p>How will the assessments be done?</p>	<p>Everybody will be assessed using the national Fair Access To Services criteria. People mobility needs will be assessed too as part of the combined assessments.</p> <p>Some people with physical disabilities have mobility cars and they can drive themselves to their day activities. Some people have mobility car and their carers drive them. Will these people get transport services or not depends on their circumstances.</p> <p>One of the carers said that she drives her brother to doctors' appointments etc but Brent coach takes him to his day centre. LD replied that assessment will ask the carer if they can take clients to their day activities too.</p>
<p>Some clients are mobile and physically fit to travel but they have learning disabilities that prevent them from travelling independently.</p>	<p>If people are not mentally capable to safely travel on their own they will continue using Brent Transport services unless somebody can take them.</p>
<p>Brent Transport is very efficient and reliable. At the moment clients are facing a lot of instability with day centres closing. Not being able to use coaches will add to their confusion and create a lot of behavioral and safety issues.</p>	<p>A lot of people were put on Brent coaches without considering any alternative. If service users are assessed that they need transport they will continue with it as at the moment, and if they don't need transport it will be stopped. The first wave of assessments is starting at the end of January. We realize that if a service user has been travelling by Brent coaches for 10 – 40 years it is unlikely that the assessment team will tell them to start travelling independently.</p> <p>Brent aims to maintain managing existing transport services and further improving them.</p>

Is there a target to reduce transport usage in Brent?	LD: An initial assessment shows that 45 people out of 400 might be assessed that they can travel independently.
Will the impending assessments take into consideration that clients who are not usually prone to challenging behaviour can have the outbursts?	Care managers are going to conduct very thorough comprehensive assessments. Carer's views will be taken into consideration. Carers might attend the assessments if clients want them to be there. An experienced social worker will be talking to the carers.

Thursday 20th January 2011 at 18:00 - Stonebridge Day Centre

Questions	Answers
A carer thanked Lance Douglas and Ruth Moher for dispelling rumors that Brent is going to stop providing transport for services users. It has been a great relief.	If a service user is assessed that they cannot travel independently they will continue using the transport services as before. If they can travel independently some alternative arrangements will be made. Travel training will be provided.
What individuals can be put forward for travel training?	Anyone who wants to be travel trained will be given the opportunity. Duncan Matthews : A qualified travel trainer will be working individually with the clients giving them stage by stage support. There are different travel training schemes depending on client's needs and abilities. The decision will be taken at the end if it is safe for the service users to travel independently. In some cases, in spite of all resources and efforts invested in the travel training, the person will be judged as not being able to do that. These people will continue receiving Brent Transport services. There might be cases when people will be accompanied at all times. Lance Douglas: Though the services are changing Brent will still

	<p>respect its statutory obligations of meeting people's needs.</p> <p>Unfortunately it might be only a minority of current service users who will be able to start travelling independently. For those who are capable of doing that it will be a life changing experience.</p>
<p>Concerns about safety of older people if they are encouraged to start travelling independently.</p>	<p>Older people who lack capacity or too frail will continue receiving Brent Transport services.</p>

	<p style="text-align: center;">Executive 14 March 2011</p> <p style="text-align: center;">Report from the Director of Housing and Community Care</p>
on	Wards Affected: ALL
Supporting People Procurement Plan and related contract issues	

1.0 Summary

- 1.1 In May 2007 Brent Council's Executive agreed a 4 year Procurement Plan for contracts funded through Supporting People Grant. As the period covered by this plan is coming to an end, this report sets out a Procurement Plan for Supporting People funded services for the next 3 years.
- 1.2 Funding for Supporting People, now subsumed within Formula Grant, will have fallen by 19.5% by March 2013 and is set to fall further over the following two years. The Procurement Plan (see Appendix A) sets out a timetable showing when Supporting People services will be procured in future, including participating in a West London joint framework agreement tender project. This will allow the council to meet its legal obligations to procure services effectively when contracts end, and should also allow savings to be achieved to meet reduced budget availability.
- 1.3 The report also requests authority to approve the award of new contracts for Supporting People funded contracts providing services for women escaping violence and homeless families and services for single homeless people in order to allow sufficient time for them to be procured in line with the Procurement Plan.

2.0 Recommendations

That the Executive:

- 2.1 Note the timetable for procurement of Supporting People services set out in the Procurement Plan attached at Appendix A

- 2.2 Approve participation in a collaborative procurement project to tender a joint Framework Agreement for housing and support services with other West London boroughs and agree that this project be exempted from the normal requirements of Brent's Contract Standing Orders on the basis of the reasons set out in section 5 of the report.
- 2.3 Agree to an exemption from tendering requirements for the reasons set out in section 6 of the report, and approve the award of new contracts for Supporting People funded contracts providing services for Women Escaping Violence and Homeless Families (as listed in para 6.2 of this report). The new contracts will be for 15 months from 1st April 2011 to 31st June 2012, with the scope to extend for up to 9 months to 31st March 2013 (2 years in total) in order to allow time for new contracts to be put in place.
- 2.4 Agree to an exemption from tendering requirements for the reasons set out in section 7 of the report, and approve the award of new contracts for Supporting People funded contracts providing services Supporting People funded contracts providing services for Single Homeless (as listed in para 7.2 of this report). The new contracts will be for fifteen months from 1st April 2011 to 31st June 2012 with the scope to extend for up to another year to 31st March 2013 (2 years in total) in order to allow time for new contracts to be put in place
- 2.5 Should the recommendation stated in paragraph 2.3 and 2.4 not be supported, it is requested that a 12 month extension to the contracts listed in paragraphs 6.2 and 7.2 of the report be granted to allow sufficient time for a tender exercise to be undertaken. This extension would take the existing contracts to 31st March 2012.

3.0 Background

- 3.1 The Supporting People is a preventative programme which aims to enable vulnerable people to live independently in the community, through providing housing support services. Housing support workers, sheltered housing managers, women's refuge workers, etc support people to prevent hospital admissions, evictions, mental ill health, homelessness, anti-social behaviour. When budgets were un-ring-fenced funding criteria were broadened, so the programme now provides a range of non statutory welfare services including handyperson, accident prevention, hospital discharge support etc.
- 3.2 Supporting People is a national programme, previously funded as a standalone grant, un ring-fenced in April 2009, and since April 2010 incorporated into Area Based Grant. The recent Comprehensive Spending Review notionally protected the programme nationally, with a reduction of 12% over 4 years. However, as the budget has been un-ring-fenced and incorporated into Formula Grant, many local authorities are being forced to make cuts in their local Supporting People budgets to contribute to savings targets. Such possible cuts to services for vulnerable people have resulted in considerable national press interest.

- 3.3 In Brent, the local Supporting People programme cost £12.358 m in 2010-11. Despite a notional 11.3% cut in funding, the proposed budget has been reduced by only 10% for 2011-12 to £11.16 m as part of council-wide savings. A further savings, currently forecast as at least £600,000, are being planned for 2012-13.
- 3.4 It is anticipated that the savings for 2011/12 will be achieved through negotiations with current providers. Providers are generally suggesting savings which do not impact on front line staff, so protecting existing services. However, this will not be sustainable in the long run. Savings for the following year and beyond are likely to be achieved through this proposed Procurement Plan and the number of service users receiving SP services or time for which they receive services may need to be reduced in order to maintain costs within the available funding, depending on the prices achieved through market testing. By maximising competitiveness through a tendering process we aim to maintain as many services as possible at the highest possible quality.
- 3.5 When the programme started in Brent in 2003, c3,000 people at any one time received housing support funded via the programme. There were 55 providers, ranging from large national to small local organisations, and 95 contracts. Following the implementation of the Procurement Plan agreed in 2007 the programme now provides to over 3,500 people at any time, funds 42 providers, and 71 contracts. The SP programme is one of the largest single sources of funding for the voluntary sector in Brent.
- 3.6 A 5 Year Supporting People strategy was agreed by members in 2009. This set out local priorities for the programme 2009-13, identifying how the future allocation of resources, re-configuration, development of new services and award of contracts will link to local needs and priorities set out in the Corporate Strategy and local commissioning strategies. There is a stated aim in the Brent SP strategy to achieve VFM and improve the quality offered by SP contracts, and also to expand the number of service users receiving services. However, when the Supporting People Strategy was developed in 2009 the scale of recent public sector cuts and budget cuts to the Programme was not anticipated.
- 3.7 Appendix A proposes a Procurement Plan for the period 2011-13. The proposed Procurement Plan programme shows when services will be opened up to competition. Opening services to competition and rationalising the market is seen as a way to ensure services can be managed within available reduced budgets, address current priorities, improve standards and offer choice for users and Value for Money for commissioners. By using the Procurement Plan we allow procurement for a large number of services to be done in a planned and managed way, ensuring that we do not de-stabilise services for vulnerable people or put provider organisations at undue risk.

- 3.8 The Supporting People Strategy states *what* will be commissioned, the Procurement Plan sets out *when* services will be commissioned and procured.

4 Procurement Plan

- 4.1 The Procurement Plan shown in Appendix A is based on existing contracts end dates. Where new services are to be procured, these will usually be drawn into the proposed programme. Services have also been prioritised for early tendering where there is significant mis-match with strategic needs, where we believe contract price reductions should be achievable and where cost and benefits will impact on wider budgets.
- 4.2 The Procurement Plan groups similar services together. The exact configuration and capacity of services to be procured will be agreed during reviews which take place prior to tendering. These will identify the best options for securing high quality services representing the best value for users and council.
- 4.3 The Procurement Plan will need review in line with changes to the Supporting People strategy or partner priorities and the staff capacity to achieve the timetable.
- 4.4 As can be seen from Appendix A the majority of future requirements will be met by using the two frameworks described in section 5 below.

5.0 West London Joint Housing Support Framework Agreement

- 5.1 Adult social care including Supporting People is one of the areas of interest for the West London Alliance, collaborating in order to achieve greater efficiencies from the care and support market. The two main objectives are cost savings and improving the quality of services. The proposed Procurement Plan makes use of a collaborative procurement exercise which has already completed. This procured a multi supplier Framework Agreement¹ for home support, and floating support for older people, people with learning disabilities and physical disabilities which was tendered jointly by the West London authorities in 2009-10. The Executive approved the award of contracts from this framework for the council's main home care requirements in August 2010, however it can also be used for integrated home care and housing support, and for housing support for older people.
- 5.2 The proposed Procurement Plan also refers to making use of a multi supplier Framework Agreement for housing support services to be tendered during 2011 jointly by the 7 West London boroughs, supported by the West London Alliance (WLA) joint procurement unit. This new framework will cover all client

¹ Framework definition – a number of providers who have been approved to provide services and who have agreed the terms of trade (including the price) before an actual contract has been formed. The contract is formed once services are called-off from the Framework

groups for which services are procured in Brent, however for some client groups it may be more appropriate, or timely, to use a Brent specific tender.

- 5.3 The London Borough of Hammersmith and Fulham and Royal Borough of Kensington and Chelsea have been asked to lead the procurement project for a new Framework Agreement which will supply housing support services. These boroughs have previous experience in developing joint frameworks for Supporting People services, and therefore have a model ready for all Boroughs to consider. The other reason was both LBH&F and RBKC existing framework contracts are due to expire and replacements are required.
- 5.4 Governance structures are being set up (a project board made up of reps from all the authorities, and a project manager). Brent will be represented by the Lead Officer for Supporting People. A procurement officer and a finance officer will be engaged in the development of the specifications and terms and conditions, and we will be fully involved in the selection process. The work of the Board is accountable via the West London joint procurement unit to the Directors of Adult Social Care. The project will be sponsored by the Chair of the west London Social Care Directors.
- 5.5 The project started in January 2011, for completion by February 2012, and call off by individual boroughs should be possible from about April 2012. The Procurement Plan shows that call off from the West London Framework will start in Brent immediately the Joint Framework is ready.
- 5.6 It is proposed that the joint West London Housing Support Framework Agreement will cover all Supporting People client groups, and will cover both accommodation based services, such as hostel staff and women's refuge services, and floating support services. Although the Framework will be tendered jointly individual boroughs will call off the Framework according to their own needs, budgets and circumstances.
- 5.7 Learning from earlier joint borough Supporting People Framework Agreements, it is proposed that broad outcome based service specifications based on wide client categories will be used. Each service specification could have 5 or 6 overarching outcomes. An implication of this is that the project will not be tendering for specialist services, but will group services for socially excluded groups (ie including Young People, offenders, Single Homeless, Drug and Alcohol needs, mental health needs) and for Community Care client groups. Where local authorities want to commission specialist services there will be an additional optional menu of outcomes. This will make the Framework very flexible for individual authorities and encourage flexible holistic services to be provided by providers.
- 5.8 The pricing and scoring methodologies and the service specifications for the West London Housing Support Framework have yet to be agreed by the project board. The specifications will ensure that only providers that meet minimum standards in terms of the quality of their service can be included in

the framework agreement. The service specification will be outcome based which we believe will represent a significant improvement. It is proposed that the joint Framework will reflect the personalisation agenda and test providers' readiness for personalisation. There will be a clause in the contract re variations in prices if service users decide to use a Direct Payment to purchase their own care and support.

- 5.9 There are many benefits in participating in this project, the most significant being the competitive prices being achieved through collaboration. The combined West London Supporting People budgets are over £50million pa, and even when budget reductions are made will still represent a very significant market for providers. The joint West London Framework for Home Support services saw significant price reductions. Providers will be asked to offer lower hourly prices should they receive large volumes of hours from the Framework. By working together we maximise the possible savings. We also benefit from pooling procurement resources, saving staffing resources and benefiting from experience and skills across the sub-region, and we reduce the need for individual tenders for each service being required, this is a significant benefit in terms of resources for the council, and beneficial to providers, who need tender once, to get on to the Framework.
- 5.10 The Framework Agreement also has the benefit of allowing each local authority to call off individually according to their local demand, budget and circumstances, keeping local control of commissioning alongside the benefits of the joint procurement.
- 5.11 The timetable at Appendix A identifies the options for procurement. The exact Framework Agreement to be called off, or procurement route to be used for each group of contracts in order to achieve the most beneficial outcome for the council, will be notified to Executive at the time when approval to tender is sought.

6.0 Authority to approve the issuing of new contracts for housing support services for women escaping violence and families at risk of homelessness

- 6.1 This report seeks approval to extend the Supporting People funded contracts with existing providers of services for women escaping violence and homeless families in order to provide time to call off from the Framework as set out in the Procurement Plan.
- 6.2 Existing contracts for women escaping violence and for homeless families end in March 2011. Details of existing services are set out in Table 1 below. These services were reviewed in 2009. The outcome of the reviews was a recommendation to tender the services, which was reported to Executive and approved in December 2009. However, tendering did not take place, because both the domestic violence providers proposed a joint partnership, without prejudice to the procurement process, would deliver the recommended

configuration of services and cost savings. We have been working with providers to negotiate some contract price savings and now consider that best value will be achieved by issuing new contracts and calling of through the West London Framework early in 2011.

Provider Name	Contract	Capacity (Accom based)	Capacity (Floating Support)	Service Type	Price 2010/11	Negotiated Price 2011/12
HESTIA	BWA	19	32	Refuge + floating support	£224,489	£224,489
ASRA	Asian Womens Refuge	6	15	Refuge + floating support	£85,000	£74,800
STADIUM	Press House	48	10	Accommodation for homeless families and floating support	£202,000	£146,300

7.0 Authority to approve issuing of new contracts for housing support for single homeless people.

7.1 This report seeks approval to issue new Supporting People funded contracts with existing providers of services for single homeless people provided through 6 contracts for hostels and other supported accommodation and one for floating support.

7.2 Existing contracts for Supporting People funded services to single homeless people end in March 2011. These services were reviewed in 2009. The outcome of the reviews was a recommendation to tender the services, which was reported to Executive and approved in January 2010. However, tendering did not take place, as following discussions with providers it was considered that greater efficiencies could be achieved through negotiations. These negotiations are still ongoing. The Procurement Plan attached at Appendix A shows these services will now be called off the new West London framework agreement in early 2012. This will enable us to benefit from the competitive rates expected to be available through the framework agreement mentioned in section 5 above.

7.3 Details of existing services are:

Provider Name	Contract	Capacity	Service Type	Price 2010/11	Negotiated Price 2011/12 (%saving on 2010/11)
Broadway	Housing service	22	Accommodation	£110,000	£96,833 (-12%)
English Churches Housing Group	Refugees	19	Accommodation	£73,440	£65,629 (-9%) Negotiations ongoing for further reductions

Provider Name	Contract	Capacity	Service Type	Price 2010/11	Negotiated Price 2011/12 (%saving on 2010/11)
Innisfree H A	Move on Support	43	Floating Support	£74,562	£65,615 (-12%)
Innisfree H A	Hostels Single Homeless	26	Accommodation	£125,698	£110,614 (-12%)
Single Homeless Project	SHP Hostels	38	Accommodation	£159,298	In negotiation to remodel for Ex-Offenders
St Mungos HA	Single Homeless Short Term Services	30	Accommodation	£150,478	£136,144 (-9.5%) In negotiation for further reductions
St Mungos HA	Single Homeless Long Term Services	48	Accommodation	£156,697	£142,364 (-9.1%) In negotiation for further reductions

8.0 Financial Implications

- 8.1 In 2010/11 the total value of the Supporting People programme is £12.358m. It is anticipated that the budget for the programme will reduce to £11.16m in 2011/12 and that a further reduction of least £600,000 is anticipated in the following year. All new and existing Supporting People contracts will be managed within this reduced budget, which may mean specifying lower volumes when services are called off the framework in future, in order to keep spending within available funding.
- 8.2 There are significant cost implications in the administration of a large Procurement Plan, in terms of staffing resources, and professional legal and procurement advice. The costs will be managed within the Supporting People budget.
- 8.3 Considerable scope exists for pooled funding and for commissioning services jointly with Commissioning Partners such as other Local Authorities or health commissioners. This will be considered on a case by case basis when contracts are procured and the necessary authorities sought at the time. Where joint tendering takes place the related administration costs would also be shared.

9.0 Legal Implications

- 9.1 Procurement of Supporting People funded services must comply with the relevant procurement strategy and standing orders and the requirements of EU procurement rules.

- 9.2 The Council has the necessary powers to enter into the contracts included in the Procurement Plan under (amongst other provisions) s21, s26 and s29 of the National Assistance Act 1948, s45 of the Health Services and Public Health Act 1968, s2 of the Chronically Sick and Disabled Persons Act 1970, and s2 of the Local Government Act 2000. The Council also needs to comply with any conditions imposed on the Supporting People Grant it receives.
- 9.3 The Procurement Plan appended at Appendix A sets out a programme for procuring services through use of an existing West London framework, or by use of the new West London framework mentioned above which has not yet been tendered. Some of the current contracts for these services will terminate before the proposed tendering can take place. These current contracts may therefore need extending or may be the subject of reports to the Executive to waive tendering requirements in order to award new contracts to the current provider until such time as the procurement process for that service is completed.
- 9.4 Where approval is being sought to award new contracts to current providers, an exemption from the usual tendering requirements of Contract Standing Orders is required. The Executive can only grant such an exemption where it is satisfied that there are good operational and/or financial reasons (CSO 84(a) and that there would be no breach of EU procurement law.
- 9.5 This report is also asking for approval to participate in a collaborative procurement with other West London boroughs. As this will mean that the procurement is conducted according to the Contract Standing Orders of another borough, the approval of the Executive is required in accordance with Standing Order 85.
- 9.6 The Public Contracts Regulations 2006 (the EU Regulations) contracts for social care and support are Part B Services under the EU Regulations and are therefore not subject to the full application of the tendering rules in the EU Regulations. They are however, subject to the overriding EU principles of equality of treatment, fairness and transparency in the award of the process.
- 9.7 Many Supporting People contracts are High Value (ie exceeding £500,000 in total value). As contracts are proposed for call off from current or future frameworks, Executive approval will be required.
- 9.8 Legal Services will provide on-going advice on the issues associated with the proposed Procurement programme.

10.0 Diversity Implications

- 10.1 Careful monitoring of the implementation of the Procurement Plan will be required in order to ensure that small and specialist providers are able to provide services where appropriate. We will be encouraging partnerships and sub-contracts in order to ensure that such providers are not disadvantaged.

We will monitor diversity and ensure that any partnerships and sub-contracts do not disadvantage users or providers.

- 10.2 At present 13 of the 42 Supporting People providers in Brent are disability, gender, age, BME or faith specific organisations. They jointly receive about 26 % of current funding. Although the number of specialist organisations has reduced over the years since the programme started, with a general reduction in the number of providers, the share of the programme provided by small and specialist organisations has actually increased from 22% in 2007, as a result of small specialist organisations such as Brent Mencap and Elders Voice winning competitive tenders.
- 10.3 The West London boroughs are planning provider training and development of consortia to assist small and specialist providers to continue to participate in providing Supporting People funded services. In addition, the Framework Agreement offers flexibility and the possibility of a range of services being developed to benefit very diverse needs. It is hoped that the tendering project may lead to new specialist organisations being selected to provide in Brent.
- 10.4 Where it is proposed to change any service then an Equalities Impact Assessment will be carried out to identify the impact on any particular group and the mitigating steps that need to be taken.

11.0 Staffing/Accommodation Implications

- 11.1 Funding reductions have led to reductions in the staff within the Supporting People team and careful monitoring along with support from procurement category managers will help ensure that this does not impact on the ability to achieve the proposed timetable. Participating in the West London Framework will maximise efficient use of staff resources.
- 11.2 Support from Corporate Procurement and legal colleagues will be required to deliver the Procurement Plan.

Background Papers

1. Brent Five Year Supporting People Strategy 2009-13

Appendices:

- A- Supporting People Procurement Plan

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APPENDIX A


**LONDON BOROUGH OF BRENT –
SUPPORTING PEOPLE PROCUREMENT PLAN 2011-13**

Client Group	Contract end dates /extensions	Tender Process Start Month/Year	Contract approx annual value 2010-11	Next steps and options being considered
PROCUREMENT IN PROGRESS:				
Young Peoples Services	September 2011	February 2011	£0.8mill	Local Framework Contract Tender in progress. New service providers to be in place by 1 st Sept 2011.
PLANNED PROCUREMENT:				
Domestic Violence Services	March 2012 (+ possible 1 year extension) (subject to approval by exec)	April 2011	£0.57mill	West London SP Framework
Families	March 2012 (+ possible 1 year extension) (subject to approval by exec)	April 2011	£0.5mill	West London SP Framework
Learning Disability – floating support	August 2010 + 2 years (currently negotiating extension price)	Depends on outcome of negotiations with current provider	£0.45m	Either existing West London home support Framework or new West London SP framework
Learning Disability- Accommodation Based	April 2011 +1 year possible extension	Preparation starts August 2011 Call off WL February/March 2012	£0.27mill	Call off either existing West London home support Framework (service would need considerable re-configuring) or new West London SP framework
Older People (sheltered)	March 2012 + 1 year possible extension	Preparation starts with Exec report August 2011	£1.2mill	Sheltered Review in Progress due to report to Executive by August 2011. The outcome will determine future configuration of services and capacity. Either call off existing West London home support Framework, West London SP Framework
Mental Health Services	November 2011 with possibility of 1 year extension	Preparation starts August 2011 Call off WL February/March 2012	£2 mill (reduction of £0.4 negotiated for 2010-11)	West London SP Framework

**LONDON BOROUGH OF BRENT –
SUPPORTING PEOPLE PROCUREMENT PLAN 2011-13 continued**

Client Group	Contract end dates /extensions	Tender Start Month/Year	Contract approx annual value 2010-11	Next steps and options being considered
Single Homeless - hostels	March 2012 + 1 year possible extension (subject to Exec approval)	Preparation starts June 2011 with call off in February/March 2012	£2.2mill	Call off new West London SP framework
Single Homeless Floating support	August 2012 and March 2013 (2 contracts)	call off as required from June/July 2012	£1.3 mill	Call off new West London SP framework
HIV services	Feb 2012 with possibility of 1year extension	Preparation starts Sep 2011 call off in February/March 2012	£0.05m	Call off West London SP Framework Agreement (with other floating support services)
Older People (Floating support)	June 2012 with possibility of extension one year	Call off date will depend on price reduction negotiations and contract extension agreed with existing provider.	£0.79mill	Call off either existing West London home support Framework or new West London supporting people framework
Services for People with Physical Disabilities and HIV	November 2011 with possibility of one year extension	Call off WL February/March 2012	£0.33million	Call off West London home support Framework or WL SP framework
Offenders services	December 2012	June 2012	£0.43mill	Call of f from West London SP Framework
Drug and Alcohol Services	December 2012	June 2012	£0.32mill	Call of f from West London SP Framework
Teenage Parent services	September 2012 with possibility of one year extension	Late 2012/early 2013	£0.2mill	Call of f from West London Framework

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	<p style="text-align: center;">Executive 14 March 2011</p> <p style="text-align: center;">Report from the Director of Housing and Community Care</p>
<p style="text-align: right;">Wards affected: ALL</p>	
<p>ALMO Amendment to Memorandum of Association – Registered Provider Status</p>	

1.0 Summary

- 1.1 In order to meet regulatory requirements for access to grant funding to progress existing new build development, and to secure financial benefits for the delivery of the Settled Homes Initiative (SHI), Brent Housing Partnership (BHP) needs to become a Registered Provider with the Tenant Services Authority (TSA).
- 1.2 Registered Provider status and the regulatory compliance regime with the TSA will only apply to BHP's directly owned social rented homes.

2.0 Recommendations

- 2.1 The Executive authorises the BHP Board to make amendments to its objectives within its Memorandum of Association as set out and tracked in Appendix A to this report in order to meet the requirements of the Tenant Services Authority (TSA) for registration as a social housing provider.
- 2.2 The Executive authorises BHP to apply for Registered Provider status with the TSA.
- 2.3 The Executive notes that the changes proposed in this report will not prejudice any actions or decisions which the Executive may make following the review of BHP that is currently being carried out on behalf of the Council by Navigant Consulting.

3.0 Detail

- 3.1 In 2008 BHP applied successfully to become an investment partner with the Housing Corporation (now the Homes and Communities Agency) in order to develop its own homes. New development is subject to compliance with the terms of a formal grant agreement, the current version of which includes a requirement for BHP to be a Registered Provider in order to claim housing grant.
- 3.2 In addition, changes to the calculation of the Local Housing Allowance and housing subsidy from 1st April 2011 applicable to temporary housing schemes managed by Registered Providers, and exemption from payment of Stamp Duty Land Tax will both contribute to the ongoing financial viability of the SHI. Details of the circumstances in which BHP will be treated more favourably as a Registered Provider compared to a private landlord in respect of the calculation of Local Housing Allowance and housing subsidy are set out in paragraphs 4.1 and 4.2 below. Details of the exemptions from paying Stamp Duty Land Tax as a Registered Provider are set out in paragraph 4.3 below.
- 3.3 The Tenant Services Authority issued regulatory guidance in April 2010 for organisations wishing to become Registered Providers, requiring specific wording to be included within the organisation's objectives regarding social housing provision, and to confirm its not-for-profit status.
- 3.4 BHP have discussed the requirements with the TSA, and taken independent legal advice on the proposed wording amendments. The revised wording, as set out and tracked in Appendix A to this report, does not fundamentally alter the status of BHP or its overall objectives. However, it provides clarification which meets the TSA's requirements for registration. Any amendment to BHP's Articles or Memorandum requires the approval of the BHP Board and the Council. The BHP Board gave their approval to the changes at its meeting on 24th February 2011 but the approval of the Council's Executive is also required before the changes can be made and brought into effect. This report seeks the approval of the Executive to agree the proposed changes to BHP's Memorandum of Association as set out in Appendix A to this report to enable BHP to apply for Registered Provider status with the TSA.
- 3.5 All existing Registered Social Landlords and local authority landlords automatically became Registered Providers with effect from 1 April 2010. Other organisations, including ALMOs, are required to follow an application process for registration as Registered Providers to the TSA.
- 3.6 The formal application process for registration with the TSA requires meeting the TSA's eligibility criteria in terms of the organisation's objectives and status, which must include the provision of social housing. Thereafter, the TSA completes an assessment against their viability standard and the organisation's ability to meet the six strands of the TSA's regulatory standards, which are: Governance and Financial Viability, Tenant Involvement and Empowerment, Home standard, Tenancy standard, Neighbourhood and Community standard and Value for Money standard.

- 3.7 BHP have made plans to submit a formal an application for registration as a Registered Provider for the TSA to consider at its assessment committee on 3 March 2011. If the TSA is minded to approve BHP's application for Registered Provider status, such approval will only be granted subject to receipt of a certified copy of the changes to BHP's Memorandum of Association as set out in Appendix A to this report. It should be added that the proposed changes to BHP's Memorandum of Association can only be made once they have been approved by the Council's Executive.
- 3.8 The Registered Provider status and related regulatory compliance as stipulated by the TSA will only apply to BHP's directly owned social rented homes which fall within the definition of low cost rental accommodation as defined in section 69 of the Housing and Regeneration Act 2008 which is as follows: it is made available for rent, the rent is below the market rate and the accommodation is made available in accordance with rules designed to ensure that it is made available to people whose needs are not adequately served by the commercial housing market. These social rented homes include Granville New Homes and new build homes funded with social housing grant at Aldbury Avenue. At present, market rent, intermediate rent and temporary to permanent housing during the phase of temporary accommodation are currently functions that are currently not regulated by the TSA.
- 3.9 It is important that BHP achieves Registered Provider status before April to ensure that it can maximise rental income, and save stamp duty land tax costs for the bulk of the settled homes acquisitions programme which is to be delivered by March 2012. This will improve the cash flow position in the financial model supporting the project. In addition, a grant funding allocation supports the delivery of the new build development of two homes at Ander Close starting on site in March, which is subject to a grant agreement requiring Registered Provider status as a pre-requisite for making grant claims.
- 3.10 The proposed wording changes to the Memorandum of Association do not fundamentally alter the business objectives of BHP, but provide the clarification required by the TSA to meet their regulatory guidance. Activities carried out by BHP are subject to approval by the Council. The Registered Provider application supports the delivery of projects already approved by the Council including the development of new homes, and the settled homes initiative providing temporary to permanent homes for homeless households nominated by the Council.
- 3.11 Details regarding the review relating to the future of BHP and the Council's relationship with BHP are set out in paragraph 5.6 below.

4.0 Financial Implications

- 4.1 BHP has been allocated grant funding for a new social housing development which is subject to grant conditions in the HCA's Grant Agreement requiring

Registered Provider status. Failure to achieve this status will lead to loss of this grant allocation, and prevent BHP from accessing future grant funding.

- 4.2 As a Registered Provider BHP would be able to apply the revised housing benefit subsidy formula for rents relating to temporary housing schemes for the settled homes initiative, which was published on 31st January (circular HB/CTB S1-2011). Rents are to be fixed from 1st April 2011 to 31st March 2013 at the January 2011 Local Housing Allowance rate minus 10% plus £40, which is above the LHA rent caps which apply currently to BHP's status for housing benefit purposes as a private landlord, and are also effective from 1st April 2011.

Table of temporary accommodation rents (LHA -10%+ £40) based on the January LHA rates from 1st April 2011 compared with the rent caps:

Area	1 bed	2 bed	3 bed
Inner North London	£274	£346	£445
Inner West London	£256	£323.50	£395.50
North West London	£195.77	£237.31	£299.61
LHA Caps	£250	£290	£350

Use of the housing benefit subsidy formula will enable BHP to maximise its rental income stream and improve the cash flow position in the financial model.

- 4.3 A non-profit Registered Provider (s115 Housing and Regeneration Act 2008) is exempt from paying SDLT on acquisitions from another RP, local authority or certain other bodies, and on purchases funded by social housing grant. As a Registered Provider, BHP will not be required to pay Stamp Duty Land Tax (SDLT) on the properties it is buying for the settled homes initiative, realising a saving of up to £500k on the programme of acquisitions for tranche 2.

5.0 Legal Implications

- 5.1 The Tenant Services Authority was established under the provisions of the Housing and Regeneration Act 2008 to assume responsibility for the regulation of social housing providers from the Housing Corporation¹. This included maintaining a list of all Registered Providers. As stated in paragraph 3.5 above, all existing Registered Social Landlords and Local Authority providers automatically became Registered Providers with effect from 1st April 2010. Other organisations including ALMOs are required to follow an application process for registration. It is proposed in the Localism Bill that the TSA will be abolished and the regulatory functions of the TSA will be transferred to the Homes and Communities Agency.

¹ The Housing Corporation was replaced by the establishment of the Homes and Communities Agency from 1st December 2008.

- 5.2 BHP is a limited company, without share capital, which operates on a not-for-profit basis. Brent Council is the sole guarantor member. The governance arrangements are set out in the Articles of Association. The Memorandum of Association details the business objectives of the company, which includes constructing new homes, and other activities approved by the Council. The proposed changes BHP's Memorandum of Association require the approval of the Council's Executive. The last time in which the Council's Executive approved changes to BHP's constitution was in November 2007 when it approved changes to BHP's Articles of Association in order to allow changes to the quorum requirements of BHP's Board membership.
- 5.3 In terms of BHP's own Constitution, clause 4 of the Memorandum of Association states that BHP has the power to do anything a natural or corporate person can lawfully do which is necessary or expedient to further its objects unless prohibited by the Memorandum. Clause 3(11) of BHP's Memorandum of Association, it states that the objects of BHP shall include carrying out such activities as Brent Council shall approve.
- 5.4 The Department for Communities and Local Government has confirmed that BHP can own assets and grant tenancies as a landlord without the requirement for further consent from the Secretary of State though this is subject to the Council's approval as required under BHP's constitution. The Council's Executive has previously given approval to BHP developing, and owning homes, and to loan funding to deliver the Settled Homes Initiative. BHP owns properties as a landlord in its own right at Granville New Homes, as approved by the Council's Executive in December 2008 and May 2009. Also, BHP also owns properties with the assistance of grant funding from the Homes and Communities pursuant to tranche 1 of the Settled Homes Initiative, as approved by the Council's Executive in January 2011, and the National Affordable Housing Programme, including the properties at Aldbury Avenue which the Council's Executive approved in November 2008.
- 5.5 In order to meet the requirements for registration BHP must comply with the regulatory guidance set out in the TSA's procedural guidance note dated 25th August 2010. This expects the following requirements to be met:
'The objects clause must:
- refer to "social housing" explicitly
 - satisfy the requirement that any other purposes of the body are connected with and incidental to provision of housing (Condition 3 in section 115 of the Housing and Regeneration Act). The exact wording does not have to be used; that has to be the meaning of other words.
 - refer to not-for-profit status, whether using those exact words or other words which have the same effect

Whether in the objects clause or elsewhere, the articles must:

- refer to non-distribution of assets to members. It should be noted that TSA consent to future changes to this element of the rules is required whether this appears in

the objects clause or not pursuant to of s214 of the Housing and Regeneration Act 2008. That section sets out the circumstances where the consent of the TSA is required when a Registered Provider that is a registered company amends its articles of association.

5.6 BHP has gradually been developing its role as a provider of housing in addition to being a housing management organisation and it is effectively becoming a social landlord in its own right on a piecemeal basis. This has been developing gradually without the Executive yet making any strategic decisions regarding the future direction of BHP and whether BHP should continue its development role as a social landlord in its own right and/or whether BHP should just continue to be the Council's Arms Length Management Organisation (ALMO) and managing the Council's housing stock. These issues will need to be addressed when the Executive makes a decision regarding the future of BHP before the BHP Management Agreement expires on 30 September 2012. An independent review, which has been commissioned by the Council, regarding the future of BHP and the Council's relationship with BHP is currently being carried out by Navigant Consulting and the review report is expected to be presented to the Executive for consideration in the spring of 2011. As set out in paragraph 2.3 of this report, decisions made by the Executive in relation to this report will not prejudice any decisions or actions which the Executive may wish to take regarding BHP and the Council's relationship with BHP after the review has been carried out by Navigant Consulting.

6.0 Diversity Implications

6.0 None directly.

Background Papers

ALMO Scheme File
GLA SHI Scheme Bid File & Guidance Notes
ALMO SHI Scheme Reports (June 2007, February 2008, January 2010 and February 2011)

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Martin Cheeseman
Director of Housing and Community Care

Appendix A

THE COMPANIES ACT 1985

COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

MEMORANDUM OF ASSOCIATION

-of-

BRENT HOUSING PARTNERSHIP LIMITED

1. **NAME**

The name of the company is BRENT HOUSING PARTNERSHIP Limited ("the Organisation").

2. **REGISTERED OFFICE**

The Organisation's registered office is to be located in England.

3. **OBJECTS**

The objects of the Organisation shall be in the areas where Brent Council own or manage housing stock or such other areas as Brent Council shall approve to:

- (1) provide, manage, maintain, improve, demolish or convert the housing stock owned or managed by Brent Council from time to time together with any other amenities or facilities for the benefit of residents of such housing stock either exclusively or together with persons who are not residents of such housing stock;
- (2) provide amenities and services of any description for the benefit of residents of such housing stock owned or managed by Brent Council from time to time either exclusively or together with persons who are not residents of such housing stock;
- (3) provide advice and assistance to all tenants, leaseholders, and licensees, of Brent Council and applicants for housing and applicants for housing advice in respect of local authority Brent Council housing;
- (4) carry out any activity which contributes to the regeneration or development in the area of Brent (within the meaning of Section 126 of the Housing Grants Construction and Regeneration Act 1996) including but not limited to:-

- (a) securing that land and buildings are brought into effective use;
 - (b) contributing to or encouraging economic development;
 - (c) creating an attractive and safe environment;
 - (d) preventing crime or reducing the fear of crime;
 - (e) providing or improving housing or social and recreational facilities for the purpose of encouraging people to live or work in the said area or for the purpose of benefiting people who live there;
 - (f) providing employment for local people;
 - (g) providing or improving training, educational facilities or health services for local people;
 - (h) assisting local people to make use of opportunities for education, training or employment;
 - (i) meeting the special needs of local people which arise because of disability or because of their sex or the racial group to which they belong.
- (5) provide, construct, improve or manage social housing or other housing to be kept available for letting or hostels;
 - (6) provide, manage, maintain or improve accommodation required from time to time for the benefit of persons who require temporary accommodation;
 - (7) provide services of any description for Brent Council in so far as they are connected with or incidental to the Organisation's housing objectives;
 - (8) assess applicants for housing assistance, including but not limited to assessment of applications for housing from homeless persons;
 - (9) assess applications by residents of housing stock owned or managed by Brent Council to exercise the right to buy under Part V of the Housing Act 1985;
 - (10) enabling or assisting any residents of the housing stock owned or managed by either Brent Council or the Organisation to acquire, or to acquire and enter into occupation of, houses;

(11) to carry out such other activities connected with or incidental to the Organisation's housing objectives as Brent Council shall approve.

4. **POWERS**

Subject to Clause 6 the Organisation shall have power to do any thing that a natural or corporate person can lawfully do which is necessary or expedient in furtherance of its objects unless prohibited by this Memorandum

5. Subject to Clause 6 and without limiting the powers described in Clause 4 the Organisation shall have power to:

- (1) carry out works to land, buildings or other property;
- (2) contract with the Council Member in furtherance of its objects;
- (3) subject to the prior written consent of the Council Member and to such consents as may be required by law to borrow money, issue loan stock or raise money in such manner as the Organisation shall think fit and to secure the repayment of any money borrowed raised or owing by such security as the Organisation shall see fit (including by way of floating charge) upon the whole or any part of the Organisation's property or assets (whether present or future) and also by giving similar security to secure and guarantee the performance by the Organisation of any obligation or liability it may undertake or which may become binding on it;
- (4) insure and arrange insurance cover for the Organisation from and against all such risks as the Board may think fit and to pay any premium in respect of such insurance;
- (5) insure and arrange insurance cover for and to indemnify its employees and voluntary workers and the Council Member from and against all such risks incurred in the proper performance of their duties as it shall consider appropriate and to pay any premium in relation to indemnity insurance in respect of liabilities of its Board Members or any of them which would otherwise attach to them in respect of any negligence, default, breach of duty or breach of trust of which they may be guilty in respect of the Organisation PROVIDED THAT such insurance shall not extend to any liability in respect of an act or omission which such Board Member or Board Members knew or ought reasonably to have known was a breach of duty or trust or which was committed by such Board Member or Board Members recklessly without due regard as to whether such act or omission might be a breach of duty or trust;

- (6) invest any monies of the Organisation not immediately required for the furtherance of its objects as it determines and as permitted by law;
- (7) subject to such consents as may be required by law and compliance with all formal guidance issued by the Organisation's regulators (if any) to purchase or otherwise acquire or to encourage or promote and in any way support or aid the establishment and development of any subsidiary, or any other body established for the purposes of carrying on any trade or business either for the purpose of raising funds for the Organisation or for the furtherance of the objects of the Organisation;
- (8) subject to the prior written consent of the Council Member, make donations, grants or loans or provide services or assistance to such persons and Organisations and on such terms as the Organisation shall think fit to further the objects of the Organisation

PROVIDED THAT in case the Organisation shall take or hold any property which may be subject to any trusts, the Organisation shall only deal with or invest the same in such manner as allowed by law, having regard to such trusts.

6. The Organisation shall not, without the prior written consent of the Council Member, have the power to:
 - (1) receive a sum which, if it were a local authority, would be a capital receipt;
 - (2) receive consideration to which, if it were a local authority, Section 61 of the 1989 Act would apply;
 - (3) receive a sum by way of grant from a European Union institution to which, if it were a local authority, Section 63(4) of the 1989 Act would apply;
 - (4) enter into a credit transaction (as defined by Article 12(2) of the Order);
 - (5) with respect to a credit transaction agree to a variation of terms which, if it were a local authority, would be a variation within the meaning of Section 51(1) of the 1989 Act;
 - (6) incur additional liabilities within the meaning of Article 16 of the Order; or
 - (7) reduce its liabilities within the meaning of Article 16 of the Order.

7. **APPLICATION OF INCOME AND PROPERTY**

The Organisation shall operate on a not for profit basis. The income and property of the Organisation shall be applied solely towards the promotion of its objects as set forth in the Memorandum of Association and no portion thereof shall be paid or transferred, directly or indirectly, save as provided below by way of dividend, bonus or otherwise howsoever by way of profit, to the Council Member and no Board Member shall be appointed to any office of the Organisation paid by salary or fees or receive any remuneration or other benefit or money or money's worth from the Organisation PROVIDED THAT nothing herein shall prevent any payment in good faith by the Organisation:-

- (1) Of reasonable and proper remuneration (including pensions, contributory pension payments, payment of premiums to pension policies and terminal grants and gratuities) to any officer or employee of the Organisation (not being a Board Member) in return for any services rendered to the Organisation;
- (2) Of fees, remuneration or other benefit in money or money's worth to a company of which a Board Member may be a member holding not more than 2% of the share capital of the company;
- (3) To any Board Member of reasonable out-of pocket expenses and such other sums as may be determined by the Council Member PROVIDED THAT no sum shall be paid to a Board Member in excess of that which would be permitted to be paid to a board member of a social landlord registered under the Housing Act 1996 and PROVIDED FURTHER THAT no sum shall be paid to a Board Member who is an elected member of the Council Member in excess of that permitted by the Order;
- (4) Of reasonable and proper remuneration to the Council Member or employees thereof (not being Board Members) in return for any services rendered to the Organisation;
- (5) Of reasonable and proper rent for premises demised or let by the Council Member;
- (6) Of reasonable and proper interest on money lent by the Council Member

PROVIDED FURTHER THAT nothing shall prevent the Organisation from managing a property in accordance with its objects (including the full range of activities it may undertake) notwithstanding the fact that the tenant, lessee or licensee (or prospective tenant, lessee or licensee) of such property may be a Board Member SUBJECT TO the proviso that any Board Member who is a beneficiary of the

Organisation shall not be entitled to speak in any debate or cast his/her vote in respect of any matter relating solely to the property of which he is lessee, tenant or licensee and shall absent himself/herself from such proceedings but such Board Member shall be entitled to speak and vote in respect of matters which relate not only to such property but also to other properties managed by the Organisation.

8. **EQUAL OPPORTUNITIES**

The Organisation shall at all times take into consideration the principles of equality of opportunity irrespective of age, gender, race, nationality, ethnic origin, religion, sexual orientation or disability.

9. **LIMITED LIABILITY**

The liability of the Council Member is limited.

10. **MEMBERS GUARANTEE**

The Council Member undertakes to contribute to the assets of the Organisation, in the event of the same being wound up while they are a member of the Organisation, or within one year after they cease to be a member of the Organisation, for payment of the debts and liabilities of the Organisation contracted before they cease to be a member of the Organisation, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories among themselves, such amount as may be required not exceeding one pound.

11. **WINDING UP**

If, upon the winding up or dissolution of the Organisation, there remains, after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be paid or transferred to the Housing Revenue Account (as defined in the 1989 Act) of the Council Member.

12. **DEFINITIONS**

- (a) "Order" shall mean the Local Authorities (Companies) Order 1995 as amended or re-enacted from time to time;
- (b) "the 1989 Act" shall mean the Local Government and Housing Act 1989 as amended or re-enacted from time to time;
- (c) terms defined in the Articles of Association of the Organisation shall have the same meaning in this Memorandum of Association.

I the person whose name and address are subscribed, am desirous of being formed into a company in pursuance of this Memorandum of Association.

THE LONDON BOROUGH OF BRENT
TOWN HALL
FORTY LANE
WEMBLEY
MIDDLESEX HA9 9HD

The COMMON SEAL of **THE**)
LONDON BOROUGH OF BRENT)
was hereunto affixed in the presence of: -)

DATED

WITNESS to the above.-

NAME
Address

Signature

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**Executive
14 March 2011**

**Report from the Director of
Environment Neighbourhood
Services**

Wards Affected:
ALL

**Environment & Neighbourhoods Capital Spend 2011/12:
Highway Major Works Programme**

1.0 SUMMARY

- 1.1 This report makes recommendations to members detailing the prioritised programme for major footway upgrade projects, carriageway resurfacing schemes, improvements to grass verge areas and accessibility, renewal of marginal highway land, new street signage, gulley maintenance, carriageway resurfacing – short sections, and footway upgrades – short sections. The Executive are asked to approve the expenditure of the £2,920k capital budget allocation for the 2011/12 capital works programme, which has been included in the Budget Setting report submitted to the meeting of the Executive on 15th February 2011 and subject to Full Council approval on 28th February 2011.
- 1.2 This report also details, for information, the Principal (A) Road programme for 2010/11, which utilises the £590k maintenance element of funding allocated by Transport for London (TfL), for improvements on the basis of the results of a London wide condition survey.
- 1.3 This report does not include details of various other schemes funded by the £3,591k TfL allocation for 2011/12; these have been covered under a separate report to Highways committee on 9th February 2011. These schemes require extensive consultation with stakeholders and therefore schemes may change, be altered or abandoned, as a result, this report also identifies a capital allocation of £100k (2.5% of the £2.92m) to be used as a contingency.

2.0 RECOMMENDATIONS

Executive
14th March 2011

Version 7.0
17th February 2011

2.1 The Executive agrees to utilise the main highways capital programme of £2,920k as follows:

Footways

	% budget	amount (£ 000's)
▪ Major footway upgrade	38.7	1,130
▪ Footway upgrades – short sections	3.4	100
▪ Renewal of marginal highway land	0.9	25
▪ Improvement to grass verges and accessibility	1.7	50
▪ New street signs	1.7	50
total	46.4	1,355

Carriageways

▪ Major carriageway resurfacing of non-principal unclassified (borough road) network	37.3	1,090
▪ Major carriageway resurfacing of non-principal classified (B & C) network (NI169)	6.9	200
▪ Carriageway resurfacing – short sections	3.4	100
▪ Gulley replacement/maintenance	2.6	75
total	50.2	1,465

Miscellaneous

▪ Contingencies for TfL funded schemes	3.4	100
total	100	2,920

2.2 The Executive approve the schemes and reserve schemes, as listed in Appendices 1 - 3.

3.0 DETAIL

3.1 Highways Priorities

3.1.1 The findings of a specialist independent condition survey contractor were used to help determine the carriageways and footways in residential streets that are being recommended for an upgrade. The streets included in the most recent condition survey, were nominated by the team of area highway engineers, who are responsible for undertaking responsive and routine safety inspections.

For the purposes of this particular survey, only residential streets were included.

Our Principal Classified (A) roads and non-Principal classified (B & C) roads are the subject of separate condition surveys.

Through their day-to-day involvement, this team of area based engineers have a detailed and intimate knowledge of the condition of the carriageways and footways throughout the borough. In arriving at their nominations, they took into account those streets whose condition is known to be of concern, as identified on the periodic routine safety inspections or evidenced by communication received from MPs, Members, residents and other stakeholders, or the subject of accident claims.

3.1.2 In 2006, to ascertain the overall condition of the highways network a 100% visual survey was carried out by DCL Yotta Ltd, an independent specialist company in accordance with the United Kingdom Pavement Management System (UKPMS) visual survey manual. In subsequent years, further condition surveys were commissioned and carried out in streets identified in accordance with 3.1.1.above. The last condition survey was completed in late 2010, enabling officers to update the database and prioritise streets on the basis of their condition score.

3.1.3 Each section of carriageway or footway that was visually surveyed is given a defectiveness rating score. This reflects the incidence of certain defect types; the higher the score, the greater the incidence of these defects. Senior engineering officers then carried out a follow - up inspection of the streets within the top tier of the carriageway and footway defectiveness rating lists. This enabled them to allocate, where applicable, weighting scores to take account of factors outside the scope of the condition survey e.g. structural and safety implications; level of pedestrian and vehicular usage; proximity to schools; future utility works. Streets nominated by Members as part of the annual consultation process have also been considered. The level of available funding, determines how many streets within the top tier of these two priority lists, can be upgraded. Attached, appendices 1 and 2 contain details of the streets which have been selected as a result of this process.

3.1.4 The recent winter weather conditions will not have affected our survey assessments as senior engineers visited those with the highest defect score to verify the results in January 2011 and therefore we are satisfied with the current prioritisation of footways and carriageways. However, the effect of the severe weather conditions will undoubtedly have an impact on our levels of intervention and a subsequent demand on the revenue budget.

3.2 **Unclassified (U) roads**

3.2.1 The condition of our residential unclassified (U) borough roads was up to 2007/2008, one of the national performance indicators (BV224b) that highway authorities had to report on to central government.

Although it has not been retained in the new set of National Indicators, it has been decided that it will be retained as a local indicator (LI). Our scores for the last 5 years, showing the percentage of the network that may require maintenance, was as follows:

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Year	*Score
2005/2006	27%
2006/2007	18%
2007/2008	20%
2008/2009	23%
2009/2010	23%

* % of the network where maintenance should be considered.

3.2.2 There is a 5% tolerance in visual surveys and although there has been a slight decrease in the overall condition index, the network is in a steady state. To maintain the condition of this network, enhance our prospects of maintaining a good LI score and to mitigate the affects of winter conditions on roads in poor condition that are more susceptible to damage, it is recommended that the level of funding allocated is £1,090k, approximately 37.3% of this year's overall budget.

3.3 Principal classified (A) roads

3.3.1 Our principal (A) roads are machine surveyed (SCANNER) as part of an annual London wide condition survey commissioned by Transport for London (TfL). The council is allocated funding every year from TfL for the upgrade of sections of this network where condition surveys have indicated that structural maintenance may be required. Brent has been allocated £590k by TfL for 2011/12, for improvements to specific sections of the principal road network, details of which are listed in Appendix 3. Historically, none of the Councils capital or revenue budget provision has been spent in supplementing funds received from TfL for resurfacing, as priority has been accorded to the non-principal road network for which TfL funding is not available.

3.3.2 The condition of our principal road network has been retained as one of the set of UK National Indicators (NI 168) on which all highway authorities have to report. This NI shows the percentage of the network where maintenance may be required. Our scores for the last 5 years are as follows:

Year	*Score
2005/2006	16%
2006/2007	21%
2007/2008	8%
2008/2009	8%
2009/2010	11%

* % of the network where maintenance should be considered.

3.3.3 The results of the last London-wide condition survey of this network will be used to allocate funding from TfL for 2011/12. No funding from the Councils major works programme is specifically allocated to improve the overall condition of this network. The Council does have a duty to carry out responsive maintenance repairs utilising revenue budgets so some funding from the short-sections may be used to resurface some sections if they deteriorate to the extent that they are beyond economical localised repair.

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3.4 Non-principal classified (B&C) roads

3.4.1 The non-principal classified network comprises our B and C roads. These roads form a very important part of the network, as they link unclassified (residential) roads to the principal (A road) network. Classified roads generally carry a much higher volume of traffic than residential or other unclassified roads. Attached (appendix 7) is a map showing the roads which comprise our principal, non-principal classified and non-principal unclassified networks.

3.4.2 As with the principal road network, Brent's B and C roads are machine surveyed (SCANNER) annually. Their condition is also the subject of reporting as part of the set of National Indicators (NI 169). Our scores for the last 5 years are as follows:

Year	*Score
2005/2006	15%
2006/2007	21%
2007/2008	10%
2008/2009	9%
2009/2010	9%

* % of the network where maintenance should be considered.

3.4.3 To maintain an ongoing improvement in the condition of this network, and help enhance our prospects of maintaining a good NI score, it is the considered view of senior highway officers that a proportion of the carriageway resurfacing budget continue to be targeted to improving this network.

3.4.4 For this reason, it is recommended that £200k, approximately 6.9% of this year's overall budget, be assigned to improving sections of this network that were identified in Appendix 2 from the latest condition survey. Further sites to be identified from the results of the latest SCANNER machine survey which are due in April /May 2011.

3.5 Footways

3.5.1 Up until 2007/2008, highway authorities had to provide (BVPI 187) information on the condition of the high usage footways comprising prestige areas in towns and cities, busy urban shopping areas, and main and medium use linkage routes, (Category 1a, 1 & 2 footways). In essence, this network constituted only a very small proportion of the borough's total footway network, as it was not necessary

to report on the condition of the footways in our residential streets, (Category 3 & 4 footways) which comprise the vast majority of our total footway network.

3.5.2 Although the mandatory requirement to report on BVI 187 from 2008/2009 has been abolished, it will now form part of our set of local performance indicators.

For information, the BVPI 187 scores for the last 5 years for which data is available, are as follows:

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Year	*Score
2005/2006	23%
2006/2007	14%
2007/2008	17%
2008/2009	20%
2009/2010	17%

* % of the network where maintenance should be considered.

- 3.5.3 The scores in 3.5.2 above represent the percentage of the category 1a,1 and 2 network where condition surveys have indicated that structural maintenance should be considered, but this does not represent the condition of the vast majority of the network.

In recent years, a higher percentage of the major works programme has been targeted on improving carriageways as the effects of adverse winter weather conditions has a lesser effect on the boroughs footways. However, many of the boroughs footways are nearing the end of their design life, are 'tired' in appearance, and are susceptible to damage resulting in an increased risk of accident claims and high costs in terms of ongoing maintenance. With the increase in requests for footway repairs and pressure on the responsive maintenance budgets, it is recommended that £1,130k, approximately 38.7% of this year's overall budget, be assigned to improving the condition of footways on the unclassified road network.

3.6 Highway Asset Management Plan

- 3.6.1 Officers have developed the Councils Highway Asset Management Plan (HAMP), and further work will be carried out in the near future to include the impact of climate change, sustainability, skid resistance (see 3.7 below) and utility work. Asset management is a strategic approach that identifies the optimal allocation of resources for the management, operation and preservation and enhancement of the highway infrastructure to meet the needs of current and future stakeholders. Customer Service, Safety, Serviceability, and Sustainable Preservation of the infrastructure, all of these aspects are brought together, in the (HAMP) which sets out objectives and targets for delivery, procedures for efficient management of the asset lifecycle, and a programme of improvements, for all parts of the highways network. The HAMP focuses on the management of core highway infrastructure assets and the identification of ways in which the management of those assets can be improved.

The plan has been developed by 'asset owners' in both StreetCare and Highway and Transport Delivery and covers all elements of the highway infrastructure managed by the Council; from roads and footways through to street lighting, trees and verges, ensuring that a safe, usable and sustainable network is provided for all.

- 3.6.2 One intention of the plan will be the creation of service levels, which will include a threshold for footway condition. This will facilitate the creation of a local performance indicator showing the condition of our residential footways indicating those in need of upgrade.

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3.6.3 The Government has asked the Chartered Institute for Public Finance and Accountancy (CIPFA) to implement their recommended changes in local authority accounting for highway assets and in March 2010 they published the Code of Practice on Transport Infrastructure Assets. Although CIPFA have been asked to take a 'prepare and decide' approach which allows some flexibility in timing if necessary, it is expected that local authorities will be required to state its accounts on the new basis from 2011/12.

3.6.5 Officers in Transportation and Corporate Finance are working to ensure that the Council meet the reporting requirements for International Financial Reporting Standards (IFRS). Brent have already prepared a whole replacement cost (WRC) valuation as required for 2009/10 and should be well placed for submitting a Depreciated Replacement Cost (DRC) valuation calculated on condition, considering impairment and depreciation in accordance with financial reporting standards as required in 2012/13.

3.7 **Skid resistance**

3.7.1 In 2008 TfL commissioned WDM Limited Consultants to carryout a Sideway-force Coefficient Routine Investigation Machine (SCRIM®) survey on London's Principal (A) road network and assist the boroughs in developing consistent skid resistance policies. The results from annual SCRIM® surveys identify those locations where the skid resistance is below investigatory levels and this may contribute to the risk of traffic accidents on wet roads.

3.7.2 Highway engineers have analysed results of these surveys to consider the cause of accidents and consider engineering measures to mitigate risk.

3.7.3 From the last survey results twelve sites required the installation of 'slippery road ahead' signage to warn motorists, the cost of which can be met from existing revenue budgets.

3.7.4 Road surfacing / retexturing measures are required for 8 sites, and these will be considered in future applications to TfL for principal road resurfacing. Some of these sites also may be subject to other TfL funded road safety schemes.

3.7.5 Officers in Transportation are developing a borough skid resistance policy for consideration at a future committee.

3.8 **Other issues**

3.8.1 The rate of improvement and consequent National and Local indicator scores will also be affected by the rate of deterioration which is variable and depends on usage, residual life, environmental conditions and the level of maintenance. The recent improvements on the control of utility companies, including the quality of their reinstatements, should also help to improve the overall condition of the network.

3.8.2 Consideration of future developments, regeneration funding or planned utility work is given to avoid any abortive works. Therefore, schemes that have been prioritised may be deferred until later in the financial year or to next financial year. Where this is the case, the next prioritised reserve scheme will take the

place of the scheme postponed, which will then become a priority for the next financial year.

- 3.8.3 Schemes that are not completed within 2011/12 will be included in next years highways major works programme.
- 3.8.4 Appendix 4 details major footway upgrade and carriageway resurfacing work that has been carried out in the borough for 2008/9, 2009/10 and 2010/11. Appendix 5 is a key to the abbreviations used for borough wards in appendices 1-4. Appendix 6 is a borough map identifying the major schemes for 2011/12 within each ward. Appendix 7 is a borough map identifying the principal road and non-principal classified road networks. Appendices 8 – 16 are the capital scheme approval forms required for each work category listed in 2.1 above.
- 3.9 **Carriageway resurfacing – short sections**
- 3.9.1 There are shorter sections of carriageway in some streets on the Unclassified or non-principal (B&C) road network that have deteriorated and are in need of resurfacing. These are often shorter sections in streets that have not been prioritised from the results of the independent condition survey, due to their overall condition score.
- 3.9.2 Such areas are high cost in terms of lifecycle costs and the need to carry out periodic maintenance. Due to cost, often the renewal of these areas cannot be funded through the responsive highway maintenance budgets, which are already under some considerable pressure.
- 3.9.3 The recent winter weather conditions have affected the condition of our roads, particularly those that are heavily used and are nearing the end of their design life. These may deteriorate more rapidly due to the ingress of water and the effect of freezing, and it may therefore be the case that maintenance patch repairs are uneconomical.
- 3.9.5 For these reasons, £100k has been allocated to resurfacing various smaller sections of carriageway throughout the Borough where there are ongoing maintenance requirements, and these sites shall be identified by engineering staff.
- 3.10 **Footway upgrades – short sections**
- 3.10.1 There are sections of footway that are subject to repetitive damage in some streets that have not been prioritised from the results of the independent condition survey, due to their overall condition score.
- 3.10.2 Such areas are high cost in terms of lifecycle costs and the need to carry out periodic maintenance. Often the renewal of these areas cannot be funded through the responsive highway maintenance budgets, as they are already under considerable pressure, due to their cost.
- 3.10.3 Various smaller footway sections throughout the Borough that need strengthening due to ongoing maintenance requirements shall be identified by

engineering staff, and programmed for upgrade using more durable materials utilising this £100k allocation.

3.11 Concrete Roads

3.11.1 In recent years a small proportion of the capital budget has been allocated to joint treating and resurfacing concrete roads in the borough to avoid deterioration and expensive reconstruction costs in the future.

3.11.2 This programme has now been completed and therefore this year no specific allocation has been made for the treatment of concrete roads. Any concrete roads that have deteriorated will be included in the condition survey and borough resurfacing programme, as necessary.

3.12 Improvements to Grass Verge Areas & Accessibility

3.12.1 The Executive approved the report titled 'Highways Grass Verges in Narrow Streets' on 23rd January 2003. There are a number of narrow streets in the borough where parking fully on the carriageway can cause obstructions and where footway parking dispensation has been granted. In some narrow streets many existing grass verges are not sufficiently sustainable. The report sought approval to hard pave such verges in order to facilitate a footway parking scheme, where the verges are not sustainable.

There are also other streets in the Borough that are narrow and would benefit from minor kerb re-alignment works to improve accessibility.

3.12.2 Since 2004/5 funding has been allocated to addressing these local issues, and approximately 10 to 12 schemes have been implemented each year. This year £50k has been allocated to continue the programme of strengthening, and/ or protection of soft verges, and improving accessibility.

3.12.3 Streets that have grass verges that are repeatedly damaged due to vehicular encroachment will be identified by officers in Highway and Transport Delivery and StreetCare, who will have considered reports from councillors, members of the public, consultative forums, and staff inspections.

3.13 Highways Marginal Land

3.13.1 "Highways Marginal Land" is defined as land that is part of the highway but not footway, carriageway or grass verge. Typically it is treated as an amenity having grass, trees and shrubs. For many years this land has been rather neglected and many of these sites present problems of fly tipping, litter, dog fouling, drug paraphernalia, crime and anti-social behaviour.

3.13.2 This neglect has a negative effect on the street scene and adjacent business and residential property. Therefore it is recommended that action is taken to tackle some of the worst sites.

3.13.3 Officers have examined many of these sites and consider that priority for action should be those sites that have several of the following features:

- dangerous element (sharps, dog fouling and overgrown planting)
- established fly tip sites
- total number of people affected, both residents and passers by
- joined up working possibilities
- quantifiable negative effects
- damage to hard elements and structures such as raised plant beds
- quality of soft landscaping and maintenance
- additional funding available, possibly from non-Council sources.

3.13.4 Using these criteria officers from Landscape Team, StreetCare, Environmental Health and Highways will identify and prioritise sites to link up with EnviroCrime initiatives and / or highways footway and carriageway schemes.

3.13.5 For 2011/12 a capital allocation of £25k has been allocated to continue to target improvements in these areas.

3.14 **Gully Replacement / Repair Programme**

3.14.1 There are approximately 25,000 gullies in the borough and the number of gullies is increasing every year, due to new developments.

3.14.2 The majority of the gullies were installed during the 1920's – 1930's, and are now coming to end of their life cycle.

3.14.3 At present there are 60 to 70 gullies which need repair or replacement. An average cost to repair an existing gully is approximately £800, and to replace it with a completely new one is in the region of £1,500.

3.14.4 When Highways and Emergency Operations carry out routine gully cleaning, approximately 5-8 gullies per month are found to be defective.

3.14.5 With careful monitoring, the principal engineer (land drainage) can repair / replace approximately 75 gullies with a budget of £75k.

3.14.6 Additional gullies can also be installed to alleviate surface water flooding problems caused by heavy precipitation, instances of which are increasing due to climate change.

3.15 **Highway Signage**

3.15.3 This funding is used to continue to survey and renew directional and regulatory signage on the principal road network and other primary distributor roads throughout the borough to aid the movement of traffic. This initiative will be managed by the Traffic design team in Highway and Transport Delivery, and will include the rationalisation of signage / street furniture to reduce street clutter.

3.15.4 Consideration will be given to all other highways schemes, including traffic schemes, programmed over the coming financial year that will involve the removal of signage, in order to avoid abortive work.

3.15.6 Areas have been prioritised that would visibly benefit from signage renewal, improving both road safety and the street scene.

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- 3.15.7 The 2011/12 programme will utilise £50k of funding to continue to improve the boroughs directional and regulatory signs and also rationalise other street furniture.
- 3.15.8 With the Council taking over the enforcement of moving traffic contraventions, from January 2011, the funding will also help ensure the compliance of banned right turns, weight restrictions and school keep clear signage, with traffic regulations.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Executive notes that a capital sum of £2,920k is to be used as identified in 2.1 to upgrade footways (borough and principal roads), resurfacing carriageways (borough roads), footway improvements to grass verge sites and accessibility, renewal of highway marginal land, new street signage, gully replacement and maintenance, concrete road treatments, public realm improvements on primary routes, short sections of carriageway resurfacing and footway upgrade, the maintenance of road channels and footway boundaries to facilitate street cleaning, and match funding for improvements in the Park Royal area.
- 4.2 The Executive notes that £590k is available for Principal Road resurfacing schemes from the local transport capital expenditure settlement for 2011/12. These schemes are listed in appendix 3, and are prioritised from a London-wide survey commissioned by Transport for London (TfL). The schemes are all funded by TfL.
- 4.3 With the exception of principal road resurfacing, the cost of the schemes will be accommodated within the capital budget allocations.
- 4.4 The work will be delivered utilising the highways term contracts. These are framework agreements whereby three contractors have been appointed to each of the six term contracts. The contracts commenced on 1st August 2008 following approval of the award of contracts by Executive on 27th May 2008, for a three year period, with an option to extend the contract for a further year.
- 4.5 In June 2010, Environment and Neighbourhoods Board considered the results of a pan-London benchmarking exercise commissioned by London Councils, Capital Ambition and London Technical Advisory Group (LoTAG) to look at efficiency opportunities. Of the 24 Inner and Outer Authorities participating, the cost of Brent's combined model was the 3rd lowest. Meetings were also held with Contractors to discuss efficiency savings and it is the intention of officers to extend the contract to 31st July 2012.
- 4.6 The prices in the contracts are subject only to annual retail price index (RPI) increases thereafter on the anniversary of the start date, rather than significantly higher ROADCON industry index. It is not anticipated that the inflationary increases will have a significant impact on the number of schemes we will be able to complete utilising the capital budgets.
- 4.7 Contractors have performed satisfactorily and the current work programme will be successfully completed with final outturns forecast to meet budget targets for

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2010/11. The term contracts are also utilised in delivering various TfL funded highway improvement schemes.

4.8 We do not anticipate any resource implications in utilising the existing term contracts to deliver the 2011/12 highways major work programme.

5.0 LEGAL IMPLICATIONS

5.1 The Highways Act 1980 places a duty on the council to maintain the public highway under section 41. Breach of this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it. There is also a general power under section 62 to improve highways.

5.2 Any contracts let for the provision of works will be let using the existing Brent Highways Maintenance Frameworks.

6.0 DIVERSITY IMPLICATIONS

6.1 The proposals in this report have been subject to screening and officers believe there are no diversity implications, which require partial or full assessment. The works proposed under the highways main programme do not have different outcomes for people in terms of race, gender, age, sexuality or belief. However, the design criteria used in all highway work does take note of the special requirements of various disabilities.

6.2 These will take the form of levels and grades associated with wheelchair users, for example road crossing points, and for partially sighted / blind persons at crossing facilities. The highway standards employed are nationally recognised by such bodies as the Department for Transport. This programme of works continues the upgrade of disabled crossing facilities at junctions which were not constructed to modern day standards. All new junctions are designed to be compliant at the time of construction.

6.3 Strengthened areas of footway are far less susceptible to damage and will therefore aid the movement of pedestrians that may find it difficult to walk on uneven pavements.

7.0 STAFFING / ACCOMMODATION IMPLICATIONS

7.1 Existing staff within Highway and Transport Delivery (Highway & Civil Engineering) will manage all schemes with the exception of the following:

- Highways marginal land schemes will be managed by The Planning Service Landscape Team, in consultation with Highway and Transport Delivery, StreetCare and the Parks Service.
- Sign renewal schemes will be managed by the Design Team, in consultation with Highways Operations (StreetCare).
- Gulley maintenance will be managed in consultation with Highways Operations (StreetCare).

7.2 There are no TUPE implications associated with the recommendations contained in this report.

8.0 ENVIRONMENTAL IMPLICATIONS

- 8.1 The proposed footway and carriageway upgrades are designed to enhance the street scene. They also assist in restricting claims made against this Authority by improving both pedestrian and vehicular safety, thereby contributing to a safer environment for all highway users. Footway renewal work includes the consideration of pedestrian crossing points, and the provision of dropped kerbs and tactile paving will improve the highway network infrastructure for people with disabilities.
- 8.2 Operational activities will comply with the requirements of Environment and Neighbourhoods environmental management system accredited to the BS EN ISO 14001 standard.
- 8.2 Where feasible, existing materials such as kerbstones and paving stones are incorporated into the design detail when footways are upgraded. Materials that are not suitable for re-use are disposed of at tips where they are graded and recycled as hardcore fill. Road planings arising from carriageway resurfacing are either provided free of charge to Parks Services or to residents to maintain their private alleyways in partnership with the Envirocrime alley gating initiative. This material has similar properties to quarry stone, stabilises when compacted and is therefore suitable for regulating and maintaining alleyways and providing 'hard standing' surfaces.
- 8.3 Subject to suitability, availability and cost, recycled material may be specified for use in footway upgrade schemes.
- 8.4 Where existing grass verges are too narrow or suffer from frequent repetitive damage from vehicles or where narrow carriageway widths impede access, and are often damaged by vehicular override they are not sustainable and therefore do not make a positive contribution to the street scene. The ability to provide areas of formalised footway parking, improve accessibility and protect sustainable grass verge areas would not only enhance the street scene but help reduce vehicle accidents and maintain access for servicing and emergency vehicles, in many situations.

9.0 BACKGROUND INFORMATION

Details of Documents:

- 9.1 Relay/Resurface, Residents/Councillor, Letters/Questionnaires
Footway Priority Lists
Carriageway Priority Lists
Highway Engineers Recommendations
Accident Report Data
- 9.2 Any person wishing to inspect the above papers should contact Sandor Fazekas, Highway & Transport Delivery, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ, Telephone: 020 8937 5113.

Sue Harper
Director of Environment & Neighbourhoods

Appendix 1

APPENDIX 1 (Footways)

£1130k FOOTWAY UPGRADE PROGRAMME 2011/12

Road Name	Total	Ward	Source
*Windsor Crescent	£55K	BAR	A/C
*Georgian Court	£63k	TOK	A/C
*Old Kenton Lane	£174k	FRY	A/C
*Keslake Road	£194k	QPK	A/B/C
*Goldsmith Lane	£131k	QBY	A/C
*Ancona Road	£69k	KGN	A/C
*St.Raphaels Way	£155k	STN	A/C/D
Wembley Hill Road/Bridge Road	£100	WEM/TOK	A
Dartmouth Road (Exeter Road to			
Mapesbury Road	£86	MAP	A/C
Hazel Grove	£22	ALP	A/C
Preston Way	£46	BAR	A/C/D
Radnor Road	£35	KIL	A/C
Total	£1130k		

Reserves

Dobree Avenue	£120	BPK	A/C/D
Plympton Road	£114	KIL	A/C
Sudbury Court Road (Elms Lane to			
Sudbury Court Drive)	£160	NPK	A/C/D
Birchen Grove	£198	WHP	A/C/D
Regal Way (Preston Road to			
Westward Way)	£148	KEN	A/C

* reserve scheme from 2010/11 programme

Source;

A = Recommendation by engineering staff
B = Councillor Request

C = Requests from member of the public
D = Request from Accident Claims Officer

All schemes subject to co-ordination with internal and external agencies.

£100k SHORT SECTIONS OF FOOTWAY UPGRADE

Various sites to be identified by officers in Transportation

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£50k IMPROVEMENT TO GRASS VERGE AREAS & ACCESSIBILITY

Various sites to be identified in consultation with StreetCare

£25k HIGHWAYS MARGINAL LAND

Sites to link up with EnviroCrime initiatives and/or Highways Maintenance major footway and carriageway schemes to be identified.

£50k RENEW SIGNAGE / PUBLIC REALM

Various sites in the Borough.

£75k GULLIES & ASSOCIATED FOOTWAY PONDING

Various sites in the Borough.

All schemes subject to co-ordination with internal and external agencies.

Appendix 2 Carriageways

£1090k CARRIAGEWAY SURFACING BOROUGH ROAD SURFACING PROGRAMME 2011/12

Road Name	Total	Ward	Source
*Woodcock Hill	£121k	KEN	A/C
*Uxendon Hill	£46k	BAR	A/B/C
*Mount Pleasant (Beresford Avenue to Highcroft Avenue)	£29k	ALP	A/D
*Dennis Avenue	£9k	TOK	A/C
*Doyle Gardens (All Souls Avenue to College Road)	£36k	KGN	A/C/D
*Princes Avenue (Brampton Road to Honeypot Lane)	£44k	QBY	A/B
*Walrond Avenue	£13k	WEM	A/C
*Dyne Road	£47k	KIL	A/C
*Plympton Avenue	£15k	KIL	A/C
*Rosemead Avenue	£22k	WEM	A/B/C
*Furness Road (Holland Road to			

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*Doyle Gardens)	£23k	KGN	A/C
*Mersham Drive	£19k	FRY	A/C
*The Close	£12k	WEM	A/C
*Brinkburn Gardens	£26k	QBY	A/B
*Byron Road	£32k	DOL	A/C
*Humber Road	£36k	DOL	A/C
*Bryan Avenue (Rowden Avenue to *Peter Avenue)	£25k	BPK	A/B
*Lane Close	£6k	DOL	A/C
*Mount Pleasant Road	£73k	BPK	A/B/C
*Fernbank Avenue	£44k	SUD	A/B
*Rosebank Avenue	£48k	SUD	A/B
*Holyrood Gardens	£44k	QBY	A/C
*Sunleigh Road (including Wendy Way and Clifton Way)	£19k	ALP	A/C
Wembley Hill Road/Bridge Road	£100k	WEM/TOK	A
Irwin Gardens	£14k	BPK	A/C
Dawpool Road	£21k	DOL	A/C
Geary Road	£26k	DNL	A/C
Redfern Road	£19k	HAR	A/B/C
Gooseacre Lane	£12k	KEN	A/C
Hillview Avenue	£15k	KEN	A/C
Douglas Road	£16k	KIL	A/B
Blockley Road	£26k	NPK	A/C
Garden Way	£14k	STN	A/B/C
Victoria Avenue (Vivien Avenue to Oakington Manor Drive)	£20k	TOK	A/C
Colin Road	£18k	WLG	A/C

Total £1090k

RESERVES

Beverly Gardens	£61k	BAR	A/B/C
Heber Road	£19k	MAP	A/C
Walton Close	£8k	DOL	A/C
Ashcombe Park	£24k	DNL	A/C
Normanby Road	£29k	DNL	A/C
Wrottesley Road	£128k	KGN	A/C
Dawlish Road	£15k	MAP	A/B/C
Grove Park	£41k	QBY	A/C
Winchester Avenue	£62k	QBY	A/C
Chevening Road (St.Laurences Close to Brondesbury Park)	£54k	QPK	A/C/D
Rainham Road	£23k	QPK	A/C
Medway Gardens	£32k	SUD	A/C
Birchen Grove (Blackbird Hill to Runbury Circle)	£46k	WHP	A/B/C

Lonsdale Avenue (Beatrice Avenue to Cecil Avenue	£18k	WEM	A/C
Scarle Road	£39k	WEM	A/C/D
Beaconsfield Road	£18k	WLG	A/C

* Reserve scheme from 20010/11 programme

Source;

A = Recommendation by engineering staff C = Requests from member of the public
 B = Councillor Request D = Request from Accident Claims Officer

£200k CARRIAGEWAY SURFACING NON-PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2011/12.

Road Name	Total	Ward
Stag Lane (Holmstall Avenue to Princes Avenue)	£54k	QBY
Oxgate Lane	£41k	DOL

Further sites to be prioritised following the SCANNER survey results available in March 2011.

£100k SHORT SECTIONS OF CARRIAGEWAY RESURFACING

Various sites to be identified by officers in Transportation

All schemes are subject to co-ordination with internal and external agencies

Appendix 3 Carriageways

£590k PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2011/12

Road Name	Total	Ward
A4089 Wembley Park Drive (from Park Lane to Elmside Road)	£130k	PRE/TOK
A404 Watford Road (Hospital exit to Golf course entrance)	£120k	NPK
A4003 Willesden Lane (from Mapesbury Road to Cavendish Road)	£83k	BPK
A4005 Bridgewater Road (from Cemetery to Clifford Road)	£90k	ALP
A4089 Ealing Road (Mount Pleasant to Stanley Avenue)	£167k	WEM/ALP
Total	£590k	

All the above schemes identified by the results of a London-wide SCANNER survey and to be funded by TfL

All schemes are subject to co-ordination with internal and external agencies.

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APPENDIX 4 (Major carriageway and footway completed works 2008/9 to 2010/11)

Main Programme 2010/11

CARRIAGEWAY SURFACING BOROUGH ROAD PROGRAMME 2010/11

Road Name	Ward	Length metres
The Crescent	DOL	145
Ashford Road	MAP	240
Cambridge Road	KIL	175
District Road	SUD	600
Rugby Road	QBY	290
Buxton Road	WGR	125
Fortunegate Road (Glynfield Rd – Craven Pk)	HAR	220
St Thomas's Road	HAR	105
Maybank Avenue (Rosemead Ave – the Rise)	SUD	365
Blair Avenue	WHP	100
Deacon Road	WGR	425
Pine Road	MAP	290
St Augustine's Avenue	PRE	440
Totternhoe Close	KEN	200
Casseldon Road	STN	166
Mora Rd (Cedar Rd – Cricklewood Bdy)	MAP	270
Lyndhurst Close	WHP	100
Kinloch Drive	WHP	240
Athlon Road	ALP	260
Carlton Avenue East (Princes Avenue to Preston Road)	PRE	190
Leigh Gardens	QPK	410
St.Andrews Avenue	NPK	340
Thomas A Beckett Close	SUD	70
Wentworth Hill	BAR	285
Toley Avenue	BAR	330
Barn Hill	BAR	780
Elthorne Way	FRY	190
Meadow Garth	STN	460
Ranelagh Road	WEM	190
West Ella Road	HAR	280
Braemar Avenue	WHP	630
Central Road	SUD	460
Kingswood Avenue	QPK	560
Liddell Gardens	QPK	410
Mead Plat	STN	150
Shaftesbury Avenue (Westward Way to Preston Road)	KEN	420
Vivian Avenue		

(Oakington Manor Drive to Chalfont Avenue)	TOK	720
Cecil Road	HAR	172
The Avenue (65 to Forty Lane)	BAR	630

Total length 12.43 km

MAJOR FOOTWAY UPGRADE PROGRAMME 2010/11

Road Name	Ward	Length metres
The Crescent	DOL	290
Clarence Road	KIL	210
Eagle Road	WEM	688
Woodgrange Close	KEN	370
Carlton Ave East (Windermere Ave Preston Rd)	PRE	1480
Bridgeway	ALP	270
Churchill Avenue	NPK	710
Paddock Road	DOL	720
Blenheim Gardens	MAP	580
Cecil Road	HAR	320
Preston Road (Carlton Ave East St Augustines Ave)	PRE	944
The Paddocks	BAR	1040
Harley Road	HAR	1200
Ilex Road	DNL	580

Total length 8.68 km

CARRIAGEWAY SURFACING OF CONCRETE ROADS 2010/11

Road Name	Ward	Length metres
Tring Avenue	TOK	140
Regent Close	KEN	75
Ledway Drive	BAR	320
Park View	TOK	85
Wiggington Avenue	TOK	210

Total length 0.83 km

CARRIAGEWAY SURFACING NON –PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2010/11

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Road Name	Ward	Length metres
Church lane (Kingsbury Road to slough Lane)	FRY	0.43
Brentfield Road (Gloucester Close to Artesian close)	STN	0.20
Stag lane (from Stag Close to Holmstall avenue)	QBY	0.52
Acton Lane (from Connaught Road to Greenhill Road)	HAR	0.35
Kilburn Lane (from Claremont road to No 225 Kilburn lane)	QPK	0.25
Empire way (from Wembley hill Road to Engineers way)	TOK	0.19
Total length		1.94 km

PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2010/11

Road Name	Ward	Length metres
A4089 Ealing Road (Bridgewater Road to Mount Pleasant)	ALP	0.49
A404 Watford Road (Nos 28 to Nos 74 footway only)	SUD/NPK	0.17
A4006 Kingsbury Road (Church Lane to Roe Green)	FRY	0.28
A4089 Bridge Road (approach to Forty Lane)	BAR	0.25
A5 Edgware Road (Wakemans hill Avenue to Hay Lane footway only)	FRY	0.30
Included associated footway upgrade work	Total length	1.49 km

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Main Programme 2009/10

CARRIAGEWAY SURFACING BOROUGH ROAD PROGRAMME 2009/10

Road Name	Ward	Length metres
Tintern Avenue	QBY	225
Brampton Grove	BAR	330
Harvist Road	QPK	925
The Mall (Ambce stn to 17)	KEN/BAR	495
Preston Hill (Preston Rd – The Mall)	KEN/BAR	400
Maybury Gardens	WLG	200
Dimsdale Drive	WHP	230
Linden Avenue	TOK	280
Beech Way	STN	105
Chalkhill Road (Bridge Rd- Windsor Cres & Blackbird Hill – Demeta Close)	BAR	640
Manor Drive	TOK	500
Oakington Manor Drive (Harrow Rd – St Michaels Ave & Victoria Ave – Wyld Way)	TOK	715
Priory Park Road	KIL	450
Sheldon Road	MAP	195
St.Julians Road	KIL	160
St Michaels Avenue (Oakington Manor Drive – Vivian Ave)	TOK	255
Tennyson Avenue	QBY	156
Valley drive	FRY	830
Waltham Drive	QBY	305
Warren Road	DOL	445
Brampton Road	QBY	430
Lennox Gardens	DNL	160
Springfield Gardens	FRY	380
Tudor Court North (Grand Ave – St Michaels Ave)	TOK	200
Beatrice Avenue	WEM	163
Union Road	WEM	178
Buchanan Gardens	KGN	480
Holland Road	KGN	623
	Total length	11.290km

MAJOR FOOTWAY UPGRADE PROGRAMME 2009/10

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Road Name	Ward	Length metres
Braemar Ave	WHP	560
Alder Grove	DOL	700
Water Rd	ALP	490
Dewsbury Rd	DNL	1030
Tudor Court South (Grand Ave East – St Michaels Ave)	TOK	500
Brondesbury Villas	KIL	400
Stag Lane (Roe Grn – Grove Rd)	QBY	714
The Mall (school side only)	KEN/BAR	614
Manor Close	QBY	380
Chevening Road	QPK	1928
Crummock Gardens	FRY	670
Uxendon Hill (West Hill – Alverstone Rd)	BAR	1040
	Total length	9.026km

CARRIAGEWAY SURFACING OF CONCRETE ROADS 2009/10

Road Name	Ward	Length metres
Norval Road	NPK	830
Priory Crescent	NPK	135
Priory Hill	NPK	230
	Total length	1.195km

CARRIAGEWAY SURFACING NON –PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2009/10

Road Name	Ward	Length metres
Hay Lane (Edgware Road – Buck Lane)	FRY	0.48
Abbey Road (Commercial Way – Eldon Way)	STN	0.49
Chamberlayne Road (Bannister Road)	BPK	0.39
Salisbury Road (Premier Corner - Kilburn Lane)	QPK	0.24
	Total length	1.60km

PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2009/10

Road Name	Ward	Length metres
A4088 Forty Lane (The Mount – Blackbird Hill)	BAR	0.32
A404 High Road Wembley – Ealing Road	WEM	0.58
A404 Harrow Road, Wembley (Talbot Road – Copland Ave)	WEM	0.28

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Included associated footway upgrade work

Total length**1.54km****Main Programme 2008/09****CARRIAGEWAY SURFACING BOROUGH ROAD PROGRAMME 2008/09**

Road Name	Ward	Length metres
West Hill	BAR	420
Windsor Road, NW2	WGN	190
Beverly Drive	QBY	1250
Langdon Drive, Wembley	BAR	190
Meadow Way NW9	FRY	192
Sudbury Croft, Wembley	NPK	100
Lushington Road, NW10	KGN	215
Sunnydene Gardens, Wembley	ALP	100
Tracey Avenue, NW2	MAP	105
Brookside Close, Kenton	KEN	100
Page Close, Wembley	BAR	80
Sunningdale Gardens, NW9	FRY	91
Chadwick Road	HAR	266
Morland Gardens	STN	151
Linden Ave (Dagmar – Station Terrace)	QPK	200
Sandy Lane	KEN	95
Queensbury Road	ALP	805
Old Church Lane	WHP	539
Oakington Avenue	PRE	549
Paddock Road	DOL	366
Tiverton Road	QPK	250
Fairway Avenue	NPK	200
Preston Road (Woodcock – The Avenue)	PRE	450
Alder Grove	DOL	350
Claremont Road	QPK	250
Barn Hill	BAR	400
Crummock Gardens	FRY	200
Regal Way (45 – Preston Hill)	PRE	180
Marsh Road, Alperton	ALP	230
	Total length	8.514km

MAJOR FOOTWAY UPGRADE PROGRAMME 2008/09

Road Name	Ward	Length metres
Brook Ave, Wembley	PRE	970
Harlesden Road NW10 (Robson Ave – Pound Lane)	WLG	450
Marsh Road, Alperton	ALP	450
The Glen, Wembley	PRE	260
Lindsay Drive, Kenton	KEN	2304
Meredith Avenue, NW2	MAP	195
Meadow Way, Wembley	PRE	520
Morland Gardens	STN	190
Stonebridge Park	STN	750

Uffington Road	WLG	360
First Avenue	PRE	330
West Hill	BAR	400
Chadwick Rd	HAR	195

Total length 7.374km

CARRIAGEWAY SURFACING OF CONCRETE ROADS 2008/9

Road Name	Ward	Length metres
Windermere Avenue (Carlton Ave East – Ennerdale Gdns)	PRE	350
Stapenhill Road	WEM	220
Rydal Gardens	QBY	360
Talbot Road	WEM	265

Total length 1.195km

CARRIAGEWAY SURFACING NON –PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2008/9

Road Name	Ward	Length metres
Alperton Lane (Marsh Rd – Ealing Rd)	ALP	380
Crest Road (Alder Gr – Brook Rd)	DOL	480
Crest Road (Brook Rd – Tanfield Ave)	DOL	480
Carlton Vale (Cambridge Rd – Kilburn Park Rd)	KIL	180
Wembley Hill Road (Park Ln – East Ln)	WEM	587
Wembley Hill Road (Park Ln – Empire Way)	WEM	587
Drury Way (Tesco roundabout – Laxcon Way)	STN	200

Total length 2.894km

PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2008/9

Road Name	Ward	Length metres
A4089 Park Lane (High Road Wembley to Lea Gdns)	WEM/TOK	565
A5 Shoot Up Hill (Christchurch Ave to Walm Lane)	MAP	625
A404 Watford Road (East Lne to Rbout at Butlers Grn)	SUD/NPK	730

Included associated footway upgrade work **Total length 1.920km**

APPENDIX 5 – WARD ABBREVIATIONS

<u>WARD</u>	<u>ABBREVIATION</u>
- ALPERTON	ALP
- BARNHILL	BAR
- BRONDESBURY PARK	BPK
- DOLLIS HILL	DOL
- DUDDEN HILL	DNL
- FRYENT	FRY
- HARLESDEN	HAR
- KENSAL GREEN	KGN
- KENTON	KEN
- KILBURN	KIL
- MAPESBURY	MAP
- NORTHWICK PARK	NPK
- PRESTON	PRE
- QUEENS PARK	QPK
- QUEENSBURY	QBY
- STONEBRIDGE	STN
- SUDBURY	SUD
- TOKYNGTON	TOK
- WEMBLEY CENTRAL	WEM
- WELSH HARP	WHP
WILLESDEN GREEN	WLG

APPENDIX 6 – Borough map identifying major schemes for 2011/12 in each ward.

APPENDIX 7 – Borough map identifying the principal road and non-principal classified road networks.

APPENDIX 8

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Major Footway Upgrade Programme

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the upgrade of the boroughs footways based on the results of an independent annual condition survey utilising £1,130k of capital funding. Many of these footways are subject to high maintenance costs due to repetitive damage caused by vehicle encroachment, street trees etc. and have reached the end of their design life.

Upgrading these footways will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of personal injury claims against the Council by providing a good walking surface for pedestrians.
- Provide suitable pedestrian crossing points that are compliant with Department of the Environment Transport and the Regions (DETR) guidelines in terms of configuration and gradients.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that where feasible existing materials, such as kerbstones and paving stones are incorporated into the design for reuse. Also, that during implementation other highway issues affecting the street, for example, illegal footway crossings, missing or illegible signage, and vandalised street furniture, missing or damaged street trees are also addressed.

Capital Costs & Phasing £000

	Total	20011/12	2012/13	2013/14	& beyond
Gross Cost		1,130			

Funding £000

	Total	20011/12	2012/13	2013/14	& beyond
Main Prog.		1,130			
Section					

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106					
Grant					
Other					

Revenue Costs £000	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-75	-138	-138	-138
Capital Charges		56	56	56

Please insert details of appraisal process used and if appropriate attach further details.

For 2011/12 a sum of £1,130k has been allocated for the upgrade of footways within the borough. This will enable us to renew approximately 18,000 m2 of footway in 10 streets.

- The estimated cost of annual maintenance of these footways is £60k p.a. This saving can be used to repair other defects within the borough.
- Currently, the average cost of claims arising from trip hazards is £550k per annum. Approximately 35% of the boroughs footway network, which is approximately 868 km in length, would benefit from renewal. This amounts to a claim liability of approximately £1.8k per km for the percentage of the network in poor condition. As the footways in the programme are those in the worst condition, a factor of 3 has been applied for the increased risk of a personal injury claim. Approximately 9km of footway will be renewed saving £5.4k per km which equates to an estimated saving in annual claims of £48k.
- Regeneration also has a value as it results in a reduction in instances of anti-social behaviour. This has an estimated amenity value of £3k per street and therefore upgrading the footway in 10 streets will save in the region of £30k p.a.

The upgrade programme will therefore result in a total estimated annual saving of £138kp.a.

Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

Development and Construction;

The programme will be delivered through the existing term contracts which were awarded in accordance with financial regulations. The term contractors were assessed in terms of health and safety, financial stability and technical capability. The conditions of these contracts facilitate retention of 5% of the value of the work to be held for a period of six months. As these contracts are mid-term, the cumulative value of retention monies held will exceed the value of work in progress. Contracts have also been awarded to other contractors under framework agreements whom may be used to deliver the schemes should main contractors be unable to resource these works. All works are supervised to ensure compliance with the Councils specification and staged payments are made based on engineers valuations with final payment on a full measure.

Funding;

The Council have no contractual obligations in terms of the quantity or value of work commissioned through the term contracts. Should funding be withdrawn or reduced, this would result in the cancellation of schemes. The risk of reducing or cancelling the programme would be; higher long term maintenance costs and liabilities. This would also result in the uneconomical use of maintenance budgets to repair footways which are no longer sustainable. Also, a poor perception of the Council, by the public whom value regeneration and environmental improvements.

APPENDIX 9

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Major Carriageway Resurfacing Unclassified (Borough) Roads Programme

Proposed Start Date: 11^h April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the upgrade of the boroughs carriageways based on the results of an independent annual condition survey utilising £1,090k of capital funding. Many of these carriageways are subject to high maintenance costs as they have reached the end of their design life. The results of the 2009/10 independent condition survey indicated that our BVPI 224b score (former national indicator retained as a local indicator) be 23%, the percentage of the network is in poor condition, the score for the previous year was also 23%. The delivery of this programme should improve the condition of the network by 2% or 3%, (depending on the rate of deterioration of other roads). Recent winter weather conditions have had an adverse effect on the condition of the network.

Modern asphalts are now specified which provide a quieter riding surface, improved skid resistance, and durability.

Upgrading these carriageways will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of road traffic accidents and damage to vehicle claims against the Council by providing a good riding for vehicles.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that planed material is taken to specialist tips and recycled. As the material has similar properties to gravel, it has been used successfully for levelling and surfacing private alley ways under the Councils alleygating initiative.

Also, that during implementation other highway issues affecting the street, for example, blocked gullies and uneven kerb alignments are also remedied. Line markings, traffic calming features such as speed cushions, speed tables, road

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humps and anti-skid road coatings, are also replaced upon completion.

Capital Costs & Phasing £000

	Total	20011/12	2012/13	2013/14	& beyond
Gross Cost		1,090			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		1,090			
Section 106					
Grant					
Other					

Revenue Costs £000

	20011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-130	-214.5	-214.5	-214.5
Capital Charges		65	65	65

Please insert details of appraisal process used and if appropriate attach further details.

For 2011/12 a sum of £1,090k has been allocated for the resurfacing of the boroughs unclassified road network. This will enable us to renew approximately 80,000 m² of road surface in over 30 streets. These carriageways have reached the end of their design life whereby over 30% of the total surface is in need of repair. Patching repairs can be expensive, typically £32per m², depending on the depth.

- The estimated cost of annual maintenance of these carriageways is £120k p.a. This saving can be used to repair other defects within the borough.
- The average cost of damage to vehicle claims arising from carriageway defects is estimated to be in the region of £100k per annum, although this figure may rise due to the effect of winter weather on our roads. Approximately 23% of the boroughs unclassified road network, which is approximately 434 km in length, would benefit from renewal. This amounts to a claim liability of approximately £1.0k per km for the percentage of the network in poor condition. As the carriageways in the programme are those in the worst condition, a factor of 3 has been applied for the increased risk of a claim. Approximately 11.5km of carriageway will be resurfaced saving £3k per km which equates to an estimated saving in annual claims of £34.5k.

- Regeneration also has a value as it results in a reduction in instances of anti-social behaviour. This has an estimated amenity value of £2k per street and therefore, 30 streets will save in the region of £60k p.a.

The resurfacing programme will therefore result in a total estimated annual saving of £214.5k p.a.

Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

Development and Construction;

The programme will be delivered through the existing term contracts which were awarded in accordance with financial regulations. The term contractors were assessed in terms of health and safety, financial stability and technical capability. The conditions of these contracts facilitate retention of 5% of the value of the work to be held for a period of six months. As these contracts are mid-term, the cumulative value of retention monies held will exceed the value of work in progress. Contracts have also been awarded to other contractors under framework agreements whom may be used to deliver the schemes should main contractors be unable to resource these works. All works are supervised to ensure compliance with the Councils specification and staged payments are made based on engineers valuations with final payment on a full measure.

Funding;

The Council have no contractual obligations in terms of the quantity or value of work commissioned through the term contracts.

Should funding be withdrawn or reduced, this would result in the cancellation of schemes. The risk of reducing or cancelling the programme would be; higher long term maintenance costs and liabilities. This would also result in the uneconomical use of maintenance budgets to repair carriageways which are no longer sustainable. Also, a poor perception of the Council, by the public whom value regeneration and environmental improvements.

APPENDIX 10

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Major Carriageway Resurfacing of Non principal Classified (B & C) Roads Programme

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme will prioritise the upgrade of the boroughs non-principal classified carriageways based on the results of the independent SCANNER annual automated condition survey, commissioned by TfL and will utilise £200k of capital funding. Many of these carriageways are subject to high maintenance costs as they are heavily used and have reached the end of their design life. This network is susceptible to the effects of winter weather conditions due to their usage and the level of utility activities. The results of the 2009/10 independent condition survey indicated that our NI169 score was 9%, the percentage of the network is in poor condition. The delivery of this programme should further improve the condition of the network by 2% or 3%, (depending on the rate of deterioration of other roads).

Modern asphalts are now specified which provide a quieter riding surface, improved skid resistance, and durability.

Upgrading these carriageways will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of road traffic accidents and damage to vehicle claims against the Council by providing a good riding for vehicles.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that planed material is taken to specialist tips and recycled. As the material has similar properties to gravel, it has been used successfully for levelling and surfacing private alley ways under the Councils alleygating initiative.

Also, that during implementation other highway issues affecting the street, for example, blocked gullies and uneven kerb alignments are also remedied. Line markings, traffic calming features such as speed cushions, speed tables, road humps and anti-skid road coatings, are also replaced upon completion.

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Capital Costs & Phasing £000

	Total	20011/12	20012/13	2013/14	& beyond
Gross Cost		200			

Funding £000

	Total	20011/12	2012/13	2013/14	& beyond
Main Prog.		200			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-35	-69.3	-69.3	-69.3
Capital Charges		10	10	10

Please insert details of appraisal process used and if appropriate attach further details.

For 2011/12 a sum of £200k has been allocated for the resurfacing of the boroughs non-principal classified road network. This will enable us to renew approximately 10,000 m² of road surface. These carriageways have reached the end of their design life whereby over 20% of the total surface is in need of repair. These carriageways are usually traffic sensitive and therefore patching repairs can be expensive, typically £40 per m² for off-peak working, depending on the depth.

- The estimated cost of annual maintenance of these carriageways is £60k p.a. This saving can be used to repair other defects within the borough.
- The average cost of damage to vehicle claims arising from carriageway defects is estimated to be in the region of £10k per annum. Approximately 10% of the boroughs non-principal classified road network, which is approximately 41km in length, would benefit from renewal. This amounts to a claim liability of approximately £2.4k per km for the percentage of the network in poor condition. As the carriageways in the programme are those in the worst condition and of high usage, a factor of 2 has been applied for the increased risk of a claim. Approximately 1.0 km of carriageway will be resurfaced saving £4.8k per km.

- Regeneration also has a value as it results in a reduction in instances of anti-social behaviour. This programme has an estimated amenity value of £3k per km of street and therefore, 1.5 kms will save in the region of £4.5k p.a.

The resurfacing programme will therefore result in a total estimated annual saving of £69.3k p.a.

Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

Development and Construction;

The programme will be delivered through the existing term contracts which were awarded in accordance with financial regulations. The term contractors were assessed in terms of health and safety, financial stability and technical capability. The conditions of these contracts facilitate retention of 5% of the value of the work to be held for a period of six months. As these contracts are mid-term, the cumulative value of retention monies held will exceed the value of work in progress. Contracts have also been awarded to other contractors under framework agreements whom may be used to deliver the schemes should main contractors be unable to resource these works. All works are supervised to ensure compliance with the Councils specification and staged payments are made based on engineers valuations with final payment on a full measure.

Funding;

The Council have no contractual obligations in terms of the quantity or value of work commissioned through the term contracts. Should funding be withdrawn or reduced, this would result in the cancellation of schemes. The risk of reducing or cancelling the programme would be; higher long term maintenance costs and liabilities. This would also result in the uneconomical use of maintenance budgets to repair carriageways which are no longer sustainable. Also, a poor perception of the Council, by the public whom value regeneration and environmental improvements.

APPENDIX 11

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Improvement to Grass Verges and Accessibility Programme

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the hard paving or protection of sustainable areas of grass verge within the borough in narrow streets that are susceptible to repetitive damage. Sites are prioritised with StreetCare and typically schemes involve the realignment of kerbs to facilitate improved access, the hard paving of some verges and the installation of pedestrian crossing points in accordance with DETR standards.

The Executive report titled 'Highways Grass Verges in Narrow Streets' on 23rd January 2003 approved the hard paving of verges where parking fully on the carriageway can cause obstructions, and where footway parking dispensation has been granted. There are other streets in the Borough that are narrow and will benefit from minor kerb re-alignment works to improve accessibility. £50k has been allocated for the strengthening, and/ or protection of soft verges, and improving accessibility.

Upgrading these footways and protecting verges will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of personal injury claims against the Council by providing a good walking surface for pedestrians.
- Provide suitable pedestrian crossing points that are compliant with Department of the Environment Transport and the Regions (DETR) guidelines in terms of configuration and gradients.
- Protect crossing points and sustainable grass verge areas from vehicle encroachment
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that where feasible existing materials, such as kerbstones and paving stones are incorporated into the design for reuse. Also, that during implementation other highway issues within the area of the scheme, for

example, missing or illegible signage, and vandalised street furniture, are also addressed.

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		50			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		50			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-9	-17	-17	-17
Capital Charges		2.5	2.5	2.5

*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

Maintenance savings estimated for future years due to the improvements based on forecast maintenance costs.

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.

APPENDIX 12

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Renewal of Highways Marginal Land Programme

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the improvement of land that is public highway but not footway, carriageway or grass verge. Typically these areas are treated as an amenity with grass, trees and shrubs but have become neglected over a number of years. This has resulted in problems with fly tipping, litter including sharps and other drug paraphernalia, and dog fouling which all have a negative effect on the street scene. These sites are identified and prioritised by the Landscape team in Planning Services in partnership with officers from Transportation, StreetCare and Environmental Health and link up with the Councils Envirocrime initiative and/or other highway schemes.

These schemes will comprise of soft landscaping and maintenance and the repair or renewal of hard elements such as paved surfaces or plant beds utilising £50k of capital funding.

Improving highways marginal land will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of personal injury claims against the Council by providing a good walking surface for pedestrians.
- Reduce the risk to public health
- Protect marginal land from vehicle encroachment
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism, drug abuse and graffiti.
- Reduce the opportunity for crime by removing overgrown shrubbery and improving pedestrian visibility.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that where suitable existing materials, are incorporated into the design for reuse. Also, that during implementation other highway issues within the area of the scheme, for example, missing or illegible signage, and vandalised street furniture, and graffiti, are also addressed.

--

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		25			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		25			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-2	-3	-3	-3
Capital Charges		1.25	1.25	1.25

*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

Maintenance savings estimated for future years due to the improvements based on forecast maintenance costs.

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.

APPENDIX 13

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: New Street Signs Programme

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the upgrade of the boroughs directional and regulatory signage. Many of the boroughs signs have been subject to vandalism and damage over recent years.

The capital budget allocation of £ 50k will be utilised for directional and regulatory sign replacement.

The programme has previously included the replacement of street name plates.

Following completion of a borough wide survey in 2004/5, it was found that many street name plates were damaged, illegible or missing and annual capital funding has been allocated for their replacement.

Streets were prioritised on this basis to aid the movement of traffic on the boroughs roads. All new street name plates include the post code which assists the emergency services and helps reduce response times. This programme was completed in 2009/10.

Following completion of a sign survey by the Traffic team in Transportation, new directional and regulatory signs have been replaced on the principal road network, for example Kingsbury Road and Kilburn High Road. The £50k capital allocation will be used to continue this programme to ensure that directional and regulatory signs are improved and street clutter is reduced.

Upgrading these signs will;

- Reduce future maintenance costs (revenue funded)
- Standardise street name plates
- Improve the movement of traffic
- Help improve the response times of the emergency services
- Reduce street clutter
- Reduce the likelihood of traffic accidents by providing clear directional and regulatory signage.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.

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14th March 2011

Version 7.0
17th February 2011

- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.
- Assist in compliance to regulations to enforce moving traffic contraventions.

For 2011/12 approximately 100 directional and regulatory signs will be replaced on the boroughs main roads.

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		50			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		50			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-2	-5	-5	-5
Capital Charges		2.5	2.5	2.5

*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

Maintenance savings estimated for future years due to the improvements based on forecast maintenance costs and reduced accidents resulting in damage by clearer directional and regulatory signage.

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.

APPENDIX 14

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Gully Replacement / Repair Programme

Proposed Start Date: 11^h April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

There are approximately 25,000 gullies in the borough and the number of gullies is increasing every year, due to new developments. The majority of the gullies were installed during the 1920's – 1930's, and are now coming to end of their life cycle

Ineffective surface water drainage will result in flooding during periods of heavy rainfall which will not only have a negative impact on the street scene, but may result in traffic accidents, damage to the highway caused by the ingress of water, claims for damage to private property caused by the discharge of highways water, and a public health hazard caused by the surcharging of foul sewers taking surface water.

Utilising £75k of capital funding approximately 75 gullies can repaired or replaced.

Repairing or installing gullies will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of damage claims against the Council.
- Reduce traffic accidents caused by surface water, including ice in freezing conditions.
- Prevent damage to the highway structure caused by the penetration of water and freeze / thaw action.
- Reduce the risk to public health caused by surcharging foul sewers taking surface water.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that this funding can also be utilised to provide drainage solutions to isolated problems caused by natural ground water pecculating through the highway surface at low land points.

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		75			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		75			
Section 106					
Grant					
Other					

Revenue Costs £000

	2010/11	2011/12	2012/13	& beyond
Running Costs (Net p.a.)	-5	-10	-10	-10
Capital Charges		3.75	3.75	3.75

*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

Assessment based on reduced maintenance cost of assets subject to water damage

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.

APPENDIX 15

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Carriageway Resurfacing – Short Sections (unclassified and non-principal classified roads)

Proposed Start Date: 11^h April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the upgrade of the short sections of the boroughs carriageways in streets that are not prioritised for inclusion in the boroughs major resurfacing programme from the results of the independent condition survey due to their overall condition score.

These are short sections in streets on the Unclassified (U) or non-principal (B&C) road network that have deteriorated and in need of resurfacing. Such areas are high cost in terms of lifecycle costs and the need to carry out periodic maintenance.

Often the renewal of these areas cannot be funded through the responsive highway maintenance budgets that are used to carry out repairs to maintain the highway in a safe condition, which are already under considerable pressure.

The recent winter weather conditions have affected the condition of our roads, particularly those that are nearing the end of their design life. This budget will be used to resurface shorter sections where this would be more cost effective than patch repairs.

Various other smaller sections of carriageway throughout the Borough that need resurfacing due to ongoing maintenance requirements shall be identified by engineering staff, and programmed for resurfacing utilising an allocation of £100k.

Resurfacing short sections that are in poor condition will help improve the council's Local indicator on the % of carriageways where structural maintenance should be considered.

Modern asphalts are now specified which provide a quieter riding surface, improved skid resistance, and durability.

Upgrading these short sections of carriageways will:

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of road traffic accidents and damage to vehicle claims against the Council by providing a good riding for vehicles.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that planed material is taken to specialist tips and recycled. As the material has similar properties to gravel, it has been used successfully for levelling and surfacing private alley ways under the Councils alleygating initiative.

Also, that during implementation other highway issues affecting the street, for example, blocked gullies and uneven kerb alignments are also remedied. Line markings, traffic calming features such as speed cushions, speed tables, road humps and anti-skid road coatings, are also replaced upon completion.

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		100			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		100			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-20	-30	-30	-30
Capital Charges		5	5	5

*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

Maintenance savings estimated for future years due to the improvements based on forecast maintenance costs.

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.

APPENDIX 16

L B BRENT – CAPITAL SCHEME APPROVAL FORM

Scheme Name: Footway Upgrade Programme – Short Sections

Proposed Start Date: 11th April 2011

Proposed End Date: 31 March 2012

Please provide a brief description of the scheme and the expected investment outcomes.

This programme prioritises the upgrade of the short sections of the boroughs footways in streets that are not prioritised for inclusion in the boroughs major footway upgrade programme from the results of the independent condition survey, due to their overall condition score.

Many of these sections of footways are subject to high maintenance costs due to repetitive damage caused by vehicle encroachment, street trees etc. and have reached the end of their design life.

Such areas are high cost in terms of lifecycle costs and the need to carry out periodic maintenance. Often the renewal of these areas cannot be funded through the responsive highway maintenance budgets, which are already under considerable pressure, due to their cost.

Various smaller footway sections throughout the Borough that need strengthening due to ongoing maintenance requirements shall be identified by engineering staff, and programmed for upgrade using more durable materials utilising this £100k allocation.

Upgrading these footways will;

- Reduce future maintenance costs (revenue funded)
- Reduce the likelihood of personal injury claims against the Council by providing a good walking surface for pedestrians.
- Provide suitable pedestrian crossing points that are compliant with Department of the Environment Transport and the Regions (DETR) guidelines in terms of configuration and gradients.
- Improve the street scene and promote civic pride which will discourage anti social behaviour, such as dropping litter, vandalism and graffiti.
- Deliver the Councils vision of building a better borough and core value of promoting the quality of life and the green agenda.

It should be noted that where feasible existing materials, such as kerbstones and paving stones are incorporated into the design for reuse. Also, that during implementation other highway issues affecting the street, for example, illegal

footway crossings, missing or illegible signage, and vandalised street furniture, are also addressed.

Capital Costs & Phasing £000

	Total	2011/12	2012/13	2013/14	& beyond
Gross Cost		100			

Funding £000

	Total	2011/12	2012/13	2013/14	& beyond
Main Prog.		100			
Section 106					
Grant					
Other					

Revenue Costs £000

	2011/12	2012/13	2013/14	& beyond
Running Costs (Net p.a.)	-7	-15	-15	-15
Capital Charges		5	5	5

Please insert details of appraisal process used and if appropriate attach further details.





*Please insert details of appraisal process used and if appropriate attach further details.

*Not required under updated financial regulation 3.1.6 for schemes under £150k.

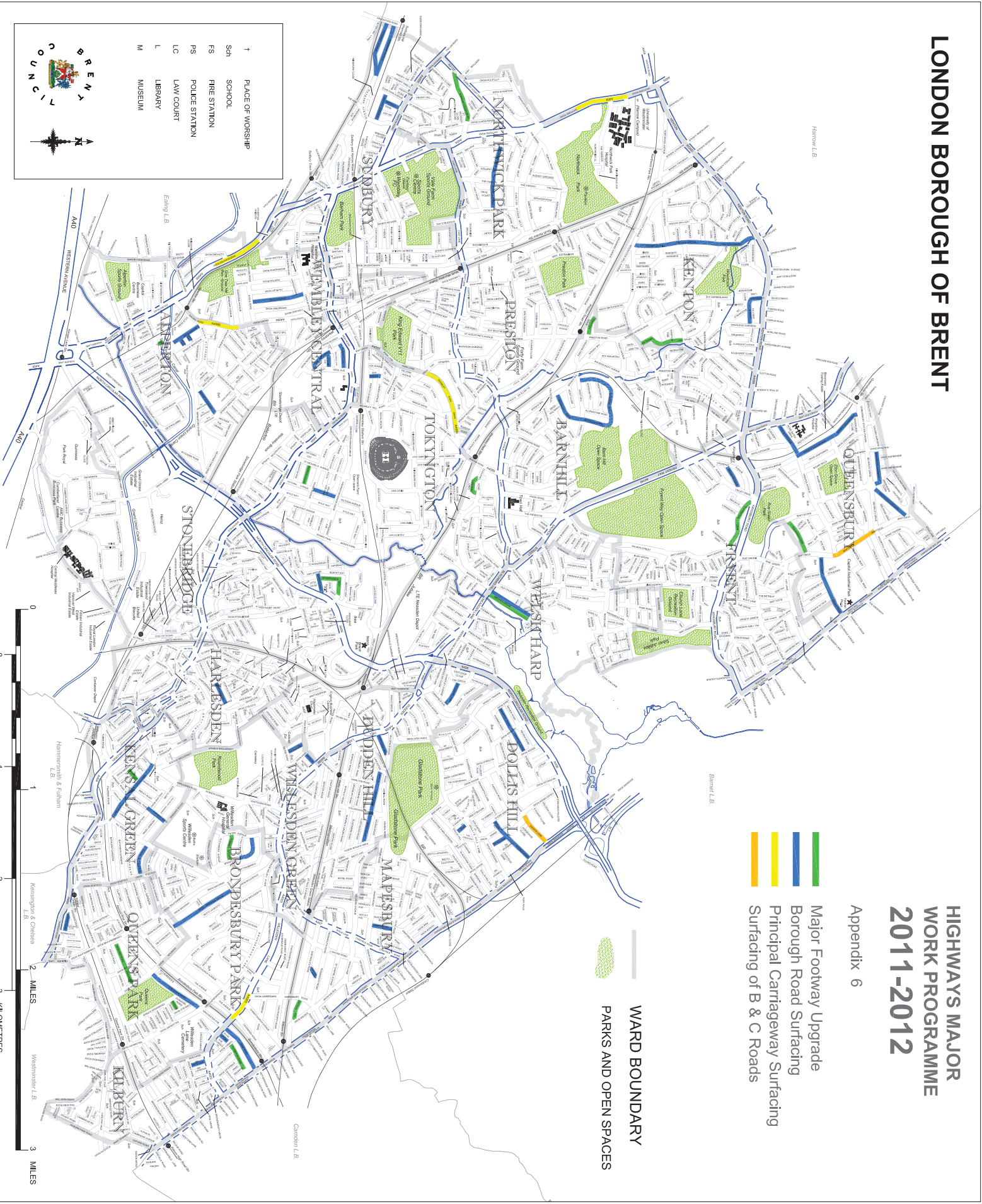
Assessment based on reduced maintenance costs.

**Please identify any risks associated with the scheme and if appropriate attach the detailed risk analysis.

**Not required under updated financial regulation 3.1.6 for schemes under £150k.





-  Major Footway Upgrade
-  Borough Road Surfacing
-  Principal Carriageway Surfacing
-  Surfacing of B & C Roads

WARD BOUNDARY
PARKS AND OPEN SPACES



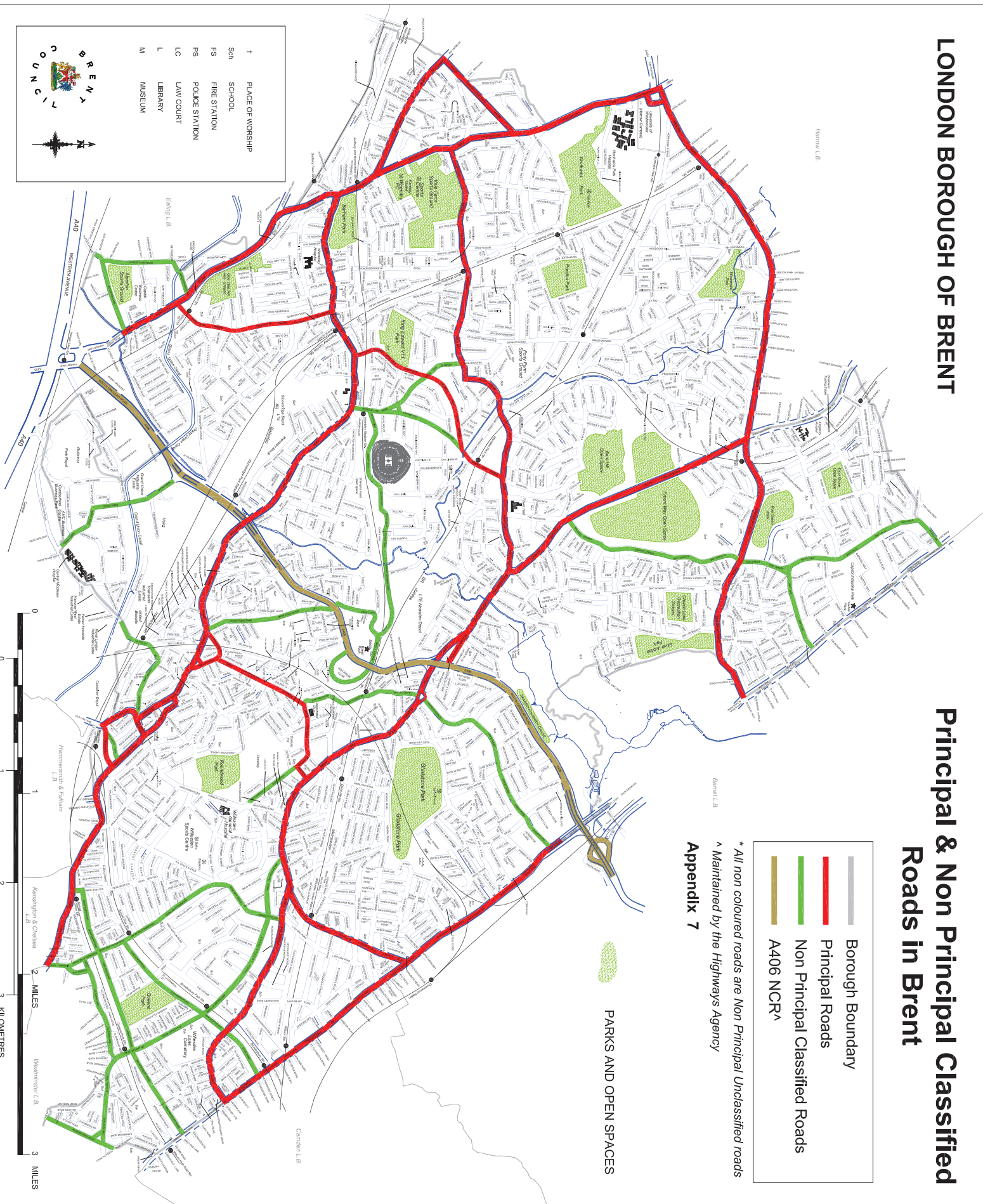
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Principal & Non Principal Classified Roads in Brent


	Borough Boundary
	Principal Roads
	Non Principal Classified Roads
	A406 NCR ^v

* All non coloured roads are Non Principal Unclassified roads
 v Maintained by the Highways Agency

Appendix 7



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	<p>Executive 14 March 2011</p> <p>Report from the Director of Regeneration and Major Projects</p>
<p>For Action</p>	<p>Wards affected: Kilburn</p>
<p>South Kilburn Regeneration: Procurement of Developer Framework and regeneration update</p>	

Appendices 1 and 4 are Not for Publication

1.0 Summary

1.1 This report seeks approval to finalise the procurement of the South Kilburn Regeneration Developer Framework. It also seeks approval to progress to planning application a design for two sites within phase 2 of the regenerations and updates on the progress of the wider regeneration of South Kilburn.

2.0 Recommendations

- 2.1 That the Executive agrees to the establishment of the South Kilburn Regeneration Developer Framework and to the appointment of those developers detailed in paragraph 3.5 for a period of 4 years from the framework commencement date.
- 2.2 That the Executive notes Officers' intention to progress the selection of a design team from the LDA Architecture, Landscape and Urban Design Framework Agreement to take a proposal through to full planning application (RIBA Stage C or D) for the Fielding House and Bronte House sites (Zones 3a and 3b respectively) and to report back to Executive with regard to contract award.
- 2.3 That the Executive notes the wider progress with the regeneration of South Kilburn.

3.0 Detail

3.1 Following the agreement to dispose of sites 11a (former Marshall House, Albert Road) and 3c (former Carlton Vale Roundabout), income from land

receipts will be recycled back into the delivery of the remaining phase 1 sites and future phases, therefore sustaining the momentum of the regeneration. A pipeline of “planning approved” development sites will significantly assist the delivery of the regeneration programme as well as fulfilling new housing requirements for existing South Kilburn tenants.

- 3.2 The report to Executive 23rd June 2010 sought authorisation to commence the process of assembling an EU compliant framework of developer partners (the Developer Framework”) to deliver the remaining phase 1 sites, and future sites within phases 2 and 3. Additionally, members approved the assessment criteria for the selection of prospective partners for inclusion on the Developer Framework.
- 3.3 The formulation of the Developer Framework provides the council with flexibility to ensure as far as possible, housing regeneration schemes are viable and deliverable within a challenging and uncertain economic and property environment. It is recognised that there will be uncertainty as regards two important ingredients: HCA grant funding and the rent levels for affordable housing and therefore a balance will need to be achieved between value generation through private tenure housing and the provision of affordable housing to ensure the housing decant needs are covered.
- 3.4 The EU compliant procurement process has entailed the publication of an OJEU notice, the consideration of expressions of interest through the use of a Pre Qualification Questionnaire and Invitations to Tender whereby tenderers used a detailed design of the Cambridge Court and Wells Court regeneration proposal to submit their proposals based upon qualitative and quantitative criteria.

Recommended South Kilburn Developer Framework

- 3.5 Paragraphs 3.6 to 3.12 below outline the procurement process for the Developer Agreement. In summary, officers recommend that the following developer partners are appointed to the Developer Framework:
- Network Housing Group of Olympic Office Centre, 8 Fulton Road, Wembley, Middlesex, HA9 0NU;
 - London and Quadrant of Osborn House, Osborne Road, London, SE3 9DR;
 - Mulalley One Housing Group of Teresa Gavin House, Woodford Avenue, Woodford Green, Essex, IG8 8FA;
 - Catalyst Housing Group of Ealing Gateway, 26 – 30 Uxbridge Road, London W5 2AU;
 - Ardmore First Base Partnership of Byrne House, Jeffreys Road, Brimsdown, Enfield, Middlesex, EN3 7UB; and
 - Genesis Housing Group of Capital House, 25 Chapel Street, London, NW1 5DT

The formulation of the Developer Framework and the scoring of bids against identified qualitative and quantitative criteria is outlined below. Individual

tenderers are identified in Annex 1 with the overall combined scores for the tenderers included within Annexe 2.

Assembly and procurement of the developer framework

- 3.6 Officers published a notice in the Official Journal of the European Union (OJEU) on the 9th of July 2010 to seek expressions of interest for appointment to the Developer Framework. 37 expressions of interest were received in response to the OJEU notice.
- 3.7 To narrow down from the expressions of interest to a selection of prospective partners to whom an invitation to tender (ITT) could be issued, a Pre Qualification Questionnaire (PQQ) was issued to all organisations on 19th July 2010. The PQQ sought information in relation to the following:
- technical knowledge and experience;
 - capability/capacity; and
 - organisational and financial standing

The questionnaire responses were evaluated using a scoring weighting agreed in advance. Organisations that were unable to achieve a specific rating against identified scoring criteria were excluded from the evaluation.

- 3.8 Having received responses to the PQQ, officers issued an ITT to 6 organisations on the 11th November 2010. The OJEU notice envisaged that between 8 and 15 organisations would be invited to tender, but in the event only 6 organisations that otherwise achieved the requirements of the PQQ were able to demonstrate adequate technical ability to deliver and manage complex mixed tenure housing projects and with locally based neighbourhood management. The ITT was based upon the proposed regeneration of the Cambridge Court and Wells Court sites. This allowed tenderers to answer questions regarding their approach to contributing to regeneration in South Kilburn. It also provided a basis for tenderers to “price” how they would build the development and apply overheads and profit to the cost of affordable housing and revenue derived from market housing. Soon after this, the council hosted a “*bidder’s forum*” day on the 17th November 2010 so that prospective tenderers could seek information and clarification from council officers.
- 3.9 The 6 tenderers submitted tender documents to the council on the 14th of January 2011 and these were subsequently scored by a panel against qualitative and quantitative criteria on a 60% to 40% basis respectively. The panel consisted of representatives of South Kilburn residents, The South Kilburn Partnership, the Homes and Communities Agency (HCA) and Brent Council officers. Consultant assistance was provided for the purposes of real estate and development cost pricing.
- Qualitative criteria*
- 3.10 Panel members ascribed scores to the 6 tenders in relation to qualitative criteria. The headline criteria and the more detailed criteria under them together with scoring values are detailed in Annexe 3. Having completed

individual scores, the panel then met on the 24th January 2011 to agree a preliminary consensus score. Questions for clarification were also sought for subsequent interviews with the tenderers. Scoring was reviewed following the interviews. The qualitative criteria represented a possible 60 of the total possible 100 marks available to each tender. The 60 marks were aggregated across 8 categories encompassing:

- Vision for South Kilburn
- Design quality
- Delivery of housing development
- Housing management
- Public realm and neighbourhood management
- Resident liaison
- Environmental sustainability /sustainable communities
- Sales and marketing

Quantitative criteria

3.11 The price or quantitative criteria were tested in relation to the tenderers' proposals for the build of the Cambridge Court and Wells Court. The analysis of the quantitative criteria considered the tenderers pricing of build cost per m², abnormal costs (capped as maxima until the 31st December 2011) and overhead and profit on build cost of affordable housing and revenue of housing for market sale (capped as maxima for the duration of the framework). There were 40 marks available for the quantitative criteria split as follows:

- 10 marks for build costs
- 20 marks for developers' overhead and profit on costs (of affordable housing)
- 10 marks for developers' overhead and profit on revenue (from market housing)

The information provided by the tenderers against the quantitative criteria is included within Annex 4.

Combined Qualitative and Quantitative criteria

3.12 The results of the scoring and ranking of the criteria resulted in an overall score out of 100 marks. The agreed scoring threshold for securing a place on the framework was 40 marks from the combined qualitative and quantitative criteria. Therefore all 6 tenderers secured a place on the developer framework. The scoring results are included within Annexe 2.

Use of the developer framework

3.13 The overhead and profit on cost and revenue specified by the tenderers within their tender submissions is capped and held for the duration of the Developer Framework, until 2015. As and when the council seeks to dispose of the

development opportunities, it will host a mini competition among the framework partners who will bid to be appointed to build and manage the development site, under a 999 year lease from the council, who will remain the freeholder.

- 3.14 It is anticipated that for the purposes of the mini competition under the Developer Framework, the scores of the bids will again be considered against qualitative and quantitative criteria on a 60:40 basis respectively, as set out in Schedule 1 part 1 of the Developer Framework Agreement, although the council reserves the right to alter the relative weightings to match the particular requirements of the scheme.
- 3.15 The tenderers will in effect price the development proposals and make an offer for the land to the council, the receipt of which will be recycled back into the on going regeneration of South Kilburn.

Progression of Fielding House and Bronte House to detailed planning application.

- 3.16 With the remaining Phase 1 sites of Cambridge Court, Wells Court, and Ely Court and Bond House and Hicks Bolton House now submitted to planning (see paragraph 3.21 below), officers recommend that to continue to provide the necessary decant capacity to maintain momentum with the regeneration of the estate, design work commences upon two sites within phase 2, namely Fielding House (Zone 3a) and Bronte House (Zone 3b).
- 3.17 Due to proximity to Kilburn Park tube station, and adjacent private housing along Kilburn Park Lane, these sites also have the potential to deliver a significant amount of private dwellings that will help to both re-dress the tenure balance of South Kilburn and generate further capital receipts to maintain the cashflow of the scheme overall.
- 3.18 In order to progress the design work, Officers intend to utilise the LDA Architecture, Landscape and Urban Design Framework Agreement, let via a competitive tender process to identify an appropriate design team to be appointed to take a proposal through to full planning application (RIBA Stage C or D), with payments on a staged basis pending sign-off by the South Kilburn Project Board at each stage. Executive authority will be sought for their appointment given that the appointment is likely to be a High Value Contract under the Council's Contract Standing Orders and Financial Regulation.

Wider progress of the South Kilburn Regeneration

- 3.19 Construction is now underway on the former Marshall House site at Albert Road for 153 new homes and at the Carlton Vale Roundabout site for 133 new homes.

- 3.20 Officers have also submitted planning applications for the redevelopment of the final sites within phase 1 of the regeneration programme. At Cambridge Court, Wells Court and Ely Court, a planning application has been submitted for a total of 144 new homes. At Bond House and Hicks Bolton House a planning application has been submitted for 64 new homes, a new public open space and a small convenience store.
- 3.21 Executive approvals were obtained on 23rd June 2010 and 15 November 2010 the Compulsory Purchase of property interests to facilitate the delivery of the remaining phase 1 sites. The council has progressed with the preparation of the Compulsory Purchase Order and has prepared a Statement of Reasons to be submitted to the Secretary of State. It is anticipated that there will be the requirement for a Public Inquiry and this is currently expected to be held towards the end of this year.

4.0 Financial Implications

Use of the Developer Framework

- 4.1 Through the use of the Developer Framework, the council will host mini competitions for the selection of partners for the development sites and the consideration of the selected partner will include the land offer made to the council. Based on the sales values secured for Albert Road and Carlton Vale sites, it is estimated that the remaining Phase 1 sites to be taken forward in 2010/11 could realise substantial capital receipts.
- 4.2 Clearly the current economic climate is one of uncertainty, not least regarding continuing depressed sales values and reductions in grant funding for affordable housing. Nevertheless, officers remain confident that the overall phasing strategy can be sustained into future phases.

Appointment of design team for Fielding House and Bronte House

- 4.3 As detailed within paragraph 3.19 above, the cost of progressing a planning application for the sites through the appointment of a design team is likely to be in excess of the High Value Contract threshold under the Council's Contract Standing Orders and Financial Regulation and award of a contract will require Executive approval. The cost of development will be met from the overall resource envelope for the regeneration of South Kilburn, specifically including land receipts from Albert Road (Zone 11a) and Carlton Vale Roundabout (Zone 3c). This delivery strategy has been agreed and endorsed by the Homes & Communities Agency, and is a condition of their grant funding for both the Albert Road and the Carlton Vale roundabout sites.

5.0 Legal Implications

- 5.1 The estimated value of the Developer Framework over its lifetime is higher than the EU threshold for Works and its establishment is therefore governed by the full application of the Public Contracts Regulations 2006 (the EU

Regulations). The Developer Framework has therefore been procured in accordance with EU Regulations and specialist advice has been sought from Trowers & Hamlins the Council's legal advisors on this project. The Developer Framework is subject to the Council's Contract Standing Orders in respect of High Value contracts and Financial Regulations.

- 5.2 As this procurement is subject to the full application of the EU Regulations, the Council must observe the requirements of the mandatory minimum standstill period imposed by the EU Regulations before the Developer Framework Agreement can be concluded. The minimum period is 15 days where the Council notifies bidders of its decision by post or 10 days where the Council gives notice by electronic means.
- 5.3 The requirements include notifying all tenderers in writing of the Council's decision to conclude the Framework Agreement and the reasons for its decision including an explanation as to the characteristics and relative advantages of the successful bids and the successful bidder's scores (as well as the score of the recipient of the notice).
- 5.4 The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's decision if such challenge is justifiable. However if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderers and the Framework Agreement can be entered into.
- 5.5 The EU Regulations not only regulate the establishment of the framework agreement, they also prescribe rules and controls for their procurement and use. Once properly established, contracts may be called off under the framework without the need for them to be separately advertised and procured through a full EU process. There are however strict rules that apply to the call-off process to ensure fairness and transparency and these have been incorporated into the call-off procedure for the Developer Framework.
- 5.6 As indicated in paragraph 3.13, it is intended to use a mini competition procedure to select providers appointed under the Developer Framework for development opportunities. Where any call off contract is classed as a High Value contract for the purposes of the Council's Contract Standing Orders and Financial Regulations, Executive approval will be sought for its award.

Appointment of design team for Fielding House and Bronte House

- 5.7 As advised at paragraphs 3.16 to 3.19 of the report, the intention is to procure Architects under an appropriate EU Framework Agreement. Where such frameworks have been established pursuant to EU Regulations, contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 5.8 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a Framework Agreement established by another contracting authority, where call off under the Framework Agreement is recommended by the relevant Chief Officer

provided that the Director of Legal and Procurement has advised that the Framework Agreement is legally permissible and that approval has been obtained from the Director of Finance. As detailed at paragraph 3.19, as the appointment of Architects is likely to be in excess of the High Value Contract threshold under the Council's Contract Standing Orders and Financial Regulations, the award of a contract will require Executive approval.

6.0 Diversity Implications

- 6.1 South Kilburn is a designated New Deal for Communities area and as such all interventions are specifically targeted at those people who suffer disadvantage in society. South Kilburn Partnership has a Race & Equality strategy, and through its widening participation theme seeks to find ways of involving and engaging with all local residents and particularly those who traditionally are 'hard to reach'. There has been and will continue to be widespread consultation and community engagement as proposals for the physical regeneration of the area are developed and delivered.
- 6.2 At a project level, each South Kilburn Partnership sponsored and supported project is subject to a full and independent appraisal undertaken by a panel of local residents and relevant officers. Part of the appraisal process is to test each activity against the Partnership's Race & Equality strategy to ensure full compliance. In line with the Council's Equality standards, all expenditure is monitored against equalities indicators on a regular basis.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 There are no specific staffing or accommodation implications associated with the proposals contained within this report.

Contact Officers

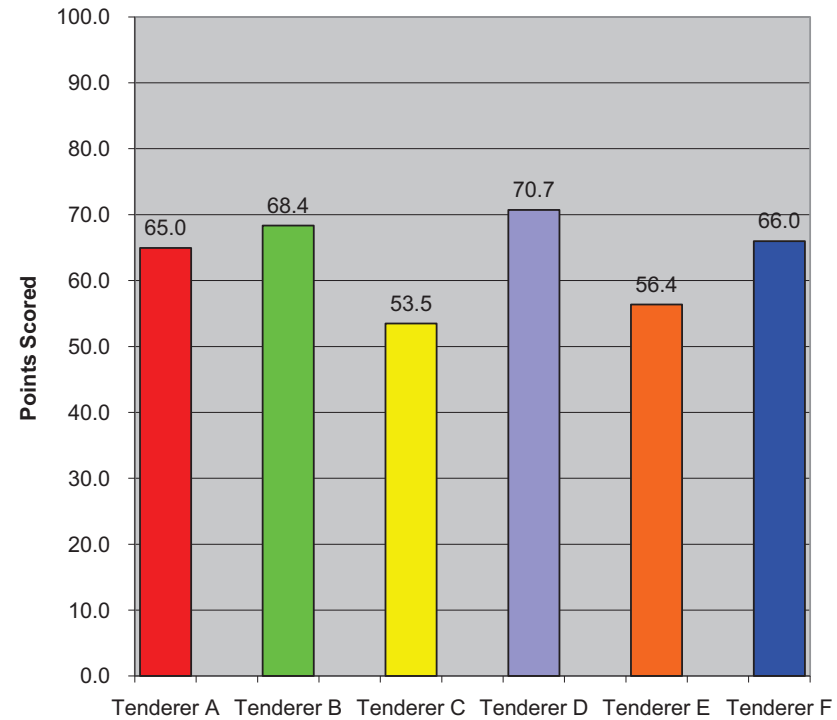
Alex Hearn
Regeneration and Major Projects
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Andy Donald
Director of Regeneration and Major Projects

SOUTH KILBURN FRAMEWORK - TOTAL PRICING & QUALITY TENDER EVALUATION

Graph Showing The Total Price & Quality Scoring Out of 100%

BIDDERS	TOTAL PRICING SCORE	TOTAL QUALITY SCORE	TOTAL SCORE
	Scoring out of 40	Scoring out of 60	Scoring out of 100
	40	60	100
Tenderer A	33.5	31.5	65.0
Tenderer B	31.9	36.5	68.4
Tenderer C	32.0	21.5	53.5
Tenderer D	33.5	37.2	70.7
Tenderer E	33.4	23.0	56.4
Tenderer F	31.9	34.1	66.0



Evaluation Criteria
Price / Cost 40%
Quality 60%

Notes :

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ANNEXE 3

South Kilburn Regeneration Programme: Procurement of Developer Framework

Scoring methodology and proforma: Content and guidance

40% of the scoring will be considered in terms of cost. The further 60% of the scoring will be of qualitative criteria outlined in the following pages.

Please use the scoring methodology on page 2 to consider and score the respective bids in relation to the criteria listed on pages 3 to 9. Apply scores of 0-4 to the criteria depending on how you believe the proposal meets the criteria. If you consider that a particular bid performs between scores apply a half point score (for example if a bid deserves a score between 2 and 3 for a particular section, you can apply a score of 2.5).

Scoring methodology	Page 2
Vision for South Kilburn	Page 3
Design quality	Page 4
Delivery of housing development	Page 5
Housing management	Page 6
Public realm and Neighbourhood management	Page 7
Resident liaison	Page 8
Environmental sustainability/sustainable communities	Page 9
Sales and marketing	Page 10

Score	Assessment
0	Totally unacceptable. Response supplied in method statement totally fails to grasp/reflect core issues and requirements.
1	Poor. Response supplied in method statement reflects a very limited understanding of core issues and requirements.
2	Acceptable. Response supplied in method statement reflects an adequate understanding of core issues and requirements.
3	Good. Response supplied in method statement reflects a good understanding of core issues and requirements.
4	Very good. Response supplied in method statement reflects a very good understanding of core issues and requirements.

1. Vision for South Kilburn	Score 0-4
<ul style="list-style-type: none"> • Shared vision for South Kilburn. 	
<ul style="list-style-type: none"> • Demonstration of how the vision will promote the socio-economic regeneration of the estate in a manner which sustains the work undertaken to date by the NDC and South Kilburn Partnership and the future role for the South Kilburn Partnership Board and the South Kilburn Neighbourhood Trust. 	
<ul style="list-style-type: none"> • Commitment to employment and training initiatives and supply chain opportunities for local people and business respectively, generating training opportunities for the long term unemployed and supply chain opportunities for new small and medium enterprises. 	
<ul style="list-style-type: none"> • Provision of proposals for managing an estate with both an ethnically and culturally diverse population. These should include the ability to identify the requirement for culturally sensitive housing requirements. 	
<ul style="list-style-type: none"> • Ability to identify the key housing and community development service needs of the BME groups on the estate. 	

2. Design quality	Score 0-4
<ul style="list-style-type: none"> • Commitment to high quality residential design. 	
<ul style="list-style-type: none"> • Demonstration how the inherited stage C design can be implemented to create quality new homes where people feel safe and are proud to call their home. Appraisal of strengths and weaknesses of the design. 	
<ul style="list-style-type: none"> • Proposals for providing tenants with a range of choices of bathroom and kitchen fittings, floor coverings and colourways to engender a sense of “ownership” of their new home. 	
<ul style="list-style-type: none"> • Opportunities for further involvement of tenants in the design of their new home. 	

3. Delivery of Housing Development	Score 0-4
<ul style="list-style-type: none"> Referring to examples of how you have previously delivered large scale housing developments, how you would propose delivering large scale residential developments in specifically in South Kilburn, identifying specific key issues. 	
<ul style="list-style-type: none"> Proposals relating to delivering mixed tenure residential development including intermediate housing in South Kilburn. 	
<ul style="list-style-type: none"> Ability to secure additional resources, other than HCA grant funding. 	
<ul style="list-style-type: none"> On the basis that HCA funding is not or will not be available, how to you propose providing funding in order to develop the schemes at South Kilburn. 	
<ul style="list-style-type: none"> Proposals to detail the selection of development partners (if any). and other supply chain members. 	
<ul style="list-style-type: none"> Proposals should include a strategy in respect of security, construction management, health and safety and management of crime and vandalism during the development works. 	

4. Housing management	Score 0-4
<ul style="list-style-type: none"> Demonstration of how a common and integrated approach will be adopted for the management and maintenance of the rented and leasehold homes. 	
<ul style="list-style-type: none"> Outline of approach to housing management, rent setting, rent collection and service charge arrangements. 	
<ul style="list-style-type: none"> Demonstration that service standards will be in the upper quartile range of the KLOE/ equivalent framework. 	
<ul style="list-style-type: none"> Outline of approach towards the management of void properties, anti social behaviour, security, safety, and tenant support. 	

5. Public realm and Neighbourhood management	Score 0-4
<ul style="list-style-type: none">Proposals relating to place making including mixed use development.	
<ul style="list-style-type: none">Illustration of how the design of the public realm of spaces between existing and proposed dwellings can enhance the use, visual amenity and safety of the area.	
<ul style="list-style-type: none">Demonstration of ability to contribute toward developing an effective model of neighbourhood management arrangements for estate management services within a multi landlord estate, including Anti Social behavior.	

6. Resident liaison	Score 0-4
<ul style="list-style-type: none"> • Provide your strategy for a high degree of involvement by residents in relation to the project .Demonstrate how you intend to work with the residents, the Tenants Steering Group, the South Kilburn Partnership, South Kilburn Neighbourhood Trust and Brent Council to achieve this. 	
<ul style="list-style-type: none"> • Demonstration that, when acting as the Council's agent in respect of decants, you will minimise disruption to residents. Show how you will take account of individual resident's needs during the decant process. 	
<ul style="list-style-type: none"> • Demonstration of commitment to assisting the Council in identifying any off site permanent decanting opportunities from within your own stock or otherwise. 	
<ul style="list-style-type: none"> • Examples of strategies for relocating leaseholders (refer to previous experience and lessons learnt if required) which will be relevant in South Kilburn. 	

7. Environmental sustainability/sustainable communities	Score 0-4
<ul style="list-style-type: none">• Commitment to and proposals for developing to a minimum level of Sustainable Homes Code Level 4.	
<ul style="list-style-type: none">• Commitment to and proposals for the provision of localised or district energy solutions.	
<ul style="list-style-type: none">• Assistance to residents to increase awareness of opportunities to reduce their carbon footprint in their homes.	

8. Sales and marketing	Score 0-4
<ul style="list-style-type: none"> Provision of proposals to ensure that dwellings are not sold to property investors through a process that can identify such individuals / organisations. 	
<ul style="list-style-type: none"> Provision of proposals for marketing the dwellings to different categories of purchaser such as the open market .These should include proposed marketing campaigns, advertising, branding, marketing materials, proposed location and composition of marketing facilities, and a proposed phasing strategy for market sales. 	
<ul style="list-style-type: none"> Demonstration of intention to deliver alternative forms of intermediate / private rented tenure to respond to the slowdown of market sales. 	



Executive
14 March 2011

Report from the Director of Regeneration and Major Projects

Wards affected:
Wembley Central, Tokyngton

Wembley Link – Adoption of Supplementary Planning Document

1.0 Summary

- 1.1 This report asks the Executive to consider the consultation responses to the draft Wembley Link Supplementary Planning Document (SPD) and proposed changes to the consultation draft. Executive is asked to adopt the Wembley Link as supplementary to the council's 2010 Core Strategy and 2011 Site Specific Allocations.

2.0 Recommendations

- 2.1 That Executive notes the views expressed on the council's consultation draft of the Wembley Link SPD and supports the responses and changes proposed as a result, set out in Appendix 1.
- 2.2 That Executive agrees to adopt the Wembley Link as a SPD supplementary to the council's 2010 Core Strategy and Site Specific Allocations subject to the Council's adoption to the DPD.
- 2.2 That Executive delegates authority to the Director of Regeneration and Major Projects to make minor text changes and illustration changes to the published document.

3.0 Detail

Introduction

- 3.1 Supplementary Planning Documents are intended to provide more detailed planning guidance. They are not intended to introduce new policy but expand on existing policy and they must supplement an adopted planning document such as the Core Strategy or an extant policy in the Unitary Development Plan. The Wembley Link SPD provides the detailed proposals that flow from the council's Local Development Framework Core Strategy, notably policies CP1, CP2, CP4, CP7 and CP16. The Core Strategy

was adopted by the council in July 2010 and sets out the spatial strategy for the whole borough. The LDF will eventually replace the former borough plan, the Unitary Development Plan (UDP) adopted in 2004. The site specific allocations (SSA) development plan document (DPD) allocates sites for specific land uses and sets out policies to guide their development. Site Allocations W10, W7, W8 and W9 are located in the Wembley Link area.

- 3.2 The Wembley Link SPD refers to the stretch of Wembley High Road from Wembley Triangle to Chesterfield House (at the corner of High Road and Park Lane). It provides a link between the new retail proposals approved and proposed in the Stadium area and the main shopping core around Wembley Central station. The LDF Core Strategy sets out a strategy to promote the expansion of the town centre eastwards towards the Stadium and this requires an improved retail presence in the Wembley Link. This SPD provides the detail to achieve the LDF Core Strategy.
- 3.3 As well as this Core Strategy imperative, there are other good reasons to promote development in the Wembley Link. The Wembley Link is made up of an incoherent patchwork of 1960's to 1980's office blocks that were built on existing two-three storey turn of the century and 1930's development. Many of these office blocks are no longer suited to modern needs and have significant amounts of vacancy. There is an opportunity to provide new residential development as part of the mix of development proposed in the SPD and thereby help meet the housing targets set out in the LDF Core Strategy. A number of design studies and market tests have been carried out on this area and a specific site boundary has recently been established for a zone that would form the key anchor to kick-starting regeneration.
- 3.4 The Wembley Link includes land on both sides of the Wembley High Road including the Brent House and Copland school sites on the south side. Copland School is badly in need of redevelopment and in order to facilitate bringing this forward, it is essential to provide clear guidance about acceptable land uses and development details such as building heights and access arrangements.
- 3.5 The Wembley area has a mix of different guidance and proposals applied to it. This includes policies and Site Specific Proposals in the 2004 UDP, draft Site Specific Allocations in the council's 2010 Development Plan Document and SPD in the form of the Wembley Masterplan (covering the Stadium Area). The intention ultimately is to consolidate the main planning policies and proposals in an Area Action Plan. This will be a Development Plan Document and will need to go through an Examination in Public. Although a DPD has more weight than an SPD, it takes considerably longer to adopt, usually at least a year. It is proposed to complete the Wembley Link document as a SPD in order to maximise the opportunities arising from current developer interest in some of the Wembley Link sites, particularly Brent House and Copland School. There will still be a need for this more detailed guidance, when the AAP is adopted.

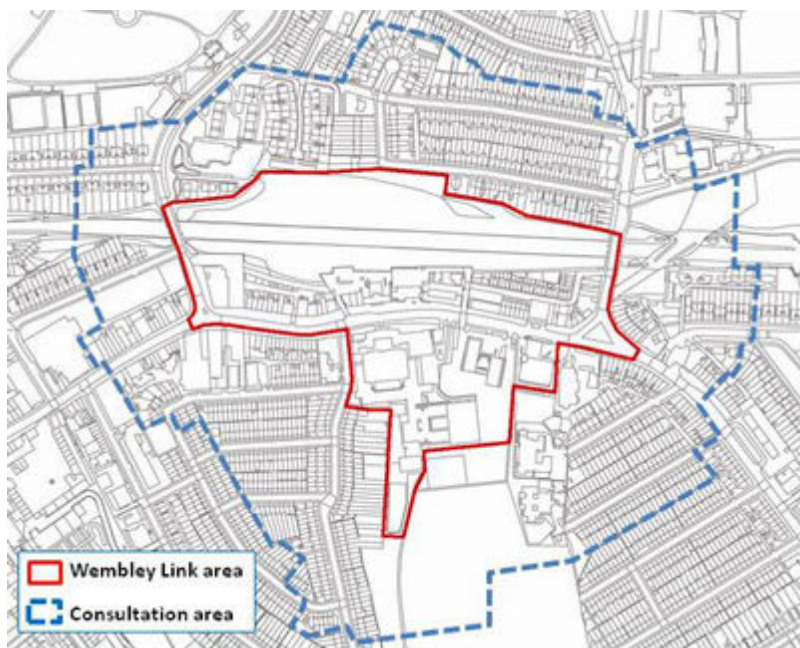
Key Features of the Missing Link SPD

- 3.6 The Key points of the SPD are to:
- Encourage new development along the Wembley Link that has retail and other town centre uses on the ground floor

- Retain some office floor space but allow for residential uses over the ground floor retail
- Bring forward good servicing arrangements for new shops while, limiting car parking for residential development and securing improvements to key junctions and bridges
- Limit development to between 4 and 8 storeys generally, except for key locations at either end of the study area.
- Show proposals with and without the Network Rail embankment on the north side of the High Road
- Limit development on the north side of the railway
- Promote a foodstore on the Brent House site that enables the redevelopment of Copland School to the rear
- Encourage family housing wherever possible.

Consultation Process

3.7 Planning Committee approved the draft SPD for consultation on 20 October 2010 and public consultation took place from 1st November to 17th December. Officers carried out two evening public meetings (at Copland school and at Patidar House) and presented at the Wembley Area Consultation Forum. 22 consultees responded to the draft SPD making 88 comments. These are set out in more detail in Appendix 1 and they contain comments from respondents and the council's proposed response, including proposed changes to the SPD as a result.



Summary of Key Responses

Height restriction imposed on Chesterfield House

3.8 The landowner of Chesterfield House is concerned that an arbitrary height limit on tall buildings is proposed in the SPD where there is no justification and that it will affect viability. Response: The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Your Officers recognise that members of the public have

expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognise the suburban context of the area when providing comfortable living environments.

Adoption schedule in relation to the Site Specific Allocations

- 3.9 The adoption schedule included in the draft SPD implies the Wembley Link SPD will be adopted prior to the Council adopting the Site Specific Allocations DPD. Response: Members are asked to agree to adopt the Wembley Link supplementary to both the council's 2010 Core Strategy and Site Specific Allocations DPD, subject to the Council's adoption to the DPD in Spring 2011.

Proposals on Chiltern Railway embankment (Mostyn Ave side)

- 3.10 Some residents are concerned about the potential loss of open space and wildlife area on the embankment. They are worried that any development on the embankment will make the ground unstable. On the contrary, the developer on behalf of Network Rail is against the SPD proposal for only a very limited amount of new development on land the embankment. Response: An objective is now included in the SPD to minimise the impact of development on the nature conservation area where measures to mitigate impact on nature conservation could include improved access to open space for the local community. The SSA supports higher density development including residential along the south side and is clear that only a limited amount of residential development may be considered on the north side.

Other junction improvements should be included

- 3.11 Some residents suggest there should be plans to improve the Elm Road/Park Lane Junction as the road is gridlocked along Park Lane most of the day. Response: The proposed Wembley Area Action Plan covering the whole Wembley Regeneration Area will be produced in 2011/2012. Comprehensive transportation improvements for the whole area will be considered.

Conclusions

- 3.12 The Wembley Link requires urgent action, none more so than at Copland School. The SPD attempts to bring forward guidance that encourages regenerative development at an appropriate scale. It provides options so that guidance can respond to market changes and flexibly adapt to different market conditions. Although an Area Action Plan for Wembley is to be completed next year, it is important that, in addition, there is more detailed guidance on design, the scale of development, layout, etc. It is also important that this guidance is in place early to help bring forward the regeneration of Wembley and support the overall growth strategy.

4.0 Financial Implications

- 4.1 There is an existing budget to cover the production of the final document.
- 4.2 The intention of producing the Wembley Link SPD is to promote regeneration both in the town centre, and assist in the regeneration of wider Wembley City and provide a means of addressing the urgent need of redeveloping and improving Copland School.

- 4.3 The Wembley Link SPD is designed to establish a framework for determining application(s) for all of the sites within the SPD area. The assessment of planning applications will be undertaken in the normal way within existing budgets. The Council expects that the published document will improve pre-application understanding and negotiations with developers and contribute to improved application processing times.
- 4.4 The adopted SPD will clarify the Council's expectations upon developers for their contribution to infrastructure. The clearer expectations will provide clarity and certainty for developers proposing schemes for the area.
- 4.5 The realisation of the Wembley Link will require partnership and coordination and it is hoped that the future regeneration of the area can be secured through cooperation. However, the Council may need to use its powers under the Planning and Compulsory Purchase Act 2004, to acquire elements of land that are preventing the delivery of the Wembley Link and the associated community benefits. Such powers will be used where third parties meet the costs of such CPO activity

5.0 Legal Implications

- 5.1 The preparation of the SPD is governed by Part 5 of the Town and Country Planning (Local Development)(England) Regulations 2004 which sets out the consultation procedures which must be carried out before its adoption. The SPD cannot be adopted until any representations made as a result of the consultation have been considered by the Executive. The Wembley Link SPD is in conformity with the policies in the adopted Core Strategy and the Site Specific Allocations DPD which is scheduled for adoption in Spring 2011. The SPD will be a material consideration for development control purposes
- 5.2 Any of the Council-led infrastructure proposals will have to go through the appropriate Council procedures e.g. obtaining approvals from the Planning Committee and the Executive if required.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the draft SPD as shown in Appendix 1. An Equalities Impact Assessment of the Core Strategy 2010 has also been carried out.
- 6.2 The SPD provides a development framework in one of the most diverse communities in London. The regeneration of the area is set to embrace and celebrate this diversity through the securing of a range of facilities for the community to meet the needs of its diverse ethnic, cultural and religious groups. It also tries to create a broad base of employment opportunities for different sectors. The SPD also tries to create an environment which will be accessible to all.

7.0 Staffing/Accommodation Implications

- 7.1 The SPD allows for future uses of Brent House when the council vacates it for the new civic Centre. The SPD does not compel a change in use but encourages regenerative investment in the site should the council wish to dispose of the site.

8.0 Environmental Implications

8.1 The Wembley Link SPD sets out proposals to regenerate the eastern end of the town centre based on sustainable principles.

9.0 Background Papers

- London Borough of Brent LDF – Local Development Scheme, 2010
- Brent UDP, 2004
- Brent Core Strategy, July 2010
- Site Specific Allocations Submission Draft, June 2010
- Planning Committee Report, 20 October 2010
- Brent Sustainable Energy Infrastructure-Wembley Feasibility Study, Arup 2008
- Brent Heat Mapping Study, May 2009
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
- Consultation draft, Wembley Link SPD, October 2010

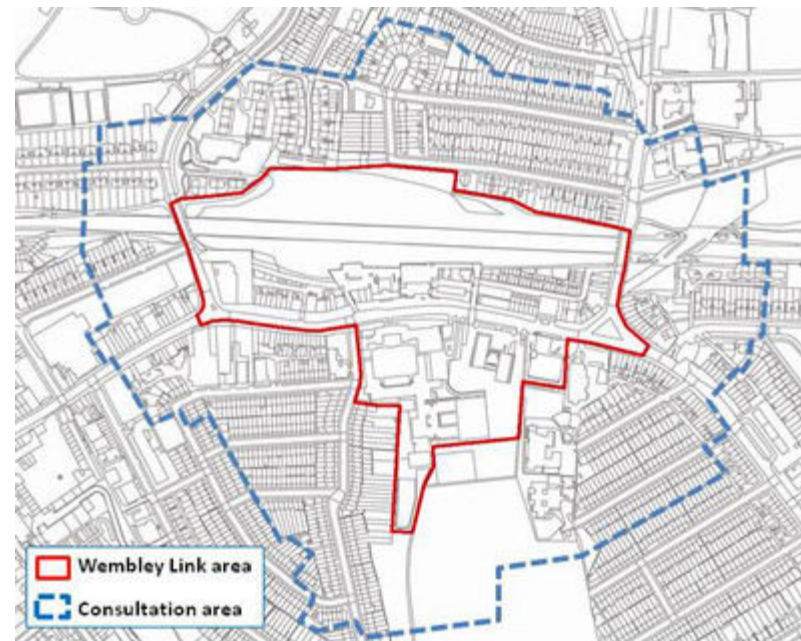
Contact Officers

Any person wishing to inspect the above papers should contact Dave Carroll, Planning Service 020 8937 5202

Andy Donald
Director of Regeneration & Major Projects

Consultation Statement & Summary of Responses

- 1 On 20 October 2010, Brent Planning Committee (www.democracy.brent.gov.uk/mgConvert2PDF.aspx?ID=1313&T=1) approved a public consultation on the emerging new Supplementary Planning Document.
- 2 Public consultation commenced on 1 November 2010 ended on 17 December 2010
- 3 Notification of the consultation was delivered by hand to 1,100 addresses which are within 100metres of the Wembley Link Area.
- 4 Consultation letters were posted to
 - 48 freeholders/leaseholders who do not live/occupy the premises within the SPD area.
 - 6 Tokyngton Ward and Wembley Central Ward Councillors
 - GLA Assembly Member.
- 5 Consultation letters emailed to 18 statutory consultees and major stakeholders.
- 6 The SPD was presented and discussed at the following open Forums
 - 20 October 2010 - Wembley Area Consultative Forum - Presentation to members of the public before consultation commenced to encourage all to attend consultation meeting and exhibition
 - 10 November 2010 - Public exhibition staffed by Brent officers was held at Copland School.
 - 24 November 2010 - Public consultation meeting took place at Patidar House
- 7 The Consultation was publicised in
 - Public notices in local papers – Wembley Observer and Willesden and Brent and Chronicle on 4 November



- Press release at www.brent.gov.uk/pressreleases.nsf/News/LBB-1458 on 8 November 2010
- Wembley Way Newsletter November 2010. Copies of Wembley Way are normally distributed to 38,000 properties in the 7 Wembley wards including Wembley Central and Tokyngton

8 Notices about the consultation tied onto lamp posts inside the area and at the main junctions entering the SPD area

9 Copies of the draft SPD were available to view at:

- Brent Council One Stop Shop, Brent House
- Brent Council One Stop Shop, Town Hall, Forty Lane
- Ealing Road Library
- Tokyngton Library
- Town Hall Library

10 The details of the consultation were available online –

- Brent Consultation Tracker (www.brent.gov.uk/consultations.nsf)
- Wembley Regeneration homepage (www.brent.gov.uk/wembley)
- Brent Planning Service www.brent.gov.uk/planning.nsf

11 A special mailbox wembleylink@brent.gov.uk was set up for respondents to email comments or queries regarding the Masterplan.

12 The Council received 22 representations which had been duly considered and the responses and proposed changes had been formulated which are described in detail in Appendix One.

13 The principal comments and concerns including:

- Height restriction imposed on Chesterfield House
- Adoption schedule in relation to the Site Specific Allocations
- Proposals on Chiltern Railway embankment (Mostyn Ave side) – objections to development vs objection to limited development
- Limiting car ownership raised the question of appropriateness for family housing
- Other junction improvements should be included.



- Sustainability should go further

Wembley Link SPD - representations and the council's proposed responses

January 2011

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
WL001	Mr. Shane McMahon	<p>a) Opposed to the height of proposed hotel on Chesterfield House site.</p> <p>b) There should be plans to improve the Elm Road/Park Lane Junction as the road is gridlocked along Park Lane most of the day.</p> <p>c) Supports Copland school with a community element</p> <p>d) Objects to more fast food outlets and gambling shops sited in front of Copland.</p> <p>e) Proposes a TFL Cycle Hire Scheme.</p> <p>f) Late night drinking venues should be carefully considered to avoid anti-social problem.</p> <p>g) Consideration should be given to fund extra Police Officers NOT Police Community Support Officers.</p> <p>h) Demands local jobs for local people and grants to attract small business to the area.</p> <p>i) Good CCTV coverage, lighting and active frontages to deter anti Social behaviour.</p> <p>j) Neighbourhood watch area established and funded by developers</p> <p>k) Proposes another fitness centre/gym to the development.</p> <p>l) Avoid conflict of pedestrians and bus passengers at bus stop outside shops</p> <p>m) Developers should contribute to improve Wembley Central Station.</p> <p>n) Demand green area and lots of new trees.</p> <p>o) The development should be a public area.</p> <p>p) Proposes a medical practice and a crèche</p>	<p>a) Objection noted.</p> <p>b) A development plan document, Wembley Area Action Plan covering the whole Wembley Regeneration Area will be produced in 2011/2012. Comprehensive transportation improvements for the whole area will be considered.</p> <p>c) Support noted.</p> <p>d) For new developments in front of the school, Brent will control the types of uses allowed through its planning powers. The Council will apply its normal planning policies to control non-retail uses such as A5 uses (takeaways) and A2 uses (which includes betting shops). However, it should be borne in mind that the Council's powers to control certain uses are limited. For example, a bookmaker who wants to open a new betting shop acquires premises that are already in the same planning Use Class as betting shops (ie A2 - such as banks, estate agents & employment agencies.</p> <p>e) TFL Cycle Hire scheme operates across nine London boroughs covering the central fare zone (Zone 1). It may be rolled out to outer London in the future if demand and finance allow.</p> <p>f) Brent will practise its licensing power to tackle the issue.</p> <p>g) The decision lies with the Borough Commander, Metropolitan Police rather than Brent Council.</p> <p>h) Brent will ensure new jobs in the area will be advertised locally through planning obligations. Large food stores normally provide local employment.</p> <p>i) Secured by Design (a police initiative supporting the principles of 'designing out crime) principles are normally considered when planning applications are assessed.</p> <p>j) The requirement for setting up of a neighbourhood watch area is outside the remit of Planning, especially as there will not be a single developer to cover the</p>	<p>a)-d)No change necessary</p> <p>e) "Cycle hiring scheme" inserted in the Section 106 section.</p> <p>f)-g) No change necessary</p> <p>h) Local employment is emphasised in the text.</p> <p>i)-l) No change necessary.</p> <p>m) Contributions towards local public transport network are normally expected. Text included in the Planning Section 106 section.</p> <p>n) Text included in "Open Space" and 5.4 "Securing the Infrastructure" Sections.</p> <p>o)-p)No change necessary</p>



Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
			<p>whole area.</p> <p>k) Brent welcomes mixed use development for the area, so a fitness centre/gym could be proposed alongside with other suitable uses.</p> <p>l) Similarly widths of the pavement currently owned by Brent will remain.</p> <p>m) Contributions towards local public transport network are normally expected.</p> <p>n) Replacement openspace will be provided alongside development as well as new trees being planted.</p> <p>o) Although private courtyards will be created, the majority of the area will be publicly accessible.</p> <p>p) Community facilities such as medical practices and crèches are encouraged to be located in the area. However, the provision of a GP surgery is subject to NHS funding being available.</p>	
WL002	Chad Collins, Chiltern Railways	No objections in principle to what is being proposed.	Noted	No change required
WL003	Debbie Nimblette	Objects to losing the sky and green that remains between her home and the railway tracks	Brent Council understands the concern of local people. Therefore, limited development will be allowed in the Nature Conservation Area subject to nature conservation value assessment being carried out.	See amendment below
WL004	Isabel Assaly, Natural England	<p>a) In principle, does not support development on Sites of Importance for Nature Conservation (SINC)- recommends an additional Planning Objective -that the nature conservation value of the site is protected and enhanced</p> <p>b) Advises to incorporate Natural Play into the SPD by improving the connectivity between parks and openspaces as part of the Wembley Link falls within an Area of Deficiency in Access to Nature.</p> <p>c) With regards to landscaping proposals, advises the council to consult Brent's Biodiversity Action Plan, The London BAP Habitat Suitability maps and The London Regional Landscape Framework for a steer on ecological soft landscaping enhancements</p> <p><u>Sustainability</u></p> <p>d) Advises the council to incorporate Green infrastructure such as parks, gardens, allotments,</p>	<p>a) Brent understands Natural England's concern. The Chiltern Line Cutting site has long been recognised as a potential development site which can contribute to much needed regeneration of the town centres well as contributing towards improved pedestrian access to the Stadium. It is recognised as a potential development site in the adopted Core Strategy as well as Site Specific allocations Development Plan Document (DPD).</p> <p>b) - d) Advice noted.</p>	<p>a) Note added to Planning Objectives section (p7) - a new objective in included</p> <p>b) Note added to Open Spaces section</p> <p>c) Note added to open spaces section</p> <p>d) Note added to 4.5 Environmental Sustainability section.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		cemeteries, trees, green roofs and natural habitats into proposed development to improve site resilience to climate change and the urban heat island effect.		
WL005	Dyar Lally, Hallmark Property Group	<p><u>Section 5, Page 20</u></p> <p>a) Objects to an arbitrary height limit on tall buildings especially there is a developer willing to deliver a new hotel with new jobs and shopping and business space. The Chesterfield House Site office block consent (part 11, part 17 storeys, max height 83m) is still live. The SPD should not place new obstacles in front of those who are best placed to implement development proposals. Agrees that tall buildings are needed to mark the beginning and end of the Wembley Link.</p> <p>b) There is no justification as why focal buildings should not be higher than buildings in Central square which is distinct from the gateway role of Chesterfield House. It will make any scheme unviable in the present fragile economic climate.</p> <p>c) Brent Core Strategy identifies Wembley Growth Area as a location for tall buildings and suitable for buildings over 30m high and primary location for new hotels.</p> <p><u>Page 32</u></p> <p>d) Requests for the removal of the words “bulkier building” as the designs of the consented office building and the proposed hotel application are different.</p>	<p>a) - b) The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Brent recognises that members of the public have expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognises the suburban context of the area when providing comfortable living environments.</p> <p>c) Tall buildings are acceptable in the Wembley Growth Area. However, as para 4.39 of Brent Core Strategy states, it is only the Wembley Masterplan area (covered the Stadium area not Wembley Link area), which identifies suitable locations for buildings over 30m. The Wembley Link SPD is now providing guidance on the height of buildings appropriate in the area it covers. Brent welcomes hotel development in the area it providing it meets planning requirements.</p> <p>d) Request acknowledged</p>	<p>a) - b) Justification notes and images added to support the council's review of approach to very tall buildings.</p> <p>d) Text amended.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
WL006	Carmelle Bell Thames Water Utilities Ltd	<p><u>Paragraph 5 on page 25</u> The wording of paragraph 5 should be revised to read as follows: “All new development must fully consider water and wastewater infrastructure capacity both on and off site in order to avoid any potential problems for existing or new users. Developers will be required to demonstrate that adequate capacity exists and in some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the statutory undertaker, then the developer needs to contact the statutory undertaker to agree what improvements are required, how they will be funded and when they will be provided. Any upgrades required will need to be delivered prior to the occupation of development.”</p>	The Council acknowledges and agrees with the proposed amendments	Wording amended in 4.5 Environmental Sustainability Section as suggested
WL007	David Maddox on behalf of Solum Regeneration	<p>a) The SPD does not comply with regulation 13(8) of the Town and Country Planning (Local Development)(England) Regulations 2004 (the Regulations) in that it is not in conformity with the adopted Core Strategy (CS) states that an SPD must be in conformity with the policies in an adopted CS and the policies in any other development plan document. The adopted CS identifies the Wembley Chiltern Embankments site as a development site on the Wembley Growth Area Key Diagram (Picture 4.2, page 33)</p> <p>b) No assessment of the nature conservation value of the embankments has been undertaken as required by the draft Site Specific Allocations (SSA) Submission 2010 and consequently the proposed departure from the SSA indicative development capacity for the site is not justified. As a result, the SPD is contrary to regulation 13(8) of the Regulations in that it is not in conformity with the SSA. Policy W10 of the SSA states that town</p>	<p>a) The SPD supports Wembley Chiltern embankments as a development site but, as the objective is to regenerate Wembley Town Centre, the southern embankment is favoured as it is adjacent to the High Road.</p> <p>b) Assessments will be required of the nature conservation status of any sites where a planning application may have an impact. The SSA supports higher density development including residential along the south side and is clear that only a limited amount of residential development may be considered on the north side. The number of units refer to the sum of both embankments, and are merely an indicative figures as explained in</p>	a) & b) The planning objectives (p7) have been amended to clarify the council's position.

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>centre uses shall be sought on the site to the south of the railway line and residential development shall be sought on the site to the north of the railway line. Policy W10 also states that the indicative development capacity of the residential part of the site is 390 units between 2017 and 2022. The reasoned justification states that development should, inter alia, be subject to an assessment of the nature conservation value of the embankments. Despite SSA policy, the SPD proposes only a very limited amount of new development on land to the north of the railway line without any evidence of an assessment of the nature conservation value of the site being undertaken. As a consequence, the SPD is contrary to the SSA because it does not justify the departure from policy W10, which allocates the land to the north of the railway line for 390 residential units.</p> <p>Proposed Changes</p> <p>c) To ensure legal compliance with the Regulations</p> <p>d) The Council should undertake an assessment of the nature conservation value of the site that will form an SPD document for the purposes of the Regulations to enable public participation on it along with a revised SPD.</p>	<p>paragraph 1.13 of the SSA DPD. The illustrative diagram is described as “one possible solution”.</p> <p>c) Brent Council considers it has complied with the regulations as explained above.</p> <p>d) Please see b)</p>	<p>c) No change is necessary</p> <p>d) Please see b)</p>
WL008	Fabi Marini	<p>Opposed to any development on Chiltern Railway embankment (Mostyn Ave side).</p> <p>a) Experience tells reasonable development becoming totally different once a 'real' planning application is made.</p> <p>b) The railway embankment is one of the last bits of green left in Wembley central and vital for the wildlife.</p> <p>c) The hill has a tendency to 'slide down' and homeowners are very worried that major works on the embankment will make it further unstable.</p>	<p>a) One of the objectives for a supplementary planning document is to guide development which should conform to the standards set in the SPD. However, a level of flexibility should be given to developers to encourage creativity and deliverability.</p> <p>b) Brent Council understands the concern of local people. It is proposed to amend the guidance so that an objective is included to minimise the impact of development on the SINC. Measures to mitigate impact on nature conservation could include improved assess to openspace for the local community.</p> <p>c) Soil investigation will be required when applying for</p>	<p>a) No change necessary</p> <p>b) & c)The planning objectives (p7) have been amended to clarify the council's position to limit development on the north side to a level that minimises impact on the</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
			Building Regulations consent. Suitable foundation will then be identified.	surrounding suburban residential scale and character.
WL009	Nigel Hawkey, Quintain Estates and Development Plc	<p><u>Consultation Programme</u></p> <p>a) Proposed SPD adoption should be scheduled after receiving the SSA inspector's report.</p> <p><u>Transport</u></p> <p>b) The contributions towards the improvements of traffic flow and pedestrian safety of Wembley Triangle..including the improvement of the South Way Junction" should not be included as they have been included in LDA Lands permission (04/0379)</p> <p>c) Planning permission within SPD area should bear a proportionate share of S106 contributions which should be pooled across the entire Masterplan Area.</p> <p><u>Servicing</u></p> <p>d) Questions if a servicing assessment has been carried out to determine impacts on the junctions of the servicing arrangements</p> <p>e) Copland School - the SPD should clarify the provision of the nursery and primary school facilities</p> <p><u>Delivery</u></p> <p>f) Queries how the SPD sits with the Wembely Masterplan SPD which is better placed to deliver soonest the Borough's targets for Wembley, including in relation to housing and other benefits.</p> <p>g) The SPD needs to clarify how the financial viability of development proposals will be assessed.</p>	<p>a) Noted- adoption will take place after the SSA is adopted</p> <p>b) Noted - SPD amended</p> <p>c) Noted - SPD amended</p> <p>d) Brent Council has carried out a junction assessment study to examine how the Triangle junction and the Wembley Hill Road Bridge should be improved to cope with the increased traffic generated by the prospective developments in Wembley Regeneration Area, including the Wembley Link and Wembley Masterplan areas. Major applications will be required to submit traffic impact assessments to support their proposals.</p> <p>e) The DPD does not currently envisage primary school and nursery facilities on the Copland site.</p> <p>f) Brent Council expects development proposals to come forward in phases which would be similar to those in the Wembley Masterplan area. Hence, there should not be any priority for community benefits.</p> <p>g) Brent S106 SPD standard charge will be applied to all developments. Applicants are required to submit viability studies if they cannot meet the financial contributions or to demonstrate the appropriate level of affordable housing to be provided in accordance with Brent's Core Strategy and policy 3A.10 of the London Plan.</p>	<p>a) Brent Executive Committee has been asked to adopt the Wembley Link as a SPD supplementary to the Core Strategy and Site Specific Allocations subject to the Council's adoption of the SSADPD.</p> <p>b) The planning objectives (p7) have been amended to read: To secure contributions that will be used to mitigate the impacts of development on traffic flow in the affected areas.</p> <p>c) S106 Planning obligations and Infrastructure provision note added to delivery section.</p> <p>d) Requirement for traffic impact assessment is inserted (p18).</p> <p>e) No change necessary.</p> <p>f) A phasing plan is now included in</p>


Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
				Section 5.2 Development Phasing g) No change necessary
WL010	Tracey Louis-Fernand Octavia Housing, Owner of Elizabeth House	<p>a) Support the regeneration proposed to the High Road. Welcome medium to low rise development which will compliment both the High Road and adjacent residential streets.</p> <p>b) Any commercial proposals for the Brent House/Copland School site will need to be complementary to consent granted Elizabeth House and not adversely affect the proposal for a retail/café type environment at the ground floor level</p> <p>c) More reference needs to be made to the flagship scheme at Elizabeth House</p> <p>d) The road to the side of Elizabeth House will need to be well lit.</p> <p>e) Any sound attenuation works are needed to limit the impact to residents in particular at school opening and closing times.</p> <p>f) Request for remaining as consultee in this area</p>	<p>a) Support noted</p> <p>b) &c) Suggestions agreed</p> <p>d) Secured by Design principles will be applied to all major developments. The road will be adopted and lit, meeting the Council's standards.</p> <p>e) UDP policy EP2 Noise and Vibration will be applied when assessing noise and/or vibration generating development.</p> <p>f) The consultee will be consulted as statutory planning procedure when major applications are received.</p>	<p>a) No change necessary.</p> <p>b) & c) More reference to Elizabeth House has been made in the SPD, in particular referring to the Phasing Plan (p37).</p> <p>e) f) no change necessary</p>
WL011	David D'Arcy Network Housing Group Ltd	<p>a) Strongly supports the document.</p> <p>b) Physical Improvements and Connectivity - Welcomes proposals to improve the area and linkages between the High Road, Wembley Stadium and a new high street that will run parallel to Olympic Way.</p> <p>c) Building Heights and Density - Supports the approach of controlling the proliferation of tall buildings in SPD area except in key locations, Support prominent buildings at travel interchanges</p> <p>d) Welcomes the approach to preserve views through and across to Wembley Stadium</p> <p>e) Housing Provision -Questions whether the provision of family housing (3-bed plus) is appropriate in town centre environment. 1-2 bedroom units may be more appropriate.</p> <p>f) Car Parking - welcomes 0.5 space per unit</p>	<p>a) - d) Support noted</p> <p>e) Being in the town centre offers easy access to its many amenities, including shops, restaurants, cafes, bus stops, interchanges, train and underground stations and schools that are essential to families. There will be 1-2 bed accommodation to cater for different sizes of households. The Council will require provision of</p>	<p>a) - i) No change necessary.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>g) Limiting car ownership raised the question of appropriateness for family housing</p> <p>h) Design_Led Developemnt - Supports the approach</p> <p>i) Flexible Approach - Strongly supports the flexible approach of providing alternative development options</p>	<p>adequate amenity space for ay family housing.</p> <p>f) Support noted</p> <p>g) As mentioned in e) Wembley Town Centre has excellent public transport network where private cars are less necessary. Major residential developments will be required to sign up to car clubs as well</p> <p>h) & i) Support noted</p>	
WL012	Paul Roberts, Greater London Authority	<p>a) It should be noted a 60:40 intermediate to social rented split in the draft replacement London Plan. Housing supply targets will be developed over the next two years. Please note supplementary housing evidence for the London Plan EIP including an economic viability assessment.</p> <p>b) The Council is encouraged to make reference to the draft Housing Design Guide</p> <p>c) Suggests a reference to the Mayor's draft SPG on "providing for Children and Young People's Play and Informal Recreation" and a reference to London Play Policy 3D.11i</p>	a) - c) Suggestions noted	<p>a) No change necessary.</p> <p>b) Included in the last bullet point on page 5</p> <p>c) Text inserted in Section 2.4 "Open Space"</p>
WL013	Eleri Randall, Environment Agency	<p>a) Pleased with the requirements and recommendations in the Sustainability section, however this SPD can go further.</p> <p>b) Page 5 - Main vision should incorporate "Ensuring development is as sustainable as it can be"</p> <p>c) Page 25 - section mentioning green roofs should reference the SuDS hierarchy (Environment Agency's "Practical Guide to SuDS"). The variety of SuDS techniques available to manage surface water and achieve greenfield run off rates means that any development can include a fully sustainable drainage scheme. Developers should incorporate SuDS early in the site evaluation and planning processes and include provision for maintenance.</p> <p>d) Recommends Greenfield rates should be achieved for all sites that will ensure the risk of surface water flooding is reduced through redevelopment and also would reduce the pressure on the existing sewer system</p>	<p>a) Support noted</p> <p>b) Suggestion agreed</p> <p>c) Suggestion agreed</p> <p>d) The SPD is not intended to introduce new policy but expand on existing policy. Developments over 1 ha need to be referred to the Environment Agency, the Greenfield runoff rates are required to achieve anyway.</p>	<p>a) No change necessary</p> <p>b) SPD text on page 5 amended to suit.</p> <p>c) SPD text on p24 amended to suit.</p> <p>d) No change necessary</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>e) Page 25 - Flood risk should be mentioned in the sustainability section. This should include SuDS, the sequential approach and provision of safe access and egress. Flood Risk Assessments with specific regard to surface water will be needed for developments within the SPD area that are over 1ha. This will include the Brent House and Copland School site.</p> <p>f) Suggest the Council decide if maps of Areas Susceptible to Surface Water Flooding (ASStWF) or the Flood Map for Surface Water (FMfSW) reflects surface water flooding in the area.</p> <p>g) Page 25 recommends an early consideration of the issues of capacity of existing water and sewerage infrastructure</p> <p>h) Supports the Code for Sustainable Homes level 4 for new build housing and BREEAM excellent rating for commercial and community development</p> <p>i) Page 25 - Land around railways is often contaminated and site specific Preliminary Risk Assessments would need to be carried out to identify contamination issues.</p> <p>j) Page 41 - Welcome the ecology considerations in the area around the Chiltern Railway designated for Nature Conservation importance and supports mitigation and compensation measures will be provided to ensure there is no overall net loss to biodiversity value and a continuous wildlife link is provided through the site.</p>	<p>e) Suggestion agreed</p> <p>f) Brent will make the decision outside the SPD</p> <p>g) Brent Council agrees with this and the suggestions from Thames Water (WL006)</p> <p>h) Support noted</p> <p>i) Suggestion agreed</p> <p>j) Support welcomed.</p>	<p>e) SPD text on p24 amended to suit.</p> <p>f) No change necessary</p> <p>g) SPD text on p24 amended</p> <p>h) No change necessary</p> <p>i) SPD text on p 15 (site constraints) amended to suit.</p> <p>j) No change necessary</p>
WL014	Nicholas Bishop, English Heritage	<p>a) Page 14: Baseline data Suggests additional lines to encapsulate the wider historic character context for the SPD area which proposals will impact and need to successfully integrate with, such as its residential scale.</p> <p>b) Pages 19-20: Tall buildings There should also be some consideration of impacts on the surrounding scale and character, to provide the evidence for the conclusion on the third line of page 20 that "the proposals for tall</p>	<p>a) Suggestion agreed</p> <p>b) The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Brent recognises</p>	<p>a) SPD text on p8 amended to suit.</p> <p>b) Justification notes and images added to support the council's review of approach to very</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>buildings do not sit well within the overall context of the area”.</p> <p>c) Page 22: Open spaces The King Edward VII could be recognised in the text, along with its heritage value, and opportunities could be identified to conserve this value through investment and enhancement opportunities arising from planning obligations.</p> <p>d) Page 30: Ecclestone Place The diagrams on page 30 could be labelled to show more clearly which parts of Ecclestone Place would be retained or developed according to the different options. English Heritage would regret the loss of the terraces which make a positive contribution to the local character and sense of place, as set defined in PPS5 policy HE3.</p> <p>e) Strongly advise Brent conservation staff are involved throughout the preparation and implementation of the SPD.</p>	<p>that members of the public have expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognises the suburban context of the area when providing comfortable living environments.</p> <p>c) Suggestion agreed</p> <p>d) Suggestion agreed</p> <p>e) The council confirms that Brent conservation staff are involved throughout the process.</p>	<p>tall buildings (p12).</p> <p>c) SPD text on p13 amended to suit.</p> <p>d) The number of options has been reduced to clarify that there is an option to either keep or lose the whole terrace.</p> <p>e) No change necessary</p>
WL015	D Kumar	Prefers proposal Option 3	Preferred option noted.	No change necessary
WL016	David Labenk	In favour of a new school being built.	a) Support noted	No change necessary
WL017	Tuie Mehte	In favour of a new school which is long overdue.	The Council recognises the pressing need for a new school. A food store and mixed use development on Brent House and Copland site will help fund the school rebuilding.	No change necessary
WL018	Shane Johnschwage	<p>a) In favour of the development</p> <p>b) Suggests it should be made clear that, during consultation, what resources from the sale of Copland land will be made available for the school.</p>	<p>a) Support noted.</p> <p>b) As the Copland School is the landowner of the school site, it will be up to the school governing body to decide how to spend the money. However, there would still be a funding gap even the sale of land paid for the new school. Other sources of funding are therefore needed.</p>	a) & b) No change required.
WL019	G Millinton	a) Schemes offered seem excellent -especially the availability of a new school	a) & b) Support noted	a) & b) No change required.

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		b) The area needs a re-vamp - a dual use for Brent House and a supermarket could seem very sensible		
WL020	Mr Rup Lal Pall	Excellent idea and hopes a new school at Copland.	Support noted	No change necessary
WL021	Sdagat Jabeer	a) All the proposals look positive b) Appalled at the conditions of the school, questions why the pace of the Copland development is so slow that students have to study in such conditions.	a) - b) Support noted	a) - b) No change necessary.
WL022	Everton Talker	a) Welcomes the proposals b) Disagrees the use of the school site and the open field other than a recreation field , five-a-side , no more retail development c) Supports the proposal for new flats at corner of Ecclestone mews and Wembley Hill Road d) Urges to replace Ecclestone Mews with new houses and new garages.	a) Support noted b) Without locating the new school in part on the playing field, as proposed in the original Copland Village application, no funding could be raised. Nevertheless, by far the majority of the open field will be kept. c) Support noted d) Ownership at Ecclestone Place is fragmented, acquisitions for all the properties will be challenging. That is the reason for having two design options in the SPD (p29).	a) - d) No change necessary.

	<p style="text-align: center;">Executive 14 March 2011</p> <p style="text-align: center;">Report from Director of Finance and Corporate Services and Director of Strategy, Partnerships and Improvement</p>
<p>Wards Affected: ALL</p>	
<p>Performance and Finance Review, Quarter 3, 2010/11</p>	

1. Summary

- 1.1 This report summarises Brent Council's budget position, expenditure, activity data and performance trends for the quarter and recommends action where appropriate. The purpose of the report is to provide a corporate overview of financial and performance information in order to aid the decision-making process and effectively manage risk. Additional more in-depth analysis is available upon request.

2.0 Recommendations

The Executive is asked to:

- 2.1 Note the council's budget position, expenditure, activity trends and performance information for the quarter.
- 2.2 Collaborate with relevant Lead Members to hold all service area directors to account by ensuring they operate within the confines of their allocated budgets, that under-performance is adequately redressed, and that effective measures are taken to mitigate areas of risk.
- 2.3 Agree the 2010/11 budget virements detailed in paragraph 5.5.

2.4 Note the re-allocation of the Capital Programme to the new departmental structure, the details of which are included within Section 8 below.

3.0 Background

3.1 'Brent Our Future 2010-14' is a four year strategy document, which sets out the Council's priorities over the coming years. These priorities form the core of our corporate Performance Management Framework, which builds a 'golden thread' between corporate, departmental, team and individual objectives to ensure coherence and strategic focus. The Framework is supported by a diverse range of financial information, activity output measures and key performance indicators, which combine to provide robust monitoring and reporting processes. This report is designed to help Members and Chief Officers challenge performance and take informed decisions.

3.2 Supplementary documentation provided in the report Appendices are:

Appendix	Document Title
A	Performance section
B	Vital Signs, including activity data
C	Finance section

4.0 Corporate context

4.1 Given the current economic outlook and the radical changes proposed by central government, difficult decisions will need to be taken over the coming years and corporate priorities will need to be continually re-evaluated. The challenge to balance reduced funding with the anticipated sustained increase in demand for services (particularly by the most vulnerable) remains constant. Therefore prudent financial planning and continuous improved performance are essential to preserve service quality and provision for the medium term.

4.2 One Council is Brent's four year project delivery programme, which comprises a broad and diverse portfolio of strategic service improvement projects. The programme is designed to improve efficiency and provide more effective services. To date the programme has delivered substantial savings and is on track to deliver more in the future as we seek to mitigate the negative impacts of a prolonged period of reduced funding.

4.3 However there are still some areas of concern which are beyond our immediate sphere of control:

- The impact of an ageing population will continue to put sustained pressure on Adult Social Care services.
- Rising placement costs coupled with a number of recent high profile child protection cases continue to place the Children’s Social Care budget under considerable pressure.
- Rising benefit claimant numbers, which is fuelling increased demand for services.
- Inflationary pressures continue to put pressure on resources.

4.4 Further, we anticipate that as new central government policies emerge these will place additional pressure on our already stretched resources – for example, the proposed cap on Housing Benefit will place direct pressure on our Temporary Accommodation budget. The Council will therefore continue to monitor developments closely and work with partners to develop creative solutions.

5.0 Summary of General Fund Revenue Budget

The table below sets out the latest forecast.

Split	Latest Budget	Forecast	Variance
	£'000	£'000	£'000
Children and Families	56,169	56,506	337
Environment and Neighbourhoods	45,334	45,434	100
Housing & Community Care:			
o Housing	25,371	24,662	(709)
o Adult social care	88,118	89,582	1,464
Finance & Corporate Services / Central Units /Regeneration & Major Projects	26,869	27,369	500
Service Area Total	241,861	243,553	1,692
Central items	51,371	50,076	(1,295)
Area Based Grants	(26,355)	(26,458)	(103)
Total council budget	266,877	267,171	294
Application of balances	(1,408)	(1,702)	(294)
Total after application of balances	265,469	265,469	0

5.1 Financial Summary

At the end of quarter 3 the current forecast is that there will be an overspend of £294k in 2010/11. This is an improvement of £3.814m since quarter 2. The main improvement has been in the service budgets where the overspend has been reduced from £5.531m to £1.692m mainly as a result of improvements in Children and Families and Adult Social Care. More detailed financial monitoring information is included in Appendix C

- 5.2 The reduction in overspend within Children and Families has been achieved through a number of initiatives including preventative work as part of the One Council Programme. Children and Families have also been able to offset pressures with their budget through a number of measures including targeted use of their Surestart grant and increasing charges to the schools budget for early year costs. For Housing and Community Care the reduction has mainly been within the Adults area from the use of £700k of reserves jointly held by Brent and the local PCT, an additional £900k of monies received from Brent PCT and further savings from the Starrs Project and valuing people.
- 5.3 Further details of the service area and central items budget position was included in Chapter 3 of the 2011/12 Budget and Council Tax Report which went to the Executive on 15th February and Full Council on 28th February.
- 5.4 Although the budget position for 2010/11 has improved significantly a number of savings have been achieved through the use of one-off monies and these underlying pressures still remain. Therefore the Council has identified as part of the 2011/12 budget additional monies to meet these pressures. This includes £1.8m for Children Placements, £3.5m for demand pressures across Adult Social Care and £2.0m for a range of potential costs in children's social care, the transfer of learning disability cases from Children & Families to Adults and temporary accommodation costs. However, the 2011/12 budget includes very significant levels of savings and it is essential that the transformation programmes in Children's and Adults and the various One Council Projects deliver their targets if this level of savings is to be met.
- 5.5 Members agreed at the Executive on 15th February 2011 and Full Council on 28th February a number of virements and these have now been incorporated into 2010/11 budgets and forecasts. In addition members are asked to agree an additional transfer of £20k from Finance & Corporate Resources to Environment & Neighbourhoods Services in respect of the savings from the finance modernisation programme.

6.0 Housing Revenue Account

- 6.1 The Housing Revenue Account (HRA) is a ring-fenced account containing the income and expenditure relating to the Council's Landlord duties for more than 9,000 dwellings.
- 6.2 The net HRA expenditure for 2010/11 is forecast to exceed the budget by £208k which is matched by an addition surplus brought forward. Taking these variances into account it is therefore forecast that the estimated balance on the HRA account at 31st March 2011 will be £466k unchanged from the original planned surplus.

7.0 Schools Budget

- 7.1 The ring-fenced Schools Budget is split into two parts. The first part delivers delegated funding to schools - school budget shares. The second part is termed central items expenditure and covers local authority retained elements to support activities such as pupil referral units and payments to non maintained nurseries.
- 7.2 The central items budget for 2010/11 is £20.8m and the latest forecasts indicate there will continue to be pressures on this budget due to the increased numbers of children being given Special Education Needs (SEN) statements in schools and the increased costs and numbers of pupils placed in out of borough special schools. The forecast outturn for the schools budget is for break-even on an in year basis for 2010/11. The deficit brought forward from 2009/10 amounts to £3m and any variation in the 2010/11 outturn will be offset/added to the amount. The schools budget for 2011/12 agreed by the School's Forum will enable the cumulative deficit to be reduced by £1.5m.

8.0 Capital programme

- 8.1 Financial monitoring information for the capital programme is included in Appendix C.
- 8.2 There have been a number of changes to the forecast outturn position for 2010/11 since the Quarter 2 Performance and Finance Review report to the Executive in September 2010. The Capital Programme has been re-allocated to reflect the new council departmental structure including Regeneration and Major Projects and excluding Business Transformation. This position was also included in Chapter 9 of the 2011/12 Budget and Council Tax Report which went to the Executive on 15th February and Full Council on 28th February 2011 including the detailed programme allocations. The following paragraphs detail those changes to the forecast outturn position not previously reported at quarter 2.

Children & Families Capital

- 8.3 The following capital allocations have been transferred to the new Regeneration and Major Projects programme:
- School Schemes - £59.971m
 - Children's Centre Surestart Grant - £3.722m
 - External Grant - £5.328m
- 8.4 The programme has been decreased by £3k to reflect reduction in Ring Fenced Grant notifications.

Housing and Community Care capital

- 8.5 The following capital allocations have been transferred to the new Regeneration and Major Projects programme:
- New Units - £100k
 - Individual Housing Schemes - £1.091m
 - S106 Works - £139k
 - Individual Adults Schemes - £172k
- 8.6 Other movements on the Housing and Community Care capital programme have been identified as follows:
- Additional Disabled Facilities Grant allocation of £118k
 - Forecast underspend of £55k on Housing IT systems reducing call on Unsupported Borrowing.
 - Forecast underspend of £4k on Barnhill Cottage scheme funded from contributions.
- 8.7 Movement on the Housing HRA Capital Programme has been identified as follows:
- Additional forecast expenditure of £198k on the Installation of Digital TV to Housing Blocks to be funded from additional Self Funded Unsupported Borrowing.
 - New scheme for the Installation of Rooftop Aerials to Housing Blocks at a forecast cost of £1.315m to be met from earmarked reserve.

Environment and Neighbourhoods capital

- 8.7 The following capital allocations have been transferred to the new Regeneration and Major Projects programme:
- Libraries - £428k
 - S106 Works - £6.949m

- 8.8 Reduced requirement of £57k unsupported borrowing for Stadium Access Corridor. This has been taken as a contribution towards total £3m saving in unsupported borrowing requirement for the year laid down at Star Chamber meeting.

Corporate capital

- 8.9 The following capital allocations have been transferred to the new Regeneration and Major Projects programme:
- Property Schemes - £3.220m
 - PRU Schemes - £9.501m
 - S106 Works - £720k
- 8.10 Other movements on the Corporate capital programme have been identified as follows:
- Combined Property and ICT initiatives allocation of £500k transferred to ICT from Property to be used on Sharepoint Initiative.
 - Central Items £600k provision for capitalisation has been removed reducing call on Unsupported Borrowing.
 - Additional £100k capitalisation for Oracle implementation to be met from West London Alliance grant.

Regeneration and Major Projects capital

- 8.11 Post transfer of capital schemes from other departments the following movements have been identified on the Regeneration and Major Projects capital programme:
- The Crest Academies budget allocation has been reduced by £2m in line with the agreement at Star Chamber as a contribution towards total required in year saving of £3m in Unsupported Borrowing requirement.
 - Reduction in Schools Contingency budget of £410k as a contribution towards total £3m saving in unsupported borrowing requirement for the year.
 - Council contribution of £528k to South Kilburn Regeneration removed as a contribution towards total £3m saving in unsupported borrowing requirement for the year.
 - Additional costs of £1.3m have been identified on the Sudbury Primary School scheme. This will be funded either from reallocation of existing Primary Capital Programme grant or from currently unallocated provision for future years expansion schemes. Officers are currently investigating further to apply value engineering treatments to the





forecast additional costs and identify the most appropriate funding source from existing budgets.

- Slippage of £1.620m Growth Area Fund works to 2011/12.
- Housing New Units budget allocation of £100k slipped to 2011/12.
- Housing S106 budget allocation of £139k slipped to 2011/12.
- SEN schemes budget allocation of £35k slipped to 2011/12.
- Slippage of £1.4m on Park Lane Basic Needs Safety Valve works to 2011/12.
- Slippage of £7.713m on The Village School Targeted Capital Fund works to 2011/12.

9.0 Overall performance position





Corporate and Community Strategies

9.1 The council has adopted a transitional set of Vital Signs indicators to accurately reflect its current priorities and keep in line with the changing needs of residents. This set will be further revised in line with the new Corporate Strategy. Of the Vital Signs, 59% are currently on target (green star) or just below target (blue circle), a three percent increase from last quarter. 24% are well below target (red triangle) compared to 23% last quarter.

Overall Council Performance				
				
	Low risk	Medium risk	High risk	No data
Percentage Quarter 3 PIs	44%	15%	24%	17*%

*Almost 75% of the indicators reporting incomplete data were missing a target

Local Area Agreement Update

Overall LAA Performance				
				
	Low risk	Medium risk	High risk	No data
Quarter 3 PIs	20%	0%	30%	53%*

*The percentage of no data indicators has increased from 33% last quarter. The majority of these have no actual data returned. Two are annual indicators.

9.2 The Local Area Agreement is currently made up of 29 targets, seven of which are local indicators. Although the LAA is no longer monitored by central government, the council will continue to monitor its indicators until March 2011 as they are considered vitally important to its overall performance.

LAA Priorities:

- 9.21 **NI 16 Serious Acquisitive Crimes**
This indicator is high risk again due to an increase in gold jewellery theft and residential burglaries south of the borough. Ongoing actions include educating the community about not displaying jewellery, increasing Safer Neighbourhood Team patrol and Saturday drop in sessions for Drug and Alcohol mis-users.
- 9.22 **NI 24 Satisfaction with the way the Police and Council deal with ASB**
Only 58% of victims using the service rated it between 'good and excellent' this quarter, 29% below target. Overall, the actual year to date performance is only 7% below the annual target. Because the last quarter tends to be quieter compared to the summer months, it is unlikely that the 87% annual target will be achieved by 31st March 2011.
- 9.23 **NI 15 Serious Violent Crimes**
Although the target for this quarter has been met, a number of changes have taken place in the classification of offences making it harder to monitor and demonstrate progress. To minimise risk, community safety will work with partners to track progress and implement actions to keep offences down. A Violent Reduction Group was recently formed to deal with gang affected, older offenders and those at risk of offending.
- 9.24 **Local – Number of Accidental and Deliberate Fires in Residential Properties**
There were 45 fires this quarter against a target of 63. This overachievement seems to be due to positive community safety engagement strategies, and this success is expected to continue until the end of the year to achieve the overall target.
- 9.25 **NI 192 Percentage of Household Waste sent for Reuse, Recycling and Composting**
This quarter's performance high risk, and it is unlikely that the overall target will be met. There is a seasonal drop in organic waste (which has already been factored into projections) and an inadequate collection infrastructure in place. Members have now agreed a new Waste Strategy, which should increase the recycling rate, and this will be implemented during 2011.
- 9.26 **NI 188 Planning to adapt to Climate Change**
This is on track to achieve Level 3 by 31st March 2011. Adaptive responses need to be more readily considered and implemented so they become more common place. Unfortunately, there are difficulties stemming from the delivery of other priorities, leaving insufficient time and resources to concentrate on this indicator which may jeopardise overall performance. Therefore, priorities have been assessed, the project plan updated and Heads of Service agree to be proactive with respect to this issue.
- 9.27 **NI 185 CO₂ Reductions from Local Authorities**

The overall trend is encouraging but priorities have changed and data has to be independently verified due to the new Carbon Reduction Energy Efficiency Scheme (CRC). The Council has adopted a revised target in the new Borough Plan, 'Brent – Our Future 2010-2014'. The main risks are the Council and schools not participating and/or reducing their emissions significantly. However, there are controls in place such as Property and Asset Management's work programmes, the Carbon Management Programme Tranche 3 and the Behaviour Change Programme - 10:10 campaign road show.

9.28 NI 152 Working Age People on Out of Work Benefits

Changes to the population calculation have contributed significantly to the increased gap of 3% between Brent and the rest of London. Brent's overall claimant count rates have dropped in quarter 3. The performance of this indicator will ultimately be affected by factors such as the down turn in economy, which has reduced the amount of money available to deal with the issues of worklessness; Brent In2 Work having to end a year early due to Council budgetary pressures; as well as a possible 25% cuts in Job Centre Plus.

9.29 NI 150 Adults in Contact with Secondary Mental Health Services in Employment

No data/monitoring form provided.

9.30 Local – Income Maximisation

Targets for this quarter have been met and it is expected that the overall LAA target should be met by March. The highest risks to good performance are proposed changes in housing and welfare benefits and the ceased LAA funding. The Money Max Team are working closely with partners to identify changes as soon as possible to ensure the most vulnerable are supported, as well as to support organisations to identify funding opportunities and promote partnership working.

9.31 NI 40 Number of Drug Users Recorded as being in Effective Treatment

Whilst all the milestones for this quarter have not been met, it is expected that the annual target will be. The key issues to under performance in 2009/10 have now been addressed with the relocation of a care manager's post into a single point of contact service. A new social work post has been recruited and is fully operational, which will increase the flow of new PDU's into structured treatment programmes.

9.32 Local – Tuberculosis Treatment Completion Rate

No data/monitoring form provided.

9.33 NI 121 Mortality Rate from all Circulatory Diseases at Ages under 75

Performance monitoring is complicated as it is difficult to obtain accurate data from different sources with different estimates and limitations. To minimise the risk of obesity in adults under 75, the PCT have been promoting the health benefits of an active lifestyle, increasing the awareness of sports opportunities, ensuring sports facilities are fit for purpose, reducing

inequalities and ensuring equity in sports and promoting Change4Life. The Obesity Clinic at Central Middlesex Hospital refers patients for Bariatric surgery and provides a package of care for obese patients. However, there are high risks, such as funding and the NHS restructure that could prevent the overall target being met.

- 9.34 **NI 112 Under 18 Conception Rate**
No data/monitoring form provided.
- 9.35 **NI 156 Number of Households Living in Temporary Accommodation (TA)**
This quarter's target has been exceeded by 5%. Whilst it is expected for this indicator to achieve its overall LAA target, changes to the Housing Benefit scheme and to the TA Housing Benefit subsidy regime are expected to have a significant impact on numbers. Key actions include negotiations with landlords of affected families to reduce their rental rates. Rents subsidisation to affected Temporary Accommodation schemes and families requiring larger sized accommodation may be placed outside of London.
- 9.36 **NI 155 Number of Affordable Homes Delivered (gross)**
Since 2008, 1,841 new homes have already been completed which has already exceeded the mayor's revised target for the 2008/11 period.
- 9.37 **NI 154 Net Additional Homes Provided**
No data/monitoring form provided.
- 9.38 **NI 108 Key Stage 4 Black Caribbean Boys and Somali Boys**
There is not much change from quarter 2. Three multi agency groups have been established to improve outcomes for Black Caribbean and Somali boys. Other key actions include: identifying schools that need support and identify ways in which good practice can be shared, setting up a website to share good practice and ways of narrowing the attainment gap, continue with the robust evaluation methodology in place which includes analysis of many key educational and socio-economic indicators.
- 9.39 **NI 111 First Time Entrants to the Youth Justice System aged 10-17**
This indicator is on track to achieve its overall target due to the success of the Triage programme and The Youth Inclusion programme (YIP). However, in both cases funding is due to end on 31st March 2011. A bid has been put through for funding through the Early Intervention Fund but if the bids are not successful both programmes will be abandoned, which would negatively affect performance.
- 9.40 **NI 56 Child Obesity in Primary School (year 6)**
Performance for this indicator shows significant improvement and the LAA target set for 2010/11 has been achieved. Comparatively national and London performance has worsened. However, the current joint funding arrangement for the childhood obesity programme is due to end in March 2011 which may increase the risk in reducing obesity levels in the borough.
- 9.41 **NI 63 Stability of Placements of Looked After Children**

This indicator is currently underachieving and it is very unlikely that the annual target of 78% will be met. The greatest risk to this priority is that as some young people are successfully diverted from going into care, those then in care tend to have the most complex needs, putting greater strain on their placements. In order to mitigate this risk, all long term fostering plans and matches need to have robust support plans and reviews.

9.42 Local – Children’s Sports Participation

Presently this priority is on target to meet the overall LAA objective. However, the elimination of free swimming lessons since September 2010 has shown a significant drop in the percentage of overall visits to the council owned sports centres. The highest risk of this objective not meeting its target is the effect of the recession impacting parents who can no longer afford to pay for their children’s participation in sport.

9.43 NI 51 Effectiveness of Child and Adolescent Mental Health Services (CAMHS)

Performance is on track to achieving the required outcomes by the end of March. The main risk to the CAMHS project not achieving the overall target is if there is a cut in the CAMHS area based grant. In order to mitigate this CAMHS must remain a high profile and priority for funding through the CAMHS Needs Assessment, CAMHS review and championing CAMHS at a senior level.

9.44 NI 54 Disabled Children’s Services

No data/monitoring form provided again this period.

9.45 NI 130 Social Care Clients receiving Self Directed Support

Target has not been achieved this quarter. Efforts are being made to ensure the SDS process is fit for purpose and it is also expected that, once the Customer Journey project is rolled out, numbers will significantly increase again. It is therefore expected that the overall LAA target will be met.

9.46 NI 135 Carers receiving Needs Assessment or Review

This priority is not currently meeting its quarterly target due to recording inconsistencies. This poses a high risk to the overall targets not being achieved. Therefore in order to mitigate these risks, training is being planned as part of the Customer Journey project and in the case of carers’ assessments not being undertaken, individual and team performance targets are being set. These will be reviewed as part of supervision and will be reported up to central management.

9.47 NI 141 Vulnerable People achieving Independent Living

The performance data relates to actual data for Quarter 2. The main risk is the number of unplanned moves reported by vulnerable groups due to evictions and abandonments. To try and minimise unplanned departures and address issues there is constant dialogue between the Council and providers. Providers are also encouraged to work with partner agencies to assist the client overcome any identified issues.

9.48 NI 131 Reducing Delayed Transfers of Care

No data/monitoring form provided.

9.49 Local – Volunteering

No data/monitoring form provided.

10.0 Financial implications

10.1 These are set out in the body of the report.

11.0 Legal implications

11.1 The capital programme is agreed by Full Council as part of the annual budget process. Changes to, or departures from, the budget during the year other than by Full Council itself can only be agreed in accordance with the scheme of Transfers and Virements contained in the Constitution. Any decisions the Executive wishes to take and any changes in policy which are not in accordance with the budget set out in March 2009 and are not covered by the Scheme of Transfers and Virements will therefore need to be referred to Full Council.

11.2 The Director of Finance and Corporate Resources is satisfied that the criteria in the scheme are satisfied in respect of virements and spending proposals in the report.

12.0 Diversity implications

12.1 This report has been subject to screening by officers and there are no direct diversity implications.

13.0 Contact officers

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CLIVE HEAPHY

Director of Finance & Corporate Services

PHIL NEWBY

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