



Executive

Monday 23 April 2012 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 and Public Safety
Crane	Lead Member for Regeneration and Major Projects
Jones	Lead Member for Customers and Citizens
Long	Lead Member for Housing
J Moher	Lead Member for Highways and Transportation
R Moher	Lead Member for Adults and Health
Powney	Lead Member for Environment and Neighbourhoods

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
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1	Declarations of personal and prejudicial interests	
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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 - 10
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3	Matters arising (if any)	
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4	Petition - Willesden Library Centre Regeneration Plans	
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A petition has been received in the following terms:

We, the undersigned, petition Brent Council to:

Pause the Willesden Green Library Centre regeneration plans to allow for full consultation with residents in order to ascertain their views on how the area should be developed and the amenities that should be provided or retained.

It has approximately £3,600 names.

5	Deputations (if any)	
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Children and Families reports

6	Determination of proposal to permanently expand primary schools in Brent	11 - 60
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This report informs the Executive of the outcome of the statutory proposals to alter the following schools through permanent expansion from January 2013:

Barham Primary School (Community) by one form of entry
Fryent Primary School (Community) by two forms of entry
Mitchell Brook Primary School (Community) by one form of entry
Appendices circulated separately

Ward Affected:
Fryent;

Lead Member: Councillors Arnold and Crane
Contact Officer: Krutika Pau, Director of

Stonebridge;
Sudbury

Children and Families
Tel: 020 8937 3126 krutika.pau@brent.gov.uk

7 The future SEN developments at Vernon House School and at Alperton Community School 61 - 80

This report informs the Executive of the outcome of the statutory proposals to alter the character of Alperton Community School (Foundation) and Vernon House School (Special).

Appendices circulated separately

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

8 Authority to tender contract for the provision of School Meals Services to Brent Schools 81 - 88

This report requests approval to invite tenders for the provision of school meal services via a framework agreement as required by Contract Standing Orders 88 and 89.

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

Environment and Neighbourhood Services reports

9 Parking Services Transformation 89 - 144

The Parking Service propose to expand the channels through which customers can obtain the service, simplifying processes, making transactions available through the internet and telephone, and enabling cash payments through retail outlets. Making the service more widely available will enable the parking shops to close, and make the service more cost effective. This will contribute to the savings the Council is required to make under the One Council programme.

Ward Affected:
All Wards

Lead Member: Councillor J Moher
Contact Officer: Michael Read, AD (Policy and
Regulation)
Tel: 020 8937 5302 michael.read@brent.gov.uk

10 Environment and Neighbourhood Services Capital Spend 20012/13: Highways Major Works Programme 145 - 176

This report makes recommendations to members detailing the prioritised programme for major footway upgrade projects, carriageway resurfacing schemes, accessibility and improvements to grass verge areas, renewal of marginal highway land, new street signage/improvements to public realm, gulley maintenance, carriageway resurfacing – short sections, and footway upgrades – short sections.

Ward Affected:
All Wards

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

11 Control of distribution of free literature on designated land 177 - 184

This report recommends adoption of licensing powers to regulate the distribution of free literature (flyers/leaflets/newsletters/ newspapers), which causes significant littering problems and can impede passers-by who have literature thrust at them. These controls are being sought now to assist with the effective control of literature distributors anticipated during the Olympic period in an attempt to reduce the amount of waste printed material deposited in certain areas of the borough.

Ward Affected:
All Wards

Lead Member: Councillor Powney
Contact Officer: Yogini Patel, Safer Streets
Tel: 020 8937 5262 yogini.patel@brent.gov.uk

Regeneration and Major Projects reports

12 Supply and Demand and Temporary Accommodation 185 - 204

This report seeks Members' approval of the lettings projections for social housing for 2012/13. It also provides an analysis of housing supply and demand issues, including performance in 2011/12 and challenges for 2012/13 onwards.

Ward Affected:
All Wards

Lead Member: Councillor J Long
Contact Officer: Perry Singh, Housing Needs/Private Sector
Tel: 020 8937 2332 perry.singh@brent.gov.uk

13 Locata Housing Services Ltd - amendments to Company Memorandum and Articles of Association 205 - 244

This report seeks Members' approval that Brent, as a member of Locata Housing Services Ltd, votes to agree proposed amendments to the company's Memorandum of Association and Articles of Association. The reasons for the proposed changes are set out in paragraph 3.2.1 of this report. This report also seeks Members' approval to give the Director of

Regeneration and Major Projects delegated authority to approve any further minor amendments to the Memorandum and Articles of Association of Locata Housing Services Ltd.

Ward Affected:
All Wards

Lead Member: Councillor J Long
Contact Officer: Perry Singh, Housing
Needs/Private Sector
Tel: 020 8937 2332 perry.singh@brent.gov.uk

Central Reports

- 14 Brent Civic Centre - Authority to Tender Contract for Furniture, Furnishings and Equipment** 245 - 250

This report follows the report to Executive in October 2010 where Members agreed to award the contract for the Design & Build contractor for the Civic Centre. As previously reported to Executive in October 2009, the contracts for the construction and fit out of the Civic Centre would remain separate. This report now requests approval to tender for the Furniture, Furnishings and Equipment (FFE) for the Civic Centre.

Ward Affected:
All Wards

Lead Member: Councillor John
Contact Officer: Aktar Choudhury, Civic Centre
Programme
Tel: 020 8937 1764
aktar.choudhury@brent.gov.uk

- 15 Authority to award a framework for Passenger Transport Services for Participating West London Alliance** 251 - 276

This report requests authority to award a Framework Agreement as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this Framework Agreement and, following the completion of the evaluation of the tenders, recommends which organisations should be appointed to the Framework Agreement.
Appendices also below

Ward Affected:
All Wards

Lead Member: Councillor Butt
Contact Officer: David Furse, Procurement
Tel: 020 8937 1170 david.furse@brent.gov.uk

- 16 National Non-Domestic Rate Relief** 277 - 288

The Council has 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. This report includes applications received for discretionary rate relief since the Executive Committee last considered

such applications in January 2012. An application has also been received for 100% discretionary rate relief from Meanwhile Space CIC who are working with the Council in bringing empty shop units in Wembley back into use.

Ward Affected:

All Wards

Lead Member: Councillor Butt

Contact Officer: Richard Vallis, Revenue and Benefits

Tel: 020 8937 1503 richard.vallis@brent.gov.uk

17 Authority to award contract for the to implement an Oracle R12 HR/payroll system 289 - 304

Brent plans to replace its underperforming Logica based HR/Payroll system with a proven HR/payroll system that will provide self-service, streamlined processes, improved functionality and quality management information and to upgrade its financial system to Oracle R 12. This report requests authority to award contracts as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering framework agreements and, recommends the award of call-off contracts. *Appendices also below*

Ward Affected:

All Wards

Lead Member: Councillor Butt

Contact Officer: Clive Heaphy, Director of Finance and Corporate Services

Tel: 020 8937 1424 clive.heaphy@brent.gov.uk

18 Authority to award contracts for insurance services 305 - 320

This report informs Members of the award of contracts for the provision of Insurance services by the Director Of Finance & Corporate Services, which were set out within 4 lots, as required by Contract Standing Order 88. This report summarises the procurement process undertaken by officers to procure suppliers for the provision of services and, following completion of the evaluation of tenders, to whom the contract was awarded.

Appendices also below

Ward Affected:

All Wards

Lead Member: Councillor Butt

Contact Officer: Martin Spriggs, Exchequer and Investment

Tel: 020 8937 1472

martin.spriggs@brent.gov.uk

Adult and Social Care reports - none

19 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.

20 Reference of item considered by Call in Overview and Scrutiny Committee - none

21 Exclusion of Press and Public

The following items are not for publication as it/they relate to the following category of exempt information as specified in the Local Government Act 1972 namely:

APPENDICES

Item 17 – Oracle HR Payroll

Item 18 – passenger transport services

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

Item 18 – passenger transport services

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

Date of the next meeting: to be agreed at the Annual Meeting in May 2012



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 Monday 12 March 2012 at 7.00 pm

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

ALSO PRESENT: Councillors Al-Ebadi, Gladbaum, Harrison, Hashmi, Hunter, Lorber, McLennan and CJ Patel

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

None made.

2. **Order of business**

The Executive agreed to take early in the meeting, those items for which members of the public and non-Executive members were present.

3. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 13 February 2012 be approved as an accurate record of the meeting subject to the amendment of Councillor Jones' declaration of interest as a member of Willesden Locality Board to relate to the Treetops Nursery item.

4. **Barham Park Improvements**

Councillor Lorber (Leader of the Liberal Democrat Group) addressed the meeting in relation to the report from the Director of Environment and Neighbourhood Services which provided an update on potential improvements to Barham Park and sought approval for a feasibility study into the future use of Barham Park buildings and options for improving the space. Councillor Lorber questioned whether expenditure of £30,000 a feasibility study was a good use of the Charity's funding particularly as a number of studies had been commissioned over the years. He felt that the proceeds from the disposal of the associated cottages was a capital receipt which belonged to the Trust and questioned the implication in the report that compliance with terms of use stipulated by the Trust was optional. Councillor Lorber put that the council's use of the park and buildings had to be regularised, that every day spent empty was a financial loss to the Charity and asked that approaches from voluntary organisations to occupy the premises be taken seriously. He stated that the Children's Centre on the site was at risk following the closure of Barham Library and urged the Executive to listen to the community.

Councillor Powney (Lead Member, Environment and Neighbourhoods) responded that it was reasonable to use funding from the capital receipt for the purpose of a feasibility study which would also help the council to regularise its position in the use of the property. The council wished to have the legal position clearly defined to ensure compliance. Councillor Powney outlined the recommendations in the report and commended them to the Executive.

RESOLVED:-

- (i) that the Trustees approve a £30,000 budget to develop an option appraisal, project management plan and feasibility study for the future uses of the Barham Park buildings and options for improving the open space. This would be funded from the Barham Park Trust income from the sale of 776 and 778 Harrow Road;
- (ii) that following approval of recommendation (i) by the Trustees, officers will obtain the necessary approvals from the Charity Commission to spend the Trust funds;
- (iii) that the Trustees ask officers to advertise (at the appropriate time) the proposed letting of public open space under Section 123 of the Local Government Act 1972 and if in the opinion of the Assistant Director - Property and Asset Management, there are significant objections to report back to the Trustees for it to consider.

5. Deputations - temporary expansion of Brent schools

Karen Flaum (local resident) addressed the Executive concerning proposals in the report from the Director of Children and Families for the expansion of some schools in the borough in order to meet the demand for school places in the academic year 2012/13. She referred to past applications for planning permission to demolish houses and build flats where concerns had been expressed over where the children due to live in the flats would go to school, given the shortage of places in the vicinity. Ms Flaum made specific reference to proposals to build housing on part of the Willesden Green library site and went on to suggest that communication between Planning Service and the Children and Families Department should be improved.

Councillor John (Chair, Leader of the Council) thanked Ms Flaum for her contribution and assured her that all options would be considered.

6. Temporary expansion of Brent schools: 2012-13

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report from the Directors of Regeneration and Major Projects and from Children and Families which put forward approaches to reducing the mismatch between supply and demand in relation to school places. In response to concerns raised earlier in the meeting by Karen Flaum over the number of houses being demolished and flats built in their place, Councillor Crane contributed that demand for school places was also increased by the number of people moving into the borough and the matter was under review. Councillor Arnold (Lead Member, Children and Families) added that the shortage of school places was a reality across London attributed to

increasing birthrates, the impact of the recession leading to less families leaving Brent and to a reduced number of parents choosing to send their children to private schools. The council was planning a programme of high quality provision including special needs.

RESOLVED:-

- (i) that the current and future demand for primary school places as set out in Section 3 of the report from the Directors of Regeneration and Major Projects and Children and Families be noted;
- (ii) that approval be given to the allocation of £1.35m from the Council's Main Capital Programme for providing additional primary 'bulge' classes places across Brent schools from September 2012;
- (iii) that approval be given to the list of school and non-school based schemes listed in Appendix 1 of the report for providing temporary primary provision, subject to due diligence completed by the Council and agreement with the school;
- (iv) that agreement be given to the prioritised use of properties listed under Table 9 in Appendix 1 for the purpose of providing temporary primary provision;
- (v) that authority be delegated to the Director of Regeneration and Major Projects and Director of Children and Families in conjunction with the Lead Member of Regeneration and Major Projects to substitute a scheme with another if any of the proposed schemes in Appendix 1 are not feasible, subject to due diligence completed by the council and agreement with the school;
- (vi) that authority be delegated to the Director of Regeneration and Major Projects to appoint one or more works contractors using existing construction frameworks, for the recommended temporary school expansion schemes referred to in paragraph (iii) above.

7. Khat Task Group - final report

The Executive had before them the final report from the Overview and Scrutiny Khat Task Group. Councillor Hunter, Task Group Chair, in introducing the report, set out the three main issues investigated by the task group namely, the perceived impact on Khat use on the community in Brent, associated anti-social behaviour and the lack of treatment services and diversionary activities in the borough specifically aimed at Khat users. Users were frequently unemployed, had language difficulties or suffered from the trauma of war. Efforts needed to be made to increase employment chances and decrease addiction and partnership work was recommended with the employment agencies and health services. Discussions were also recommended to take place with the owners of mafrish (Khat cafes) to get agreements on the sale of Khat. Councillor Hunter referred to the need to raise awareness of Khat, paan and shisha and was pleased to report on the health event held on 15 March 2012 attended by both men and women which also helped to raise the profile of the Somali community.

Councillor Jones (Lead Member, Customers and Citizens) contributed that she was due to meet with the Director of Customer and Community Engagement to discuss ways of publicising positive achievements in the Somali community as recommended by the task group. Councillor Beswick (Lead Member, Crime and Public Safety) welcomed the report referring to particular areas in borough where addiction was a problem and pointed to the role of both self-help and also partnership working to encourage people to desist from usage. Councillor Hunter agreed with Councillor Arnold (Lead Member, Children and Families) on the need to ensure that support was extended to all Somali groups and she reiterated the need for health advice and education.

Councillor John (Chair, Leader of the Council) commended the task group's work adding that the Somali organisations she had spoken to were grateful for the attention that had been given to this issue. She concurred that employment was key and, on behalf of the Executive, thanked the task group members for their work.

RESOLVED:-

- (i) that the recommendations set out in the report be agreed;
- (ii) that the members of the task group be thanked for their work.

8. Safeguarding and Looked After Children Inspection - outcome and action plan

Councillor Arnold (Lead Member, Children and Families) introduced the report on the outcome of the safeguarding and Looked After Children inspection, a revised version of which had been circulated in advance of the meeting. The inspection took place between 3-14 October 2011 and Councillor Arnold outlined the findings in the Care Quality Commission Ofsted inspection report and asked members to approve the department's resultant action plan. It was recommended that power be delegated to the Director of Children and Families to make amendments to the action plan as required, to ensure the continued drive to improvement. Councillor Arnold assured that the inspection report was being taken very seriously and the authority acknowledged the need to raise standards to above the current judgement of 'adequate' for both Safeguarding for Looked After Children services. Further action would also be taken to address concerns expressed on the health of looked after children which resulted in this service being given an 'inadequate' rating. A variety of monitoring arrangements would be put in place to ensure that all services were at a high standard including a mid-year challenge of progress against the plan by an external agency and a peer challenge in mid-November.

The Director of Children and Families acknowledged the need to make a step change given the authority's corporate responsibilities and assured that robust monitoring arrangements would be in place.

RESOLVED:-

- (i) that the outcome of the Safeguarding and Looked After Children inspection report for Brent be noted;

- (ii) that approval be given to the revised Action Plan contained in Appendix B of the revised report which address the recommendations identified in the inspection report and articulated the department's ambitions to make significant and far reaching improvements to the service;
- (iii) that authority be delegated to the Director of Children and Families to make amendments to the Action Plan as required, to ensure this continues to drive improvement.

9. Education Standards in Brent 2011

The report from the Director of Children and Families commented on education standards achieved by Brent schools at the end of the academic year 2010/11. Councillor Arnold (Lead Member, Children and Families) was pleased to report that standards continued to rise and commended the work of the Early Years Quality Improvement Team. There was also improved performance by ethnic groups, in particular, Somali children and Black Caribbean children. At primary level, Key Stage 1, results for Level 2+ improved to near national averages and there was above average progress from Key Stage 1 to Key Stage 2. Standards at Level 4+ and Level 5+ were at or above national averages. Councillor Arnold was pleased to report that there had been a general improvement over the past five years.

Councillor Gladbaum (Chair, Children and Families Overview and Scrutiny Committee) contributed that education standards were a regular item on the committee's agenda and would be carefully scrutinised. She also paid tribute to the School Improvement Service, head teachers and staff for their efforts.

RESOLVED:-

that the following be noted:

- a) continuing improvements in education standards in Brent schools;
- b) the contribution made by Services to Schools to these outcomes;
- c) priorities identified at each Key Stage in order to accelerate further improvements in educational standards.

10. Former Charteris Sports Centre, 24-30 Charteris Road, NW6 7ET

Councillor Crane (Lead Member, Regeneration and Major Projects) introduced the report which, on the basis of received bids from interested parties recommended the disposal of the former Charteris Sports Centre which was now surplus to Council requirements.

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 the Director of Regeneration and Major Projects Executive be authorised to agree a sale of the property in accordance with the confidential appendix to the Director's report and to accept the highest bid.

11. Authority for exemption to tender contract for SEN Independent Special School provision

The report from the Director of Children and Families sought approval for an exemption in accordance with paragraph 84(a) of Standing Orders to allow a three year contract to be awarded to Transitional Care Education Services (TCES) for 15 places for secondary aged students with Statements of Special Educational Need for Behavioural, Emotional and Social Difficulties, with an anticipated commencement date from 1 September 2012 for SEN Independent Special School provision. It specifically addressed the arrangements for students placed with the North West London Independent Special School (NWLIS), an independent day special school for students with BESD run by TCES. This would allow for the development of a long term partnership with a partner provider. Councillor Arnold drew members' attention to the advantages and risks associated with the proposals which would be monitored.

The Director of Children and Families added that discussions were taking place within the West London Alliance on the provision of local authority maintained secondary provision for students with Statements of Special Educational Needs for BESD to improve outcomes and improve efficiency.

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 approval be given for an exemption from the usual requirement of Contract Standing Orders in accordance with paragraph 84(a) of Contract Standing Orders for the good operational reasons set out in section 3.1 – 3.2.9 of the report, to allow the award of a three-year contract to TCES from 1 September 2012 to 31 August 2015 at the rates outlined in this report and agreed in principle with TCES;
- (ii) that the cost reduction in current 'spot' purchase rates for Brent young people already placed at NWLIS for the interim period March 2012 to August 2012 from when the three year contract would proceed be noted;
- (iii) that authority be delegated to the Director of Children and Families to conclude negotiations with TCES and award the proposed three year block contract.

12. Brent Town Hall Planning Brief

The report from the Director of Regeneration and Major Projects followed on from recommendations to Planning Committee on 16 November 2011 to undertake a consultation exercise on the Development and Planning Brief to guide the future development of Brent Town Hall. Planning Committee was invited to review and comment upon the contents of the brief and approve a broader more comprehensive consultation exercise. It was also recommended to Planning Committee that the results of the consultation be reported to Executive for approval and subsequent adoption as a Supplementary Planning Document (SPD). The Planning and Development Brief provided detailed guidance for future potential owners of the Town Hall and its site and indicated what original fabric was important and what elements of the building have potential for sensitive adaptation and alteration. The report before the Executive explained the need for the brief and the principles that it required of any new proposals for alteration and development of this important listed building and its curtilage. Councillor Crane (Lead Member, Regeneration and Major Projects) drew members' attention to the responses from English Heritage and Barn Hill residents and to the aim for the character of the building to be preserved.

RESOLVED:

- (i) that the contents of the development brief (Appendix One to the report from the Director of Regeneration and Major Projects) be noted and approval given to its adoption as a "Supplementary Planning Document";
- (ii) that the results of the consultation exercise be noted and agreement given to the council's response as set out in Appendix Two to the report;
- (iii) that the Director, Regeneration and Major Projects be authorised to make further editorial changes to the document in relation to advice from the council's consultant's advising on the historic building implications and managing the disposal process.

13. 186 Church Road London NW10 9NP - disposal of a shop and upper parts

The report from the Director of Regeneration and Major Projects informed of the proposed disposal of the shop and upper parts that was previously occupied by the Churchend and Roundwood Youth and Community Association (CRYCA) and sought the Executive's decision to proceed with the disposal by auction.

RESOLVED:-

- (i) that the arrangement for the disposal of 186 Church Road London NW10 9NP be noted;
- (ii) that agreement be given to the sale of the property by auction or such other means as considered appropriate to secure the best consideration;
- (iii) that authority to be delegated to the Assistant Director, Property and Asset Management, in consultation with the Borough Solicitor to agree matters as required in order to bring the disposal to a satisfactory and completion.

14. Approval for arrangements to procure Supporting People services for existing contracts terminating in 2012 to 2014

Councillor R Moher reminded the Executive that the meeting on 14 March 2011 approval was given for Adult Social Care to join a West London framework agreement procurement project for Supporting People services. Before members now was an update on the progress of the West London framework. Councillor Moher advised that because of anticipated further delays in the establishment of the framework, authority was now being sought to extend contracts identified in the Procurement Plan submitted to the March 2011 meeting. Should it appear in May 2012 that the framework would not be established in June, a Brent Council led procurement process would be carried out using evaluation criteria similar to that to be used for the formation of the West London framework. Councillor Moher advised that an Equalities Impact Assessment would be carried out.

RESOLVED:-

- (i) that the update on the progress of the West London framework procurement project be noted;
- (ii) that agreement be given to an exemption from the usual tendering requirements of Contract Standing Orders to award interim contracts for Supporting People funded services to existing providers on the basis of good operational and financial reasons as set out in paragraph 3.3 to 3.4 of the report from the Director of Adult Social Services and the Director of Regeneration and Major Projects;
- (iii) that approval be given to the award of interim contracts for Supporting People funded services as set out in Table 1 of section 3.3 of the report for a period of up to 5 months;
- (iv) that approval be given to a one year contract extension to the Single Homeless Hostels contracts detailed in section 3.3 of the Directors' report;
- (v) that approval be given to the pre-tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.5 of the report.
- (vi) that approval be given to officers inviting expressions of interest, agreeing shortlists, inviting tenders for the Supporting People Housing Related Support Services Framework and their evaluation in accordance with the evaluation criteria referred to in (v) above;
- (vii) that the Supporting People budget and saving update be noted.

15. London 2012

The Leader of the Council, Councillor John (Chair) introduced the report from the Chief Executive which provided an update on the 2012 Games and progress to date in ensuring successful delivery within Brent. She outlined the events that would be taking place in the borough and referred to the careful planning that was on-going involving all services. Partner agencies were also involved in ensuring the

safety and security of the Olympic Route Network. Councillor John assured that Brent's activities would be well run.

RESOLVED:-

- (i) that the progress being made on delivery of a successful Olympics in the Borough be noted;
- (ii) that agreement be given to Brent providing mutual aid as appropriate to other boroughs once the position was clarified;
- (iii) that services work closely with Police and health professionals to deliver safe events within the borough;
- (iv) that it be noted that it has been agreed to allow staff affected by the 2012/13 leave restrictions, the ability to sell 10 days annual leave back to the council during 2012/13.

16. Appointments to a Framework for Electronic Legal Resources

The report from the Director of Legal and Procurement concerned the purchase of on-line legal resources for use by Legal Services. It followed a report to the Executive in September 2011 which gave approval for the procurement of a framework for use by an association of London Boroughs known as the London Boroughs Legal Alliance (LBLA), with Brent leading that procurement. The report gave an update on the bidding process and sought approval for delegation to the Director of Legal and Procurement to make appointments to the framework.

RESOLVED:-

- (i) that the progress of the bidding process for a multi-provider framework for on-line legal resources as set out in section 4 of the report from the Director of Legal and Procurement be noted;
- (ii) that authority be delegated to the Director of Legal and Procurement to make appointments to the framework once the evaluation is completed.

17. Performance and Finance review 2010/11 Quarter 3

The joint report from the Directors of Strategy, Partnership and Improvement provided members with a corporate overview of Finance and Performance information to support informed decision-making and manage performance effectively. Councillor John (Chair, Leader of the Council) stated that each lead member would be looking at the indicators and ensuring that concerns were addressed.

RESOLVED:-

- (i) that the Finance and Performance information contained in this report be noted and agreement given to remedial actions as necessary;

- (ii) that the current and future strategic risks associated with the information provided be noted and agreement given to remedial actions as appropriate;
- (iii) that it be noted that it be noted that progress will be challenged with responsible officers as necessary.

18. **Any Other Urgent Business**

None.

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

None.

The meeting ended at 7.55 pm

A JOHN
Chair

	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Directors of Children and Families and Regeneration and Major Projects</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Determination proposal to permanently expand primary schools in Brent</p>	

1.0 Summary

- 1.1 This report informs the Executive of the outcome of the statutory proposals to alter the following schools through permanent expansion from January 2013:
- Barham Primary School (Community) by one form of entry
 - Fryent Primary School (Community) by two forms of entry
 - Mitchell Brook Primary School (Community) by one form of entry
- 1.2 The Representation period on the proposals ended on 21 March 2012.
- 1.3 Brent Council in agreement with the Governing Body of Barham Primary School has proposed to alter the school by adding one form of entry. The current capacity of the school is 630 and the proposed capacity will be 840. The current admission number for the school is 90 and the proposed admission number will be 120.
- 1.4 Brent Council in agreement with the Governing Body of Fryent Primary School has proposed to alter the school by adding two forms of entry. The current capacity of the school is 420 and the proposed capacity will be 840. The current admission number for the school is 60 and the proposed admission number will be 120.
- 1.5 The Governing Body of Mitchell Brook Primary School has proposed to alter the school by adding one form of entry. The current capacity of the school is 420 and the proposed capacity will be 630. The current admission number for the school is 60 and the proposed admission number will be 90.
- 1.6 This report seeks Executive approval to permanently expand Barham, Fryent and Mitchell Brook primary schools conditional upon planning permission being granted.
- 1.7 Upon implementation of the proposal, Barham Primary School and Mitchell Brook Primary School would provide 30 new permanent Reception places, respectively, from 7 January 2013, subject to planning permission due to the building constraints. The

expansion will provide an additional class in each year group (210 new primary places in total per school) with an increase of 30 places in each year group starting at Reception age in January 2013 and rising to Year 6 by September 2018.

- 1.8 Upon implementation of the proposal, Fryent Primary School would provide 60 new permanent Reception places from 7 January 2013, subject to planning permission, due to the building constraints. The expansion will provide an additional two classes in each year group (420 new primary places in total) but the increase of 60 places in each year group is intended to start at Reception age in January 2013 and rise to Year 6 by September 2018.
- 1.9 This report also provides an update on the procurement routes available to the Council for the appointment of the main contractor for the three school expansion schemes and requests delegated authority to award the works contract.
- 1.10 Finally, the report recommends expansion of St. Robert Southwell Primary School by 105 places in total across Reception to Year 6 from September 2013, subject to completion of due diligence by the Council.
- 1.11 From September 2013 Barham, Mitchell Brook and Fryent schools will provide a total of 840 new school places from Reception to Year 6. It is anticipated that 240 of these places will be taken up by Reception and Year 1 pupils from September 2013.

2.0 Recommendations

The Executive are requested to:

- 2.1 Approve the permanent expansion of Barham Primary School (Community) by one form of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- 2.2 Approve the permanent expansion of Fryent Primary School (Community) by two forms of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- 2.3 Approve the permanent expansion of Mitchell Brook Primary School (Community) by one form of entry from 7 January 2013, conditional upon the grant of full planning permission under the Town and Country Planning Act 1990 by 30 November 2012.
- 2.4 Agree that the main reason for approving the alteration of Barham, Fryent and Mitchell Brook primary schools is to provide permanent primary places in areas of the borough which have severe shortages of Reception and Year 1 school places.
- 2.5 To delegate authority to the Director of Regeneration and Major Projects to appoint one or more main works contractors using existing construction frameworks up to combined total value of £14m, for the expansion of the above schemes referred to in section 5.0.
- 2.6 Agree the allocation of £1.5m from the Council's Main Capital Programme for providing additional primary school places at St. Robert Southwell Primary (Voluntary Aided) School from September 2013 by 105 places (15 places per year group), subject to due diligence to be completed by the Council and a subsequent agreement with the school and the Diocese of Westminster, as referred under section 4.0.

3.0 Detail

3.1 Background

- 3.1.1 Brent Council has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area.
- 3.1.2 According to the GLA projection of school rolls (based on the January 2011 pupil census data), the number of four year olds on roll is expected to rise to 4039 by January 2017 from the current number of 3639 on roll (provisional January 2012 pupil census data). This is an increase of 400 pupils (11%) within a space of 5 years. This translates into a shortfall in the capacity by 369 reception places (12.3 classes) by September 2016 even with the expansions proposals outlined in this report. As at 1 March 2012 there were 214 children of Reception aged living in the borough without a school place. The impact of rising birth rate may further impact on the demand for reception places.
- 3.1.3 In the last three academic years, the GLA accuracy rate for the projection of primary school rolls has been falling and has not addressed the real rise in demand for primary school places. This is generally the case across London authorities, which are being caught by extremely high number of applications for Reception and Year 1 places.
- 3.1.4 On time Reception applications received for the 2012/13 academic year totalled 3743, a 3.5% increase on the on time applications for the current 2011/12 academic year (3617). 3330 on time applications were received for the 2010/11 academic year. On average approximately 10 late applications are received between the closing date in January and the start of term in September each year.
- 3.1.5 The demand for school places is mainly driven by:
- Housing growth;
 - Increased density of use of existing housing stock;
 - Increased popularity of Brent schools (mainly due to the increasing quality of Brent's educational offer);
 - Inward economic and other migration;
 - Decreasing availability of places in neighbouring boroughs;
 - Increased live births and fertility rates
- 3.1.6 As at 1 March 2012, 674 children of primary age remain without a school place across all year groups for the 2011/12 academic year (214 Reception and 95 Year 1).
- 3.1.7 The number of unplaced children and vacancies in the system are constantly fluctuating but overall demand is exceeding supply in the lower year groups (Reception to Year 2), which is correlated to the pattern of rising demand in the borough, and indeed across London, over the last four years.
- 3.1.8 Brent Council was allocated £14.766m in November 2009 from the previous DfE under the additional round of Basic Need Safety Valve funding (BNSV). The funding was an emergency allocation to provide sufficient reception places by September 2011.
- 3.1.9 Subsequently, the Council created 1120 additional primary places by expanding Brentfield Primary School (1FE), Newfield Primary School (1FE), Park Lane Primary School (1FE) and Byron Court Primary School (10 additional places in each year group) on a permanent basis and changed the character of Preston Manor High School to an all through school by creating a permanent two forms of entry primary provision.

- 3.1.10 In making decisions about the delivery of additional school places, the Council has established a set of planning principles. In June 2011, the Council consulted with the schools on these planning principles for which the closing date was 1 July 2011. Subsequently, a short list of schools based on the local area of demand was derived from the long list of schools based on the following criteria:
- shortage of school places in a local area;
 - physical expansion of a school on a permanent basis deemed to be feasible;
 - risk associated with the expansion of the specific schools including likelihood of planning consent;
 - availability of funding to expand the school.
- 3.1.11 In August 2011 the Executive agreed feasibility studies for four new permanent expansion schemes, with a view of expanding these schools. Three (Barham, Fryent & Mitchell Brook Primary Schools) out of the four schools (including Furness Primary School) agreed to carry out a statutory consultation, which commenced on 17 January 2011. Although Furness Primary School has agreed the principle of expansion, the governing body did not agree to consult on an expansion until the appointment of a permanent head teacher. Therefore, the merits of an expansion will be considered against other schemes as part of the rolling programme of future expansions.
- 3.1.12 A feasibility study at the schools was completed towards the end of 2011. Discussions took place with the three schools which were suitable and willing for expansion.
- 3.1.13 A traditional expansion programme is generally delivered over a period of two to three years. An extended programme would not have met the need, since the projects would have been delivered at the earliest by September 2014.
- 3.1.14 In order to meet the shortage of primary places, the schools expansions are being designed using a mixture of traditional and innovative off-site modular solutions with at least a 60 year design life. The designs are currently being developed to ensure that the schools would be built in the most efficient way, with sustainable standards, such as, BREEAM Very Good (as a minimum on all 3 schools) and with natural ventilation, where possible.
- 3.1.15 This means that the Council will be able to complete the permanent building works for all three schools in time for the September 2013 academic year. Through an innovative build programme the Council is not only likely to create Reception classrooms by January 2013, it is also currently investigating temporary options for all three schools to admit Reception aged children from September 2012 in order to provide continuity to the permanent intake from January 2013.
- 3.1.16 The short list of schools presented in August 2011 also included St. Robert Southwell Primary School. It was included due to an increasing demand for places for Catholic children, particularly in this area of Brent. It is a popular and oversubscribed school; an expansion would likely be supported by the Westminster Diocese. Since the school has obtained planning permission and new places could be created by September 2013, it is considered a viable and value for money scheme, subject to due diligence by the Council.
- 3.1.17 In October 2011, the Department for Education (DfE) allocated Brent Council a one off allocation of £24.815m in recognition of the urgent need for school places, plus a Basic Need Allocation for 2012/13 of £24.092m. There is also funding available from section 106 contributions.

- 3.1.18 The August 2011 Executive report has already allocated a total of £15.507m (subject to Executive and Full Council approval) in the capital programme for the Provision of School Expansions in 2012/13 to meet the costs of the next phase of expansion schemes. This includes a sum of £2.440m for temporary expansions.
- 3.1.19 Despite the levels of funding available, there is still a considerable mismatch between these sums and the funding required to deliver the additional school places. The Council is actively engaged in lobbying the government for additional resources. There are additional resources available to new free schools and academies over and above the resources given to Councils.

3.2 Proposals to alter the three primary schools

- 3.2.1 In accordance with paragraph 4.75 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form (Excerpt attached in Appendix A), the Decision Maker can decide to approve the proposals subject to meeting a specific condition. The Decision Maker must set a date by which the condition should be met but will be able to modify the date if the proposers confirm, before the date expires, that the condition will be met later than originally thought.
- 3.2.2 The proposals comply with the Government's current agenda for raising standards, innovation and transforming education and in the process meet area and design guidance standards as detailed in Building Bulletin 99, where feasible.
- 3.2.3 The expansion of Barham, Fryent and Mitchell Brook primary schools are fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The schools serve a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.
- 3.2.4 The expansion of Barham, Fryent and Mitchell Brook primary schools will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.
- 3.2.5 All three are popular and high performing primary schools. The local authority is confident that sufficient number of applications will be received for the permanent primary provision.
- 3.2.6 The travel arrangements for existing pupils are not changed for pupils at the three schools. However, with the expansion of provision will enable more Brent pupils to be educated in general nearer to where they live. A full traffic assessment is being carried out, which will inform the school travel plan.
- 3.2.7 It is anticipated that the building works will enable an enhanced level of the delivery of the curriculum, through the provision of the additional classrooms and facilities outlined below which are essential in supporting the educational standards for its pupils and staff. In effect it would lead to:
- Provision of a safe and secure environment
 - Create a healthy environment - properly ventilated, good sized classrooms with easy access to outside space.
 - Modelling of proposed spaces to maximise natural daylighting and control sunlight, to maximise thermal comfort, control glare and provide a suitable internal environment.

- Environmentally friendly and efficient
- Provision of minimal loss of 'down-time' i.e travel to core facilities, toilets, etc.
- Allow a variety of learning experiences - individual, group, class, year group, quiet spaces internal and external
- Provision of playing space
- Enhancing the opportunity for the community to become involved in the school and support the children's learning
- Classrooms to support easy access to ICT provision.

3.2.8 Area analysis of the sites has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for, Building Research Establishment Environmental Assessment Method (BREEAM) accreditation.

3.2.9 Subject to planning application approval, the building works for all three schools are planned to commence in autumn 2012 which will involve new build works in compliance with Department for Education's design guidelines.

3.2.10 No change to the existing SEN provision is being proposed for any of the three schools. The proposals will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposals will fully meet the requirements of the SEN Code of Practice and the accessibility standards.

3.3 Barham Primary School

3.3.1 Barham Primary School is located at Danethorpe Road, Wembley, HA0 4RQ. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.

3.3.2 The Local Authority in agreement with the governing body published a proposal to expand Barham Primary School by one form of entry from January 2013.

3.3.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Barham Primary School will offer 4FE provision from 7 January 2013. Its admission capacity will increase from 630 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

3.3.4 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality modular and/or non-modular construction situated adjacent to the existing school building. The new building will be integrated with the existing school building. Subject to further design, it may include demolition of the unused nursery building situated at top right side of the school. It is proposed that the expansion will comprise of new classrooms and expansion of the existing hall used for dining. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school. As a result of the build, the play space will be reconfigured on the site to ensure that there will be compliance with Guidelines.

The new Reception class is expected to be available from January 2013. Remaining building works are expected to be completed by April 2013, thereby providing the full capacity of 210 new school places required under the statutory proposal.

3.4 Fryent Primary School

- 3.4.1 Fryent Primary School is located at Church Lane, Kingsbury, London, NW9 8JD. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.4.2 The Local Authority in agreement with the governing body published a proposal to expand Fryent Primary School by two forms of entry from January 2013.
- 3.4.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Fryent Primary School will offer 4FE provision from 7 January 2013. Its admission capacity will increase from 420 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.4.4 The proposed accommodation for the expansion by two forms of entry would be of a permanent high quality modular and/or non-modular construction on the south side of the existing main school buildings. Subject to further design, it will include demolition of the existing dining block, mobile block and Horsa hut units. The mobile block and Horsa hut will be replaced by new classrooms; a new hall and kitchen is proposed to be constructed to the southeast side of the existing building in place of the existing hard play area and school toilets. New toilets will be provided in compliance with statutory requirements. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school. As a result of the build, the play space will be reconfigured on the site to ensure that there will be compliance with Guidelines.
- 3.4.5 The two new Reception classes are expected to be available from January 2013. Remaining building works at the school are expected to be completed by April 2013, thereby providing the full capacity of 420 new school places required under the statutory proposal.

3.5 Mitchell Brook Primary School

- 3.5.1 Mitchell Brook Primary School is located at Bridge Road, London, NW10 9BX. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11years.
- 3.5.2 The Governing Body in agreement with the Local Authority the published a proposal to expand Mitchell Brook Primary School by one form of entry from January 2013.
- 3.5.3 If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012, Mitchell Brook Primary School will offer 3FE provision from 7 January 2013. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.
- 3.5.4 The proposed accommodation for the expansion by one form of entry would be of a permanent high quality modular and/or non-modular construction situated at the front of the existing school building. It would include demolition of the unused caretaker's house situated on the far left side of the front entrance. Subject to further design work, the expansion would comprise of new classrooms and a hall with kitchen. Building Bulletin 99 will be used as a guideline for constructing the new extensions to the existing school.
- 3.5.5 The Council has completed a consultation on the future of day care provision in Children's Centres located in the borough. On 13 February 2012, Brent Executive decided that the building used for nursery services at Harmony Children's Centre be
23 April 2012 meeting

used to facilitate expansion of Mitchell Brook School in the event that a decision is made to expand the school. Subject to further detailed design, it may be possible to utilise part of the Harmony Children's Centre (nursery area) and re-alignment of the boundary with the adjoining park/playground in order to provide more space at Mitchell Brook Primary School.

- 3.5.6 The new Reception class is expected to be available from January 2013. Remaining building works at the school are expected to be completed by April 2013, thereby providing the full capacity of 210 new school places required under the statutory proposal.

3.6 Statutory Process

Stage One Consultation

3.6.1 Barham Primary School

The Local Authority with the support of the Governing Body of Barham Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 1. Over 1100 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.

- 3.6.2 Consultation meetings with staff, parents and the community were held at the school on 17 and 23 January and 7 February 2012, details of which can be found in Appendix 2 as attachments.

- 3.6.3 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 840 Reception to Year 6 places, completed on 15 February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.6.4 The Barham proposal received 25 on time responses to the consultation. 16 (64%) consultees support the proposal, 5 (20%) consultees expressed concerns, whilst 4 (16%) remained undecided.

- 3.6.5 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 3) and full proposal (Appendix 2).

3.6.6 Fryent Primary School

The Local Authority with the support of the Governing Body of Fryent Primary School consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 4. Over 1000 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.

- 3.6.7 Consultation meetings with staff, parents and the community were held at the school on 30 and 31 January 2012, details of which can be found in Appendix 5 as attachments.

- 3.6.8 The statutory consultative stage of the proposal to expand by two forms of entry thereby increasing the provision to 840 Reception to Year 6 places completed on 15 23 April 2012 meeting

February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.6.9 The proposal received 41 on time responses to the consultation [plus 7 late responses]. 9 (22%) consultees support the proposal and 27 (66%) consultees expressed concerns, whilst 5 (12%) remained undecided. [The 7 late responses were all in support of the expansion.]
- 3.6.10 The relatively high number of adverse responses to the Fryent consultation came mainly from parents and supporters of St Robert Southwell Roman Catholic Primary School. Many felt that their school should have been included in the current phase of expansion due to the lack of Roman Catholic places in the area.
- 3.6.11 However, the objections by St. Robert Southwell Primary School were submitted without the knowledge that the Council was contemplating bringing forward the proposal for expansion of this voluntary aided school. The objections were also based on a misassumption that Phase 1 primary expansion schemes, including Fryent Primary School had been selected subsequent to the allocation of the £24.8m government grant to Brent Council in October 2011. It was clarified to the head teacher of St. Robert Southwell Primary that the Phase 1 schemes had in fact been approved for review by the Executive in August 2011 i.e. prior to the receipt of grant funding.
- 3.6.12 A petition from St Robert Southwell School Governing Body was submitted to Democratic Services during the consultation period, which stated that a block of flats opposite the school did not receive a hand delivered consultation document about the expansion of Fryent Primary School. In response: (a) door to door delivery is not a statutory requirement but nonetheless around 300 copies were delivered; (b) in this instance delivery could not be made as the block of flats had a telephone entry system, so entry was not possible; (c) the block of flats lies directly opposite the school which had the consultation document attached to the gates –A3 size; (d) every child that attends Fryent Primary School was given a copy to take home so it is possible that some of the residents received the document that way; (e) the fact the residents signed the petition suggests they were made aware of the consultation before signing; (f) the head petitioner was informed of the above points and was also reminded that the 4 week representation was about to commence therefore giving residents another chance to make their comments.
- 3.6.13 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 6 and full proposal (Appendix 5).
- 3.6.14 Mitchell Brook Primary School
The Governing Body of Mitchell Brook Primary School with the help of the Local Authority consulted with key interested parties on the alteration proposals. The consultation document is attached as Appendix 7. Over 1100 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.
- 3.6.15 Consultation meetings with staff, parents and the community were held at the school on 31 January and 6 February 2012, details of which can be found in Appendix 8 as attachments.
- 3.6.16 The statutory consultative stage of the proposal to expand by one form of entry thereby increasing the provision to 630 Reception to Year 6 places completed on 15

February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.

- 3.6.17 The proposal received 26 on time responses to the consultation. 10 (38%) consultees support the proposal, 14 (54%) consultees have expressed concerns, whilst 2 (8%) remained undecided.
- 3.6.18 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 9 and full proposal Appendix 8).

Publication of Statutory Notice and Representation Period

- 3.6.19 Following the consultation stages outlined above, the Local Authority with the support of the governing bodies of Barham Primary School, Fryent Primary School and Mitchell Brook Primary School published the Statutory Notices in two local newspapers on 23 February 2012 for altering the school by expanding Barham Primary School by one form entry, Fryent Primary School by two forms of entry and Mitchell Brook Primary School by one form of entry from January 2013.
- 3.6.20 The Council is estimating that the planning permission would be granted under Part 3 of the Town and Country Planning Act 1990 by 30 November 2012. Hence, the Executive is requested to approve the expansion of Barham, Fryent and Mitchell Brook primary schools from January 2013, conditional upon the granting of planning permission and in accordance with Regulation 38 (1) (a) of the School Organisation Regulations.
- 3.6.21 Copies of the full statutory proposals are attached as Appendices 2, 5 and 8 and the statutory notices as Appendices 3, 6 and 9.
- 3.6.22 The statutory notices were followed by a 4 week statutory period (Representation stage), which ended on 21 March 2012, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Executive when the proposal is determined.

Responses received during the Representation Stage:

- 3.6.23 Only one representation was received for the three schools during the 4 week statutory period as outlined below:

	Agree	Disagree
Barham	0	0
Fryent	1	0
Mitchell Brook	0	0

The one representation was in support of Fryent Primary School – an extract is provided below:

“School expansion is very important for the community at large and in a time of high demand and a shortage of places, Fryent is best placed to serve the community's need. School expansion will also be beneficial to existing pupils who will gain access to better facilities and a decent school environment fit for purpose. A number of other parents I have spoken with also support the plans.”

3.7 Next Steps

- 3.7.1 The milestones following a decision by the Executive to determine this proposal to alter Barham, Fryent and Mitchell Brook primary schools are set out in the timetable below:

Milestone	Date
Executive Decision to expand the three schools	23 April 2012
Planning Application submitted	Mid-May 2012
Planning Approval anticipated by	Mid-August 2012
Award of contract for building works under delegated authority by	Mid-August 2012
Reception class with 30 new places commences on	7 January 2013
Building work finishes	30 April 2013
Full New Capacity (R-Y6) available from	September 2013

4.0 St. Robert Southwell Primary School (Voluntary Aided)

- 4.1 The school is currently offering 45 places per year group and has previously expressed an interest in expanding by 15 places per year group, which would increase its admission number to 60 places.
- 4.2 The school is situated in an area of need; based on recent applications, the proposed new places are likely to be taken by Brent children. An expansion will meet the following previously established principles:

Sr. No.		St. Robert Southwell Primary
	Planning Area	Area 1
	Additional Provision	0.5FE
1.	Principle 1 – Sufficiency of demand	✓
2.	Principle 2 – Improving learning outcomes	✓
3.	Principle 3 – Efficient use of resources	✓
4.	Principle 4 – Improving local SEN provision	TBC
5.	Principle 5 – Diversity of type of provision:	
a)	Expansion of existing primary schools	✓
b)	Establishment of all through schools	
c)	Establishment of 5 FE primary schools	
d)	Amalgamating schools	
e)	‘Bulge’ Classes	
	Estimated Cost	£1.5m for 0.5FE

- 4.3 The school via its own resources had appointed consultants and applied for Planning Permission for construction of a new five classroom block and subsequent alterations.

The estimated budget for the works is £1.5m, which would provide 0.5FE expansion. In the August 2011 Executive Report, the cost per FE expansion at an existing primary school was estimated as £3.6m, which would equate to £1.8m for 0.5FE. Using this as a comparator, a proposed expansion of St. Robert Southwell would offer a value for money solution. The school has also been willing to provide a contribution (10%) towards the scheme cost.

- 4.4 The Council will collaborate with the Westminster Diocese to ensure that the proposed expansion meets their strategic objective. A separate statutory consultation to expand St. Robert Southwell School by 0.5FE will be required. The following table provides an indicative timetable for an expansion:

Milestone	Date
Executive approval of the report	23 April 2012
Council collaborates with the school and Westminster Diocesan Board	May – June 2012
Council completes due diligence by	Mid-August 2012
Governing Body completes Statutory Consultation	September 2012
Proposal progresses into delivery stage	September 2012
Building work finishes	August 2013
15 new places per year group available from	September 2013

5.0 Procurement

- 5.1 As reported to the Brent Executive in March 2012, based on RIBA stage C, the total budget for the three schemes (Barham, Fryent & Mitchell Brook) is estimated at £14.9m.
- 5.2 In February 2012 the Council appointed the design team to develop the design for the three primary schools (Barham, Fryent & Mitchell Brook), in parallel to the statutory proposal process so that the Council is given a realistic chance of completing the build programme by April 2013.
- 5.3 The Planning Application is due to be submitted in May 2012. The Council has been considering the most viable routes for procuring the new buildings. The preferred option is to use a Government Procurement Service (GPS) framework for modular buildings for procuring the main contractor. Under this approach the major part of the works will involve prefabrication of units off site, delivery and installation including connection to existing services such as electricity. Use of a framework is as an alternative to a full tender process under the EU public procurement rules (see further Legal Implications section below). Due to the need to provide Reception school places urgently by January 2013 with scheme completion by April 2013, it is necessary to use a pre-existing framework to appoint the main contractor since an EU-compliant tender process will take considerably more time and it is likely to miss the January & April 2013 milestones. The Council is also considering other frameworks such as IESE (previously used for expanding Preston Manor Primary, Newfield & Brentfield Primary schools). Whilst the GPS is the preferred framework, alternative frameworks will be reviewed in parallel to ensure the most advantageous route for the Council is selected in delivering the expansion schemes.

- 5.4 Normally all works contracts exceeding £1m in value have to be awarded by the Executive. It is not usual for award decisions to be delegated however it is considered justified in the circumstances where the implementation time is short. Due to the urgent need to deliver on these schemes by April 2013 or risk a wider gap in provision of primary school places from January 2013, it is also proposed that there be delegation to the Director of Regeneration and Major Projects to award one or more works contracts to deliver on these schemes in consultation with the Lead Member for Regeneration and Major Projects.
- 5.5 This section does not cover the procurement requirement for St. Robert Southwell Primary School. Once the Executive makes its decision on recommendation 2.6 under Section 2, the Council will review the requirement and develop an appropriate procurement method.

6.0 Financial Implications – Finance to review and update

- 6.1 The report entitled Temporary Expansion of Brent Schools: 2012-13 submitted to the March Executive Committee included initial forecast costs (based on RIBA Stage C cost estimate) for the schemes proposed for approval as follows:

School	Cost Based on Feasibility Study £'000
Barham Primary School	4,800
Fryent Primary School	6,300
Mitchell Brook Primary School	3,800

- 6.2 The Capital Programme approved by Full Council on 27th February 2012 includes Budgetary Allocations for school expansion schemes based on the grant allocations received to date, outlined at paragraph 3.1.17, and forecasts of DCLG Settlement figures for future years post 2012/13 as follows:

	2012/13 Budget £'000	2013/14 Budget £'000	2014/15 Budget £'000	2015/16 Budget £'000
Provision for Permanent School Expansions	13,067	0	0	0
Surplus Capital Grant Not Yet Allocated to Schemes	16,841	16,034	17,106	7,710
Total	29,908	16,034	17,106	7,710

- 6.3 As demonstrated in the above tables forecast costs can be met from within existing budgetary provision which is entirely grant funded and has no recourse to unsupported borrowing and the associated revenue implications of such.
- 6.4 The expansion of pupil numbers at each of the proposed schools will result in increased revenue costs associated with the increased provision. These costs will be met from the individual school's budget, which will increase proportionately based on the formulaic allocation from the DfE.

7.0 Legal implications

- 7.1 The procedure for the enlargement of Barham Primary School and Fryent Primary School is as required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 23 April 2012 meeting

2007 as amended. The Local Authority is entitled to make prescribed alterations to Barham Primary School and Fryent Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.

- 7.2 The procedure for the enlargement of Mitchell Brook Primary School is as required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Governing Body is entitled to make prescribed alterations to Mitchell Brook Primary School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 7.3 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 7.4 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 7.5 The Council's legal officer advises on a) to d) that:
- a) Executive should decide this
 - b) The published notices meet the requirements
 - c) The required statutory consultations have been carried out
 - d) The proposals are not related to any other proposals
- 7.6 The Brent Executive acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.
- 7.7 The Executive would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form is applicable.
- 7.8 If the Local Authority fail to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the 2 month period.
- 7.9 Decision Making:**
- 7.10 There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:
- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.

- Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The four week statutory representation period closed on 21 March 2012.

- Has the statutory consultation been carried out prior to the publication of the notice?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

- Are the proposals “related” to other published proposals?

Barham Primary School, Fryent Primary School and Mitchell Brook Primary School proposals are all being carried out at the same time but are not dependent or 'related' to each other or other proposals.

7.11 Types of Decision

- 7.12 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

- 7.13 In considering prescribed alteration proposals, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition.

- 7.14 The following bodies may appeal against an LA decision:

- The local Church of England diocese;
- The Bishop of the local Roman Catholic diocese;
- the Young People's Learning Agency (previously the LSC) where the school provides education for pupils aged 14 and over; and
- The governing body of the Community School that is proposed for expansion.

- 7.15 Any appeals must be submitted to the LA within 4 weeks of the notification of the LA decision. On receipt of an appeal the LA must then send the proposals and the comments and objections received, to the schools adjudicator within 1 week of receipt of the appeal. The LA should also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are “related” to other proposals, all the “related” proposals must also be sent to the schools adjudicator.

- 7.16 Procurement: Legal Services has also been advising on the procurement described in section 5 above and will be involved in formalising the works contract to ensure that it complies with standing orders and allocates risk to the contractor as appropriate to protect the Council's interest. A Works contract of the value outlined in section 5 is a High Value contract under the Council's Contract Standing Orders and also normally needs to be tendered under the EU public procurement regime. Here the proposed

use of a framework means that a further EU tender is not required. This is because a framework is an arrangement set up following a tender process in accordance with the regulations governing the EU public procurement regime, enabling public sector bodies within the scope of the framework to call off a contract with the, or one of the, contractor(s) on the framework in accordance with the rules of the framework, normally following a mini-competition process. Under Contract Standing Orders, the proposed use of a framework established by any organisation apart from Brent does not require Executive approval, but requires both Chief Officer approval and confirmation from the Director of Legal and Procurement that using the framework is legally permissible. As at the time of preparing this report, Chief Officer approval for the Government Procurement Service framework most likely to be used (see section 5 above) has already been given, and Director of Legal and Procurement confirmation that the use is legally permissible will be obtained before the date of the Executive meeting.

- 7.17 Contract Standing Orders also requires that a High Value contract is awarded by the Executive. However in view of the short timescales proposed to deliver these school places, it is proposed that there should be a delegation to the Director of Regeneration & Major Projects to award one or more works contracts from one of the frameworks identified in section 5.
- 7.18 St. Robert Southwell Primary School: The proposed expansion of the primary school by 105 new Reception to Year 6 places may require a statutory proposal. Following further discussions with the school, there will be a need for some form of legal agreement (depending upon whether the school or the Council are to be the employer under the works contract) and also further Executive approval to appoint the works contractor.

8.0 Diversity Implications

- 8.1 The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham, Fryent and Mitchell Brook primary schools would enable the Council to provide additional new places required for Brent's growing pupil population.
- 8.2 The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on a regular basis.
- 8.3 Equality Impact Assessments for each school have been completed for Barham, Fryent and Mitchell Brook Primary Schools and are attached to this report.
- 8.4 An Equality Impact Assessment will also be completed for St. Robert Southwell during the due diligence exercise that will be undertaken by the Council.

9.0 Staffing Issues

- 9.1 With the expansion of pupil numbers there is likely to be an expansion of posts rather than a reduction. The costs relating to the need to provide for additional pupils will be covered by the schools' budgets.

10.0 Background Papers

- Equality Impact Assessment for Barham
- Equality Impact Assessment for Fryent
- Equality Impact Assessment for Mitchell Brook
- Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form
- Research Study - A Good School Places for Every Child in Brent, 2008
<http://intranet.brent.gov.uk/consultation.nsf/0/38c39cab7915e95c802573b8003feb74?OpenDocument>

11.0 Appendices

Appendix 1	Barham Primary School – consultation document
Appendix 2	Barham Primary School – full statutory proposal document
Appendix 3	Barham Primary School – statutory notice
Appendix 4	Fryent Primary School – consultation document
Appendix 5	Fryent Primary School – full statutory proposal document
Appendix 6	Fryent Primary School – statutory notice
Appendix 7	Mitchell Brook Primary School – consultation document
Appendix 8	Mitchell Brook Primary School – full statutory proposal document
Appendix 9	Mitchell Brook Primary School – statutory notice
Appendix 10	Excerpt from a Guide for Local Authorities and Governing Bodies

Contact Officers:

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KRUTIKA PAU
Director of Children and Families

ANDREW DONALD
Director of Regeneration and Major Projects

Impact Needs/Requirement Assessment Completion Form

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Barham Primary School by 1FE	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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 Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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 type="checkbox"/> No <input checked="" type="checkbox"/>	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 type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> (part 1 ended on 15 February 2012 and part 2 ends on 21 March 2012)	<input type="checkbox"/>
Person responsible for arranging the review:	Person responsible for publishing results of Equality Impact Assessment:

Impact Needs/Requirement Assessment Completion Form

Judith Joseph	Judith Joseph
Person responsible for monitoring: Judith Joseph	Date results due to be published and where: The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now. The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

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?

The Council is proposing to expand Barham Primary School by one form of entry from September 2012; this means that the school will become a four form of entry provision and its admission capacity will increase from 630 to 840 Reception to Year 6 places.

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

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

Demand for Primary Places

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

For 2010-11, temporary provision of 245 additional Reception places were added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15), Ashley Gardens / Preston Manor (60), Curzon Crescent (30), (College Green(8) and Granville (12). Many of these places became permanent in the 2011/12 academic year.

For the 2011/12 academic year additional permanent places were created Brentfield (30), Newfield (30) and Preston Manor (60).

Despite adding new places, there remains a shortfall of Reception places in the borough.

The demand for Reception places is significantly greater than the number of available places. As at 7 February 2012, 653 primary aged pupils remained without a school place, of which, 203 pupils were Reception aged children.

Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a

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local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. Each LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them.

Barham Primary School is located at Danethorpe Road, Wembley, HA0 4RQ. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11 years.

The governing body published the proposal to expand Barham Primary School by one form of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Barham Primary School will offer 4FE provision from January 2013. Its admission capacity will increase from 630 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Barham Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

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

Yes, the project is consistent with the following areas:

Disability

Belief/Faith

Sexual Orientation

Age

Gender

Race

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

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?

None. The expansion of Barham Primary School is unlikely to negatively affect the community.

The Expansion of Barham Primary School will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

Barham Primary is a popular and high performing primary school; the local authority is confident that sufficient number of applications will be received for the permanent primary provision.

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An area analysis of the site has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for Building Research Establishment Environmental Assessment Method accreditation.

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 your judgement separately (by race, gender and disability etc).

The statutory educational consultation and proposal are out for consultation and will be followed by the statutory notice period.

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

In May 2009, the local authority consulted with primary schools in the borough to explore the possibility of increasing the number of school places. Subsequently, the local authority reviewed opportunities to increase capacity at all primary schools and attempted to match these with areas where there was the highest demand for school places. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment for a long list of schools.

In May 2011 the Council carried out a consultation with all Brent schools to inform headteachers and governing bodies of the then current shortfall in school places in the primary sector and the action that had been taken so far

to address the shortfall. The consultation set out the forecast for future demand over the next four years and to consult on the principles which underpins the council's strategy for the planning of additional primary school places.

The principles underlying the primary school place strategy include:

- Sufficiency of demand
- Improving learning outcomes
- Efficient use of resources
- Improving local SEN provision
- Diversity of type of provision

Subsequently, Brent Council discussed the option to provide primary school places with Barham Primary School. The Governing Body of Barham Primary School agreed to consult on the proposal to permanently expand the school by one form of entry.

The expansion of Barham Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Barham Primary School would enable the Council to provide additional new places required for Brent's growing pupil population. The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

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)

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No negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

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?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

Barham Primary School with the Council has consulted with key interested parties on the alteration proposal.

Consultation document distributed to:

Barham Primary School (parents, staff, student council, governors)	Brent Libraries
All maintained schools and Academies in Brent	Local residents in the immediate vicinity
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Local Residents Association
Trade Unions	All Brent Councillors
Brent local MPs	Brent Children's Centres
Brent Customer Services shops	Sport England
Local Nurseries and Early Years Services	Secretary of State

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meetings were held at the school 23 January 2012 and 7 February 2012. The staff consultation took place on 17 January 2012.

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

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

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

With regard to the concerns around asbestos, it is council policy to adhere to health and safety rules and regulations.

With regard to staffing the school will recruit staff in proportion to the number of children admitted to the school.

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There are no plans for staff redundancies as part of this project.

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.

Traffic congestion due to increase in the school capacity has been identified as a potential issue for the local community. Under the scheme, traffic assessments are being undertaken and an analysis will follow as to find the best possible solution to mitigate the impact, which will include an improved travel plan from the school as well as a review if an alternative pedestrian access could be created via the adjacent park.

A further public consultation meeting is being planned to be held in the 3rd week of April 2012.

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

N/A

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

N/A

13. What is the justification for taking these measures?

N/A

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.

Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.

This EIA will be kept under review periodically through the project.

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

Proceed to seek permission from Brent Executive to approve the proposal. Thereafter, complete this expansion project.

Should you:

1. Take any immediate action? N/A.
2. Develop equality objectives and targets based on the conclusions? N/A

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3. Carry out further research? N/A

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

N/A.

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

Brent Executive in August 2011 approved to evaluate the feasibility of expanding Barham Primary School.

The funding for the proposed expansion of Barham Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.

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): JUDITH JOSEPH

Date: 5 March 2012

Service Area and position in the council:

School Place Planning Officer, Pupil & Parent Services

Details of others involved in the assessment:

Rajesh Sinha

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**

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Appendix 1

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 25 Responses were received as outline below:

Barham Primary School consultation responses received by 15 February 2012

25 responses received in total

16 responses for the expansion

5 responses against the expansion

4 responses either : no comment OR just comments but no decision as such

Agree	Response number reference	Comment	Parent/ member of staff / other
Agree	1.	<ul style="list-style-type: none"> I feel that year groups need to have classrooms together. I worked at a school that moved from 3FE to 4FE and being separated from my colleagues did not work well. Year groups need to communicate. Having 4FE is beneficial to workload if the team collaborates (share planning loads etc.). Playground area is already limited and hectic at lunchtimes due to poor weather (can't use grass). We would definitely need larger playground space to prevent accidents and discord at playtimes. Car park for staff is already full – this will need to be considered as staff numbers will increase. Will teachers be consulted with regards to plans? I have worked in many schools where building work has taken place and vital aspects missed particularly storage. Children should also be consulted as far as possible. Current Year 1/Reception toilets have low partitions but children really don't like it and should have a voice. If things don't work is there scope to change them? 	Member of Staff
Agree	2.	No comment	Parent
Agree	3.	<p>I agree with the council to expand Barham primary school by one form of entry (IFE)sr</p> <p>I believe this will be a good plan for the whole area of Wembley and Brent. I often see children that should be in school but are not due to not enough places. Hopefully this new plan will help alot of children not currently receiving an education through school.</p>	
Agree	5.	This is very important to our next British generation.	Parent
Agree	11.	No comments.	Parent

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Agree	12.	I agree.	parent
Agree	13.	<p>As the proposal explains we agree and aware the population is increasing in Brent; and also there is an immense demand for primary schools in the area.</p> <p>We as parents much appreciate taking necessary measures to occupy more children and hope this would continue with other schools as well in the area. Not only that – we are happy to give our fullest support in any which way the Brent Council needs.</p>	Parent
Agree	14/15.	I agree.	Parent
Agree	16.	I agree.	Other
Agree	17.	I agree.	Parent
Agree	18.	I agree.	
Agree	19.	I agree.	
Agree	20.	I agree	Parent
Agree	21.	I agree this school is a very good school.	
Agree	24.	<p>With the increased school the capacity for traffic handling must improve. One way to meet this requirement will be to provide: make Danethorpe Road approachable from its dead end – connecting it to Chaplin Road by a link road replacing the back way currently in use, into a two way road. Please consider, it won't need much funding. The space is there. Please make Danethorpe Road safer for the residents' parking problems as the capacity increases by a third and thus more cars coming in and leaving during opening and closing time of the school.</p> <p>We are already facing problems in this regard. It should be safe for the children who walk to school from ?????? Road to via school and back to Norton Road. Alternatively connect the school through a link road through the park connecting the school by a shortest walk – two way with Danethorpe Road.</p>	Resident Danethorpe Road
Agree	26.	I agree.	
Disagree	Response number reference	Comment	Parent/ member of staff / other
Disagree	4.	<p>My son attends Barham School and is in year 3. My daughter left last year to go to Wembley High.</p> <p>I strongly object to the expansion of the school. The new building and any extra expansion will compromise the space the children have in the school. There is already limited space in the playground due to the Nursery expansion. This must cause congestion during playtime, thus interfering will the freedom children have to 'run around' at playtime. The expansion itself and the extra children will add to the congestion. In the mornings parents are currently pushing past each other to make it to the line on the time, with the</p>	

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		<p>expansion, and more children and parents this will get worse.</p> <p>How about lunch times? My son tells me that he is rushed through at lunch time, this will get worse when there will be more children to feed. Many children who may only get a good meal at school (Barham school does have a lot of children that are eligible for free school meals) will not be catered for effectively.</p> <p>Are more staff going to be recruited for supervising in the mornings, playtimes, lunch time and home times? The traffic in the area will increase. Having lived in the vicinity for many years, I am sure that accidents involving children will increase, with potentially more cars coming into the area to drop and pick up their children.</p> <p>I am sure that my child's education will be affected. The library and other such resources are not going to be adequately expanded, there appears to be no physical room for this. How about school trips, concerts as a year group? Will this still be able to happen?</p> <p>As a parent, ex pupil and a resident in Brent, I feel that the expansion of the school will downgrade the school and put immense pressure on the staff, children and the surrounding area. The competition will also increase for secondary schools.</p> <p>I hope enough is done to educate those parents that do not think this is important and help them put their views forward for both sides.</p>	
Disagree	6.	<p>A sure plan but have you done the ground work to see if the site you wish to use is stable and suitable. There may be a reason why that nursery building has not been used for all these years. Subsidence is not something to mess about with. Unstable ground is difficult to build in if the building you want to remove is on such ground. And what about asbestos within the walls?</p>	Local Resident
Disagree	7 / 8.	<p>Currently, in the mornings and afternoons, the congestion caused by parents dropping their children is completely unacceptable with parents parking on the pavement, grass verges and in front of driveways. Most of these parents and children live within walking distance of the school and neither the school or council have taken measures to address this issue. I note that in the past on just a handful of occasions traffic wardens have been present to move on the parents who have parked their cars either on the lines or blocking drives but this is never followed up and therefore the parents just carry on parking their vehicles in an inconsiderate manner. When the parents are asked to move their vehicles, they can be aggressive and impolite in their response.</p> <p>This problem has been raised in the past to the school but we as residents cannot see the school having done anything to rectify the situation.</p> <p>Additional parking restrictions are not required simply to have existing arrangements enforced. Any expansion of the school will make this matter worse creating additional traffic flow in narrow residential roads and inconvenience to the local residents.</p>	Local Resident

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		<p>Why has such a meeting been held at 9.00am on a Tuesday morning when most people are at work?</p> <p>I am sure there would be a better turnout if the meeting was held at a time where more or most people can attend ie in the evening.</p> <p>However, I am unable to attend and I would like my refusal to be put forward in the meeting where I strongly object to the Barham expansion</p>	
Disagree	9.	<p>I appose the idea of Barham School expanding. This is a very bad idea as the school does enough already for the community. The school should not even think of expanding and should work on how to raise their standards. Concentrate to become a better school in the borough and work harder to achieve better marks from Ofsted. The school needs to work on their cleanness of itself esp the outside area. Leaves, rubbish, clutter on school premises esp the playground.</p>	Parent
Disagree	10.	<p>The school is already big enough and caters for the community in doing its shared bit – where would the children play as the play areas will get affected. Already the small play ground has been decreased. The school is getting help to expand where as the school should be concentrating on how to better itself. To clean the school inside and thoroughly as it is very grotty on the outskirts. The school needs to focus on their needs and issues then focus on expanding . Thank you. Not a happy parent.</p> <p>I have commented on this but feel my concerns will not count as the school wants do as it wants. You people will pass it and I would have just wasted my time and stresses myself.</p>	Parent
No comments	Response number reference	Comment	Parent/ member of staff / other
	22.		Parent
	23.		Parent
	25.	“... we have no comments or objections regarding Brent’s proposals given the location of the schools to Camden.”	London Borough of Camden
	27.	<p>The Teachers panel would like to make the following response to this consultation;</p> <p>1. We seek assurances that there will be no redundancies as a result of these proposals.</p> <p>2. We are concerned about the reduction in outside play area</p>	

Impact Needs/Requirement Assessment Completion Form

		<p>that the proposed building will result in, especially as pupil numbers rise.</p> <p>3. We are very concerned about building work in schools known to have asbestos. We seek assurance that Brent will follow the proper procedures (notifiable under HSE regulations) and that our Health and Safety Adviser Jenny Cooper is copied into these arrangements.</p>	
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Impact Needs/Requirement Assessment Completion Form

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Fryent Primary School by 2FE	Is the service/policy/procedure project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please state below:
3. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
4. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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"/>
7. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	8. Grounds of age: Older people, children and young People Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> (Part 1 ended on 15 February 2012 and part 2 ends on 21 March 2012)	<input type="checkbox"/>
Person responsible for arranging the review: Judith Joseph	Person responsible for publishing results of Equality Impact Assessment: Judith Joseph

Impact Needs/Requirement Assessment Completion Form

Person responsible for monitoring: Judith Joseph	Date results due to be published and where: The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now. The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

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?

The Council is proposing to expand Fryent Primary School by two form of entry from September 2012; this means that the school will become a four form of entry provision and its admission capacity will increase from 420 to 840 Reception to Year 6 places.

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

To provide much needed primary school places in the borough.

The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

Demand for Primary Places

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

For 2010-11, temporary provision of 245 additional Reception places were added for September 2010 in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15), Ashley Gardens / Preston Manor (60), Curzon Crescent (30), (College Green(8) and Granville (12). Many of these places became permanent in the 2011/12 academic year.

For the 2011/12 academic year additional permanent places were created Brentfield (30), Newfield (30) and Preston Manor (60).

Despite adding new places, there remains a shortfall of Reception places in the borough.

The demand for Reception places is significantly greater than the number of available places. As at 7 February 2012, 653 primary aged pupils remained without a school place, of which, 203 pupils were Reception aged children.

Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. Each LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand

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for them.

Fryent Primary School is located at Church Lane, Kingsbury, London, NW9 8JD. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11 years.

The Local Authority in agreement with the governing body published a proposal to expand Fryent Primary School by two forms of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Fryent Primary School will offer 4FE provision from January 2013. Its admission capacity will increase from 420 to 840 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Fryent Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

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

Yes, the project is consistent with the following areas:

Disability

Belief/Faith

Sexual Orientation

Age

Gender

Race

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Fryent Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

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?

None. The expansion of Fryent Primary School is unlikely to negatively affect the community.

The Expansion of Fryent Primary School will increase the choice available to local parents and residents in an area of demand. The proposals will increase diversity of provision and enable the local authority to meet its statutory duty to provide school places to all resident pupils.

Fryent Primary is a popular and high performing primary school; the local authority is confident that sufficient number of applications will be received for the permanent primary provision.

An area analysis of the site has been carried out to ensure the new accommodation would meet the guidelines for new school accommodation, Building Bulletin 99. The target of 'very good' is being aimed for Building Research Establishment Environmental Assessment Method accreditation.

Impact Needs/Requirement Assessment Completion Form

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 your judgement separately (by race, gender and disability etc).

The statutory educational consultation and proposal are out for consultation and will be followed by the statutory notice period.

In 2008, the Council consulted widely on schools strategy in Brent, receiving over 800 responses. Brent residents were in favour of the Council's strategy for school places and believed that the LA should play a major role in managing and running schools. Over two thirds of participants did not feel they were disadvantaged in obtaining a school place for their children due to any of the main diversity strands. Over, 90% did not feel they were disadvantaged due to their gender. This was also true for 85% of participants in relation to disability; 77% in relation to ethnicity; and 66% in relation to their faith.

In May 2009, the local authority consulted with primary schools in the borough to explore the possibility of increasing the number of school places. Subsequently, the local authority reviewed opportunities to increase capacity at all primary schools and attempted to match these with areas where there was the highest demand for school places. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment for a long list of schools.

In May 2011 the Council carried out a consultation with all Brent schools to inform headteachers and governing bodies of the then current shortfall in school places in the primary sector and the action that had been taken so far

to address the shortfall. The consultation set out the forecast for future demand over the next four years and to consult on the principles which underpins the council's strategy for the planning of additional primary school places.

The principles underlying the primary school place strategy include:

- Sufficiency of demand
- Improving learning outcomes
- Efficient use of resources
- Improving local SEN provision
- Diversity of type of provision

Subsequently, Brent Council discussed the option to provide primary school places with Fryent Primary School. The Governing Body of Fryent Primary School agreed to consult on the proposal to permanently expand the school by two forms of entry.

The expansion of Fryent Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them.

The school proposed for expansion has a diverse ethnic representation of children. Expanding Fryent Primary School would enable the Council to provide additional new places required for Brent's growing pupil population. The expansion will improve choice and diversity. The impact on Equalities will be kept under review and reported to the members on an annual basis.

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 negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

Impact Needs/Requirement Assessment Completion Form

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?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

The local authority has consulted with key interested parties on the alteration proposal.

Consultation document distributed to:

- | | |
|--|--|
| <ul style="list-style-type: none">• Fryent Primary School: parents, staff, governors and student council• All maintained schools and Academies in Brent• Brent Council• Westminster Diocesan Education Service• London Diocesan Board for Schools• London Borough of Ealing• London Borough of Barnet• London Borough of Camden• London Borough of Harrow• London Borough of Hammersmith and Fulham• London Borough of Westminster• Royal Borough of Kensington and Chelsea• Local Resident Associations | <ul style="list-style-type: none">• All Councillors• Local Member of Parliament• All Brent Customer Service Shops• All Brent Libraries• Brent Children Centres• Sport England• Secretary of State, School Organisation Unit• Local private nurseries• Any trade unions who represent staff of Fryent Primary School• Representatives of main trade unions in Brent• Any local partnerships including Early Years Development and Childcare Partnership• Local residents in the immediate vicinity |
|--|--|

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meeting was held at the school on 31 January 2012. The staff meeting was held on 30 January 2012.

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

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

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

Representatives of nearby St Robert Southwell School felt aggrieved that Fryent Primary School is being expanded ahead of St Robert Southwell School. They feel that there is a shortage of Catholic places in the area and that the council is overlooking this fact.

The council is currently in talks with St Robert Southwell School and the Westminster Diocese about expanding their school in a future phase.

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be

Impact Needs/Requirement Assessment Completion Form

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.

N/A, see above.

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

N/A

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

N/A

13. What is the justification for taking these measures?

N/A

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.

Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.

This EIA will be kept under review periodically through the project.

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

Proceed to seek permission from Brent Executive to approve the proposal. Thereafter, complete this expansion project.

Should you:

4. Take any immediate action? N/A.

5. Develop equality objectives and targets based on the conclusions? N/A

6. Carry out further research? N/A

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

N/A.

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

Brent Executive in August 2011 approved to evaluate the feasibility of expanding Fryent Primary School.

The funding for the proposed expansion of Fryent Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.

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): JUDITH JOSEPH

Date: 5 March 2012

Service Area and position in the council:

School Place Planning Officer, Pupil & Parent Services

Details of others involved in the assessment:

Rajesh Sinha

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**

Impact Needs/Requirement Assessment Completion Form

Appendix 1

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 15 Responses were received as outline below:

Fryent Primary School consultation responses received by 15 February 2012

40 responses received in total

9 responses for the expansion

27 responses against the expansion

4 responses either : no comment OR just comments but no decision as such

Response	Main points raised	Who raised them
Agree x 9 responses	<ul style="list-style-type: none"> Agree but traffic and parking will be made worse, can we have residents parking and a lollipop lady. This will create more places for Brent residents rather than going to schools out of the borough. Agree proving places are provided for all types of schools including voluntary aided. 	4 x parent 1 x governor 1 x local resident 3 not specified
Disagree x 27 responses	<ul style="list-style-type: none"> St Robert Southwell should be expanded St Robert Southwell should be allocated funding Other faith schools should be considered for funding Expanding Fryent is not an efficient use of council monies There is a shortage of Catholic places Access to Fryent School is a very small lane Traffic issues. Church Lane is already congested at school pick up and drop off times Why can't other schools in Brent be expanded too? Health and safety issues with the increased traffic pollution Construction work will create noise and disruption throughout the day. The additional places will affect the intake to Kingsbury Green Primary School and the school will lose revenue as a result e.g. the places will be offered January 2013 so near to PLASC there is a possibility of losing children. Will the LA set aside funding to support the leadership team? If so will this be top sliced from the budgets of all schools? 	Parents Staff Local Residents Local business
Neither fully agree or disagree x 4 responses	<ul style="list-style-type: none"> The school should be provided with facilities Additional places in faith schools are needed Additional places needed at St Robert Southwell People in the local flats were not consulted 	1 x London Borough of Camden 1 x Headteacher 1 x parent 1 x other

Impact Needs/Requirement Assessment Completion Form

Department: Children & Families	Person Responsible: Judith Joseph
Service Area: Pupil & Parent Service	Timescale for Equality Impact Assessment :
Date: 30 January.2012	Completion date: 5 March 2012
Name of service/policy/procedure/project etc: Expansion of Mitchell Brook Primary School by 1FE	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please state below:
5. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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9. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	10. Grounds of age: Older people, children and young People Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> (Part 1 ended on 15 February 2012 and part 2 ends on 21 March 2012)	<input type="checkbox"/>
Person responsible for arranging the review:	Person responsible for publishing results of Equality Impact Assessment:

Impact Needs/Requirement Assessment Completion Form

Judith Joseph	Judith Joseph
Person responsible for monitoring: Judith Joseph	Date results due to be published and where: The consultation period ended on 15 February 2012. The results will be published in the Full Proposal document which is available to the public now. The Statutory Proposal was published on Thursday 23 February 2012 which marks the start of the 4 week representation period, the results of which will be available in the in the Executive Report of April 2012.
Signed:	Date: (Updated)

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?

The Council is proposing to expand Mitchell Brook Primary School by one form of entry from September 2012; this means that the school will become a three form of entry provision and its admission capacity will increase from 420 to 630 Reception to Year 6 places.

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The growth in Brent's population is reflected in the increasing demand for school places. Numbers of four year olds on school rolls are expected to rise strongly over the next three to four years.

Demand for Primary Places

In 2009-10, Brent Council analysed the increased demand for places and prudently added a further 68 Reception 'bulge' places, at Anson Primary School (7) Park Lane (30) Brentfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 Reception places.

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Impact Needs/Requirement Assessment Completion Form

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Mitchell Brook Primary School is located at Bridge Road, London, NW10 9BX. It is a Community school using the admission arrangements set by the Local Authority. It offers non-denominational mixed gender places for students aged 3-11 years.

The governing body published the proposal to expand Mitchell Brook Primary School by one form of entry from September 2012.

If the proposals are accepted conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 by September 2012, Mitchell Brook Primary School will offer 3FE provision from January 2013. Its admission capacity will increase from 420 to 630 Reception to Year 6 places, which will support the Council to meet its statutory duty to provide sufficient school places.

The expansion of Mitchell Brook Primary School is fully in line with the aim of the guidance and the wish of the Secretary of State that local authorities provide school places where demand is high. The school serves a wide range of ethnic minority children, both boys and girls, and the proposals will be of benefit to them. As this is an expansion of school places there is no adverse impact to any disadvantaged group.

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Belief/Faith

Sexual Orientation

Age

Gender

Race

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The school proposed for expansion has a diverse ethnic representation of children. Expanding Mitchell Brook Primary School would enable the Council to provide additional new places required for Brent's growing pupil population.

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sufficient number of applications will be received for the permanent primary provision.

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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 your judgement separately (by race, gender and disability etc).

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- Efficient use of resources
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- Diversity of type of provision

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Impact Needs/Requirement Assessment Completion Form

regulations/legislation if applicable)

No negative impact has been identified. No change to the existing Special Education Needs provision is being proposed. The proposal will have a positive impact in terms of the new buildings will comply with the standards, quality and range of educational provision for children with special educational needs in the proposed expansion of primary provision. The proposal will fully meet the requirements of the SEN Code of Practice and the accessibility standards. A range of special education needs is expected within the primary regular intake including students with language and communication needs, behavioural emotional and social needs and children on the autistic spectrum. A borough wide SEN 'unit' or additionally resourced provision is not proposed under this proposal.

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?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

Mitchell Brook Primary School with the Council has consulted with key interested parties on the alteration proposal.

Consultation document distributed to:

Mitchell Brook Primary School (parents, staff, student council, governors)	Brent Libraries
All maintained schools and Academies in Brent	Local residents in the immediate vicinity
Westminster Diocesan Education Service	London Diocesan Board for Schools
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	Local Residents Association
Trade Unions	All Brent Councillors
Brent local MPs	Brent Children's Centres
Brent Customer Services shops	Sport England
Local Nurseries and Early Years Services	Secretary of State
Harmony Children Centre	

The consultation document was distributed by email or internal/external post to the stakeholder listed above. The schools also distributed the consultation documents by hand to parents, pupils, staff and other interested parties. Residents in the immediate vicinity of the school were provided a copy through door to door delivery.

The public consultation meeting was held at the school 7 February 2012. The staff consultation meeting took place on 31 January 2012.

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

The consultation period ended on 15 February 2012. The results are included in the Full Proposal which is available now on request.

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

Many of the responses in the consultation period were concerned about the reduced play space if Mitchell Brook Primary School were to expand. The council has now informed the school that Harmony Nursery is due to close at the end of March 2012. The expansion plans now include the Harmony Nursery site which increases play space provision. The school is now satisfied with the plans.

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With regard to the concerns around asbestos, it is council policy to adhere to health and safety rules and regulations.

With regard to staffing the school will recruit staff in proportion to the number of children admitted to the school. There are no plans for staff redundancies as part of this project.

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.

N/A, see above.

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

N/A

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

N/A

13. What is the justification for taking these measures?

N/A

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.

Schools are subject to performance monitoring in order to comply with DFE requirements. This includes data on disability, ethnicity and gender of children.

This EIA will be kept under review periodically through the project.

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

Proceed to seek permission from Brent Executive to approve the proposal. Thereafter, complete this expansion project.

Should you:

7. Take any immediate action? N/A.

8. Develop equality objectives and targets based on the conclusions? N/A

9. Carry out further research? N/A

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

N/A.

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

Brent Executive in August 2011 approved to evaluate the feasibility of expanding Mitchell Brook Primary School.

The funding for the proposed expansion of Mitchell Brook Primary School has been allocated by the Department for Education, which can only be spent on providing new permanent school places; it cannot be spent on any other purpose.

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): JUDITH JOSEPH

Date: 5 March 2012

Service Area and position in the council:

School Place Planning Officer, Pupil & Parent Services

Details of others involved in the assessment:

Rajesh Sinha

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**

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Appendix 1

Comments submitted by respondents through the consultation questionnaire:

The consultation ended on 15 February 2012. 26 Responses were received as outline below:

Mitchell Brook Primary School consultation responses received by 15 February 2012

26 responses received in total

10 responses for the expansion

14 responses against the expansion

2 response either : no comment OR objection

Agree	Response number reference	Comment	Parent/ member of staff / other
Agree	2.	I think that the new building will improve the school as longer the space and the best interest of the children are first priority. How safe is to have a play area on the roof? Will you do something with the caretaker'house? the anex? How will you create more play space in alredy a small area?	
Agree	3.	I agree.	Guardian
Agree	4.	I agree.	Parent
Agree	5.	I agree.	Parent
Agree	6.	Hopefully the additional classes at Mitchell Brook Primary School will ensure that local children will be able to attend schools in the local area.	Neighbour
Agree	7.	I think it is a very good idea to expand the school. I am sure that will be beneficial for all the parents who live in the area.	Parent
Agree	8.	I think it would be good to use some of the park space for the school. I worry that the kids need more space. School needs help to get better play area. Traffic could become a problem, parking problems for teachers as on event days they have to park in school playground.	Parent
Agree	9.	I agree.	
Agree	10.	I agree with the governors of the school to expand the school by one form of entry. But it will require a lot of things which are (1) the road to the school is already difficult to cross and now that they are going to expand the school I suggest they create a pelican crossing or traffic light at both sides of the road so that it can be easier for everybody to cross. (2) how are they going to make the front of the school look better than it does now because all we know is the play area is going to be used for this expansion. But one	Parent

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		<p>thing you should know is the kids needs space as well.</p> <p>(3) inside the main building needs a lot of renovation such as painting and there are so many cracks in the building. I hope they will do something about that. And the toilets in the school are very bad and they need to be changed and also, how are they going to create a space for parents to stand if it is raining and the school doors are not open? I hope the school is not going to be overcrowded.</p>	
Agree	11.	I highly welcome the idea to expand the school by one form of entry. This will enable many more places to be created for more children who might otherwise be staying at home. Fantastic.	Parent
Disagree	Response number reference	Comment	Parent/ member of staff / other
Disagree	12.	Unless parents can be educated in walking their children to school, the congestion that we suffer twice a day in Bridge Road / Woodheyas Road will only get worse if the school roll increased. If Mitchell Brook can discourage 'the school run' mentality then I have no problem with its expansion.	Local resident
Disagree	13.	I disagree.	
Disagree	14.	<ul style="list-style-type: none"> • More children. Less space. • Disturbance while building works are on going • Existing children's education /activities will be jeopardised e.g. school closure, cancellation of activities, summer clubs etc. • Quality of service will be put at stake (teaching) • Traffic problems, congestion, parking • Eating meals at lunchtimes will become limited • Corridors/staircases will be congested • Lost of personalisation. • Mitchell is doing well but not outstanding How would more children better the situation? Limited use of equipment per child e.g. computers, microphones etc. for assemblies. Mitchell Brook Primary is already larger than the average. The school has to focus on how its lead and managed effectively, meeting childrens' needs. Preparing them for change of year, changing school further/ higher education. Ensure existing children are making major progress. Already concerns with the upkeep of maintenance of facilities e.g. toilets, playground. • Concerns with the upkeep of timetables, spelling tests, PE lessons, practising for assemblies etc. 	Parent
Disagree	15.	I feel that at the moment the ethos of the school works	Parent

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		<p>due to the number of children based in the school if the numbers of children were to increase I think it would reduce the community feel strongly has and the children's level of attainment would decrease and perhaps cause chaos especially within the pastoral service i.e. behavioural needs.</p> <p>I also think that the playground is not big enough to accommodate an extra 210 children – would more staff be employed? How would the children per form be phased in? Would it be year via Reception entry or would there be an influx of skeleton year groups? I do not think the school is able to cope with this increase as it is a average sized community school at present. The staff are really passionate about their job and the children they care for, but I think this may change in terms of overload work commitments and stress levels, leaving the children to pick up on the negativity. I say no to school expansion.</p>	
Disagree	16.	Based on the lack of mention for the provision of extra playground space.	Parent
Disagree	17.	The space is not enough at present. The families already live in cramped conditions. Can we have the planned MUGA closer to the school? That would make a huge difference.	Member of Staff
Disagree	18.	The school is already small so there is no way to change it. So please leave the way it is. Thank you	
Disagree	19.	I disagree with the governors because I like the way it is and I think if they change anything it will be uncomfortable place. Thank you	
Disagree	20.	Worry about traffic and double parking.	Local Resident
Disagree	21.	<ol style="list-style-type: none"> 1. I think to increase the numbers by a third will directly lead to a use of 1/3 less space if more space is not being offered. Simple 2. I think this will have a negative impact on the results of the school; physically, socially and educationally. 3. the children need space to play healthily. There are consistent statistics showing that kids don't play 'actively' enough anymore. A lot of these children already live in confined spaces at home. 4. I think tacking on more classrooms to schools which are managing to create consistent progress will disrupt and damage their progress. 5. I have direct experience of Salisbury Road following this pattern and going downhill even in an affluent area. 6. I think it would be better to restructure schools which are already failing badly. 7. it seems wrong that the process reflects some sort of financial bribery. 8. it is worrying that the figures for population growth are being tackled at the end of the line rather than at the beginning. There needs to be more publicity about the problems being experienced by the education infrastructure and more debate based on the straight forward facts of the money available, contribution made to the system versus expectations of support for multiple babies. It's commonsense and it needs to be openly discussed. From my 	Parent

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		<p>perspective it looks as if we can expect a further decline in educational standards with the facts in front of us.</p> <p>9. the only suggestion in the meeting / consultation amongst parents which made sense was to increase space as well as numbers by moving the proposed outdoor sports court planned for next to the private school (Swaminarayan) which already has huge outdoor space, to next door Mitchell Brook when the community school gets use of the 'community' facility and therefore more play space.</p>	
Disagree	22.	<p>There is not enough space already for play. How will this be rectified? Can we use some of the unused 'meadow land' on the left? Maybe a multi sports area linked with community use? If this occurred I would agree then.</p>	Parent
Disagree	23.	<p>The reason which I am against Mitchell Brook Primary School to expand is the play area will be cramped and cannot accommodate 630 active pupils, unless you compromise the health and safety. I would like you to consider other options like looking into the small park next to the school for the expansion, as we are all thinking of the children's welfare.</p>	Parent
Disagree	24.	<p>I disagree solely based on the lack of additional space offered. We will increase the children but not the available indoor hall space and outside play space. The roof idea is not enough. We 'make do' as it is. We could be creative with some space but the council needs to ensure the outdoor space is ample for PE / sport.</p>	Member of Staff
Disagree	25.	<p>I have major concerns over the lack of play space after the new building is built which could cause health and safety issues. Including traffic congestion in a busy shortcut to the North Circular. Also the Parks and council seem to be unyielding in letting the school take a small amount of park space for expansion but would rather give a MUGA to the Swaminarayan Independent School who are not expanding and have unlimited space!</p> <p>The school already has accommodated a bulge class and unless the school can reach a better building plan that would benefit the school for the future I think taking the front playground for a school hall that isn't big enough for 630 children is a big problem.</p> <p>How about putting the hall on stilts? Or better still build us a MUGA too, or move the MUGA from across the park to next to Mitchell Brook. Please!</p>	Parent
No comment or objections or disagreement	Response number reference	Comment	Parent/ member of staff / other
No comment	1.	<p>"..... We have no comments or objections regarding Brent's proposal given the location of the schools to Camden."</p>	London Borough of Camden
	26.	<p>The Teachers panel would like to make the following response to this consultation;</p>	Teachers Panel

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		<ol style="list-style-type: none">1. We seek assurances that there will be no redundancies as a result of these proposals.2. We are concerned about the reduction in outside play area that the proposed building will result in, especially as pupil numbers rise.3. We are very concerned about building work in schools known to have asbestos. We seek assurance that Brent will follow the proper procedures (notifiable under HSE regulations) and that our Health and Safety Adviser Jenny Cooper is copied into these arrangements.	
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Executive
23 April 2012

Report from the Director of Children and Families

Wards Affected:
ALL

Future Special Educational Need Developments at Vernon House School and at Alperton Community School

1.0 Summary

- 1.1 This report informs the Executive of the outcome of the statutory proposals to alter the character of Alperton Community School (Foundation) and Vernon House School (Special).
- 1.2 The Representation period on the proposals ended on 11 April 2012.
- 1.3 The Local Authority in agreement with the Governing Body of Alperton Community School has proposed to alter the character of the school by adding a 20 place Additionally Resourced Provision (ARP) for pupils with statements of Special Educational Needs for Moderate Learning Difficulties from September 2012. Planning permission for the unit has been sought and approved.
- 1.4 The Local Authority in agreement with the Governing Body of Vernon House School has proposed to alter the character of the school from a 30 place special school for pupils with Behaviour, Emotional, Social Difficulties (BESD) to a 35 place special school for pupils with Autism Spectrum Condition (ASC) and Complex Learning Difficulties and Disabilities (CLDD) who are capable of accessing the mainstream curriculum with specialist support, from 01 September 2012. The change to a broader designation will increase the flexibility of the school to admit pupils with a broader range of associated needs.
- 1.5 The current SEN designation categories for special schools were established in the SEN Code of Practice in 2001 and are likely to be reviewed as part of the Government's Next Steps response to the SEND Green Paper 2011. The proposed CLDD category is not listed in the SEN Code of Practice. The

Department for Education (DfE) have therefore advised that the designation be registered in the nearest appropriate category in order to comply with the existing designation categories. This will be ASD/BESD.

2.0 Recommendations

The Executive is requested to:

- 2.1 Approve the permanent change of character of Alperton Community School by adding a 20 place Additionally Resources Provision (ARP) for pupils with statements of Special Educational Needs for Moderate Learning Difficulties from September 2012.
- 2.2 Approve the permanent change of character of Vernon House School from a 30 place special school for pupils with BESD to a 35 place special school for pupils with ASC for those pupils capable of accessing the mainstream curriculum with specialist support) and Children with Complex Learning Difficulties and Disabilities (CLDD) from September 2012.
- 2.3 Note the main reasons for approving the change of character of Alperton Community School and Vernon House School are consistent with Brent's long term strategy for SEN to secure better outcomes for children delivered in special school places more efficiently closer to home communities.

3.0 Detail

3.1 Background

- 3.1.1 These two consultations are about Special Educational Needs (SEN) provision and are part of a broader range of actions identified in the One Council SEN Review. The central aim of the Review is to maintain and continue to improve opportunities for securing good outcomes for pupils with SEN. The consultations focus on actions to develop outstanding cost efficient provision closer to pupils' home communities. They are about developing greater choice within Brent for parents and pupils with SEN. They link to other strategic actions within the Review aimed at refreshing the engagement of partners and stakeholders in SEN at a time of national change, strengthening further the support to mainstream schools to develop greater capacity and confidence in supporting pupils with SEN and developing more effective quality assurance activities with independent special school providers.

3.2 Proposal to change the character of Alperton Community School

- 3.2.1 Alperton Community School is maintained by the Local Authority as a foundation school. It comprises 2 buildings, an upper school building at Stanley Avenue and a lower school building at Ealing Road. The London Borough of Brent is proposing to change the character of the school by adding a 20 place Additionally Resourced Provision (ARP) for pupils with statements of Special Educational Needs (SEN) for Moderate Learning Difficulties (MLD) from 01 September 2012. This change is proposed at the

lower school site at Ealing Road, Wembley, HA0 4PW. This will be additional accommodation to the current accommodation at the school, providing places that will be reserved for pupils with statements of SEN.

- 3.2.2 The proposed ARP will be a new building of “temporary” construction detached from the current school building but sited within easy access for pupils to all teaching areas. The ARP will provide a base for up to a maximum of 20 pupils with statements for MLD as well as a resource centre for special needs staff within Alperton School.
- 3.2.3 The ARP will also provide access to a mainstream school experience for the 20 MLD pupils who will spend a proportion of their time in school in mainstream lessons alongside the school’s other pupils. It will provide an alternative to special school placement for pupils with moderate learning difficulties. It will also initially free up places at Woodfield special school, (a Brent maintained special school) to meet the needs of other pupils with more complex learning difficulties and disabilities. This will reduce the need for placing these pupils at significant distances from their homes in expensive out Borough placements in non-maintained and independent special schools.
- 3.2.4 The development will have a positive effect on families with young people who have statements for MLD as it will increase the range of provision and options at secondary school for these young people.
- 3.2.5 It is proposed to open the ARP from 01 September 2012. The development will initially provide an opportunity for pupils currently on the roll of Woodfield special school, which is designated for MLD secondary aged pupils. It will provide a pathway to access accredited courses at key stage 4 in a mainstream environment in preparation for post 16 choices. Decisions about which pupils will access the ARP will be made as part of the Annual Review planning process in year 9 with the full involvement of families and the pupils. Initially therefore, the ARP will provide opportunities for Year 10 and 11 pupils with MLD in this way. The ARP will progressively broaden its scope to include MLD pupils from other schools and age groups across Brent. It is planned to admit 8 pupils from Woodfield School in September 2012. This will then increase to a maximum of 20 from 01 September 2013 by increasing initially pupils from Woodfield but over subsequent years progressively from other Brent schools. This will not affect the capacity of the provision which will remain at 20.

3.3 Proposal to change the character of Vernon House School

- 3.3.1 Vernon House Special School is maintained by the Local Authority and is located at Drury Way, London, NW10 0NQ. The school is currently designated as a 30 place special school for pupils with Behaviour, Emotional, Social Difficulties (BESD) aged 5-11. The London Borough of Brent is proposing to change the character of the school by changing this designation to a 35 place special school for pupils with Autism Spectrum Condition (ASC for those pupils capable of accessing the mainstream curriculum with specialist support) and Children with Complex Learning

Difficulties and Disabilities (CLDD) aged 5-11. The change is proposed from 01 September 2012. The change to a broader designation will increase the flexibility of the school to admit pupils with a broader range of associated needs.

- 3.3.2 The proposed change of character will affect families with children who have a statement for BESD currently placed at Vernon House School. There will be the option for these children to stay in a placement at Vernon House until secondary transfer at age 11. There will also be other options and each child's case will be reviewed on an individual basis with the full involvement of the parents/carers and child concerned.
- 3.3.3 The proposed change will also affect families with children who have a statement for ASC who are capable of accessing mainstream curriculum with specialist support. The change will provide greater choice of special school placement for these families and children in the future and significantly an option that is within the London Borough of Brent and much closer to their home address.
- 3.3.4 It is envisaged in implementing the proposed change that there will be a period of transition from 01 September 2012 when the school will continue to meet the needs of a number of the pupils with BESD currently on roll (according to parental preference and individual placement planning). At the same time the school will begin to admit pupils with a statement of SEN for ASC/CLDD for those pupils capable of accessing the mainstream curriculum with specialist support. This will be managed with the full involvement of the school and the Local Authority and the full involvement of parents and carers. Up to 10 pupils with the appropriate ASC/CLDD profile will be admitted in the first year building to a maximum of 35 pupils over subsequent years according to demand. The broader designation will allow the placement of pupils with a statement of SEN for BESD to continue where it is appropriate to do so.

3.4 Statutory process

Stage One Consultation

- 3.4.1 Alperton Community School
- 3.4.2 The Local Authority with the support of the Governing Body of Alperton Community School consulted with key interested parties on the change of character proposals. The consultation document is attached as Appendix 1. Over 1100 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 300 copies to homes in the areas surrounding the school.
- 3.4.3 Consultation meetings with parents and the community were held at the school on 2 February 2012, details of which can be found in Appendix 2 as an attachment.

- 3.4.4 The statutory consultative stage of the proposal to change the character of the school was completed on 24 February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.
- 3.4.5 The Alperton proposal received 7 on time responses to the consultation. 4 (57%) consultees support the proposal, 1 (14%) consultees expressed concerns, whilst 2 (29%) remained undecided. Responses to the various concerns and objections were included as an appendix to the published full statutory proposal.(Appendix 2)
- 3.4.6 Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 3) and full statutory proposal (Appendix 2). The notice was issued on 1 March 2012.

3.4.7 Vernon House Special School

The Local Authority with the support of the Governing Body of Vernon House School consulted with key interested parties on the change of character proposals. The consultation document is attached as Appendix 4. Over 300 copies of the consultation document were distributed through hand delivery, email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties. In addition, Officers hand delivered approximately 40 copies to homes in the areas surrounding the school.

- 3.4.8 Consultation meetings with staff, parents and the community were held at the school on 2 February 2012, details of which can be found in Appendix 5 as an attachment.
- 3.4.9 The statutory consultative stage of the proposal to change the character of the school was completed on 21 February 2012. All applicable statutory requirements to consult in relation to these proposals have been complied.
- 3.4.10 The Vernon House proposal received 16 on time responses to the consultation. 13 (81%) consultees support the proposal, no (0%) consultees expressed concerns, whilst 3 (19%) remained undecided. Responses to the various concerns and objections were included as an appendix to the published full statutory proposal (Appendix 5).

Following the end of consultation, the Council agreed to publish the statutory notice (Appendix 6) and full proposal (Appendix 5). The notice was issued on 1 March 2012.

3.4.11 **Publication of Statutory Notice and Representation Period**

- 3.4.12 The Local Authority with the support of the governing bodies of Alperton Community School and Vernon House Special School published the Statutory Notices in two local newspapers on 1 March 2012 to change the school characters by September 2012. Copies of the full statutory proposals are

attached as Appendices 2 and 5 and the statutory notices as Appendices 3 and 6.

- 3.4.13 The statutory notices were followed by a 6 week statutory period (Representation stage), which ended on 11 April 2012, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Executive when the proposal is determined.

3.4.14 Response received during the Representation Stage

- 3.4.15 No representations were received during the 6 week statutory period for either Alperton Community School or Vernon House School.

3.5 Next steps

The milestones following a decision by the Executive to determine this proposal to alter the character of the schools are set out in the timetable below:

Milestone	Date
Executive decision to change the character of the schools	23 April 2012
Building work commences at Vernon House School	Commencing June 2012
Building work commences at Alperton Community School	End April – beginning of May 2012
Assessment of current pupils at Vernon House	From April through to July 2012
New pupils admitted to Alperton ARP	September 2012
New pupils admitted to Vernon House	From September 2012

4.0 Financial Implications

- 4.1 The proposals set out in this report are critical elements of the One Council Project aimed at reducing expenditure on Special Educational Needs (SEN).
- 4.2 The important background to this project has been the significant increase in expenditure over the past few years on SEN. One of the main factors leading to this increased expenditure has been a lack of provision within Brent, resulting in the need to place children in more expensive out of borough provision within the independent and private sector.

- 4.3 As a result of increased SEN spend the Schools Budget (which is funded from a ring fenced grant called the Dedicated Schools Grant) has overspent with the cumulative deficit, as at 31 March 2012, forecast to be £7.2m. A deficit recovery plan has been agreed with the Schools Forum to achieve a balanced budget position by 2014/15. The proposals and ensuing savings set out in this report are integral to that deficit recovery plan.
- 4.4 The total annual savings from the proposals in this report are forecast to be £157k in 2012/13 and will increase to a maximum ongoing saving of £750k by 2015/16. The savings are based on the additional places that will be created and the cost differential between average in borough costs and average out of borough costs.
- 4.5 Initial capital expenditure is required to develop the capacity for the extra places at these 2 schools amounting to £650k and the resulting annual capital financing costs are estimated to be £51k per annum over 25 years. The ongoing savings of £750k are far in excess of the annual borrowing costs of £51k and therefore these proposals represent good value for money. Agreement has been obtained from the Schools Forum to charge the capital financing costs to the Schools Budget which will also be the beneficiary of the savings.
- 4.6 All expenditure covered by the proposals in this report fall within the Schools Budget and so there is no impact on the Councils General Fund budget.

5.0 Legal Implications

- 5.1 The procedure for changing the character of Alperton Community School and Vernon House School is as required by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Local Authority is entitled to make prescribed alterations to Alperton Community School and Vernon House School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 5.2 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 5.3 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. LA must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning

function to ensure that the supply of school places balances the demand for them.

- 5.4 The Council's legal officer advises on a) to d) that:
- a) Executive should decide this
 - b) The published notices meet the requirements
 - c) The required statutory consultations have been carried out
 - d) The proposals are not related to any other proposals
- 5.5 The Brent Executive acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.
- 5.6 The Executive would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form (Excerpt attached in Appendix 10) is applicable.
- 5.7 If the Local Authority fail to decide proposals within 2 months of the end of the representation period the Local Authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the 2 month period.
- 5.8 The value of the two works contracts to deliver the new facilities total under £1m and as such they do not require Executive approval at either pre-tender stage or award. The contracts will be procured in accordance with Contract Standing Orders.
- 5.9 **Decision Making:**
- 5.10 There are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:
- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.
 - Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The six week statutory representation period closed on 11 April 2012.
 - Has the statutory consultation been carried out prior to the publication of the notice?

All applicable statutory requirements to consult in relation to the

proposal have been complied with.

- Are the proposals “related” to other published proposals?

The Alperton Community School and Vernon House School proposals are being carried out at the same time but are not dependent on or directly 'related' to each.

5.11 Types of Decision

5.12 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

5.13 In considering prescribed alteration proposals, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition.

5.14 The following bodies may appeal against an LA decision:

- The local Church of England diocese;
- The Bishop of the local Roman Catholic diocese;
- the Young People's Learning Agency (previously the LSC) where the school provides education for pupils aged 14 and over; and
- The governing body of the Community School that is proposed for expansion.

5.15 Any appeals must be submitted to the LA within 4 weeks of the notification of the LA decision. On receipt of an appeal the LA must then send the proposals and the comments and objections received, to the schools adjudicator within 1 week of receipt of the appeal. The LA should also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are “related” to other proposals, all the “related” proposals must also be sent to the schools adjudicator.

5.16 The proposed designation for Vernon House School would be registered with Department for Education as ASD/BESD as this is the closest designation recognised in the current SEN Code of Practice to the proposed ASC/CLLD designation. This will have no impact on the proposed future change of character and pupil intake to the school.

6.0 Diversity Implications

- 6.1 These proposals will increase the provision for children and young people with learning difficulties and increase their access to opportunities closer to their communities.
- 6.2 An Equality Impact Assessment for each school has been completed which are currently being reviewed by the Council's Diversity team.

7.0 Staffing Implications

- 7.1 With the introduction of the new ARP unit there will be a need for an increase of staff at Alperton Community School.
- 7.2 Vernon House School staff development will be properly planned for and staff will access a full training programme in ASC specialism. They will be supported by the Local Authority's services to schools, visiting existing ASC provision and forging partnerships to support the development.

8.0 Accommodation Implications

- 8.1 The new ARP building will provide additional capacity to Alperton Community School and the 20 additional places will be added to the schools current capacity but will be reserved for pupils with a statement of SEN for MLD. Feasibility plans have been drawn up and shared with Governors and key staff at the school.
- 8.2 In 2011, the Council had submitted an application to the Department for Education under the Priority School Building Programme (PSBP). The scheme is a Privately Financed Initiative (PFI) which is intended to address those schools in the worst condition via rebuilding projects. The Council's bid included Alperton and Copland Community schools. The government intended to announce the schools that would be accepted in the programme in March 2012, however, a decision is still awaited.
- 8.3 Since the Alperton SEN scheme proposed under this report was not factored in Brent's submission under the PSBP, a risk analysis is being undertaken to ensure if Alperton Community School were to be selected as a PFI scheme, the terms on the basis of which the application was made would remain unaffected.
- 8.4 Vernon House Special School premises were originally built with a capacity of 40 secondary aged pupils. The building is now used for primary aged pupils (5-11) and is currently funded to take 30 pupils. The proposal is to designate for up to a maximum of 35 pupils aged 5-11. It is proposed to limit the capacity at 35 and not 40 in order to ensure that there is sufficient space to meet the accommodation needs of pupils with SEN as a result of Autism which are greater than other types of SEN.

- 8.5 The premises will need to be adapted in order to meet the needs of 35 pupils with ASC/CLDD. There has been a feasibility study informed by an ASC professional to assess the nature of the adaptations. The feasibility has identified 3 options and the decision on which option to proceed with will be made with the full involvement of the management and Governing Body of the school in early May. This will represent a significant investment in the school and capital funding will be provided to ensure that the premises are adapted according to the outcome of the feasibility to fully meet the needs of the new intake of pupils. There will be no impact on the proposals as a result of the final choice of the three possible adaptation schemes.
- 8.6 Planning permission has been sought and granted.

Background Papers (essential)

- i) Equality Impact Assessment for Alperton Community School
- ii) Equality Impact Assessment for Vernon House School

Appendices

Appendix 1	Alperton consultation document
Appendix 2	Alperton full statutory proposal / prescribed alteration
Appendix 3	Alperton statutory notice
Appendix 4	Vernon House consultation document
Appendix 5	Vernon House full statutory proposal / prescribed alteration
Appendix 6	Vernon House statutory notice
Appendix 7	Excerpt from the DfE guide for expanding a maintained school

Contact Officers

Judith Joseph, School Place Planning Officer,
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Rik Boxer
Assistant Director, Achievement & Inclusion

Director of Children & Families
Krutika Pau

Alperton Impact Needs/Requirement Assessment Completion Form

Department: CHILDREN & FAMILIES	Person Responsible: Rik Boxer, Assistant Director Achievement and Inclusion
Service Area: Pupil and Parent Services	Timescale for Equality Impact Assessment : January 2012 – April 2012
Date: 24 th January 2012	Completion date: 22 nd April 2012
Name of service/policy/procedure/project etc: Development of a 20 place Additionally Resourced Provision for young people with Special Educational Needs at Alperton Community School.	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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 Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	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"/>	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 type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted	

Meeting
Date 23 April 2012

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Person responsible for arranging the review: Andy Beckett, SEN Consultant.	Person responsible for publishing results of Equality Impact Assessment: Andy Beckett, SEN Consultant.
Person responsible for monitoring: Rik Boxer, Assistant Director Achievement and Inclusion.	Date results due to be published and where: Week beginning 22 nd April 2012
Signed:	Date: 22 nd January 2012.

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?

The service to be assessed is the provision for children and young people with Special Educational Needs at Alperton Community secondary school. The proposed development is aimed at increasing and improving the quality of provision to meet the needs of young people with moderate learning difficulties.

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

There is a strong national legislative context which underpins the work of Local Authorities in assessing SEND and determining placement and support required to meet those needs. The LA has to take account of a SEN "Code of Practice" which provides statutory advice. The proposed development will increase the range of provision available to young people with moderate learning difficulties. It will provide opportunities for these young people to be included with young people who do not have learning difficulties and will enable them to prepare more effectively for adult life.

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

Yes, in completing this work we have followed this policy.

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 effect will be positive on young people with learning difficulties in that it will increase their opportunities to prepare effectively for adult life. It will also impact positively on the young people who do not experience learning difficulties as they will experience improvements in their understanding about disabilities and learning difficulties which will increase their understanding about diversity in society.

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 your judgement separately (by race, gender and disability etc).

At the time of the consultation on the proposed development there were 174 young people with special educational needs who have had to be placed in schools outside the Borough boundary to ensure that they access the support they need to overcome their difficulties and achieve their educational potential. This involves them having to spend a large proportion of their day travelling which does not support their learning. There has been extensive analysis of data on children and young people with SEN that underpins the reason for this development.

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)

This proposed development will increase access to educational opportunity for young people with special educational needs, in line with the provisions for overcoming discrimination and disadvantage to disabled groups as outlined in the Equality Act 2010.

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?

There has been consultation with young people with moderate learning difficulties, their families and the schools and their Governing Bodies involved in this proposed development. Most of the consultation has been through face to face meetings and continuous dialogue. Brent Children's Partnership has been consulted on this development within the broad range of actions the Authority is proposing to improve provision for children and young people with SEN and Disabilities.

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

No. The consultation has been fed back directly and there is total support for this development from the people directly affected. The consultation on the development will enable a broader understanding about the level of support or otherwise.

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

No. The development is aimed at reducing discrimination against the target group of young people.

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.

The proposed development will have a positive impact on the promotion of equal opportunity in that it will significantly increase the range of options for educational experience and achievement for a minority group of young people ie. Those with identified special educational needs in the moderate learning difficulties area.

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?

The proposed development will increase the opportunities to access mainstream educational services for a significant group of young people with SEN/moderate learning difficulties. The consultation will inform how the development can best be implemented to maximise the improvement of access and take up of mainstream educational services.

13. What is the justification for taking these measures?

The justification for taking these proposed measures is to increase the educational opportunities for a minority group of young people with special educational needs /moderate learning difficulties. It is envisaged that this will prepare the young people for adult life more effectively to provide them with a better opportunity to move on to further education, employment or training.

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 outcomes for the young people will be monitored by the systems within Alperton Community School which are established to record and monitor the attainment and achievement of all young people at the school.

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

The recommendation is to proceed with the consultation to maximise the chances of the improvements in educational opportunity for this significant group of young people with SEN/moderate learning difficulties.

Should you:

1. Take any immediate action?

Proceed with the consultation as soon as possible.

2. Develop equality objectives and targets based on the conclusions?
3. Carry out further research?

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

None

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

The resources for this proposed development will be allocated through the Capital Portfolio Board of the Council. They will comprise capital funding. There will also be revenue resource funding required which will be considered by the Schools Forum.

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):

Date:

Service Area and position in the council:

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

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**

Vernon House Impact Needs/Requirement Assessment Completion Form

Department: CHILDREN & FAMILIES	Person Responsible: Rik Boxer, Assistant Director Achievement and Inclusion
Service Area: Pupil and Parent Services	Timescale for Equality Impact Assessment : January 2012 – April 2012
Date: 24 th January 2012	Completion date: 22 nd April 2012
Name of service/policy/procedure/project etc: Proposal to change the designation of Vernon House Special School to enable the school to provide education for a broader range of children with special educational needs.	Is the service/policy/procedure/project etc: New X <input type="checkbox"/> Old <input type="checkbox"/>
Predictive X <input type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found x <input type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes x <input type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No X <input type="checkbox"/>	Please state below:
3. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input type="checkbox"/> No X <input type="checkbox"/>	4. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No X <input type="checkbox"/>
4. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes x <input type="checkbox"/> No <input type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes <input type="checkbox"/> No X <input type="checkbox"/>
7. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No X <input type="checkbox"/>	8. Grounds of age: Older people, children and young People Yes <input type="checkbox"/> No X <input type="checkbox"/>
Consultation conducted	

Meeting
Date 23 April 2012

Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Person responsible for arranging the review: Andy Beckett, SEN Consultant.	Person responsible for publishing results of Equality Impact Assessment: Andy Beckett, SEN Consultant.
Person responsible for monitoring: Rik Boxer, Assistant Director Achievement and Inclusion.	Date results due to be published and where: Week beginning 22 nd April 2012
Signed:	Date: 22.01.12.

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?

The service to be assessed is the provision for children and young people with Special Educational Needs at Vernon House special school. The proposed development is aimed at increasing and improving the quality of provision to meet the needs of young people with moderate learning difficulties.

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

There is a strong national legislative context which underpins the work of Local Authorities in assessing SEND and determining placement and support required to meet those needs. The LA has to take account of a SEN "Code of Practice" which provides statutory advice. The proposed development will increase the range of provision available to young people with autism spectrum disorders. It will provide opportunities for these young people to be educated closer to their homes and communities.

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

Yes, in completing this work we have followed this policy.

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 effect will be positive on young people with autistic spectrum disorders in that it will increase their opportunities to prepare effectively for adult life. It will also impact positively on the young people in their communities who do not experience learning difficulties as they will experience improvements in their understanding about disabilities and learning difficulties which will increase their understanding about diversity in society.

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 your judgement separately (by race, gender and disability etc).

At the time of the consultation on the proposed development there were 174 young people with special educational needs who have had to be placed in schools outside the Borough boundary to ensure that they access the support they need to overcome their difficulties and achieve their educational potential. This involves them having to spend a large proportion of their day travelling which does not support their learning. There has been extensive analysis of data on children and young people with SEN that underpins the reason for this development.

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)

This proposed development will increase access to educational opportunity for young people

with special educational needs, in line with the provisions for overcoming discrimination and disadvantage to disabled groups as outlined in the Equality Act 2010.

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?

There has been consultation with young people with autistic spectrum disorder, their families and the schools and their Governing Bodies involved in this proposed development. Most of the consultation has been through face to face meetings and continuous dialogue. Brent Children's Partnership has been consulted on this development within the broad range of actions the Authority is proposing to improve provision for children and young people with SEN and Disabilities.

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

No. The consultation has been fed back directly and there is support for this development from the people directly affected. The consultation on the development will enable a broader understanding about the level of support or otherwise.

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

No. The development is aimed at reducing discrimination against the target group of young people.

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.

The proposed development will have a positive impact on the promotion of equal opportunity in that it will significantly increase the range of options for educational experience and achievement for a minority group of young people ie. Those with identified special educational needs in the moderate learning difficulties area.

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?

The proposed development will increase the opportunities to access mainstream educational services for a significant group of young people with SEN/moderate learning difficulties. The consultation will inform how the development can best be implemented to maximise the improvement of access and take up of mainstream educational services.

13. What is the justification for taking these measures?

The justification for taking these proposed measures is to increase the educational opportunities for a minority group of young people with special educational needs /autistic spectrum disorders. It is envisaged that this will prepare the children more effectively for transition to secondary education in turn to provide them with a better opportunity to move on to further education, employment or training.

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 outcomes for the young people will be monitored by the systems within Vernon House Special School which are established to record and monitor the attainment and achievement of all young people at the school.

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

The recommendation is to proceed with the consultation to maximise the chances of the improvements in educational opportunity for this significant group of young people with SEN/moderate learning difficulties.

Should you:

4. Take any immediate action?

Proceed with the consultation as soon as possible.

5. Develop equality objectives and targets based on the conclusions?

6. Carry out further research?

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

None

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

The resources for this proposed development will be allocated through the Capital Portfolio Board of the Council. They will comprise capital funding. There will also be revenue resource funding required which will be considered by the Schools Forum.

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):

Date:

Service Area and position in the council:

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

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**

	<p>Executive 23 April 2012</p> <p>Report from the Director of Children and Families</p>
<p>Wards Affected: [ALL]</p>	
<p>Authority to invite tenders to establish a framework agreement for the provision of school meal services to Brent schools</p>	

1.0 Summary

- 1.1 This report requests approval to invite tenders for the provision of school meal services via a framework agreement as required by Contract Standing Orders 88 and 89.

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 3.12 of the report.
- 2.2 The Executive to give approval to officers to invite tenders and evaluate them in accordance with the approved evaluation criteria referred to in 2.1 above.
- 2.3 To note that a supplementary update report may be provided to the Executive if it is possible to include the Council's meals on wheels service on the framework.

3.0 Detail

- 3.1 Responsibility for the provision of school meals is delegated to schools and their governing bodies. Therefore, schools are able to make their own arrangements regarding the provision of school meal services.
- 3.2 Presently there are 18 schools with in house services and external contractors provide the service in 62 schools within Brent. Four schools have their services provided by another school and one voluntary aided school currently does not have a school meal service (Council officers

have ensured that the school is aware of the tendering exercise and the fact that following the award of the framework agreement the school would be able to call off the school meal service from the contract).

- 3.3 Through discussions with schools it has been identified that several of the contracts with the external contractors are due to expire in August 2012 and therefore require re-tendering. Some schools have rolling contracts with their current contractors for a number of years which exceed the Standing Order thresholds for tendering and therefore require a competitive tendering exercise. Consequently individual schools are looking to procure the service to replace expiring / expired contracts.
- 3.4 As a result of 3.3 above, Council Officers see significant advantages from tendering the service as a framework agreement in joint collaboration with the schools instead of individual schools tendering the services on their own.
- 3.5 Presently 22 schools (see list below) have expressed an interest in being part of a joint procurement exercise and would call off the school meal services from the framework agreement when in place.
 1. Harlesden Primary School
 2. The Kilburn Park School foundation
 3. Uxendon Manor Primary School
 4. Barham Primary School
 5. Braintcroft Primary School
 6. Mount Stewart Infant School
 7. Mount Stewart Junior School
 8. Oliver Goldsmith Primary School
 9. Michael Sobell Sinai School
 10. Granville Plus Children Centre
 11. Malorees Junior School
 12. Park Lane Primary School
 13. Donnington Primary School
 14. Lyon Park Infant and Junior School
 15. Kingsbury Green Primary School
 16. St Joseph Junior School
 17. St Joseph Infant School
 18. Newfield Primary School
 19. Byron Court Primary School
 20. Our Lady of Grace Infant School
 21. Our Lady of Grace Junior School
 22. Donnington Primary School
- 3.6 The intention is to make the framework agreement open to use by all schools within Brent as and when required therefore not restricting it to only those schools that have expressed an interest in calling off the framework agreement.
- 3.7 The procurement of the service will be by collective effort of a joint procurement board made up of Council officers and schools

representatives. This board would be responsible for agreeing the tender documentation, evaluations and recommending a contract award decision.

- 3.8 Given that the provision of schools meals is delegated to the schools, it is the intention for the Council to let the framework and for each individual school to enter into contract with the successful tenderer upon calling off from the framework agreement.
- 3.9 Benefits of jointly procuring the service -;
- Would reduce duplication of effort and the need for multiple tender processes by individual schools for the same service.
 - As part of joint working to procure the service, schools will be able share and utilise best practice from each other which will be incorporated into the tender documentation and would improve service delivery.
 - Would standardise tender documentation (i.e. specifications, terms and conditions) and cost for meals.
- 3.10 Initial market research indicates that the school meal market is fairly competitive with a number of suppliers who would be able to provide the service.
- 3.11 Officers are also investigating and exploring if a greater economy of scale can be achieved by including the Councils meals on wheels service on the framework.
- 3.12 In compliance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response
(i)	The nature of the service.	A framework agreement with one or more providers for the provision of school meals services to schools located within the Borough.
(ii)	The estimated value.	The current combined expenditure based on the schools who have expressed an interest in the tender exercise is estimated at £1.1million per annum giving a total value of £4.4million over the maximum four year period However this will be greatly increased as other schools call off the framework agreement.
(iii)	The contract term.	A framework agreement for a 3 year period with the option to extend for up to

		1 year
(iv)	The tender procedure to be adopted including whether any part of the procedure will be conducted by electronic means and whether there will be an e-auction.	A two stage restricted tender process in accordance with the Council's Standing Orders and EU Regulations.
v)	The procurement timetable.	
		Indicative Dates are-
	Executive Committee	23 rd April 2012
	Adverts placed	29th May 2012
	Return of PQQ	6 th July 2012
	Shortlist drawn up in accordance with Council's approved criteria	31st July 2012
	Invite Tender	10 th August 2012
	Deadline for Tender submissions	20th September 2012
	Panel evaluations and interviews	21 th September – 17 th October 2012
	Panel decision	22nd October 2012
	Report recommending Contract award circulated internally for comment	November 2012
	Executive approval	November 2012
	Mandatory minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers (contracts covered by the full EU Regulations only)]	December 2012
	Contract start date	January 2013
(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines namely the pre qualification questionnaire and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise. The panel will evaluate the tenders against the following criteria:</p> <ul style="list-style-type: none"> • Price • The extent to which proposed menus meet current government food standards, special dietary requirements and encourage healthy eating • customer care - covering how feedbacks and complaints are incorporated to improve service provision • Ability to meet the requirements of the service specification. • Marketing strategy to encourage /

		<p>increase meal uptake</p> <ul style="list-style-type: none"> • mobilisation period and start up (ability of the contractor to ensure a smooth and seamless implementation of the new service) <p>The tender will be evaluated 50% price and 50% quality.</p>
(vii)	Any business risks associated with entering the contract.	No specific business risks to the Council are considered to be associated with entering into the proposed contract.
(viii)	The Council's Best Value duties.	The Council has a duty under Best Value to secure cost-effective and efficient services that meet the needs of the Borough's customers.
(ix)	Any staffing implications, including TUPE and pensions.	See section 5 below
(x)	The relevant financial, legal and other considerations.	See sections 4 and 6 below

- 3.13 The Executive is requested to approve these proposals as set out in the recommendations and in accordance with the Council's Contract Standing Order 88.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500,000 or works contracts exceeding £1million shall be referred to the Executive for approval to invite tenders and in respect of other matters identified in Standing Order 90.
- 4.2 The estimated value of this services contract is £4.4 million over the maximum 4 year contract period.
- 4.3 The cost of this contract will be funded by the schools calling off the framework agreement and there is therefore no additional financial impact on the Council.

5.0 Staffing Implications

- 5.1 Any current contractor's staff and in house staff (as appropriate) will be entitled to transfer pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 to the appointed Contractor(s) on the framework agreement at the call off stage.

6.0 Legal Implications

- 6.1 The estimated value of the framework agreement over its lifetime is higher than the EU threshold for Services under the Public Contracts Regulations 2006 (“the EU Regulations”). Provision of School meal services are classed as Part B Services under the EU Regulations and therefore the contract is not subject to the full application of the EU Regulations. Part B services are however subject to the overriding EU principles of equality of treatment, fairness and transparency in the award process.
- 6.2 In addition the Council’s own Standing Orders and Financial Regulations in respect of High Value Contracts apply as the estimated value of the contract exceeds £500,000.
- 6.3 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.
- 6.4 Although not required as this is a part B service, the Council will advertise the framework and observe the requirements of the minimum 10 day calendar standstill period imposed by the EU Regulations before the contract can be awarded in accordance with best practice and to reduce the risk of challenges arising in the future.

The requirements include notifying all tenderers in writing of the Council’s decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request.

The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council’s award 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 tenderer and the contract may commence.

7.0 Diversity Implications

- 7.1 The service specification will reflect the dietary requirements resulting from religious / cultural beliefs and health needs. Organisations tendering for the service will be required to demonstrate that they will be able to meet these requirements.

8.0 Staffing/Accommodation Implications (if appropriate)

- 8.1 The contractor will have use of school kitchens, which is maintained by the schools. Also see paragraph 5 above for staffing implications

- 8.2 A subsequent report to the Executive seeking authority to award the framework agreement and call-off contract will advise further on any potential staffing or accommodation implications in the future.

Background Papers/information

- The Department for Education, advice for school food in England. See link below to the department for education website

<http://www.education.gov.uk/schools/adminandfinance/schooladmin/catering/00197541/departamental-advice-for-school-food-in-england>

Contact Officer(s)

Jessica Nwoko
Legal and Procurement
Telephone: 020 8937 1838
Email Jessica.nwoko@brent.gov.uk


Mustafa Salih, Assistant Director Finance and Resources
Chesterfield House, 9 Park Lane Wembley Middlesex HA9 7RH
Telephone: 0208 937 3191. E-mail Mustafa.salih@brent.gov.uk

KRUTIKA PAU
DIRECTOR OF CHILDREN AND FAMILIES

Appendix 1

DRAFT Tender Evaluation Grid

The tender will be evaluated on 50% for quality and 50% for price. Exact split for quality element will be agreed by the joint working group

	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Environment and Neighbourhood Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Parking Services Transformation</p>	

1.0 Summary

- 1.1 The current service delivery model deployed in Parking Services is based on a contract which started in 2005. The focus for providing a service for customers to receive and renew parking permits, and purchase daily visitor permits (scratchcards) is largely face to face through parking shops.
- 1.2 The Parking Service propose to expand the channels through which customers can obtain the service, simplifying processes, making transactions available through the internet and telephone, and enabling cash payments through retail outlets.
- 1.3 Making the service more widely available will enable the parking shops to close, and make the service more cost effective. This will contribute to the savings the Council is required to make under the One Council programme.

2.0 Recommendations

- 2.1 That the Executive approves, in principle, to the proposed variation to the customer services delivery model and closure of the parking shops situated at Walm Lane and Pyramid House.
- 2.2 That the Executive delegates authority to the Director of Environment & Neighbourhood Services, in consultation with the Director of Finance and Corporate Resources, to approve the proposed final Customer Service delivery model and determine the final date to officially close the Walm Lane and Pyramid House parking shops.

- 2.3 That the Executive approves a reduction in Parking shop opening hours from Monday to Saturday 08.30 - 18.30 to Monday to Friday 09.30 – 16.30 for the remaining period that the parking shops are to remain open, and delegates authority to the Director of Environment & Neighbourhood Services to implement this change.

3.0 **Detail**

Background and Context

- 3.1 The current parking contracts, enforcement and IT notice processing services, delivered on behalf of the Council by APCOA Parking Services (UK) Limited (“Apcoa”), have been in operation since 2005. The design of the current service was conceived at a time when conducting business over the internet was less conventional; models of delivering a Council service principally using the internet were not available and fewer people had access to the internet. As a consequence the service delivery model deployed principally focuses on delivering a face to face service through parking shops, with high fixed costs, and often long queues delivered from locations that are not necessarily convenient to all customers. Initially there were three parking shops at Church Lane, Kingsbury, Walm Lane, Willesden and Pyramid House, Wembley. The Church Lane shop was closed in 2009, leaving two shops remaining. The operational model for this contract is otherwise unchanged since 2005.
- 3.2 In 2012, car owners are far more used to receiving a service through the internet or over the telephone. Most car insurance companies require customers to buy their insurance using these transaction channels. Similarly the DVLA offer the option of paying for car tax online, with approximately half of customers electing to do so¹. Such models offer a quicker, more efficient and more modern service, more in line with customer expectations.
- 3.3 The current contract with Apcoa was originally due to expire on 3rd July 2012. However, officers obtained Executive approval on 12 December 2011 to extend the parking services contracts for an additional 12 months; therefore both contracts are now due to expire on the 3rd July 2013. This presents an opportunity to rethink how the Parking Service is delivered and to take advantage of the technological advancements made since 2005, the wider accessibility of the internet, and provide a service that is available online 24/7 and which offers a wider range of access and payment compared to the two parking shops currently offered.
- 3.4 The Parking Service is now modernising its delivery to customers, with parking permit renewals available online, and online parking permit applications currently under development. The Parking Service is actively looking to streamline processes to make it easier to apply for and renew permits.

Current Service Delivery Model

¹ FOI response from DVLA March 2012

- 3.5 The most commonly used services provided to parking customers are parking permits for residents and businesses, daily visitor permits (known as scratchcards), and payment of Penalty Charge Notices (PCN's).
- 3.6 The operation is delivered at the two parking shops in Walm Lane and Pyramid House , and through Apcoa's call centre in Uxbridge. The parking shops are currently open Monday to Saturday 08.30 – 18.30. These opening hours require two separate shift patterns to fulfil (therefore increasing cost) and are beyond the service provided by equivalent Council outlets providing transactional services.
- 3.7 The current service delivery model, as defined by the contract is heavily weighted towards delivering a face to face service. The majority of customer demand takes place at the parking shops (see annex 1). This is largely because there are limited alternative transaction channels in place. In addition to obtaining a service through parking shops, the transaction channels in Table A below are also available to customers.

TABLE A

Product	Parking Shop	Online	Call Centre	IVR	Post	Text	Display in vehicle
New permit issued	✓				✓		
Permit renewed	✓	✓			✓		
PCN payment	✓	✓	✓	✓	✓		
Daily visitor permit (scratchcard)							
- Purchasing	✓						
- Using for visitor parking							✓

- 3.8 Documentary evidence is currently required to authenticate residency for permit applications, renewals (completed either in the parking shop or via the post) and scratchcard payments. Permit applications also currently require documentary proof that the customer is the registered keeper of the vehicle in question.
- 3.9 The Parking Service currently accepts payments using credit/debit card, cheque or cash at the Parking Shops. Permits have to be paid for upfront, and there is no option for monthly payments.

Proposed Service Delivery Model

- 3.10 The proposed specification for the new parking contract to take effect from July 2013 will take advantage of the technological developments that have been made within the sector. This is likely to include virtual permits and daily visitor permits.

3.11 The service delivery model proposed for the final year of the existing contract focuses on services and products being purchased using the internet and the telephone and not via direct face to face provision for customers.

3.12 Under the proposed new arrangements parking permit applications will incorporate the following:

a) Transaction Channels:

Customers can apply for and pay for permits either online, or by contacting a call centre operator, and completing the same process over the telephone. For those customers who do not have access to the internet, computers are available in One Stop Shops and Library locations.

b) Authentication

Residency checks will be automatically confirmed during the application process using residency data already held by the Council. This has the advantage of making the process simpler for customers. A process of issuing temporary permits will be put in place for those residents who are not initially known to the Council's systems.

The Council is also pursuing plans to automate the registered keeper check with the DVLA. Should the DVLA not provide full access, applicants will still have the vehicle details and associated emissions confirmed, via the already established link with the DVLA database.

c) Payment and cash payers

The permit application process, whether completed online or via the telephone will include the option to pay by cash. If this option is selected, customers will either print out or receive in the post, a letter with a barcode. This barcode can be scanned at multiple retail outlets for payment. Due to the additional processing cost involved in cheques, there will be no option for payment by cheque. This approach has been adopted by the Revenues and Benefits department for the collection of Council Tax, as well as many retailers and other local authorities.

3.13 PCN payments can currently be made either online, using automated call options (IVR) or by contacting a call centre operator. The proposed offer will also include the option to pay cash at multiple retail outlets, via a barcode which is printed on the PCN's at the point of issue.

3.14 Daily visitor permits (known as scratchcards) will undergo some significant changes as follows:-

a) New approach

Physical daily visitor permits which are displayed in a car window will be replaced with a virtual system. Each applicant will be set up with an account which can be 'topped up' with credit online, or over the telephone. To activate

credit when a resident receives a visitor who requires a daily permit, the resident will contact the parking contractor to notify them of the vehicle registration number. This transaction can be completed online, via text message or by using a telephone landline.

b) Authentication

Customers who already have a resident's permit will automatically have an account set up. For those customers who do not own a car, yet live in a CPZ, the account application process mirrors the permit application process.

c) Payment and cash payers

The process for topping up an account can be completed online or over the telephone. This will include the option to pay cash. If this option is selected, customers will either print out or receive in the post, a letter with a barcode, which can be scanned at multiple retail outlets for payment. Due to the additional processing cost involved in cheque, there will be no option for cheque payments.

d) Existing Scratchcards

Existing scratchcards already in circulation will remain valid, however new scratch cards will not be issued when the new system goes live. An expiry date for existing scratchcards will be introduced. The existing stock will be run down and any new stock to be purchased will reflect the remaining time left with the existing system.

3.15 The key services and transaction channels that will be available to customers are as highlighted in Table B:

TABLE B

Product	Online	Call Centre	IVR	Post	Text
New permit issued	✓	✓			
Permit renewed	✓	✓	✓		
PCN payment	✓	✓	✓	✓	
Daily visitor permit (scratchcard)					
- Purchasing	✓	✓	✓		
- Using for visitor parking	✓		✓		✓

- 3.16 The Service also propose to reduce the opening hours to Monday to Friday 09.30 – 16.30 for the remaining term that the Parking Shops are to remain open. Footfall analysis undertaken in February 2012 shows that the least busy periods occur before 09.30 and after 17.00, and that Saturday is the quietest day of the week. The current opening hours requires two separate staff shift patterns to fulfil. Modifying the opening hours to 09.30 – 16.30, means that only 1 shift pattern is required. This change is anticipated to save approximately £5k per month in temporary staff costs.

4.0 Consultation

Methodology

- 4.1 The Council undertook consultation on proposals to make all parking services online and to close the two parking shops. Appendix 3 contains the consultation notice, which gave the public more information on the proposals. Members should note that the option to apply for parking services using the telephone, and payment by cash were not part of the original proposals and therefore not consulted upon.
- 4.2 The 8 week consultation period ran from Monday 16th January 2012 through to Sunday 11th March 2012.
- 4.3 The consultation process consisted of a questionnaire (see Appendix 2) which was available for completion:
- a) Online at www.brent.gov.uk/consultation
 - b) At the parking shops
 - c) At One Stop Shop, Library and Sports Centre locations
 - d) Through a mailshot of 2000 letters sent to a random sample of existing permit holders

- 4.4 The consultation was advertised in the February/March 2012 edition of the Brent Magazine, which was distributed in the second week of February. Notices were put up in the sites highlighted above. There was also some coverage in the local press, following press enquiries to the Council's press office.
- 4.5 The Council received 570 returned questionnaires, and the detailed findings are contained in Appendix 4.

Summary Findings of the Consultation

- 4.6 12% of customers who returned the consultation form visited a parking shop monthly or more often. 43% visited a parking shop once every 3 or 6 months, and 46% visited a parking shop once every 12 months or less
- 4.7 The most popular parking services accessed were buying daily visitor permits (or scratchcards), and applying for or renewing a parking permit.
- 4.8 42% would be willing to apply online for a parking permit if required to upload documents, against 45% who would not. However this rises to 68% who would be willing if there was no need to upload documents, against 17% who would not.
- 4.9 63% of respondents would be willing to renew a permit online against 30% who would not.
- 4.10 66% of respondents prefer to pay for services using credit/debit card, against 26% who prefer cash and 8% who prefer cheque.
- 4.11 60% feel they would be adversely affected by the closure of the parking shops against 27% who do not feel they would be affected. Members should note that the option to apply for parking services using the telephone, and the ability to pay in cash, at the time had not been incorporated into the proposed service delivery model and therefore were not consulted upon.
- 4.12 The main themes highlighted by the customers who returned the consultation questionnaire, when invited to comment on why they were adversely affected were access to and ability to use IT, the convenience of the parking shops and being able to pick up a permit straightaway, and the ability to ask more complex enquiries face to face.
- 4.13 The consultation findings highlighted that just being able to apply for services online, using a credit/debit card was an issue for some customers. Therefore the option to apply for parking services over the telephone, and the option to pay for services using cash was incorporated into the proposed customer service delivery model, to mitigate against these concerns.

5.0 Implementation Approach

- 5.1 Development of the IT products required to support the delivery of the proposed customer offer would be undertaken by APCOA on our behalf, and

through a payments provider who specialise in retail based payment transactions, particularly cash payments.

- 5.2 The development of online permit applications is already underway whilst the implementation of IVR permit renewals can be set up within a 4-8 week period. The Parking Service has already received a demonstration of a working daily electronic visitor permit system, and it is envisaged that this can be set up within the required timeframes as well. Initial discussions with a payments provider with regard to enabling cash payments have been held and it is envisaged that this can be set up within the required timeframes as well.
- 5.3 The proposed customer offer will be supported by an extensive communications and marketing campaign to inform and educate residents of the changes, and new steps that they will need to follow.
- 5.4 The proposed implementation may involve a staggered closure of the parking shops, and close Walm Lane in September 2012, and Pyramid House in December 2012.
- 5.5 However, the parking shops would not close until the new service model has been fully implemented and is available to customers.

Risks

- 5.6 The key risks are documented in the table below, with mitigation.

No	Risk	Mitigation
1	That the IT products to enable the new customer service model cannot be delivered on time, and to specification	<ul style="list-style-type: none">• Specification meeting taking place in March between Parking Services and Apcoa to define in detail how the service model will operate• Consideration being given to recruiting a short term IT project manager to project manage the delivery of the IT products• Shops will not be closed until the IT based channels are established
2	Service is overwhelmed by high customer demand through customers leaving permit purchases to the last minute	<ul style="list-style-type: none">• Communications campaign to be put in place informing customers how to buy permits, and to buy them before their current permit expires• Process to be defined for customers to avoid receiving PCN's when they have paid for their permit, but have yet to receive it in the post
3	Service is overwhelmed by high customer demand through customers not being clear how the virtual scratchcard system works	<ul style="list-style-type: none">• Communications campaign to be put in place informing customers how the system works
4	Customers 'flood' local	<ul style="list-style-type: none">• Communications campaign to be put in

	Council offices to try and buy a permit	place informing customers how to buy permits
5	Local Council offices experience high demand to use Council computers to complete permit applications	<ul style="list-style-type: none"> Channel of applying for permits over the telephone will be set up
6	Alternative premises cannot be sought for other parking functions operating out of Pyramid House	<ul style="list-style-type: none"> Short term extension being pursued to the lease Alternative options for the pound and counting office are being actively considered

6.0 Legal Implications

- 6.1 The Parking Services contracts (enforcement and IT notice processing) commenced on 4th July 2005 for an initial period of 7 years (including a period for extension); and has been extended for an additional 12 months, with approval being sought from the Executive on 12 December 2011. Under the contract, APCOA were to establish and maintain a network of Parking Shops that were accessible from the Controlled Parking Zone for the duration of the original contract period. As part of the One Council programme officers have identified elements of the current service where savings can be realised. Therefore, this report is proposing to revise the customer service delivery and close the Parking Shops identified within the body of this report. The proposed variation to the service and closure of the shops are permissible as a variation under the terms of the current contract.
- 6.2 Under Brent's Constitution, the Executive may delegate its authority to the Director of Environment & Neighbourhood Services in accordance with Part 4 (2.5(3[b])) to approve the final terms for the customer service delivery model and to determine the appropriate date to officially close the identified Parking Shops within the Borough.
- 6.3 Any proposed variations to the Parking Services contracts, if approved, will be finalised as a deed of variation by the Council's Legal & Procurement department
- 6.4 Members must also consider the duty in relation to the Equality Act 2010, most specifically the public sector equality duty set out at Section 149. This requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.
- 6.5 A 'protected characteristic' is defined in the Act as:
age;

disability;
gender reassignment;
pregnancy and maternity;
race;(including ethnic or national origins, colour or nationality)
religion or belief;
sex;
sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

- 6.6 Having due regard to the need to ‘advance equality of opportunity’ between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life.

The steps involved in meeting the needs of disabled persons include steps to take account of the persons’ disabilities. Having due regard to ‘fostering good relations’ involves having due regard to the need to tackle prejudice and promote understanding.

- 6.7 Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.
- 6.8 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission but no such guidance has yet been published. However, the Equality and Human Rights Commission has published its own guidance on the new public sector equality duty and the advice set out to members in this report is consistent with this guidance.
- 6.9 The equality duty arises where the Council is deciding how to exercise its functions regarding parking matters. The council’s duty under Section 149 of the Act is to have ‘due regard’ to the matters set out in relation to equalities when considering and making decisions on ways in which the service users pay for parking services. Accordingly due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision making process. Members must consider the effect that implementing a particular policy will have in relation to equality before making a decision.
- 6.10 There is no prescribed manner in which the equality duty must be exercised. However, the council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups, and by gathering details and statistics on who uses the service and how the service is used. The potential equality impact of the proposed changes to the parking service has been assessed, and that

assessment is found at Appendix 5 and a summary of the position is set out in paragraph 8 of this report. A careful consideration of this assessment is one of the key ways in which members can show “due regard” to the relevant matters.

- 6.11 Where it is apparent from the analysis of the information that the policy would have an adverse effect on equality then adjustments should be made to avoid that effect. Members will note that the proposal recommended to members in this report for the future parking services has taken into account the negative impact identified under the original proposal.
- 6.12 Members should be aware that the duty is not to achieve the objectives or take the steps set out in s.149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions. “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Budgetary pressures, economics and practical factors will often be important. The weight of these countervailing factors in the decision making process is a matter for members in the first instance.

7.0 Financial Implications

- 7.1 The 2012/13 budget agreed by Members requires that the Council make significant financial savings to offset the reduction in central government funding. The Parking Service is required to achieve savings of £200k in 2012/13 following by a further £300k in 2013/14. The changes proposed in adopting the new customer service model, and closing the two parking shops makes a significant contribution towards these savings. However, there are a number of other strands of work within the One Council project which will also contribute to the required savings.
- 7.2 Further work is being undertaken on the detailed design of the new service offer and discussions are underway with APCOA to agree the additional resource that may be needed at their Uxbridge service centre to deal with any additional telephone contact. At present it is anticipated that closure of the two parking shops will deliver savings of approximately £186k in a full year and £92k in 2012-13 depending on the eventual timing of the closures.
- 7.3 Any delay in implementing the changes will impact on achieving the £200k saving in 2012/13 and £300k saving in 2013/14. The department will have to meet these shortfalls by identifying alternative savings.
- 7.4 There will be a small number of potential compulsory redundancies within APCOA’s staff as a result of the proposed closures. APCOA have developed plans to minimise the number of redundancies and have estimated the maximum cost of redundancies as £40k. These costs were not costs which APCOA would have expected to meet at the end of the contract as all the staff would ordinarily have transferred under TUPE to the new contractor. APCOA

have agreed to meet half of these costs with the Council meeting the other half. The Council's maximum liability will be £20k in 2012-13.

- 7.5 Reducing the opening hours from Monday to Saturday 08.30 - 18.30 to Monday to Friday 09.30 – 16.30 for the remaining period that the shops remain open is anticipated to save approximately £5k in temporary staff costs.

8.0 Diversity and Equalities implications

- 8.1 The Parking Services Transformation project has closely examined the potential impact of the proposed plans on customers and residents who use or may use its service. The full Equalities Impact assessment and supporting annexes are included in Appendix 5. Members should note that the Equalities Impact Assessment was carried out against the original proposed customer service model outlined in section 3. The Equality Impact Assessment shows the changes by way of telephone service and cash payments as measures to mitigate the negative impacts identified in relation to the original proposal following customer feedback during the consultation process. Equality information from the consultation feedback is also summarised in Appendix 4.

- 8.2 The Equalities Impact Assessment draws on a number of different information sources.

- a) Mosaic data which informs the likelihood of Brent customers who are likely to 'self-serve' (which the new customer offer is principally based on)
- b) Borough ethnicity information from the GLA
- c) CPZ age profile information
- d) CPZ Disability profile information
- e) Consultation data

- 8.3 The potential impacts identified regarding the original proposal were:

- a) Difficulties using the new system for those who do not have access to the Internet, have difficulty in using the internet and have no computer literacy. This potentially disproportionately adversely affects older residents, disabled residents, ethnic minority residents and residents of a lower socio-economic status
- b) Difficulties for those users who do not have a credit card and can only pay by cash. This potentially adversely affects older residents, some ethnic minority residents and residents of a lower socio-economic status.

- 8.4 Detailed mitigation has been considered for these potential adverse impacts. These are shown in detail in Appendix 5 (section 6). These now form part of the design of the revised proposal set out in this report which includes the option to apply for and pay for parking products using the telephone, in addition to using the internet, access to computers in Council libraries and One Stop Shops, and the option to pay for parking products using cash.
- 8.5 Officers have carefully considered the potential adverse impacts that may remain after all the mitigating measures are taken into account, and how these should be evaluated given the financial drivers for change within the Parking Services Transformation project.
- 8.6 Officers advise that, with regard to the process of buying and obtaining parking permits the potential adverse impact on a small group of residents which is not completely mitigated by the steps detailed above is justified by the benefits of the project, and the tight financial constraints the Council is operating within.
- 8.7 Officers advise that with regard to the *usage* of daily visitor parking permits (distinct from the process of *buying* daily visitor parking permits), more data needs to be gathered and analysed on the extent of non English speaking households within the CPZ areas, and whether any specific language based mitigation measures need to be put in place. Further data analysis and direct consultation with BME groups will be carried out prior to implementation , and close monitoring will take place post implementation to assess the extent of impact and whether specific mitigation measures need to be put in place.

9.0 **Staffing Implications**

- 9.1 There are no staffing implications for Council staff.
- 9.2 There are potentially implications for staff employed by the contractor. 10 permanent staff are currently employed to work in the parking shops. The proposed changes may require the redeployment of some of those staff to fulfil roles that the proposed offer requires i.e. taking applications over the telephone. Additionally, some of those staff could potentially be redeployed elsewhere within the contractor's organisation. At present there is insufficient information to give a firm indication of the number of those staff who may be made redundant.

10.0 **Property Implications**

- 10.1 Pyramid House is leased by the Council and the lease expires on 29th April 2013. Due to dilapidations, it is possible that the Council would need to vacate before that date. The Pyramid House parking shop would need to be closed by this point, and the new delivery model fully implemented.
- 10.2 Walm Lane is leased by the contractor and the current lease expires in December 2012. The parking shop would need to be closed by this point, and the proposed customer offer fully implemented. Walm Lane is used as a

further base for the contractors Civil Enforcement Officers. The contractor will be required to identify an alternative location as a base.

Background Papers

Contact Officers

Michael Read
Assistant Director
Environment and Neighbourhood Services
X5302

David Thrall
Head of Safer Streets
Environment and Neighbourhood Services
X5454

Mark Fairchild
Service Improvement Manager
Strategy, Partnership and Improvement
X5300

Sue Harper
Director of Environment and Neighbourhood Services

Appendices

- 1 Management Information
- 2 Consultation Questionnaire
- 3 Consultation Notice
- 4 Report on Public Consultation
- 5 Equalities Impact Assessment

APPENDIX 1 – Management Information

Table 1

Product	Volumes for 2011
New permit issued	12441
Permit renewed	16847
Daily visitor permit (scratchcard) purchase transactions	29516 (Jan – Oct 2011)
Daily visitor permit (scratchcard) usages	Approx. 700,000

Table 2

Product	Parking Shop	%	Online	%	Call Centre	%	IVR	%	Post	%
New permit issued	11991	96%	0	0%	0	0%	0	0%	450	4%
Permit renewed	13386	79%	3011	18%	0	0%	0	0%	450	3%
Daily visitor permit (scratchcard)	29516	100%	0	0%	0	0%	0	0%	0	0%

Table 3

Product	Card	Cheque	Cash
Permit (application and renewal)	57%	11%	32%
Daily visitor permit (scratchcard)	40%	1%	59%

APPENDIX 2 – Consultation Questionnaire

Section A: The Parking Service

1. How frequently do you visit a Parking Shop? (tick one box)

- | | |
|---|--|
| <input type="checkbox"/> Weekly | <input type="checkbox"/> Every 6 months |
| <input type="checkbox"/> Fortnightly | <input type="checkbox"/> Every 12 months |
| <input type="checkbox"/> Monthly | <input type="checkbox"/> Less frequently/Never |
| <input type="checkbox"/> Every 3 months | |

2. Which services do you use at the parking shop? (tick all that apply)

- ☐ Apply for residents parking permit
- ☐ Renew residents parking permit
- ☐ Apply for a business parking permit
- ☐ Renew business parking permit
- ☐ Buy scratchcards
- ☐ Pay a PCN
- ☐ Apply for a suspension
- ☐ Other (please specify) _____

3. Would you be willing to apply for a parking permit if:

a) You had to scan and upload documentary proof of your address and vehicle ownership?

- ☐ Yes ☐ No ☐ Don't know

b) There was no requirement to scan and upload these document

- ☐ Yes ☐ No ☐ Don't know

4. Would you be willing to renew a parking permit online?

- ☐ Yes ☐ No ☐ Don't know

5. How would you prefer to pay for parking services? (tick one box)

- ☐ Debit/credit card ☐ Cheque ☐ Cash

6. Do you feel you will be affected by the 2 parking shops closing?

- ☐ Yes ☐ No ☐ Don't know

7. If you answered yes to question 6, please provide details below

Section B: About You - If you are a **Brent resident** please complete this section.

By answering the following questions, you will help us ensure that we deliver a fair service to all our community. You do not have to give us this information, but we hope you will. All information will be treated in the strictest of confidence and will only be used to monitor and improve Brent Council services.

8. Are you..... (tick one box)

☐ Male ☐ Female

9. Your age group: (tick one box)

☐ Under 16 ☐ 45-54
☐ 16-24 ☐ 55-64
☐ 25-34 ☐ 65-74
☐ 35-44 ☐ 75+

10. Which one of these groups do you feel you belong to? (tick one box)

☐ Asian Indian ☐ Mixed White & Asian
☐ Asian Pakistani ☐ Mixed White & Black African
☐ Asian Bangladeshi ☐ Mixed White & Black Caribbean
☐ Asian Other ☐ Mixed Other
☐ Black African ☐ White British
☐ Black Caribbean ☐ White Irish
☐ Black Other ☐ White Other
☐ Chinese ☐ Other Ethnic Group

11. Do you consider yourself to have a disability? (tick one box)

☐ Yes ☐ No

12. Does your disability or impairment affect your daily life? (tick one box)

☐ Yes ☐ No

13. What is your religion? (tick one box)

☐ Baha'i ☐ Islam
☐ Buddhism ☐ Sikhism
☐ Christianity ☐ Taoism
☐ Hinduism ☐ Other
☐ Jainism ☐ No religion
☐ Judaism ☐ Prefer not to say

14. What is your sexual orientation? (tick one box)

☐ Bisexual
☐ Gay
☐ Heterosexual
☐ Lesbian
☐ Prefer not to say

Thank you for taking part in this survey

APPENDIX 3 – Consultation Notice

Proposal

Brent Council is considering changes to the Parking Service by:

- making all parking services available online;
- developing more user-friendly online services and better information;
- simplifying how customers can prove their address or vehicle;
- simplifying replacement permits, payments and refunds if vehicles change;
- closing the two parking shops in Willesden and Wembley.

The proposed changes are intended to provide a more modern and efficient service to customers, and deliver better value for money for the Council. Some services can currently only be applied for in person, for example visitor permit purchases (scratch cards). The changes will allow customers to obtain all services without visiting a parking shop.

The Council is one of just 5 of the 33 local authorities in London that still have dedicated parking shops, and the only authority in London with two parking shops. The proposal is expected to save the Council in the region of £250,000 per annum, and will contribute to the budget savings of £100M the Council needs to make over the next 4 years.

Making your view heard

You can share your views on the proposals by:

- completing a questionnaire online at <http://www.brent.gov.uk/consultation>;
- obtaining a paper questionnaire for return by post, by emailing parkingshopconsult@brent.gov.uk or telephoning (020) 8937 5252;
- asking for a copy at the parking shop counter

Completed questionnaires can be returned either to the Parking Shop, scanned and emailed to parkingshopconsult@brent.gov.uk or posted to:

Safer Streets (Parking shop consultation)
Brent House
349-357 High Road
Wembley
Middlesex
HA9 6BZ`

The consultation closes on 11 March 2012.

APPENDIX 4 - Report on Public Consultation

1. Consultation Methodology

- A range of approaches were used to capture customer response to the proposals to make services available online and close the 2 parking shops:
 - A summary of the proposals and the questionnaire was made available on Brent Council's Consultation Tracker website - www.brent.gov.uk/consultation
 - A sample of 2000 existing permit holders were sent a letter outlining the proposals and a questionnaire in the post with a Freepost return envelope
 - Notices summarising the proposals and hard copies of the questionnaire were made available in both parking shops. Queue managers at the Parking Shops encouraged customers to complete the consultation questionnaire whilst they were waiting in queues, to be served
 - Notices summarising the proposals and hard copies of the questionnaire were made available at all Brent Libraries, Sports Centres and One Stop Shops. Copies of questionnaires in alternative formats and languages were available on request
 - A project specific email address was set up and publicised to deal with any requests for information and or supplementary comments.
 - An article on the parking shop consultation was published in the February/March 2012 edition of the Brent Magazine.
 - A notice advising of the consultation was distributed at Area Consultative Forums (ACF) in Harlesden, Kilburn & Kensal, Kingsbury & Kenton, Wembley, and Willesden.

2. Response Rate

570 questionnaire responses were received, and the breakdown of which channel they originated from is indicated in the table below:

Channel	Volume	%
Postal	318	56%
Parking Shops	199	35%
OSS	2	0%
Sports Centre	0	0%
Consultation tracker	51	9%
Total	570	100%

3. Questionnaire Multiple Choice Responses

- The following tables provide the consultation responses to the 6 multiple choice questions. Each question required respondents to tick one option, except for Q2, where respondents could tick each option that applied.

Q1 How frequently do you visit a parking shop	Number	%
Weekly	16	3%
Fortnightly	10	2%
Monthly	36	7%
Every 3 months	93	17%
Every 6 months	140	26%
Every 12 months	171	31%
Less frequently/Never	83	15%

Q2 Respondents who use parking shops to:	Number	%
apply for residents parking permit	255	24%
renew residents parking permit	316	30%
apply for a business parking permit	17	2%
renew business parking permit	16	2%
buy scratchcards	318	30%
pay a PCN	71	7%
apply for a suspension	15	1%
other	46	4%

Q3 would you be willing to apply for a parking permit if you had to scan and upload documentary proof	Number	%
Yes	226	42%
No	243	45%
Don't know	73	13%

Q3 would you be willing to apply for a parking permit if there was no requirement to scan and upload documents	Number	%
Yes	342	68%
No	88	17%
Don't know	73	15%

Q4 would you be willing to renew a parking permit online	Number	%
Yes	349	63%
No	167	30%
Don't know	38	7%

Q5 how would you prefer to pay for parking services	Number	%
Debit/credit card	343	66%
Cheque	41	8%
Cash	137	26%

Q6 do you feel you will be adversely affected by the 2 parking shops closing	Number	%
Yes	335	60%
No	152	27%
Don't know	74	13%

4. Questionnaire Free Text Responses

- Customers were invited to provide details, if they felt that they were affected by the proposals. Each comment has been reviewed, and coded in order to provide an indication of the themes that respondents have highlighted. The table below shows the most popular issues/comments.

Issue	No
Access & ability to use IT	60
Convenience of Parking Shop	47
Preference for Face to Face	44
Obtaining permit immediately	24
Not affected/support the proposal	18
Buying scratchcards	15
Uncertain of what alternative to parking shop is	9
Online payment security concerns	8

- The key themes that emerged were that some customers did not have access to the internet, nor knew how to use it; highlighting the convenience of the parking shop and being able to collect permits instantly, being able to ask complex questions face to face i.e. changing permits following a change of address or vehicle, and concerns about payment security and fraud.

5. Questionnaire Equalities Responses

- The following tables provide the equalities breakdown of respondents who completed the questionnaire.

Q8 gender	Number	%
Male:	268	51.7%
Female:	250	48.3%

Q9 age group	Number	%
Under 16:	0	0.0%
16-24:	12	2.3%
25-34:	96	18.2%
35-44:	136	25.8%
45-54:	125	23.7%
55-64:	98	18.6%
65-74:	45	8.5%
75+:	15	2.8%

Q10 ethnicity	Number	%
Asian Indian:	74	14.7%
Asian Pakistani:	17	3.4%
Asian Bangladeshi:	3	0.6%
Asian Other:	12	2.4%
Black Caribbean:	26	5.2%
Black African:	28	5.6%
Black Other:	9	1.8%
Chinese:	7	1.4%
Mixed White and Black Caribbean:	7	1.4%
Mixed White and Black African:	2	0.4%
Mixed White and Asian:	5	1.0%
Mixed Other:	6	1.2%
White British:	177	35.1%
White Irish:	31	6.2%
White Other:	83	16.5%
Other Ethnic Group:	17	3.4%

Q11 do you consider yourself to have a disability	Number	%
Yes:	47	9.1%
No:	469	90.9%

Q12 does your disability or impairment affect your daily life	Number	%
Yes:	39	10.3%
No:	339	89.7%

Q13 religion	Number	%
Baha'i:	0	0.0%
Buddhism:	6	1.2%
Christianity:	221	44.6%
Hinduism:	52	10.5%
Jainism:	3	0.6%
Judaism:	21	4.2%
Islam:	34	6.9%
Sikhism:	6	1.2%
Taoism:	1	0.2%
Other:	17	3.4%
No religion:	91	18.3%
Prefer not to say:	44	8.9%

Q14 sexual orientation	Number	%
Bisexual:	12	2.6%
Gay:	5	1.1%
Heterosexual:	325	71.1%
Lesbian:	3	0.7%
Prefer not to say:	112	24.5%

6. Equalities Analysis

Disability

- The findings of the consultation survey show that respondents with a disability would be less likely to apply for a parking application online
- The findings also show that disabled people are more likely to prefer to pay cash for parking services than non disabled people.

3a. % of people who would be willing to apply for a parking permit if they had to scan and upload documentary proof
Yes
No
Don't Know
Total

% of Disabled People who would be willing
35%
50%
15%
100%

% of Non-Disabled People who would be willing
43%
44%
13%
100%

3b. % of people who would be willing to apply for a parking permit if there was no requirement to scan and upload documents
Yes
No
Don't Know
Total

% of Disabled People who would be willing
53%
35%
13%
100%

% of Non-Disabled People who would be willing
72%
15%
13%
100%

4. % of people who would be willing to to renew a parking permit online
Yes
No
Don't Know
Total

% of Disabled People who would be willing
36%
53%
11%
100%

% of Non-Disabled People who would be willing
67%
27%
5%
100%

Count of q5 how would you prefer to pay for parking services	Card	Cheque	Cash
Non disabled	68%	7%	25%
Disabled	53%	9%	37%

Age

- The findings of the consultation survey highlight the following:
 - That people aged 55-74 are less likely to apply for a parking permit if they have to upload documents.
 - That there is much less difference between the age ranges in willingness to apply for a parking permit if documents don't have to be uploaded
 - That people aged 55-74 are less likely to renew a parking permit online.
 - That people aged 75+ are significantly less likely to renew a parking permit online.
 - That people aged 65+ are less likely to prefer to pay for services using a credit/debit card
 - That age is less of a factor in determining whether a customer wishes to pay cash
 - That people aged under 45 barely indicated any preference to pay by cheque. However the % who wish to pay by cheque increases for those aged 45+ and significantly for those aged 75+

3a. % of people who would be willing to apply for a parking permit if they had to scan and upload documentary proof	%
16-24	42%
25-34	47%
35-44	49%
45-54	42%
55-64	32%
65-74	31%
75+	43%

3b. % of people who would be willing to apply for a parking permit if there was no requirement to scan and upload documents	%
16-24	75%
25-34	73%
35-44	64%
45-54	73%
55-64	67%
65-74	72%
75+	64%

4. % of people who would be willing to renew a parking permit online	%
16-24	75%
25-34	72%
35-44	63%
45-54	69%
55-64	57%
65-74	53%
75+	33%

Count of q5 how would you prefer to pay for parking services	Card	Cheque	Cash
16-24	75%	0%	25%
25-34	74%	0%	26%
35-44	64%	3%	33%
45-54	69%	12%	18%
55-64	65%	10%	25%
65-74	55%	15%	30%
75+	62%	23%	15%

Ethnicity

- The findings of the consultation survey highlight the following:
 - That White people are the most willing to apply for and renew permits online
 - That Black people are the least willing to apply for a permit if documents have to be uploaded
 - That Asian people are the least willing to apply for a permit if no documents have to be uploaded, and to renew a permit online
 - That White people are most likely to prefer to pay for services using a credit/debit card
 - That Black and Asian people indicated a stronger preference for paying cash for parking services

3a. % of people who would be willing to apply for a parking permit if they had to scan and upload documentary proof	%
% of Black people who would be willing	24%
% of Asian people who would be willing	36%
% of Other people who would be willing	42%
% of White people who would be willing	48%
% of All People who would be willing	42%

3b. % of people who would be willing to apply for a parking permit if there was no requirement to scan and upload documents	%
% of Black people who would be willing	60%
% of Asian people who would be willing	53%
% of Other people who would be willing	68%
% of White people who would be willing	77%
% of All People who would be willing	69%

4. % of people who would be willing to renew a parking permit online	%
% of Black people who would be willing	57%
% of Asian people who would be willing	46%
% of Other people who would be willing	57%
% of White people who would be willing	72%
% of All People who would be willing	64%

Ethnicity	Card	Cheque	Cash
Asian	57%	4%	39%
Black	52%	7%	41%
Other	65%	5%	30%
White	74%	8%	18%
All	66%	8%	26%

7. Correspondence

- A specific email address was set up for customers who wished to raise comments or questions during the consultation period. 7 separate responses were received objecting to the proposals to close the 2 parking shops. The themes highlighted in the objections were that not all customers have access to IT, that sending permits through the post may lead to a permit not being received before the previous permit expires, the difficulty of dealing with complex queries relating to address and vehicle changes online or over the telephone and the risk of fraud when paying online.
- 1 FOI request was received.

APPENDIX 5 – Equalities Impact Assessment

See separate file

Impact Needs/Requirement Assessment Completion Form

Department: Environment and Neighbourhood Services	Person Responsible: Mark Fairchild
Service Area: Environment and Protection	Timescale for Equality Impact Assessment:
Date: 27 th March 2012	Completion date:
Name of service/policy/procedure/project etc: Parking Project	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input type="checkbox"/> Found <input checked="" type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	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 Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	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"/>	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"/>
Consultation conducted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Person responsible for arranging the review: Mark Fairchild	Person responsible for publishing results of equality impact Assessment:

Impact Needs/Requirement Assessment Completion Form

Person responsible for monitoring: David Thrale	Date results due to be published and where:
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?

Parking Project

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

The Parking Enforcement Service is significantly changing the way it delivers its service. The parking operation is primarily delivered through two contracts: the Notice Processing contract and the Enforcement contracts. The Notice Processing contract, which is the contract affected by the proposed changes covers the following: Penalty Charge Notice issuing and processing, Parking Shop operations, payment receipt and permit administration. The key services that a customer uses within this contract are applying for and renewing their parking permit, purchasing daily visitor permits (to enable visitors to park in a Controlled Parking Zone) and paying Penalty Charge Notices.

The current contracts expire on 3rd July 2012, though have been extended for 12 months to 3rd July 2013. The Parking service is currently undertaking a procurement exercise for a new 5 year contract starting in 2013 which will likely allow the service to make much greater use of technology and adapt their current service delivery model to reduce operating costs.

Current Service Delivery Model

The current service delivery model, as defined by the current contract is heavily weighted towards delivering a face to face service through the parking shops. There are two parking shops in Brent:

- Pyramid House (Fourth Way, HA9 0LJ)
- Walm Lane (84 Walm Lane, NW2 4QY).

Annex 1 shows the CPZ areas in Brent and the locations of the two parking shops. Both parking shops are open to the public Monday to Saturday, 8am to 6:30pm (except Bank Holidays).

The parking shops are the only channel open to customers whom wish to purchase daily visitor permits. In addition to obtaining a service through parking shops, the following additional channels are also available to customers.

Product	Parking Shop	Online	Call Centre	IVR*	Post	Text	Display in vehicle
New permit issued	✓				✓		
Permit renewed	✓	✓			✓		
PCN payment	✓	✓	✓	✓	✓		
Daily visitor permit (scratchcard)							
- Purchasing	✓						

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- Using for visitor parking							✓
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*IVR means 'Interactive Voice Response' and refers to an automated telephone transaction where the customer is directed through menus using either their keypad or voice.

Proposed Service Delivery Model

The proposed service delivery model involves the following changes:

- Closure of the 2 parking shops
- Introducing the option for customers to apply for parking permits online or over the telephone
- Introducing the ability to pay for parking permits using monthly direct debit and using cash at multiple retail outlets
- Introducing a virtual daily visitor permit service, to replace the existing physical system.

Note: a virtual daily visitor permits system requires a customer to have an 'account' containing credit. This account can be updated with credit either online, or over the telephone. If they live in a CPZ and have a visitor whom requires to park a vehicle, the resident notifies the parking contractor via the internet, text message or landline telephone of their visitors vehicle registration number. This replaces the existing system of a customer purchasing physical daily visitor permits and the visitor displaying one of these in their car window. It is recognised that additional assistance may be required for certain groups of people, and this is noted in section 6.

Annex 2 shows the location of:

- One Stop Shop and library locations, for those without home personal access to PC or internet
- The nearest five retail outlets for cash payments to the postcodes of the current 2 parking shops, the One Stop Shops and libraries (*this is based on information accessible from a payments providers website*)

The One Stop Shop locations are the Brent Town Hall and Brent House, which contain 4 and 2 PC's respectively. The library locations are Ealing Road (18 public PC's), Harlesden (15) and Kilburn (16) in the south of the borough, and Kingsbury (6) and the Town hall (9) in the north. There are 115 retail outlets which will accept cash payments for parking products at locations spread across the entire borough

The map in annex 2 does not include other locations which customers may elect to use, such as Internet café, educational institutions or place of work.

The cash payment at retail outlets offers customers an increased number of outlets where they can elect to pay by cash, in locations which are more accessible to users. In addition, most retail outlets offer opening hours which are more convenient than parking shops' opening times

The channels available to customers in the proposed delivery model are:

Product	Online	Call Centre	IVR	Post	Text
New permit issued	✓	✓			
Permit renewed	✓	✓	✓		
PCN payment	✓	✓	✓	✓	
Daily visitor permit (scratchcard)					
- Purchasing	✓	✓	✓		
- Using for visitor parking	✓		✓		✓

The proposal is to:

- Close the two parking shops in late 2012, during the current contract extension. The new parking contract to commence in July 2013 will not have parking shops. It is proposed that early closure offers the advantage of:

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- minimising potential disruption and the extent of business change associated with the start of the new contract
- introducing changes to parking operations to reduce operating costs before the new contract start date.
- Introduce and promote the use of alternative transaction channels away from face to face to improve service delivery – the current customer offer is primarily based on face to face services. The proposed customer offer will enable residents to complete transactions online or on the phone either with a call centre operator or using an automated call service (IVR). Promote the use of new transaction channels through a comprehensive communications campaign.

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

This project is consistent with the Council's aim to ensure that the services provided are relevant to the needs of the community.

The EIA is carried out to support good decision-making and to encourage the organisation to understand how different people will be affected by the proposed closure of the two parking shops so that the proposed service offer is appropriate and accessible to all and meets the needs of different people.

This EIA complies with the Equality Duty placed on public organisations to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equalities Act 2010
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

The project is consistent with the aim of the council's Equality Policy to ensure that: "services must be relevant, responsive and sensitive and that the council must be perceived as fair and equitable in its provision of services".

The project will ultimately aim to improve the quality of the service offer to our residents.

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 Equality assessment has been undertaken to determine the impact of the closure of the two parking shops on the following key stakeholders affected or potentially affected by the proposal:

- Residents of Brent who own a car and live in a CPZ area
- Residents of Brent who do not own a car but need a daily visitor's permit
- Residents of Brent and non-residents who use the parking shops for other transactions offered (eg PCN's)

The assessment has considered the overall aims of the proposal and there is some evidence to suggest that some groups of people may be adversely affected.

The reasons and the mitigating actions are explored in section 6 and more fully in Annex 3.

1. Grounds of race

A significant proportion of Brent residents are from BME background This may mean that they will be less able to complete their service request on the phone or online. The analysis undertaken as part of this assessment concluded that users falling with this category have a low tendency to self service. In addition, there was some evidence to suggest that certain ethnicities may be less likely to have a bank account.

2. Grounds of gender

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None identified

3. Grounds of disability

Some disabled users whom live within a CPZ (if they own a car and/or receive visitors with vehicles who require a daily visitor parking permit may be affected by the proposed change of service for the following reasons: those with visual impairment may not find the internet fully accessible; those with a physical impairment may find it difficult to use a mouse to navigate the web; those with a speech impediment or learning difficulties may be less able to complete their service request either via the internet or the phone; whilst those whom are deaf may not be able to complete transactions on the phone.

Note: disabled residents whom need a blue badge, are dealt with specifically by Adult Social Care. This arrangement will not be affected by the closure of the two parking shops. However a small number of disabled blue badge holders apply for a disabled permit from the parking shops. This permit acts as a substitute permit to display in the vehicle, due to the high risk of theft of the blue badge permit itself.

4. Grounds of faith or belief

None identified

5. Grounds of sexual orientation

None identified

6. Ground of age

The analysis shows that older people may be affected by the change in which the service is provided, as they are less receptive to online services. The analysis undertaken as part of this assessment concluded that users falling with this category have a low tendency to self service. Older residents may find it more difficult to cope with new technology/navigate the web or may not feel that online payments offer a secure means of transacting.

7. Gender reassignment

None identified

8. Maternity and pregnancy

None identified

9. Marriage and Civil Partnership

None identified

10. Socio-economic / income

This is not a specific protected characteristic group but may be a factor for a range of protected characteristic groups.

The analysis undertaken as part of this assessment concluded that users falling with this category have a low tendency to self service. This assessment also acknowledges that they may not have access to the technology in their homes to be able to do so. It also acknowledges that they may be less likely to have a bank account.

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to make your judgement separately (by race, gender and disability etc).

The parking shops currently do not gather equality information of users of the service, therefore the issues / impacts analysis is largely based on the Mosaic Public Sector 2009 to cover all residents living in the CPZ areas.

The table below lists out the information sources used:

Annex	Data Source	Detail/ Indicator	Commentary
Annex 4	Mosaic	Mosaic types	To identify how many households falling within each Mosaic type live within the CPZ areas, also expressed as a percentage of the total number of households in all CPZ areas. The Mosaic customer type was also referenced against corresponding equalities characteristics
		Likelihood to self service	This indicator provides an insight as to whether customers are likely to take up the proposed service offer
		Service channels preference	This indicator provides an insight as to whether customers are more or less receptive to using online or phone services
		Access to information	This indicator provides an insight as to whether customers are more or less receptive to accessing information using online or phone services
		Car ownership	
Annex 5	Mosaic Grand Index	Internet usage	This indicator provides an insight as to whether customers tend to use the Internet
		General finances	This indicator provides an insight as to whether customer within a Mosaic type tend to own credit or debit card(s) or whether they have no direct payment account
Annex 6	Client Index	Disability	Provides the count and % of individuals on Client Index receiving a disability benefit. It also highlights that 20 disabled permits were issued by the Parking Service contractor in 2011
Annex 7	GLA ethnic group projections for 2011. ¹	Ethnicity	The ethnicity profile for the borough
Annex 8	2007 Mayhew population study	Age	The age profile of residents whom live in CPZ areas

Mosaic is a system that analyses a wide range of external data sources, to classify UK citizens into 69 customer types. Each customer type provides an accurate view of citizens and their needs. This information has been used to get an understanding of the different customer types whom live in CPZ areas, and the likelihood of each customer type to engage in self service.

The information in Annex 4 indicates the:

- The main customer types whom live in the CPZ areas
- The number of households this refers to, also expressed as a % within the CPZ areas
- Their likelihood to engage in self service, indicated by the self service dial pointing at either Very Low, Low, Average, High, or Very High
- Further information on their preference for service channels, preference for accessing information, and car ownership.

¹ <http://data.london.gov.uk/datastore/package/gla-demographic-projections>

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Based on Mosaic data, and using the relevant protected characteristics, the number of households potentially affected in engaging in self service are:

Ethnicity – 12676 households (24% of households within the CPZ)

Socioeconomic – 3151 households (6% of households within the CPZ)

Age – 946 households (1.8% of households within the CPZ)

In addition, the Mosaic information in Annex 5 indicates:

- The national average (%) of customers whom don't use the internet, and particular customer types whom live in Brent CPZ's who are less likely than the national average to use the internet
- The national average (%) of customers whom don't have a bank account, and particular customer types whom live in Brent CPZ's who are less likely than the national average to have a bank account

Based on Mosaic data, the national average of customers whom don't use the internet is 30%. This is likely to be a factor with the new service model regardless of protected characteristic.

Based on Mosaic data, the national average of customers whom don't have a bank account is 5.6%. The number of permits issued in 2011 was 29331². This equates to 1642 permit transactions conducted by a customer whom doesn't have a bank account. Customers can buy more than 1 permit, so the actual number of customers whom fall into this category will be lower than 1642. Using Mosaic data the relevant protected characteristics likely to be most affected are ethnicity and socio economic status (see annex 5).

Based on Client Index data, 5% of households within a CPZ have a person receiving disability benefit. This equates to 2264 households. However only 20 disabled permits were issued by the contractor in 2011. These permits relate to those customers whom already have blue badges.

Qualitative feedback from the contractor suggests that Gujarati and Urdu are the main alternative languages spoken when customers can't speak English, however the volumes are low. Nevertheless, given that the usage of a daily visitors parking permit is high at approximately 700,000 per annum (distinct from the process of buying a daily visitor parking permit), and that the process of using a daily visitor parking permit is changing from simply displaying a permit in a vehicle to contacting the parking contractor via text/phone/internet to notify them of a visitor, more data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas. This will inform whether any specific language based mitigation measures need to be put in place.

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)

The key issues likely to impact on protected characteristic groups identified in Part 4 of this analysis are:

- Difficulties for users who do not have access to the Internet, have difficulty in using the internet and have no computer literacy
- Difficulties for users who do not have a credit card and can only pay by cash or who do have a debit/credit card but prefer to pay by cash
- Difficulties for users who do not speak English as a first language

Whilst these may be common issues across the equality strands, the nature, extent, challenge and proposed mitigation varies.

The mitigation to address the protected characteristics potentially affected by the changes are listed in the table below. This table is an abridged version of the table in Annex 3.

Who does this affect?	Project Element	How will these be mitigated/monitored?
-----------------------	-----------------	--

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Ethnicity	Transactional services and payment online	<p>Applying for permits and setting up/topping up a visitor permit account can be completed over the telephone.</p> <p>One to one support in completing parking transactions can be provided in the local Council offices at the Town Hall (2 PC's) and Brent House (4 PC's)</p> <p>Provision for cash payments is available via a payments provider at retail outlets.</p>
	Virtual visitor permit system	<p>Communications campaign to create awareness of the new processes customers will need to follow.</p> <p>Consideration to be given to producing literature or correspondence advising how the new system works, in different languages. More data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas, whom may use a daily visitor parking permit, and whether any specific language based mitigation measures need to be put in place.</p>
Disability	Transactional services and payment online (visual impairment)	<p>The Brent website has been designed to follow the accessibility guidelines issued by the World Wide Web Consortium (W3C) and the Royal National Institute of Blind People (RNIB). Text size for the site can also be changed using the browser</p> <p>Applying for permits and setting up/topping up a visitor permit account can be completed over the telephone.</p>
	Transactional services and payment online (physical impairment)	<p>Access keys are available on Brent's website to help users move around the key pages of the site without having to use a mouse</p> <p>Applying for permits and setting up/topping up a visitor permit account can be completed over the telephone.</p>
	Transactional services and payment online (learning disability)	<p>A review of the web will consider layout and content to make it easy to navigate. This will be completed by May 2012.</p> <p>One to one support in completing parking transactions can be provided in local Council offices</p>
	Transactional services and payment online (hearing impairment)	Applying for permits and setting up/topping up a visitor permit account can be completed over the internet.
	Virtual visitor permit system (visual impairment)	The option of notifying the Council of a visitor through using the landline or a text message on a mobile phone will also be available.
	Virtual visitor permit system (physical impairment)	As above
	Virtual visitor permit system (hearing impairment)	The option of notifying the Council of a visitor through using the internet or a text message on a mobile phone will also be available.
	Virtual visitor permit system (learning disability)	For those customers whom have a genuine difficulty in using any technology, concessions for continuing with physical scratchcards will be continued.
Age	Transactional services and payment online	Applying for permits and setting up/topping up a visitor permit account can be completed over the telephone.

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		<p>One to one support in completing parking transactions can be provided in local Council offices</p> <p>Provision for cash payments is available via a payments provider at retail outlets</p> <p>The Communications campaign will help promote the change in culture required to increase the likelihood to self-serve</p>
	Virtual visitor permit system	<p>The Communications campaign will help create awareness of the new processes customers will need to follow.</p> <p>The option of notifying the Council of a visitor through using the landline or a text message on a mobile phone will also be available.</p>
Socioeconomic/ income	Transactional services and payment online	<p>Free PC access is available at Brent Libraries. One to one support in completing parking transactions can be provided in local Council offices</p> <p>Applying for permits and setting up/topping up a visitor permit account can be completed over the telephone.</p> <p>Provision for cash payments is available via a payments provider at retail outlets</p> <p>Option to pay for parking permits via direct debit, enabling customers to better manage their monthly budgets</p>
	Virtual visitor permit system	<p>The option of notifying the Council of a visitor through using the landline or a text message on a mobile phone will also be available.</p>

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?

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The project carried out an 8 week consultation, and invited customers to complete a questionnaire to share their views on the proposals. A range of approaches were used to capture customer response to the proposals to make services available online and close the 2 parking shops:

- A summary of the proposals and the questionnaire was made available on Brent Council's Consultation Tracker website - www.brent.gov.uk/consultation
- A sample of 2000 existing permit holders were sent a letter outlining the proposals and a questionnaire in the post with a Freepost return envelope
- Notices summarising the proposals and hard copies of the questionnaire were made available in both parking shops. Queue managers at the Parking Shops encouraged customers to complete the consultation questionnaire whilst they were waiting in queues, to be served
- Notices summarising the proposals and hard copies of the questionnaire were made available at all Brent Libraries, Sports Centres and One Stop Shops. Copies of questionnaires in alternative formats and languages were available on request
- A project specific email address was set up and publicised to deal with any requests for information and or supplementary comments.
- An article on the parking shop consultation was published in the February/March 2012 edition of the Brent Magazine.
- A notice advising of the consultation was distributed at Area Consultative Forums (ACF) in Harlesden, Kilburn & Kensal, Kingsbury & Kenton, Wembley, and Willesden.

570 questionnaire responses were received, and the breakdown of which channel they originated from is indicated in the table below:

Channel	Volume	%
Postal	318	56%
Parking Shops	199	35%
OSS	2	0%
Sports Centre	0	0%
Consultation tracker	51	9%
Total	570	100%

The consultation results showed that a number of customers were not willing to use the internet to purchase parking products and preferred to use cash, rather than credit/debit cards. As a consequence, the proposed service delivery model was modified to take this into account. These changes to the proposed model are reflected in this document.

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

The results of the public consultation will be published with the Executive report and will be available on the Council's Consultation and Parking homepages.

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

There has been some coverage in local newspapers expressing concern about the parking shops closing, highlighting how customers without access to the internet will obtain parking permits. However this has not specifically highlighted a discriminatory concern.

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.

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socioeconomic/income; however there will be mitigation measures put in place with regard to the process of buying and obtaining parking permits. (See Section 6 and Annex 3 for detail)

Whilst the council would like to encourage customers contact and payment via the internet, which is considered the most efficient transaction channel, additional channels to incorporate the telephone and text message will be accessible to customers. The aim is that the council will take advantage of more efficient and modern transaction channels and that customers should see an overall improvement in the delivery of these services. In addition a small number of PC's are available for public use at local Council offices, and at Libraries.

More data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas, whom may use a daily visitor parking permit, and whether any specific language based mitigation measures need to be put in place.

It is also relevant to highlight that the Council is required to deliver an effective, high quality service within the context of financial constraints following reductions in funding from central government. The service is required to make budgetary savings of £200k for 2012/13 and a further £300k for 2013/14. The Parking Service proposals include additional access channels to the internet. Effective management and ongoing monitoring will ensure continuous improvement to help ensure that equality of opportunity in accessing the council service continues

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

The EIA shows that, with regard to the process of buying and obtaining parking permits, the identified potentially adverse impacts are mitigated by the proposed actions.

With regard to the usage of daily visitor parking permits, the extent of impact is currently unclear. More data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas, whom may use a daily visitor parking permit, and whether any specific language based mitigation measures need to be put in place. Further data and direct consultation with BME groups prior to implementation, and close monitoring post implementation will be carried out to assess the extent of impact, and whether specific mitigation measures need to be put in place.

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

A Communications and marketing campaign will be put in place to inform and promote the changes and benefits of the new customer offer. In addition there may be a staggered phasing out of the 2 parking shops to give residents more time to get used to the change in arrangements,

We will also gather equalities information going forward and continuously monitor the effectiveness of the Service to resolve identified issues as soon as possible, and to ensure continuous improvement.

13. What is the justification for taking these measures?

The council needs to respond effectively to the central government changes to local authority funding and still deliver a high quality, consistent customer service offer to all residents despite tighter financial constraints and the need to make budgetary savings. The leases on the 2 properties housing the parking shops are due to expire within the next 12 months, and renewing them will incur additional expense.

Furthermore, the parking contract is due to be re-tendered in 2013. It is proposed that specification for this contract will make far greater use of technology than the existing contract (specified in 2004, and based on a face to face service). The proposed changes within the current contract will enable a smoother transition and less risk of business disruption than planning a wholesale business change at the start of the new contract in 2013.

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 day of the assessment.

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The general equality duty is a continuing one, and equality considerations will be taken into account both when decisions are made and after the changes have been put in place. Equalities data is not currently captured within the Parking Service, and monitoring forms will be introduced going forward.

Post implementation of the changes, there will be detailed analysis of key performance indicators including transaction volumes, transaction types, processing time and take up of the various service options by protected characteristic groups following the proposed closure of the two parking shops. This will enable the Service to respond to issues that are identified. Responsibility for this will rest with David Thrale, Head of Safer Streets .

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

The assessment and the mitigations of the potential impacts demonstrate that the, with regard to the process of buying and obtaining parking permits, the project shows no potential discrimination and that the council has taken appropriate opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.

The consultation exercise was conducted via questionnaire, and customers accessing the parking shops during the consultation period would have had an opportunity to complete the questionnaire. Given that the vast majority of transactions take place in the parking shops, this would suggest that no one group would have had less opportunity to participate. Nevertheless, given that certain groups are more affected, some targeted engagement with those groups will be carried out.

With regard to the usage of daily visitor parking permits, the extent of impact is currently unclear. More data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas, whom may use a daily visitor parking permit, and whether any specific language based mitigation measures need to be put in place. Further data and direct consultation with BME groups prior to implementation, and close monitoring post implementation will be carried out to assess the extent of impact, and whether specific mitigation measures need to be put in place.

Should you:

1. Take any immediate action?
2. Develop equality objectives and targets based on the conclusions?
3. Carry out further research?

Further data analysis on the extent of non English speaking households in the CPZ areas, and some further engagement with specific groups will be carried out prior to implementation

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

Equality objectives will need to be developed to measure and monitor which customers with specific equalities characteristics are accessing specific transaction channels, and take management action where considered appropriate.

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

There will not be a specific budget. However actions to implement the mitigation measures highlighted in this report will be the responsibility of the Parking project team. Issues that come to light once the changes have been implemented will be the responsibility of the Safer Streets management team.

Signed by the manager undertaking the assessment:

Full name (in capitals please): MARK FAIRCHILD

Date: 10/04/12

Service Area and position in the council: Strategy, Planning and Improvement; Service Improvement Manager

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

David Pietropaoli – Recycling and Waste

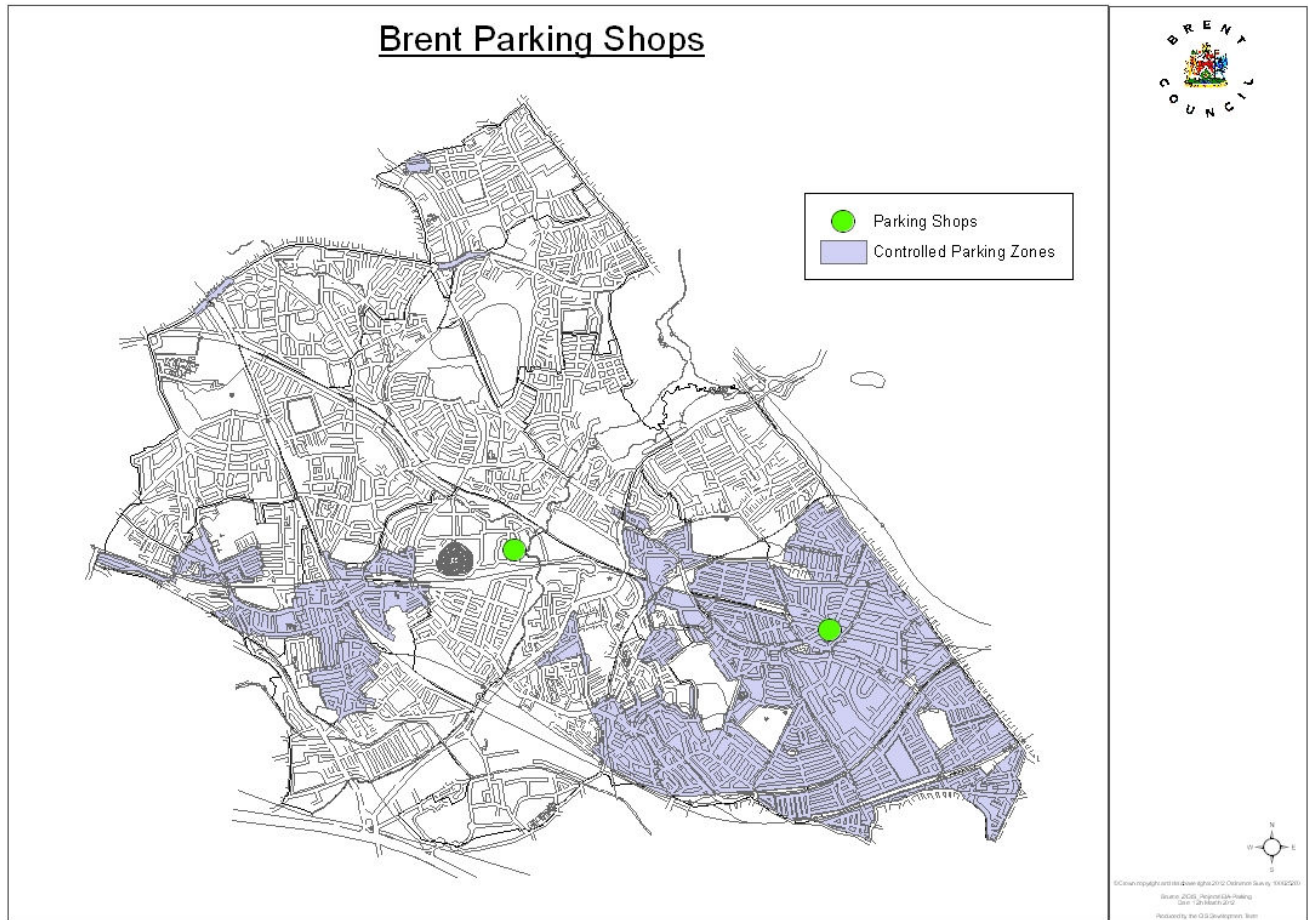
Elizabeth Bryan – Diversity Team

Kathy Robinson – Legal Services

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**

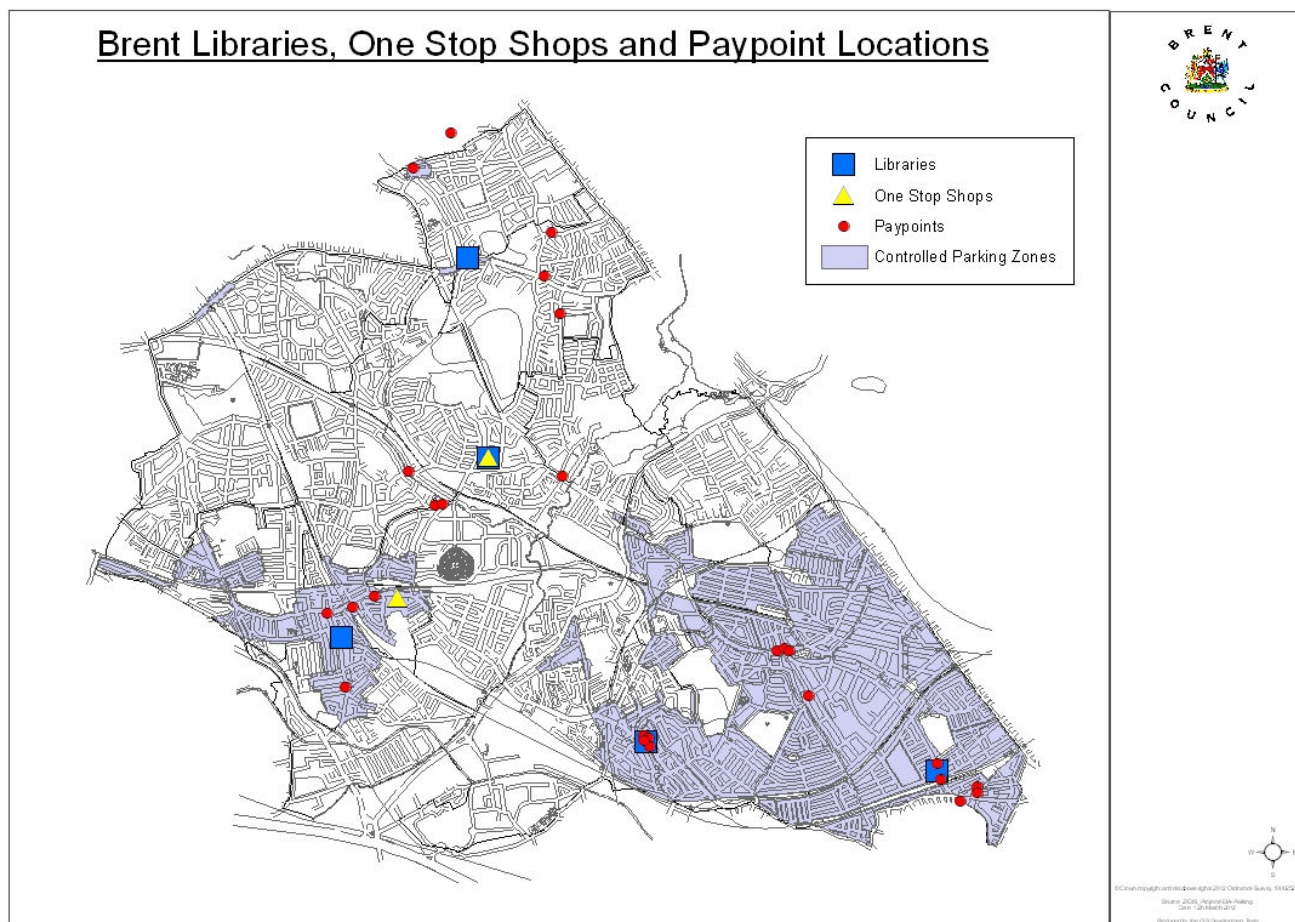
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Annex 1 – Current Service provision locations



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Annex 2 – Future Service provision locations



Note: the retail outlet locations which will accept cash for parking products are based on the closest 5 to the Library, One Stop Shop and current parking shop locations. The borough contains more retail outlets which will accept cash for parking products but due to the difficulty in extracting full data from the payment providers website it was not feasible to map each location.

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Annex 3 Negative affects on Equality Groups and Mitigation

1. Moving permit applications and scratchcard payments online.		
Permit applications, renewals and scratchcard payments are transactional and would be well suited to online customer self-service. This also means more convenience for the customer as transactions and payments can be made by customers at a time suited to them.		
A number of Mosaic groups within Brent have an average to low likelihood to self-serve. This includes Mosaic type 20 (Upwardly mobile South Asian families living in inter war suburbs), 65 (Young singles in mutli-ethnic communities, many in high rise flats), 63 (Multicultural tenants renting flats in areas of social housing), 64 (Diverse home sharers renting small flats in densely populated areas), 40 (Multi-ethnic communities in newer suburbs away from the inner city), 41 (Renters of older terraces in ethnically diverse communities), 55 (Capable older people leasing / owning flats in purpose built blocks), 58 (Less mobile older people requiring a degree of care), 60 (Tenants in social housing flats on estates at risk of serious social problems), 56 (Older people living on social housing estates with limited budgets) and 42 (South Asian communities experiencing social deprivation).		
Based on Mosaic data the number of households potentially affected with regard self service, against the relevant protected characteristics are:		
Page 33 Ethnicity – 12676 households (24% of households within the CPZ) Socioeconomic – 3151 households (6% of households within the CPZ) Disability – 379 households (0.7% of households within the CPZ) Age – 946 households (1.8% of households within the CPZ) It will take time to change customers’ behaviours and realise the full savings achievable through channel shift, but this can be accelerated by incentivising use of the online service where possible and an effective, targeted, communications and engagement strategy.		
Who does this affect?	Potential negative affect (Details)	How these will be mitigated/monitored
Ethnicity	Lower likelihood to self serve Language For those who do not speak English as a first language, navigating written (English) text on the website may be more difficult. Bank Account Some Mosaic groups defined by ethnicity may be less likely to have a bank account (see Annex 5)	The option of applying for and renewing permits, and setting up and topping up a scratchcard account via the telephone will be available. One to one support in completing parking transactions can be provided at Customer Service Points in local Council offices at the Town Hall (2 PC’s) and Brent House (4 PC’s). Other means of application such as contacting the contractors call centre will be available There is the option to pay in cash for parking permits and scratchcards, at local retailers whom are part of a payment providers network.
Gender	None identified	
Disability	Visual Impairment Those who are visually impaired may not find the	Brent council is committed to the accessibility of its web services. The Brent website has been designed to follow the accessibility guidelines issued by the World Wide Web Consortium (W3C)

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	<p>internet fully accessible.</p> <p>Physical Impairment Those with certain physical disabilities may find it difficult to use a mouse to navigate the web</p> <p>Learning Disability Customers who have a learning disability may also find it more difficult to navigate the web</p> <p>Hearing Impairment Customers whom have difficulty hearing may have difficulty completing transactions over the telephone.</p>	<p>and the Royal National Institute of Blind People (RNIB). Text size for the site can also be changed using the browser. Additionally, customers with visual impairment can apply for parking permits or scratchcards by contacting the contractors call centre.</p> <p>Access keys are available on Brent's website to help users move around the key pages of the site without having to use a mouse and navigate numerous links</p> <p>A review of the web will consider layout and content to make it easy to navigate, and will be complete by May 2012</p> <p>One to one support in completing parking transactions can be provided at Customer Service Points in local Council offices.</p> <p>The option of applying for and renewing permits, and setting up and topping up a scratchcard account via the internet will be available.</p>
Faith	None identified	
Sexual Orientation	None identified	
Age	<p>Lower likelihood to self serve Older residents may find it more difficult to cope with new technology/navigate the web or may not feel that online payments offer a secure means of transacting.</p>	<p>The option of applying for and renewing permits, and setting up and topping up a scratchcard account via the telephone will be available.</p> <p>One to one support in completing parking transactions can be provided at Customer Service Points in local Council offices.</p> <p>There is the option to pay in cash for parking permits and scratchcards, at local retailers whom are part of a payment providers network.</p> <p>The Communications campaign will help promote the change in culture required to increase the likelihood to self-serve</p>
Socioeconomic/ Income	<p>Lower likelihood to self serve Those on lower incomes have a lower likelihood to self-serve (Mosaic) and may not have access to the technology in their homes to be able to do so.</p>	<p>The option of applying for and renewing permits, and setting up and topping up a scratchcard account via the telephone will be available.</p> <p>Free PC access is available at Brent Libraries. One to one support in completing parking transactions can be provided at Customer Service Points in local Council offices.</p>

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	Bank Account Those on lower incomes may also be less likely to have bank accounts.	<p>There is the option to pay in cash for parking permits and scratchcards, at local retailers whom are part of a payment providers network.</p> <p>There will be the option to pay for parking permits via direct debit, enabling customers to better manage their monthly budgets.</p>
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2. Registering visitors using the virtual visitor permit system.

Registering daily visitors using a virtual permit system may reduce the risk of daily visitor permits being abused through existing scratchcards being sold on and used by those not eligible. The system requires that a customer notify the Council of a visitor through the internet, text or telephone, rather than the visitor displaying a physical permit. A similar scheme is in operation in Cheltenham Borough Council.

It will take time to educate customers of the new process they will need to follow, and for the existing stock of scratchcards already purchased to be run down. The transition to this scheme will involve an effective and targeted, communications and engagement strategy.


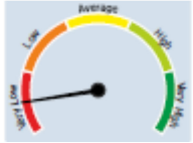
Who does this affect?	Potential negative affect (Details)	How these will be mitigated/monitored
Ethnicity	Language For those who do not speak English as a first language, navigating written (English) text on the website may be more difficult.	The Communications campaign will help create awareness of the new processes customers will need to follow. Consideration will also be given to producing literature or correspondence advising how the new system works, in different languages. More data needs to be gathered and analysed on the extent of non English speaking households in the CPZ areas, whom may use a daily visitor parking permit, and whether any specific language based mitigation measures need to be put in place prior to implementation. There will also be close monitoring carried out post implementation to assess the extent of impact, and whether specific mitigation measures need to be put in place.
Gender	None identified	
Disability	Visual Impairment Those who are visually impaired may not find the internet fully accessible. Physical Impairment Those with certain physical disabilities may find it difficult to use a mouse to navigate the web Learning Disability Customers who have a learning disability may also find it more difficult to navigate the web	<p>The Communications campaign will help create awareness of the new processes customers will need to follow.</p> <p>The option of notifying the Council of a visitor through either using a landline, a text message on a mobile phone in addition to the internet will all be available.</p> <p>For those customers whom have difficulty in using any technology, concessions for continuing with physical scratchcards can be continued.</p>

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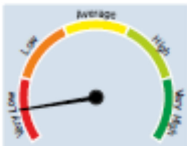
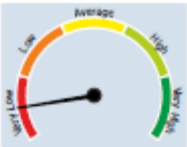
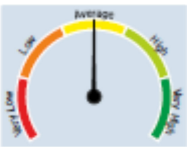
	Hearing Impairment Customers whom have difficulty hearing may have difficulty completing transactions over the telephone.	
Faith	None identified	
Sexual orientation	None identified	
Age	Older residents may find it more difficult to cope with new technology/navigate the web or may not feel that online payments offer a secure means of transacting.	<p>The Communications campaign will help create awareness of the new processes customers will need to follow.</p> <p>The option of notifying the Council of a visitor through using a landline or a text message on a mobile phone will also be available, in addition to the internet.</p>
Socioeconomic/Income	Income Those on lower incomes have an average likelihood to self-serve (Mosaic) but may not have access to the technology in their homes to be able to do so.	<p>The option of notifying the Council of a visitor through using a landline or a text message on a mobile phone will also be available, in addition to the internet.</p>

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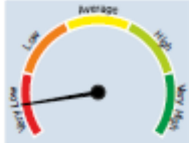
Annex 4 Mosaic Types by CPZ – customer groups less likely to self serve & with equalities characteristics.

CPZ areas	Mosaic type	Description	Number of household olds	% of total households in all CPZ areas	Likelihood to self service	Service channels	Access to information	Car ownership	%	Equalities Trait
C, E, E2, GA, GB, GC, GD, GH, GM, GS, H, HS, HW, HY, KC, KENTON, KG, KH, KL, KM, KQ, KR_1, KR_2, KS, MA_1, MA_2, MW, NC1, NC2, NS, ST, QA, SA, SH, ST, T, W	20	Upwardly mobile South Asian families living in inter war suburbs	4108	7.83		Service Channels Receptive None significant Non Receptive Mobile Phone Face to Face	Access Information Receptive Internet SMS Text National Papers Non Receptive Face to Face	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	46.86 27.09 8.85 17.21	Ethnicity
C, E, G, GA, GC, GH, GM, GS, H, HS, HW, HY, K, KB, KC, KD, KG, KL, KM, KQ, KR_1, KS, MA_1, MA_2, MW, NC2, NS, W	65	Young singles in multi-ethnic communities, many in high rise flats	2936	5.59		Service Channels Receptive None significant Non Receptive Internet Telephone Mobile Phone Post	Access Information Receptive National Papers SMS Text Magazines Non Receptive Interactive TV Local Papers	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	38.80 3.03 0.25 57.92	Socio economic Ethnicity

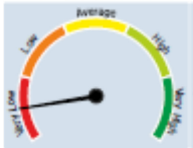
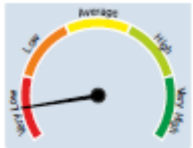

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C, E, G, GB, GC, GD, GH, GM, GS, H, HS, HW, HY, K, KB, KC, KENTON, KG, KM, KQ, KR_1, KS, MA_1, MA_2, MW, NC1, NC2, NS, NT, QA, SA, SH, ST, T, W, Y	63	Multicultural tenants renting flats in areas of social housing	2255	4.30		Service Channels Receptive <ul style="list-style-type: none"> None significant Internet Telephone Mobile Phone Post Non Receptive	Access Information Receptive <ul style="list-style-type: none"> SMS Text National Papers Non Receptive <ul style="list-style-type: none"> Local Papers 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	40.94 5.64 0.74 52.69	Ethnicity
C, E, E2, G, GA, GC, GH, GM, HS, HW, HY, K, KB, KC, KD, KG, KM, KQ, KR_1, KS, MA_1, MA_2, MK, MW, NC2, NS, ST	64	Diverse home sharers renting small flats in densely populated areas	2078	3.96		Service Channels Receptive <ul style="list-style-type: none"> None significant Internet Telephone Mobile Phone Non Receptive	Access Information Receptive <ul style="list-style-type: none"> National Papers Magazines Non Receptive <ul style="list-style-type: none"> Local Papers 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	38.80 3.03 0.25 57.92	
C, E, E2, G, GB, GC, GD, GH, GM, GS, H, HS, HW, HY, K, KC, KENTON, KH, KL, KR_1, KR_2, KS, MW, NC1, NC2, NS, NT, QA, SA, SH,	40	Multi-ethnic communities in newer suburbs away from the inner city	1874	3.57		Service Channels Receptive <ul style="list-style-type: none"> Internet Telephone Mobile Phone Non Receptive <ul style="list-style-type: none"> Face to Face 	Access Information Receptive <ul style="list-style-type: none"> SMS Text National Papers Non Receptive <ul style="list-style-type: none"> Face to Face 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	46.49 11.42 1.74 40.35	Ethnicity

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ST, T, W										
C, G, GB, GC, GD, GH, GM, GS, H, HS, HW, HY, K, KB, KC, KENTON, KG, KM, KQ, KR_1, KR_2, KS, MA_2, MW, NS, NT, QA, SA, SH, ST, T, W, Y	41	Renters of older terraces in ethnically diverse communities	1444	2.75		Service Channels <i>Receptive</i> <input type="checkbox"/> None significant <i>Non Receptive</i> <input type="checkbox"/> Internet <input type="checkbox"/> Telephone <input type="checkbox"/> Mobile Phone <input type="checkbox"/> Post	Access Information <i>Receptive</i> <input type="checkbox"/> SMS Text <input type="checkbox"/> National Papers <input type="checkbox"/> Local Papers <i>Non Receptive</i> <input type="checkbox"/> Internet <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive TV	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	46.49 11.42 1.74 40.35	Ethnicity
C, E, E2, G, GA, GB, GC, GH, GM, GS, H, HS, HW, KENTON, KL, KR_1, KR_2, KS, MA_1, MA_2, MK, MW, NC2, NS, NT, QA, SA, SH, ST, W, Y	55	Capable older people leasing / owning flats in purpose built blocks	495	0.94		Service Channels <i>Receptive</i> <input type="checkbox"/> Post <input type="checkbox"/> Face to Face <i>Non Receptive</i> <input type="checkbox"/> Telephone	Access Information <i>Receptive</i> <input type="checkbox"/> Face to Face <i>Non Receptive</i> <input type="checkbox"/> Telephone <input type="checkbox"/> SMS Text <input type="checkbox"/> Interactive TV	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	62.52 16.91 3.19 17.38	Age
C, E, G, GH, GM, GS, H, HS, HW, KB, KD, KG, KR_1, KS, MA_1, MA_2, MK, MW, NS, QA, SA, W	58	Less mobile older people requiring a degree of care	379	0.72		Service Channels <i>Receptive</i> <input type="checkbox"/> Face to Face <i>Non Receptive</i> <input type="checkbox"/> Internet <input type="checkbox"/> Telephone <input type="checkbox"/> Mobile Phone	Access Information <i>Receptive</i> <input type="checkbox"/> Face to Face <input type="checkbox"/> Local Papers <i>Non Receptive</i> <input type="checkbox"/> Internet <input type="checkbox"/> Telephone <input type="checkbox"/> SMS Text <input type="checkbox"/> Interactive TV	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	62.38 2.32 1.14 34.16	Age Disability

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C, E, E2, G, GH, GM, GS, H, HS, HW, HY, SA, Y	60	Tenants in social housing flats on estates at risk of serious social problems	215	0.41		<p>Service Channels</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> Face to Face <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Internet Telephone Mobile Phone Post 	<p>Access Information</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> SMS Text National Papers <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Internet Telephone 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	48.97 10.46 1.41 39.16	Socio economic
C, E, GH, GS, H, HS, HY, KENTON, NS, NT, QA, SA, SH, T, W	56	Older people living on social housing estates with limited budgets	72	0.14		<p>Service Channels</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> Face to Face <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Internet Telephone Mobile Phone 	<p>Access Information</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> Face to Face Local Papers <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Internet Telephone SMS Text Interactive TV Magazines 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	64.09 14.30 2.30 19.31	Age
C, E, H, HS, HY, KENTON, NC2, NS, SA, SH, ST, T	42	South Asian communities experiencing social deprivation	59	0.11		<p>Service Channels</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> None significant <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Mobile Phone Post 	<p>Access Information</p> <p><i>Receptive</i></p> <ul style="list-style-type: none"> SMS Text National Papers <p><i>Non Receptive</i></p> <ul style="list-style-type: none"> Internet Telephone Face to Face 	1 car/ light van 2 cars / light vans 3 cars / light vans or more None	48.99 16.85 6.36 27.81	Ethnicity

Mosaic customer types that account for less than 0.1% the total have been removed. 28 types have been removed which account for 0.71% of the total.

Impact Needs/Requirement Assessment Completion Form

Annex 5 Mosaic Grand Index

Category	Internet usage - non users
National Mean	29.94%

mosaic_type	Description	No of households	% of total h/holds in all CPZ areas	Significance	Equalities Trait
55	Capable older people leasing / owning flats in purpose built blocks	495	0.94	183	Age
58	Less mobile older people requiring a degree of care	379	0.72	292	Age, disability
60	Tenants in social housing flats on estates at risk of serious social problems	215	0.41	163	Socio economic,
56	Older people living on social housing estates with limited budgets	72	0.14	250	Age

Category	No direct payment account
National Mean	5.61%

mosaic_type	Description	Number of households	% of total h/holds in all CPZ areas	Significance	Equalities Trait
20	Upwardly mobile South Asian families living in inter war suburbs	4108	7.83	176	Ethnicity
65	Young singles in multi-ethnic communities, many in high rise flats	2936	5.59	162	Socio economic, ethnicity
60	Tenants in social housing flats on estates at risk of serious social problems	215	0.41	217	Socio economic,
42	South Asian communities experiencing social deprivation	59	0.11	327	Ethnicity

Note: Significance refers to the Mosaic Type mean divided by the National Mean multiplied by 100. A value of over 150 is a strong indicator that the mosaic type have a higher % than the national mean

Impact Needs/Requirement Assessment Completion Form

Annex 6 No of People Receiving Disability Benefit within CPZ

CPZ	No receiving disability benefit	No of Households	% of h/holds with a disabled person
C	135	2488	5.4%
E	42	1092	3.8%
E2	-	77	Not known
G	7	359	1.9%
GA	8	356	2.2%
GB	43	1228	3.5%
GC	110	1958	5.6%
GD	16	321	5.0%
GH	93	1439	6.5%
GM	67	1646	4.1%
GS	41	866	4.7%
H	103	1234	8.3%
HS	120	1794	6.7%
HW	186	2921	6.4%
HY	60	941	6.4%
K	73	1095	6.7%
KB	77	2130	3.6%
KC	69	911	7.6%
KD	115	2100	5.5%
KENTON	3	62	4.8%
KG	37	890	4.2%
KH	13	424	3.1%
KL	43	1626	2.6%
KM	72	1223	5.9%
KQ	73	1653	4.4%
KR_1	99	1841	5.4%
KR_2	4	150	2.7%
KS	70	2023	3.5%
MA_1	101	1848	5.5%
MA_2	38	830	4.6%
MK	47	1351	3.5%
MW	129	2351	5.5%
NC1	-	15	Not known
NC2	9	120	7.5%
NS	35	887	3.9%
NT	9	341	2.6%
QA	7	132	5.3%
SA	50	1110	4.5%
SH	15	418	3.6%
ST	13	310	4.2%
T	13	275	4.7%
W	14	421	3.3%
Y	5	99	5.1%
Total	2264	45356	5.0%

Impact Needs/Requirement Assessment Completion Form

Annex 7 GLA Borough Ethnic Breakdown

Ethnicity	No	%
White	117,502	41%
Black Caribbean	27,741	10%
Black African	24,182	8%
Black Other	11,294	4%
Indian	56,833	20%
Pakistani	13,067	5%
Bangladeshi	1,136	0%
Chinese	3,648	1%
Other Asian	19,519	7%
Other	14,117	5%
Total	289,041	100%


Impact Needs/Requirement Assessment Completion Form

Annex 8 provides the age profile of residents whom live in CPZ areas.

Age group	Count of Age	Percentage of total
Under 16	22843	18.8%
16-24	12505	10.3%
25-34	22006	18.1%
35-44	19574	16.1%
45-54	13567	11.1%
55-64	9244	7.6%
65-74	6838	5.6%
75+	4680	3.8%
<i>Age unavailable</i>	<i>10436</i>	<i>8.6%</i>
Grand Total	121693	

Data Source - Mayhew 2007 Population study

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	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Environment and Neighbourhood Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Environment and Neighbourhoods Capital Spend 2012/13: Highway Major Works Programme</p>	

1.0 SUMMARY

- 1.1 This report makes recommendations to members detailing the prioritised programme for major footway upgrade projects, carriageway resurfacing schemes, accessibility and improvements to grass verge areas, renewal of marginal highway land, new street signage/improvements to public realm, gully 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 2012/13 capital works programme, which was included in the Budget and Council Tax report to the meeting of the Executive on 13th February 2012 and received Full Council approval on 27th February 2012.
- 1.2 This report also details, for information, the Principal (A) Road programme for 2012/13, which utilises the £788k 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 £3,988k TfL LIP Capital allocation for 2012/13; these have been covered under a separate report to Highways Committee on 7th February 2012. These schemes require extensive consultation with stakeholders and therefore schemes may change, be altered or abandoned; consequentially this report also identifies a capital allocation of £100k (3.4% of the £2.92m) to be used as a contingency.

2.0 RECOMMENDATIONS

- 2.1 That the Executive agrees to utilise the (2012/13) main highways capital programme allocation of £2,920k as follows:

Footways

	% of Budget	Amount (£ 000's)
▪ Major footway upgrade	38.4	1,120
▪ Footway upgrades – short sections	3.4	100
▪ Renewal of marginal highway land	0.9	25
▪ Accessibility and Improvement to grass verges	1.7	50
▪ Renew Signage / Public Realm Improvements	2.5	75
Total	46.9	1,370

Carriageways

▪ Major carriageway resurfacing of non-principal unclassified (borough road) network	37.6	1,100
▪ Major carriageway resurfacing of non-principal classified (B & C) network (NI169)	5.2	150
▪ Carriageway resurfacing – short sections	5.2	150
▪ Gulley replacement/maintenance	1.7	50
Total	49.7	1,450

Miscellaneous

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

- 2.2 That 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 have been used to help identify 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 officers that are responsible for undertaking responsive and routine safety inspections.
- 3.1.2 For the purposes of this particular survey only residential streets were included. Brent's Principal classified (A) roads and non-Principal classified (B & C) roads are the subject of separate condition surveys.
- 3.1.3 Through their day-to-day involvement, this team of officers 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.

- 3.1.4 In 2006, to ascertain the overall condition of the highways network, a visual survey of the whole network was carried out by an independent specialist company in accordance with the United Kingdom Pavement Management System visual survey manual. For subsequent years, further condition surveys have been commissioned and carried out of streets identified in accordance with 3.1.1.above. The last condition survey was completed in late 2011 and has enabled officers to update the database and prioritise streets on the basis of their condition score.
- 3.1.5 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. 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.
- 3.1.6 Appendices 1 and 2 contain details of the streets which have been selected for renewal (footways) or re-surfacing (carriageways) as a result of this process.
- 3.1.7 The recent winter weather conditions will not have affected survey assessments as officers visited those with the highest defect score to verify the results in early February 2012 and are satisfied with the current prioritisation of footways and carriageways. However, the effect of the severe weather conditions undoubtedly has an impact on levels of intervention and a subsequent demand on the revenue budget.

3.2 **Unclassified (U) roads - carriageways**

- 3.2.1 The condition of Brent's residential, unclassified (U), borough roads has been retained as a local indicator. The scores, showing the percentage of the network that may require maintenance, for the last 5 years are as follows:

Table 1: % of the unclassified network where maintenance should be considered.	
Year	Score
2006/2007	18%
2007/2008	20%
2008/2009	23%
2009/2010	23%
2010/2011	27%

- 3.2.2 There is a 5% tolerance in visual surveys. As there has been a decrease in the overall condition index in 2011, revenue funding was targeted to road repairs following winter weather conditions, and the network is in a relatively steady state. To maintain the condition of this network and to mitigate the effects of

future winter conditions on roads in poor condition that are more susceptible to damage it is recommended that the level of funding allocated is £1,100k - which is approximately 38% of this year's overall budget.

3.3 **Principal classified (A) roads - carriageways**

3.3.1 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 part of the network where condition surveys have indicated that structural maintenance may be required.

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

Table 2: % of the principal road network where maintenance should be considered.	
Year	Score
2006/2007	21% *
2007/2008	8%
2008/2009	8%
2009/2010	11%
2010/2011	9%

* Measured using a previous methodology so the results are not directly comparable.

3.3.3 Brent has been allocated £788k by TfL for 2012/13 for improvements to specific sections of the principal road network. The results of the last London-wide condition survey has been used to allocate the funding and the details are listed in Appendix 3.

3.3.4 Historically, none of Brent's capital or revenue budget provision, has been spent in supplementing funds received from TfL for major resurfacing as priority has been accorded to the non-principal road network for which TfL funding is not available. However, a small amount of funding from the short-sections allocation may need to be used to resurface certain sections of principal roads if they have deteriorated to the extent that they are beyond economical localised repair.

3.4 **Non-principal classified (B&C) roads - carriageways**

3.4.1 The non-principal classified network comprises 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 higher volume of traffic than residential or other unclassified roads.

3.4.2 Appendix 7 is a map showing the roads which comprise the 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). The scores for the last 5 years are as follows:

Table C: % of the B & C road network where maintenance should be considered.	
Year	Score
2006/2007	21%*
2007/2008	10%
2008/2009	9%
2009/2010	9%
2010/2011	7%

* Measured using a previous methodology so the results are not directly comparable.

3.4.3 To maintain an ongoing improvement in the condition of this part of the network it is the view of officers that a proportion of the carriageway resurfacing budget should continue to be targeted to improving a small number of these B & C roads.

3.4.4 For this reason, it is recommended that £150k (approximately 5.2% of this year's overall budget) is assigned to improving certain sections of this network that have been prioritised using the latest condition survey and are listed in Appendix 2. Further sites are to be identified from the results of a SCANNER machine survey which are due in April 2012.

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 the 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.

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

Table D: % of the high usage footways (prestige areas in towns and cities, busy urban shopping areas, and main and medium use linkage routes network) where maintenance should be considered	
Year	*Score
2006/2007	14%
2007/2008	17%
2008/2009	20%
2009/2010	17%
2010/2011	27%

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 maintenance is called for, but do not represent the condition of the vast majority of the network. Following

the latest condition score officers will target reactive maintenance and some improvements to this network utilising the footway short sections budget.

- 3.5.4 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 maintenance. With the increase in requests for footway repairs and pressure on the responsive maintenance budgets, it is recommended that £1,120k (approximately 38% of this year's overall budget) is 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 Brent's Highway Asset Management Plan (HAMP). This is currently being reviewed to include the impact of climate change and surface water management, sustainability, skid resistance 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. A wide range of issues are brought together in the HAMP including the approach to customer service, safety, serviceability, and sustainable preservation of the infrastructure. The HAMP also 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 the department 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 Following the HAMP review officers will focus on improving systems (including the use of IT), and processes to improve the long term planning and value management to reduce whole life asset costs and therefore reduce the pressure on future reactive maintenance (revenue) budgets. However, officers are mindful of the need to balance a long term strategy with the short term need to carry out improvements to the highway infrastructure.
- 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 known that local authorities will be required to report for the Whole of Government Accounts on the new basis from 2012/13.
- 3.6.4 Officers 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 a "dry run" Depreciated Replacement Cost (DRC) valuation calculated on

condition, considering impairment and depreciation. The Council is therefore well placed to submit a further DRC for 2012/13 in accordance with financial reporting standards.

3.7 Skid resistance

- 3.7.1 In 2008 TfL commissioned consultants to carry out a regular Sideway-force Coefficient Routine Investigation Machine (SCRIM®) survey on London's Principal (A) road network to assist 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 could contribute to the risk of traffic accidents on wet roads.
- 3.7.2 Officers analyse the 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 for 2010/11' 14 locations were identified as requiring the installation of 'slippery road ahead' warning signage - the cost of which can be met from existing revenue budgets.
- 3.7.4 Road surfacing / retexturing measures / anti-skid resurfacing is still required for 17 sites, and these will either be the subject of future bids to TfL for principal road resurfacing, or maintenance will be carried out to improve the road surface texture. Some of these sites may also be subject to other TfL funded road safety schemes.
- 3.7.5 Officers have developed a borough skid resistance policy which has been incorporated into the HAMP.

3.8 Other issues

- 3.8.1 When developing the works programme 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.
- 3.8.2 Schemes that are not completed within 2012/13 will be included in next years highways major works programme.
- 3.8.3 Appendix 4 details major footway upgrade and carriageway resurfacing work that has been carried out in the borough for 2008/9, 2009/10, 2010/11 and 2011/12. 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 2012/13 within each ward. Appendix 7 is a borough map identifying the principal road and non-principal classified road networks.

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 These 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.

3.9.4 For these reasons £150k (approximately 5.2% of this year's overall budget) has been allocated to resurfacing various smaller sections of carriageway throughout the Borough where there are on-going maintenance requirements. These sites will 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 approximately 3.4% of this year's overall budget 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 approximately 1.7% 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 were identified by officers who considered reports from councillors, members of the public, consultative forums, and staff inspections.

3.12.4 Officers have surveyed all the sites identified and prioritised each to determine this year's programme. The budget will be utilised on improvements to sites identified throughout the year. These will be prioritised by officers.

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 2012/13 a capital allocation of £25k (approximately 0.9%) 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 road 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. 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. When officers undertake routine gully cleaning approximately 5-8 gullies per month are found to be defective.
- 3.14.2 With careful prioritisation, officers can organise the repair and replacement of approximately 50 gullies with a budget of £50k (approximately 1.7%). 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 Renew Signage / Public Realm Improvements.

- 3.15.1 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 include the rationalisation of signage / improvement to public realm including reducing street clutter.
- 3.15.2 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. Areas have been prioritised that would visibly benefit from signage renewal, improving both road safety and the street scene. The 2012/13 programme will utilise £75k approximately 2.5% of funding to continue to improve the boroughs directional and regulatory signs and the improvement to public realm.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Council's approved capital programme for 2012/13 includes the following provisions:

Major footway upgrade projects, carriageway resurfacing schemes, accessibility and improvements to grass verge areas, renewal of marginal highway land, new street signage/improvements to public realm, gully improvements, carriageway resurfacing (short sections) and footway upgrades (short sections).	£2.920m
Principal Road resurfacing schemes from the local transport capital expenditure settlement 2012/13. These schemes are listed in appendix 3, and are prioritised from a London-side survey commissioned by Transport for London (TfL). The schemes are all funded by TfL.	£0.788m

Total	£3.708m
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- 4.2 With the exception of principal road resurfacing, the cost of the schemes will be accommodated within the capital budget allocations. The investment described will, together with revenue investment in responsive repairs, generally hold the condition of the network in a “steady state”. Consequently there are no revenue implications arising from this report.
- 4.3 The work will be delivered utilising the current highways framework term contracts which will expire in March 2013. No resource implications are expected in utilising the existing term contractors to deliver the 2012/13 highways major work programme. Contractors have performed satisfactorily and the current work programme will be successfully completed with final outturns forecast to meet budget targets for 2011/12. The term contracts are also utilised in delivering various TfL funded highway improvement schemes.
- 4.4 Prices in the current contracts are subject only to annual retail price index (RPI) increases rather than the historically higher ROADCON industry index and therefore 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.
- 4.5 The Highway Procurement report to the Executive on 16th January 2012 provided members with information on this ‘Transforming London’s Highway Management’ project and the work in progress by London Boroughs and Transport for London (TfL), supported by London Councils and Capital Ambition to identify and seize opportunities to improve arrangements for the delivery of highway services in London. The project has a number of work streams but has essentially focused on opportunities to increase value for money across London through new collaborative delivery models.
- 4.6 The One Council Highways project will be considering options for the procurement of highway contracts from April 2013 through the London Highway Alliance Contract to secure the best value for money and a further report will be brought on this issue in due course.

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 must be let in accordance with the Council’s contract standing orders contained in part 3 of the constitution.

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 There are no significant staffing implications arising from 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, flooding risk and highway drainage, and the replacement/planting of suitable species of street trees.
- 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 planning's arising from carriageway resurfacing are recycled by the contractor or provided free of charge to Parks Services. This material has similar properties to quarry stone, stabilises when compacted and is therefore suitable for regulating and maintaining 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:

Relay/Resurface, Residents/Councillor, Letters/Questionnaires
Footway Priority Lists
Carriageway Priority Lists
Highway Engineers Recommendations
Accident Report Data

Appendices

Appendix 1 – Proposed footway & associated work upgrade programme 2012/13

Appendix 2 – Proposed carriageway resurfacing programme 2012/13

Appendix 3 – TfL funded Principal road carriageway re-surfacing programme 2012/13

Appendix 4 - Completed carriageway & footway works 2008/9 to 2011/12

Appendix 5 – Ward name abbreviations

Appendix 6 – Map of proposed schemes 2012/13

Appendix 7 – Map of the Brent highway network.

Contact Officer

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Sue Harper

Director of Environment and Neighbourhood Services

APPENDIX 1 (Footways)

£1120k FOOTWAY UPGRADE PROGRAMME 2012/13

Road Name	Total	Ward	Source
*Sudbury Court Road (Elms Lane to Sudbury Court Drive)	£160k	NPK	A/C/D
*Regal Way (Preston Road to Westward Way)	£147k	KEN	A/C
Parkside	£124k	DOL	A/C
Coniston Gardens	£132k	FRY	A/C/D
Elms Park Avenue	£44k	SUD	A/C
Princes Avenue (North Way to Stag Lane)	£196k	QBY	A/C
Tatum Road	£38k	STN	A/C
Brondesbury Road (Donaldson Road to Hazelmere Road)	£87k	KIL	A/C
Montpelier Road	£134k	PRE	A/B/C
Chambers lane (Dobree Avenue To Sidmouth Road)	£58k	BPK	A/B/C
Total	£1120k		

Reserves

Attewood Avenue	£84k	WHP	A/C
Kempe Road	£176k	QPK	A/C
Lea Gardens	£62k	TOK	A/C
Cecil Avenue	£122k	WEM	A/C
Northwick Avenue	£218k	NPK	A/B/C
Greenhill Park	£78k	HAR	A/C

* reserve scheme from 2011/12 programme

Source;

A = Recommendation by engineering staff
B = Councillor Request

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

Note : 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.

£50k ACCESSIBILITY & IMPROVEMENT TO GRASS VERGE AREAS

Various sites to be identified in consultation with Recycling and Waste and Safer Streets.

£25k HIGHWAYS MARGINAL LAND

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

£75k RENEW SIGNAGE / PUBLIC REALM IMPROVEMENTS

Various sites in the Borough.

£50k GULLIES & ASSOCIATED FOOTWAY PONDING

Various sites in the Borough.

Appendix 2 (Carriageways)

£1100k CARRIAGEWAY SURFACING BOROUGH ROAD SURFACING PROGRAMME 2012/13

	Total	Ward	Source
*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
*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	£37k	WEM	A/C/D
*Beaconsfield Road	£18k	WLG	A/C
Chapter Road (244 to Park Avenue)	£115k	WLG	A/B/C
Kingsmead Avenue	£33k	WHP	A/C
St.Michaels Road	£28k	MAP	A/C/D
Swinton Close	£9k	BAR	A/C
Peter Avenue	£73k	BPK	A/B/C
Granville Road	£32k	KIL	A/C
Woodcock Hill (Preston Road to Draycott Avenue)	£101k	KEN	A/B/C
Harlesden Gardens (St.Johns Avenue to Crownhill Road)	£38k	HAR	A/C
Priory Park Road	£12k	SUD	A/C
Woodgrange Avenue	£51k	KEN	A/B/C
Stanley Park Drive	£27k	ALP	A/C
Peploe Road	£45k	QPK	A/C
St.Andrews Road	£23k	WLG	A/B/C

Total £1100k

RESERVES

Napier Road	£22k	KGN	A/C
Grove Way	£26k	TOK	A/B
The Grove	£34k	FRY	A/B/C

Kingsley Road	£25k	KIL	A/C
Scudamore Lane	£14k	QBY	A/C
Shelly Gardens	£21k	NKP	A/B/C
Longfield Avenue	£22k	PRE	A/B
Bruce Road	£33k	STN	A/C
Lewis Crescent	£19k	STN	A/C
Brook Road (NCR to Crest Road)	£71k	DOL	A/B/C
Bowrons Avenue	£66k	WEM	A/C

* Reserve scheme from 20011/12 programme

Source;

A = Recommendation by engineering staff

C = Requests from member of the public

B = Councillor Request

D = Request from Accident Claims Officer

£150k CARRIAGEWAY SURFACING NON-PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2012/13.

Road Name	Total	Ward
Abbey Road (Commercial Way to Ealing boundary)	£52k	STN
Great Central Way (Yeats Close to NCR underpass)	£66k	STN

Further sites to be prioritised following the SCANNER survey results.

£150k SHORT SECTIONS OF CARRIAGEWAY RESURFACING

Various sites to be identified by officers in Transportation

Appendix 3 (Carriageways)

£788k TFL FUNDED PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2012/13

Road Name	Total	Ward
A4089 Ealing Road(Glacier Way to Bridgewater Road)	£75k	ALP
A404 Harrow Road (Roundtree Road to Rugby Avenue)	£96k	SUD
A407 Walm lane (from Station Parade to High Road Willesden)	£88k	WLG/MAP
A404 Harrow Road (from Jesmond Avenue to Flamstead Avenue)	£78k	WEM/TOK
A404 Harrow Road (from Victoria Avenue to Monks Park)	£48k	TOK
A4005 Bridgewater Road (from Whitton Avenue to Nos 146)	£130k	ALP
A404 Watford Road by Northwick park hospital	£70k	NPK
A407 High Road Willesden (Dudden Hill lane to Huddlestone Road)	£122k	WLG
A4088 Dudden Hill Lane (Clifford Way to Lennox Gardens)	£81k	DNL
Total	£788k	

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.

APPENDIX 4 (Major carriageway and footway completed works from 2008/9 to 2011/12)

Main Programme 2011/12

CARRIAGEWAY SURFACING BOROUGH ROAD PROGRAMME 2011/12

Road Name	Ward	Length meters
Woodcock Hill	KEN	1120
Uxendon Hill	BAR	680
Mount Pleasant (Beresford Avenue to Highcroft Avenue)	ALP	290
Dennis Avenue	TOK	60
Doyle Gardens (All Souls Avenue to College Road)	KGN	290
Princes Avenue (Brempton Road to Honeypot Lane)	QBY	350
Walrond Avenue	WEM	130
Dyne Road	KIL	480
Plympton Avenue	KIL	120
Rosemead Avenue	WEM	210
Furness Road (Holland Road to Doyle Gardens)	KGN	185
Mersham Drive	FRY	255
The Close	WEM	145
Brinkburn Gardens	QBY	340
Byron Road	DOL	470
Humber Road	DOL	380
Bryan Avenue (Rowden Avenue to Peter Avenue)	BPK	110
Lane Close	DOL	50
Mount Pleasant Road	BPK	590
Fernbank Avenue	SUD	440
Rosebank Avenue	SUD	440
Holyrood Gardens	QBY	490
Sunleigh Road (including Wendy Way and Clifton Way)	ALP	310
Irwin Gardens	BPK	130
Dawpool Road	DOL	210
Geary Road	DNL	290
Redfern Road	HAR	240
Gooseacre Lane	KEN	190
Hillview Avenue	KEN	210
Douglas Road	KIL	220
Blockley Road	NPK	340
Garden Way	STN	175
Victoria Avenue (Viven		

Avenue to Oakington Manor Drive)	TOK	195
Colin Road	WLG	185
Beverly Gardens	BAR	580
Grove Park	QBY	570
Total length		11.40km

MAJOR FOOTWAY UPGRADE PROGRAMME 2011/12

Road Name	Ward	Length metres
Windsor Crescent	BAR	460
Georgian Court	TOK	400
Old Kenton Lane	FRY	1060
Keslake Road	QPK	900
Goldsmith Lane	QBY	740
Ancona Road	KGN	320
St.Raphaels Way	STN	740
Dartmouth Road (Exeter Road to Mapesbury Road)	MAP	480
Hazel Grove	ALP	160
Preston Way	BAR	390
Radnor Road	KIL	210
Plympton Road	KIL	750
Dobree Avenue	BPK	700
Birchen Grove	WH	900
Total length		8.21km

CARRIAGEWAY SURFACING NON –PRINCIPAL CLASSIFIED (B&C) ROADS PROGRAMME 2011/12

Road Name	Ward	Length metres
Stag Lane (Holmstall Avenue to Princes Avenue)	QBY	460
Oxgate Lane	DOL	370
Chamberlayne Road (Hardinge Road to Okehampton Road)	QPK/BPK	130
Total length		0.96km

PRINCIPAL ROAD CARRIAGEWAY SURFACING PROGRAMME 2011/12

Road Name	Ward	Length metres
A4089 Wembley Park Drive (from Park Lane to Elmside Road)	PRE/TOK	600
A404 Watford Road (Hospital exit to Golf course entrance)	NPK	450
A4003 Willesden Lane (from Mapesbury Road to Cavendish Road)	BPK	300
A4005 Bridgewater Road (from Cemetery to Clifford Road)	ALP	240
A4089 Ealing Road (Mount Pleasant to Stanley Avenue)	WEM/ALP	310
Total length		1.90km

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

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

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

Total length 11.290km

MAJOR FOOTWAY UPGRADE PROGRAMME 2009/10

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
A4000 Station Road (Tubbs Road – Acton Lane)	HAR/KGN	0.36
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
Alpertown 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 name 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

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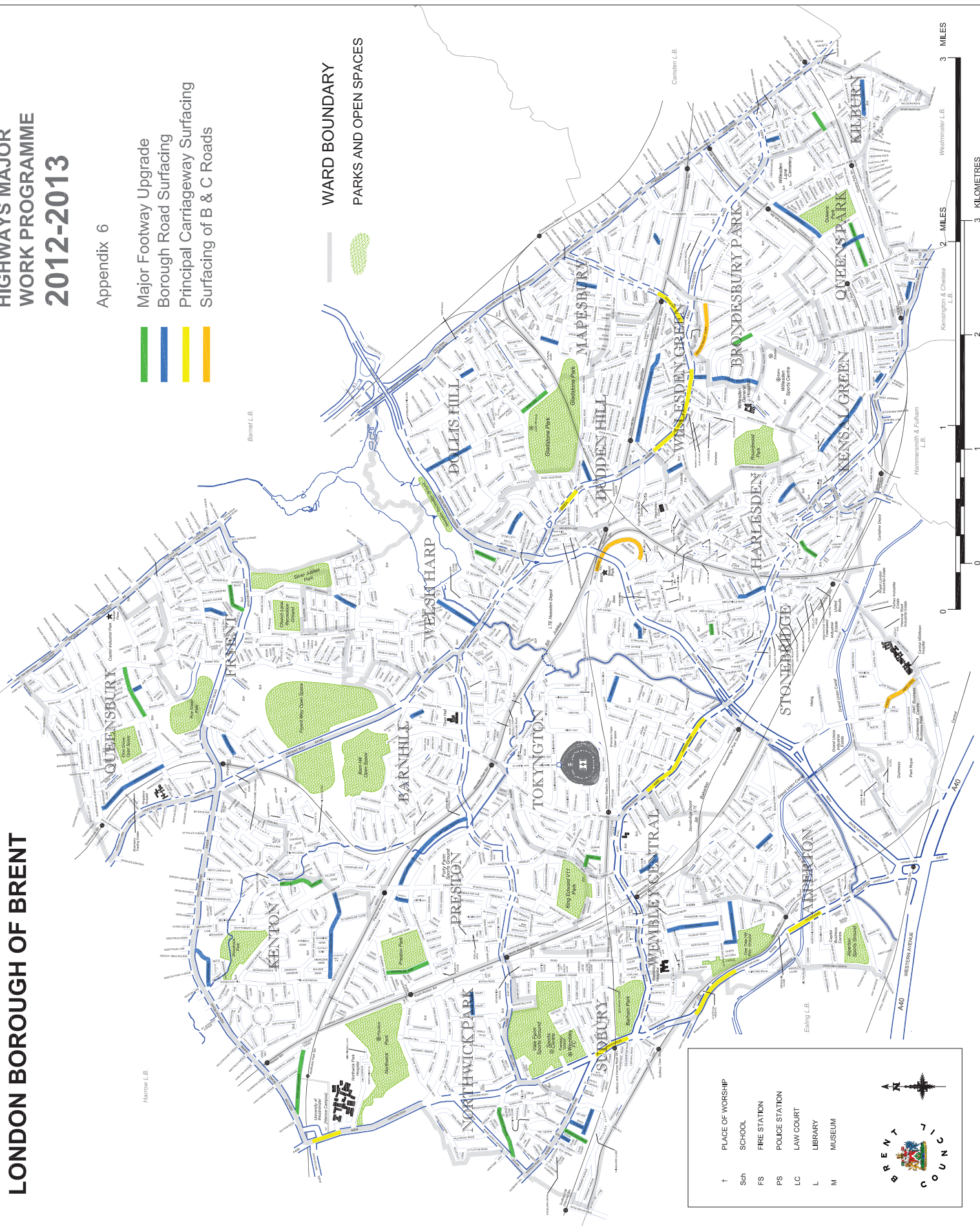
Appendix 6

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

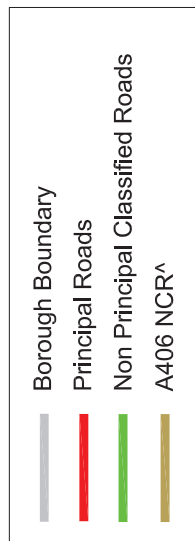


WARD BOUNDARY

PARKS AND OPEN SPACES



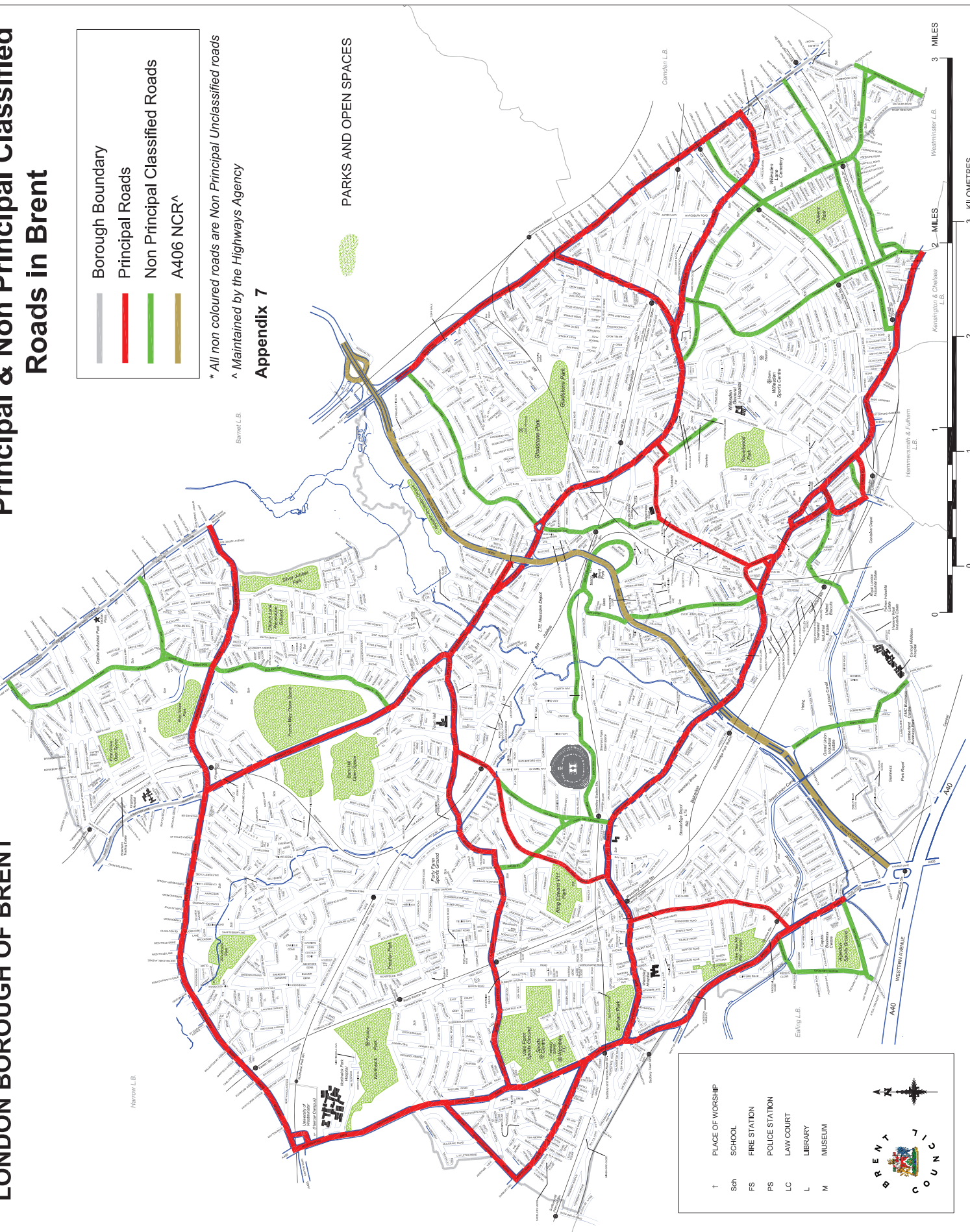
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* All non coloured roads are Non Principal Unclassified roads
^ Maintained by the Highways Agency

Appendix 7


PARKS AND OPEN SPACES



- † PLACE OF WORSHIP
- Sch SCHOOL
 - FS FIRE STATION
 - PS POLICE STATION
 - LC LAW COURT
 - L LIBRARY
 - M MUSEUM



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	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Environment and Neighbourhood Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p style="text-align: center;">Control of distribution of free literature on designated land</p>	

1.0 Summary

- 1.1 This report recommends adoption of licensing powers to regulate the distribution of free literature (flyers/leaflets/newsletters/ newspapers), which causes significant littering problems and can impede passers-by who have literature thrust at them.
- 1.2 These controls are being sought now to assist with the effective control of literature distributors anticipated during the Olympic period in an attempt to reduce the amount of waste printed material deposited in certain areas of the borough.

2 Recommendations

- 2.1 Members agree to designate the following roads as places where free literature may not be distributed without the Council's prior written consent in the form of a licence as described in paragraph 3.2 :

Kilburn/Cricklewood – Kilburn High Road, Shoot-Up Hill, Cricklewood Broadway, Willesden Lane

Willesden/Harlesden – High Road (Willesden), Walm Lane, Craven Park Road, High Street (Harlesden), Dudden Hill Lane, Station Road (Harlesden).

Wembley – Bridge Road, Wembley Hill Road, Wembley Park Drive, Park Lane, Empire Way, South Way, Rutherford Way, Engineers Way, Olympic Way, Fulton Road, Brook Avenue, Great Central Way, First Way, Fourth Way, Fifth Way, High Road, Harrow Road, St John's Road, Lancelot Road, Ealing Road, Ecclestone Place, London Road, Dagmar Avenue, Linden Avenue, Mostyn Avenue

Kingsbury/Kenton/Edgware – Kenton Road, Kingsbury Road, Edgware Road

- 2.2 Members agree the fees set out in paragraph 3.12
- 2.3 Members agree that the proposed licence conditions in Appendix 1 be applied to all licences.

3.0 Detail

- 3.1 Distribution of free literature has been of concern due to people dropping the printed material as litter. Current controls, namely, statutory nuisance provisions (which only apply to private land) and seizure and disposal of literature under London Local Authorities Act 1996 have had limited impact because the distributors return with more literature. Furthermore, there are no controls in place to limit the number of distributors or recover the cost of enforcement.
- 3.2 Section 23 of the Clean Neighbourhoods and Environment Act 2005 ("The Act") (as inserted by section 94B and Schedule 3A of the Environment Protection Act 1990) provides specific provisions to control the distribution of free literature. The powers provide a presumption to allow distribution of free literature but only under consents (to be issued in the form of a licence) by the Council. The licence will include specific conditions to control problems arising from the consequences of distributing free literature. Breach of a licence is a criminal offence which could lead to prosecution.
- 3.3 The powers cannot be used until the Council hereinafter referred to as the ("Principal Litter Authority") has designated land to which it applies. It only applies to land within the ownership of the Council or to Highways for which it is responsible as Highway Authority. It does not apply to private land.
- 3.4 These powers do not apply to materials promoting charities, for religious purposes or for political purposes.
- 3.5 The process comprises three distinct parts:
- declaring that the provisions of The Act will be enforced in designated areas/roads;
 - controlling distribution of free literature through consents/ licenses
 - undertaking enforcement for non-compliance.

- 3.6 If problems come to light in areas outside the designated areas it can be added to the designated areas through a further declaration.

Adoption of controls

- 3.7 The main areas currently identified as having repeated problems with flyers are in town centres, around the National Stadium and Wembley Arena, as detailed in paragraph 2.1 above.
- 3.8 The Council will need to issue a legal notice stating its intention to designate areas/roads on a specified date (being not less than 28 days following the date of publication). Public notices will be advertised in a local newspaper for the relevant time period as well as posting notices directly in the area. It is important that the Council discharges its duty in this respect to avoid any possible challenge.
- 3.9 The consultation period is 14 days allowing for Objections. Any objections received during this time period must be considered and if rejected, reasons for rejection must be fully recorded
- 3.10 If the Council were minded to adopt the scheme by agreeing the proposed recommendations, a further public notice must be posted to announce this together with the date of commencement.
- 3.11 Once the areas/roads have been designated the public will be informed accordingly via the Councils website.

Licenses/Consents

- 3.12 Licenses will need to be issued in a consistent manner to ensure that the process is transparent and easily understood by members of the public. The Licence will be subject to:
- an application fee of £175 to cover administrative and part enforcement cost;
 - A £75 re-submission fee will be applied to cover administrative cost.
 - A discount of £25 will be applied to applicants that apply and pay on-line. The discount is applicable to both applications and re-submissions
 - A fee for each distributor employed for each day of £75 except where the distribution takes place after 1800 hours or before 0800 hours where the fee will be £100 per distributor per day, or for Sundays and bank holidays where the fee will be £165 per distributor per day.
- 3.13 The licence may be limited by:
- reference to the material to be distributed;
 - reference to a particular period, or particular times or dates;
 - reference to any part of the designated area/road; or
 - particular distribution.

- 3.14 Appendix 1 contains proposed licence conditions to be applied to all licenses. Additionally, officers may apply ad-hoc licence conditions as appropriate provided they are reasonable. Safer Streets within Environment and Neighbourhoods will carry out the license application process. In order to reduce the administrative burden on-line applications and payments will be encouraged through differential pricing.
- 3.15 A charge can be levied for licenses which will cover costs of issuing, then enforcing the process as well as a contribution to street maintenance needed to clean the streets when they are grade B and above in accordance with the Code of Practice on Litter and Refuse (April 2006) such government guidance issued by the Department for Environment Food and Rural Affairs from time to time under section 89 (7) of the Environment Protection Act 1990. Please note that cleaning of areas which fail to meet grade B will be subject to an additional charge for extra cleaning on a case by case basis.
- 3.16 Applications for consent will normally be considered within 14 days. Promotion company consents will be granted unless the applicant has three or more fixed penalty notices (FPN) or one or more prosecutions against them in the previous 3 years for distribution of flyers without consent.
- 3.17 The promotion company consent holder will be responsible for screening its staff. If an identified member of the leaflet distribution staff has received a FPN for littering in the previous year, the application will be refused resubmission will be at the resubmission fee rate as described above. Payment must be made with the application.
- 3.18 Application forms that fail to contain all the relevant details so as to allow the Principal Litter Authority to fully assess the application will be refused. Resubmission with correct details will be at the resubmission fee rate as described above. Payment must be made with the application.

Enforcement

- 3.19 Once the areas/roads have been designated, it is a criminal offence to distribute printed materials in the areas without a valid licence issued by the Principal Litter Authority. The definition of distribution has a wide meaning under the Act. Examples of distribution include, but are not limited to putting items on display for collection or on vehicles and in telephone boxes giving rise to a nuisance.
- 3.20 The distributor and the licence holder may both be liable to criminal prosecution. All materials may be seized and if so will be kept for 28 days and returned on proper application. Materials unclaimed after the 28 day period will be destroyed without further notification.
- 3.21 For offences where licence conditions have been breached, the licence may be revoked in writing on-the-spot by a duly authorised officer of the Council. If the issuer is not the consent holder, but is an identified distributor for the licence holder, the duly authorised officer of the Council immediately contact

the licence holder to advise of the revocation. Subsequent leaflet distribution activities may result in prosecution.

- 3.22 Prosecution may be taken against the promoter who should have sought a licence (where one exists) as well as the distributor. The opportunity to discharge the offence using FPNs may be offered to both, together with an instruction to the distributor to remove and lawfully dispose any litter created forthwith. If the area has deteriorated beyond grade D in the Code of Practice, the use of FPNs would not be appropriate in these circumstances, therefore prosecution action would be the appropriate enforcement option.
- 3.23 Where a person is to distribute commission or pay for the distribution of free printed matter without the Council's prior written consent in a designated area he commits an offence and shall be liable on summary conviction in the magistrates court to a fine not exceeding level 4 on the standard scale currently £2,500. FPNs can be discharged by payment of £75.
- 3.24 If an appeal against either a refusal to grant a licence or a revocation of a licence is made to the Magistrates' Court then the distributor will not be able to lawfully distribute material until the court either determines that the licence should be granted or quashes the revocation of the licence. If the distributor distributes material pending the outcome of the appeal he will not be issued with a FPN but may be prosecuted for the offence, following the determination of the appeal.
- 3.25 All enforcement decisions and actions will be in accordance with the Councils Enforcement Policy acting reasonably.

4.0 Financial Implications

- 4.1 The fees have been set to recover all the Council's costs of licensing administration, enforcement and where necessary remedial cleansing. The proposed regime is expected to be cost neutral in terms of costs to the Council.
- 4.2 The following fees will apply:
- Application fee of £175 will cover the expected cost of processing and enforcement. The fee covers licence for normal day time operations, Monday to Saturday.
 - A re-submission fee where needed of £75.
 - It will cost an applicant £75 per person employed or used to distribute printed material per day that they issue the material and a fee of £110 will apply where distribution takes place after 1800 hours or before 0800 hours. A premium fee of £165 per person will apply for printed materials issued on Sundays and bank holidays.
 - A discount of £25 will be given for each submission or re-submission where the application and payment is made on-line.

5.0 Legal Implications

- 5.1 The actions proposed in this report are in essence to regulate the distribution of free printed matter, for the advertisement to be published and to authorise a formal consultation to be conducted in accordance with the statutory framework provided for in the Clean Neighbourhoods and Environment Act 2005

6.0 Diversity Implications

- 6.1 The proposals contained in this report have been examined and are not considered to have any equalities implications. There is a fourteen day consultation period where objections can be made.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

The Clean Neighbourhoods and Environment Act 2005
Code of Practice on Litter and Refuse (April 2006) issued by DEFRA
Brent Councils Enforcement Policy

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Appendix 1

Licence conditions for leaflet distribution:

All licences will be subject to the following standard conditions. Licences may also be subject to specific conditions based upon the application details.

1. All staff engaged in the distribution of free literature shall wear an authorisation badge with photograph of the distributor issued by Brent Council bearing the licence number and showing the name, address and contact telephone number of the licence holder so that it is clearly visible.
2. The above authorisation shall be produced on demand to an authorised officer of the Council or other relevant agency, such as the police.
3. All staff engaged in the distribution of free literature shall wear a hi-visibility safety tabard provided by the licence holder and marked 'Authorised Distributor'.
4. No free literature shall be left unattended by staff for the general public to take at their discretion.
5. All places in the vicinity of free literature distribution, must be kept free of discarded literature so that the area does not fall below grade B of the Government's Code of Practice on Litter and Refuse at any time. If an authorised officer of the council judges that the standard has been breached as a consequence of the distribution of free materials, his judgement will be definitive at the time. Challenges to that assessment will only be accepted through the formal appeal process.
6. The free literature must bear the name and address of the licence holder who is responsible for its distribution unless exemptions have been agreed by the Council.
7. Applications for consent must be made not less than 14 days before the required date for the distribution of free literature.
8. Licences will be subject to the payment of a fee to be paid at the time of the application.
9. No free literature shall be placed on, attached to, affixed to vehicles, buildings, street furniture, telephone boxes or structures.
10. No free literature which encourages irresponsible consumption of alcohol can be distributed. This includes examples of: offering free alcoholic drinks; drink vouchers; discounted drink offers; all in bar offers; unduly cheap sales; happy hours and similar promotions. It is recommended that responsible promotions for alcohol carry the Drink Aware message.
11. If an authorised officer requests the consented staff to pick up discarded literature, the staff member shall do so immediately.
12. If litter is created which is in need of urgent clean up, the licence holder will be liable for the full cost of the necessary street cleaning operation.

13. All staff engaged in the distribution of free literature must not cause obstruction to pedestrian movement and shall at the request of authorised officers or the police must move to areas where obstruction does not take place. This may apply during Stadium Event days.
14. Promotion Company consents will not be granted if the applicant or the company has three or more leaflet distribution FPN or one or more prosecutions against them in the previous three years.
15. It will be incumbent on the Promotion Company consent holder to screen its staff. If an identified member of the distribution staff has received one Fixed Penalty Notice for littering in the previous year, the application will be refused.

	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Regeneration and Major Projects</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p style="text-align: center;">Supply and Demand and Temporary Accommodation</p>	

1.0 Summary

- 1.1 This report seeks Members' approval of the lettings projections for social housing for 2012/13. It also provides an analysis of housing supply and demand issues, including performance in 2011/12 and challenges for 2012/13 onwards.

2.0 Recommendations

- 2.1 That Members approve the lettings projections for 2012/13, as detailed in paragraph 3.3 and in Appendix D.
- 2.2 That Members note the analysis of housing supply and demand issues, including performance in 2011/12 and challenges for 2012/13 onwards.
- 2.3 That Members note that changes may be made to the Allocations Scheme following consultation on the Council's Tenancy Strategy. Any proposed changes would be subject to consultation and would be presented to the Executive for consideration and approval.

3.0 Detail

- 3.1 The body of this report is divided into three sections, which cover –
- Supply and demand analysis, trends and performance in 2011/12,
 - Proposed lettings projections for 2012/13,
 - A brief outline of some of the issues and challenges facing the Council from 2012/13 onwards, which can be expected to have an impact on housing supply and demand.

3.2 Supply and Demand Analysis, Trends and Performance in 2011/12

3.2.1 Demand for Housing

The significant gap between the demand for housing assistance and the available supply of social rented accommodation, particularly in London, has been well documented. In Brent, demand from households at risk of homelessness, households in temporary accommodation, Council tenants seeking a transfer, and applicants on the Housing Register is mapped against expected future trends and supply levels, both in terms of social rented accommodation, but also from within the private rented sector.

3.2.2 Current projections show that the level of unmet demand in the Borough is over 11,000 households. However it should be noted that this figure excludes demand from households on the Housing Register who are in Band D (and therefore under the Council's Allocations Scheme, have no identified housing need). Including these households would give a level of unmet demand within the Borough of 18,000 households. The model used to project these figures is provided in Appendix A.

3.2.3 Housing Register and Transfers Demand

Total current demand on the Housing Register, including homeless households in temporary accommodation, and the Transfer list is just over 18,500 households. Of these, 63% are in Bands A to C. In contrast we expect to make around 871 lettings into permanent social housing tenancies (Council and housing association) by the end of 2011/12 – this meets around 7% of the current total demand from Bands A to C.

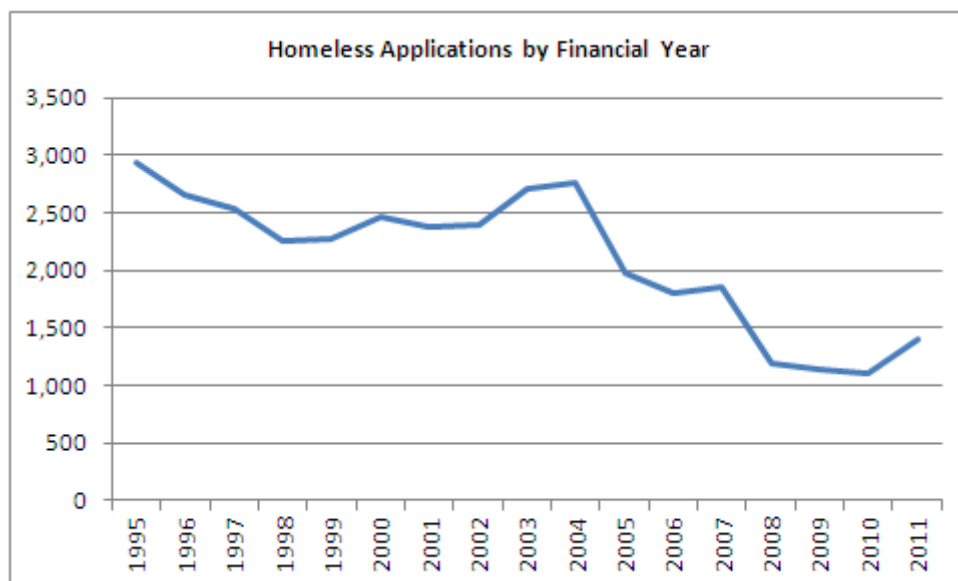
3.2.4 A breakdown of current applications on the lists, by demand group and the number of bedrooms needed is provided in Appendix B.

3.2.5 Homelessness Applications and Decisions

Not all households who make a formal homeless application are assisted with accommodation, although all are provided with appropriate advice. The Council makes a formal assessment against a number of criteria as prescribed in legislation, before determining whether it has a long-term duty to rehouse a homeless household.

3.2.6 The graph overleaf shows how the number of homeless applications has varied since 1995/96. As the graph shows, homeless applications began to decrease in 2005/06, when the Council first implemented an in-house housing advice service. The success of this team in either preventing homelessness or providing alternative accommodation (generally in the private rented sector) is demonstrated through the marked drop in statutory homeless applications received from 2005 to 2010.

3.2.7 However this downward trend has been reversed in 2011/12, with a 35% increase in homeless applications received as at the end of February compared to the same period in the previous year. Looking at the applications on a quarterly basis, it can be seen that the increase has been disproportionately in the latter part of the year, and it is expected that around 440 homeless applications will be received in the final quarter of this financial year. This would be the highest quarterly figure since 2007/08.



- 3.2.8 This increase in demand, following the downward trend of the past five years, is largely attributable to changes in Local Housing Allowance (LHA). Members will recall that a package of changes was announced by the government in 2011, which included setting a cap for the maximum LHA payable per property size with an overall limit set at the four-bed rate. These changes came into effect from 01/04/11 for all new tenancies agreed from that date onwards. Existing tenancies were subject to transitional protection for up to twelve months (until the anniversary of their claim).
- 3.2.9 Whilst some landlords accepted a decrease in rental income as a result of the implementation of the caps, others have not done so. If households cannot meet the rental shortfall from their own funds, landlords will then seek to evict them. As a result, some landlords have either left the market or let their property to other types of households – for example those in employment or shared accommodation.
- 3.2.10 This has impacted on the work of the housing needs service in two distinct ways. Paragraph 3.2.6 above outlined the Council's approach to successful homeless prevention, and how this is very much based on having an available supply of good quality private rented sector accommodation. However the introduction of LHA caps and the four bed cap limit has had a significant impact on the Council's ability to procure properties for direct lettings, particularly for larger sized properties. In 2010/11, the Council procured a total of 548 private sector properties for direct lettings, thereby actively preventing homelessness. However in 2011/12, from April to January, the total has dropped to 207 properties. Officers expect the total to be around 230 properties by the end of the financial year, a reduction of around 58%.
- 3.2.11 Officers are actively working to improve this situation and a revised package of landlord incentives has recently been agreed to encourage interest. However it is unlikely that levels of procurement will return to the levels experienced before the LHA changes.

- 3.2.12 Secondly, the changes have resulted in an increase in homeless approaches, as landlords have taken action to evict tenants who cannot afford to meet the shortfall between the rent and the LHA cap, and other households have found themselves unable to secure private rented accommodation. Whilst the government has increased the amount of funding it pays to Councils to provide Discretionary Housing Payments, payment of DHP is a short-term, time limited solution, and does not address the real issues of both ensuring an adequate supply and then sustaining households in the private rented sector.
- 3.2.13 As the number of homeless applications dropped in recent years there had been a corresponding decrease in the number of cases where the Council accepts a duty to rehouse the household. In 2009/10, the lowest ever number of statutory acceptances was recorded – a total of 337 households. However current projections indicate that the figure will be in the region of 440 acceptances by the end of 2011/12.
- 3.2.14 Analysis of homeless acceptances in 2011/12 (to date) shows that 146 cases were homeless because of the end of a letting in a private sector property. This is an increase of just under 75% compared to the full year figure of 84 in 2010/11. Whilst not all these cases can be directly attributed to the LHA changes (as there may have been other reasons for the landlord wishing to end the tenancy), it is arguable that the majority of these cases were homeless as a direct result of the caps.
- 3.2.15 Because of the arrangements for transitional protection for existing households on LHA, there has only been a partial impact in 2011/12, and this is reflected in the disproportionate growth in applications in the later part of the year as outlined at paragraph 3.2.7. Officers therefore expect there to be a further increase in 2012/13. Whilst it is difficult to accurately forecast this, officers are working to an assumption that the increase could be up to 40% above 2011/12 levels.
- 3.2.16 The Department of Communities and Local Government (DCLG) provided one-off grant funding in 2011/12 to the housing needs service to help mitigate the impact of the Local Housing Allowance changes on the most vulnerable households. In addition, Revenues and Benefits submitted a successful bid to the DWP for additional funding to mitigate the impact of the changes.
- 3.2.17 Dedicated staff resources in the two service areas (housing and benefits) funded by these grants are now working closely together to assist households who have been affected by the changes. This work includes supporting households to re-negotiate their rent levels, discussing alternative housing options and finding cheaper alternative accommodation, and considering the use of Discretionary Housing Payments on a short-term basis. To date the teams have contacted over 700 households, and are continuing to work pro-actively to prevent homelessness wherever possible. It is reasonable to assume that the number of homeless approaches would be far greater without this positive intervention work.
- 3.2.18 Rough Sleepers

There has historically been a low level of rough sleeping in the borough, and Cricklewood Homeless Concern (CHC) has played a key role in working with the Council to tackle the issues, operating an outreach service which identifies people who are rough sleeping and works with them to seek solutions, as well as hosting a weekly Single Homeless Advice Surgery.

- 3.2.19 Brent's last formal rough sleeper count was carried out in November 2011 in line with DCLG guidelines, and found seven verified rough sleepers. This is an increase of four from the previous years' count. Of the seven, five were not known to housing or homelessness outreach services, whilst the other two were known as rough sleepers. Of the seven, three were of Polish origin and the remainder were British.
- 3.2.20 In recent years, Brent and a number of other boroughs has seen an increase in rough sleeping by migrants who have no recourse to public funds. As part of a sub-regional initiative, Brent has been working with Thames Reach¹, in order to reconnect these rough sleepers to their home country or resettle them in the UK. This has been a largely successful approach – between September 2010 and January 2012 78 rough sleepers in Brent had been reconnected to their home country, and a further 3 resettled here.
- 3.2.21 In addition, Brent has been part of the “No Second Night Out” project, a homelessness outreach scheme launched by the Mayor of London to ensure no-one sleeps on London's streets for more than one night. This project went live in April 2011, initially for a six month pilot period which has subsequently been extended. Brent has made 70 referrals to this scheme so far.
- 3.2.22 The DCLG recently allocated further funding to the West London sub-region to specifically tackle rough sleeping. The final award has not been confirmed, but is expected to be around £550k (shared between the seven boroughs in the sub-region). Brent's intention is to use the funding allocation to secure more move-on accommodation into the private rented sector for this client group and also for those leaving supported hostels (which would then free up hostel spaces).
- 3.2.23 The extension of the rules around levels of LHA payable to single under-25 claimants (which limit payment to the rate for a room in a shared house) to all single tenants under the age of 35 from January 2012 is likely to have a further impact on levels of rough sleeping in the borough. The change means that LHA applicants aged under 35 with no dependents will only receive LHA equivalent to that paid for a room in a shared house. This impact will be monitored closely.
- 3.2.24 Households in Temporary Accommodation
The previous government set a target for local authorities to reduce their use of temporary accommodation (TA) by 50%, measured against a baseline figure as at the end of December 2004. Whilst Brent did not reach the full target, a 33% reduction was achieved; this was a decrease of around 1,500 households.

¹ Thames Reach is a London based charity that provides housing advice, support and assistance for homeless people.

- 3.2.25 Although the TA target is no longer being monitored nationally, it is still important that numbers in temporary accommodation are closely tracked, in order to effectively manage the Council's finances, and ensure good service delivery.
- 3.2.26 Numbers in TA have increased by 4% during 2011/12, an increase of 117 households. As at the end of February 2012, there was a total of 3,136 households in temporary accommodation. However the future challenges facing the Council as outlined in section 3.4 and the current rising trend in homelessness are expected to result in an inevitable increase in the use of temporary accommodation. It is therefore crucial that the Council can source cost effective and good quality property to use as TA. Increasingly this is likely to be located outside the borough, and more use will need to be made of accommodation outside London.
- 3.2.27 The majority of temporary accommodation that the Council uses is self-contained property (flats / houses), owned by a landlord and leased to a housing association, or managing agent. Households can expect to be in a property of this type for three to five years, although the actual length of stay can be much longer or shorter, depending on individual circumstances.
- 3.2.28 From 1st April 2011, the amount of HB subsidy that the Council receives from central government for self-contained temporary accommodation provided under the HALS scheme (Housing Association Leasing) has been capped, and the Council has to meet any shortfall between benefit paid and HB subsidy received. This is an extension of the subsidy regime that already covers other types of temporary accommodation. These changes disproportionately affected larger sized families, where rents are generally above the subsidy caps.
- 3.2.29 Officers actively worked to minimise the impact of these changes, together with the Housing Associations who operate these schemes, by actively re-negotiating rents with landlords and in many cases managed to reduce rents down to the subsidy cap level. Where landlords would not agree a reduction, another solution had to be identified – for example moving the family to different accommodation, securing a qualifying offer or further negotiation with the landlord.
- 3.2.30 Generally, temporary accommodation has been provided within the borough. When households are placed outside the borough there are usually reasons for this – often due to the household being at risk of violence if remaining in the borough, or the need to be closer to employment or education. Where feasible, the Council has always tried to move households back into the borough as quickly as possible.
- 3.2.31 However the need to procure properties in cheaper areas, therefore minimising subsidy loss incurred has meant that out of borough placements are increasing, particularly for larger sized households. Out of borough placements have risen from 104 households in March 2011 to 120 in February 2012, a 15% increase. However this figure will significantly rise during 2012/13 and onwards due to the increasing demand pressures, and is likely to increase the amount of legal challenges and requests for suitability of accommodation reviews that the Council deals with. The Council is actively seeking to increase the procurement

of accommodation both in more affordable areas of outer London and outside London itself, in order to ensure that temporary accommodation costs are controlled as effectively as possible.

3.2.32 Homeless Households in Hotels / Hostels

Whilst the Council seeks to minimise the use of hotels and to ensure households remain in this type of accommodation for as short a period as possible, the number of households in hotels has increased during 2011/12 as a direct result of the increase in homeless approaches and the difficulty in securing other cost effective temporary accommodation. At the beginning of April 2011, 183 households were in hotels; by the beginning of March 2012 this has increased to 258 households, an increase of 41%.

3.2.33 Brent is the lead borough for the sub-regional Private Managed Accommodation scheme, which aims to use the purchasing power of the West London boroughs to increase the supply of cost-effective well managed temporary accommodation. At the time of writing there are 65 Brent households in this accommodation – without this scheme, it is likely that the numbers in hotels would be even greater.

3.2.34 Permanent Lettings 2011/12

At the beginning of each financial year, Members are asked to approve a set of detailed lettings projections. The table below summarises actual lettings performance to date against the projections that were originally agreed. At the time of writing, lettings figures for performance until the end of February 2012 are available.

Lettings Variance from Targets - April -February To Month = 11

		Targets 2011/12	Pro Rata Target	Actuals 2011/12	% Var
Target Group	Homeless	370	339	439	29%
	Register	274	251	256	2%
	Transfer	227	208	181	-13%
	Total	871	798	876	10%

3.2.35 Since the Council operates a choice based lettings system (Locata); it is likely that there will be some variation from original projections. However officers continue to monitor performance against these expectations, in order to ensure that lettings support a range of strategic priorities. Paragraph 3.3 gives more detail on this.

3.2.36 As the table shows, at the end of February, 10% more lettings had been achieved than had originally been expected. The good performance on lettings to homeless households has helped to reduce the overall growth in the use of temporary accommodation. Lettings to high priority Housing Register applicants are also slightly above forecast, and whilst lets to transfer applicants are below

the original forecast, it is anticipated that this position will have improved before the end of the year.

- 3.2.37 A detailed breakdown of lettings made against original projections, with a breakdown of beds needed and demand groups is provided in Appendix C.

3.3 Proposed Lettings Projections 2012/13

- 3.3.1 By analysing trends in Council and Housing Association lettings and taking into account the availability of new build supply for social renting, officers currently expect to achieve a total of 968 lettings during 2012/13.
- 3.3.2 The majority of these lettings will become available through re-lets within existing social housing stock. However the Council expects a total of 283 properties to be delivered through the new build programme – 137 of these for estate based regeneration schemes (South Kilburn) and 146 through other general needs schemes.
- 3.3.3 The table below summarises the distribution of these lettings across the different bedroom categories.

BRENT AND HOUSING ASSOCIATION - Projected Lettings 2012/13

	BSR	1 BED	2 BED	3BED	4 BED+	Total
Brent	20	140	175	65	15	415
RSL	20	165	260	80	28	553
Total	40	305	435	145	43	968

- 3.3.4 As outlined earlier in this report, projected lettings will only be able to meet a small proportion of the total housing need in the Borough. Members will recall that previously they were asked to agree a detailed set of lettings targets for each demand group, in line with the Council's Allocations Scheme and strategic priorities. However, the implementation of Locata (the choice based allocations scheme) gave officers less direct control over lettings and provided choice to applicants on the Housing Register about where to live.
- 3.3.5 Since projected lettings can only meet a small proportion of the housing need in the borough, it is therefore important that the prioritisation of lettings is carefully considered. The different demand groups reflect priorities as set out in the Allocations Scheme, and officers therefore consider it appropriate to provide a detailed set of projections based on these demand groups. In addition, specific quotas have been set for a small number of high priority groups, for example, Children in Need, Adults Social Care, and Under-occupiers.
- 3.3.6 Members are therefore asked to approve the lettings projections set out in Appendix D. This lettings scheme is similar to 2011/12 and supports a number of policy areas, strategic objectives and new initiatives, including the following groups.

3.3.7 Decants

193 lettings are projected to deal with transfers required due to decant needs and to take account of the South Kilburn Regeneration Scheme decant programme.

3.3.8 Under-occupiers and Overcrowded Tenants

65 lettings are projected for the Under-occupation Scheme. Brent has had an effective and well developed under-occupation scheme in place for a number of years. This allows tenants who are under-occupying properties to move to a property more suitable to their current needs much quicker. This in turn frees up a larger property earlier than might be otherwise expected for an overcrowded household. The scheme makes a significant contribution to the available pool of larger properties available for letting.

3.3.9 Children Leaving Care

28 lettings from the Housing Register are targeted for Children Leaving Care, to assist the Children and Families department in rehousing young adults.

3.3.10 Adults Social Care

18 lettings from the Housing Register are targeted for Adults Social care nominations, particularly for adults leaving residential care placements, and other high need vulnerable customers.

3.3.11 Homeless Households

Just under 40% of lettings are targeted for homeless households - this percentage is slightly lower than in previous years. The planned introduction, under the Localism Act, of the ability to discharge a statutory homeless duty by securing suitable accommodation in the private rented sector will provide another means for the Council to assist homeless households. There is also a need to prioritise other important groups, as outlined above.

3.4 Challenges for Housing 2012/13 and onwards

3.4.1 The previous sections have highlighted the sizable gap between housing supply and demand for assistance, and have outlined some of the strategic priorities underpinning the 2012/13 lettings projections. However Members will already be aware that housing faces specific challenges over the coming year and beyond, which are expected to have a significant impact on service delivery and the Council's ability to manage housing needs within existing budgets. This section outlines some of these challenges and explains what impact officers expect there to be on the service provided.

3.4.2 Local Housing Allowance Changes

Paragraph 3.2.10 above outlined the impact that the implementation of the changes to Local Housing Allowance has had to date. These changes are expected to have a further significant impact during 2012/13, as the full effects of the end of the transitional protection arrangements will be apparent. As outlined earlier in this report, the impact of these changes on the demand for homeless assistance mean that the Council will increasingly rely on the use of out of

borough placements as temporary accommodation. This will include placements located outside of London in more cost-effective areas of the country.

3.4.3 In addition, from January 2012, the current rules around levels of LHA payable to single under-25s (which limits payment to the rate for a room in a shared house) will be extended to all single tenants under the age of 35 in April 2012. This is expected to put further pressure on demand for single homeless services, have an impact on demand for supported hostel spaces and potentially increase rough sleeping in the borough.

3.4.5 Further reforms will take place in 2013/14 with a change to the way in which benefit rates are uplifted (from PRI to CPI) and the implementation of proposals to restrict LHA for working age claimants in social rented accommodation who are occupying a larger property than their household size needs, from April 2013.

3.4.6 Wider Welfare Reform

From April 2013, as a precursor to the introduction of Universal Credit, an Overall Benefit Cap (OBC) will be introduced. The government has announced that under the OBC a fixed cap on total benefits for workless households will be set. It is currently expected that the cap will be set at £350 for single person households and £500 for all others, based on UK median earnings. Where a household's combined living cost benefits and housing benefit exceeds the cap their housing benefit entitlement will be reduced to bring total payments within the cap. DWP has forecast that in Brent around 3,500 households will be impacted by the overall benefit cap coming in, many losing more than £100 per week. Our early assumptions were that larger households in the private sector would be impacted by this change. However working through some examples indicate that smaller households will be impacted, for instance a couple with 3 children living in the south of Brent in a three bed property (LHA rate currently £340 p.w.) could have more than a £100 short-fall in their weekly housing benefit. The overall benefit cap limit will not apply if the benefit claimant is working more than 24 hours per week.

3.4.7 The DWP have published an initial impact assessment of what the introduction of the OBC might mean, key statistics are set out below.

Findings from the latest Impact Assessment

- **67,000** households will be affected by the cap in 2013/14 (75,000 in 2014/15)
- The average benefit reduction is **£83** a week per household
- **17,000** households will be subject to both the local housing allowance cap from Jan 2012 and this cap from April 2013
- **44%** of households affected by the cap are in the social rented sector
- **56%** of households affected by the cap are in the private rented sector
- **69%** of households affected by the cap have 3 or more children
- **27%** of households affected by the cap have 5 or more children
- **52%** of households affected are lone parents

- **39%** of households affected receive jobseekers allowance
- **22%** of households are in receipt of ESA
- **38%** of households are in receipt of Income Support

Locations of Households affected

Latest modelling suggests:

- 54% of affected households are in Greater London
- 9% of affected households are in the South East
- 6% of affected households are in the North West
- 5% of affected households are in Scotland
- 3% of affected households are in Wales

Source: Benefit Cap Factsheet, Department of Works and Pensions, 2012

- 3.4.8 The introduction of Universal Credit from October 2013 onwards presents a further challenge to the work of the Council. In some ways the introduction of Universal Credit will provide a welcome simplification for claimants of a system that is complex and confusing. The incentive to work comes in the form of a reduced taper, which means that benefits are withdrawn at a slower rate as earnings increase. The first real problem from Universal Credit comes from the fact that it uses the same Overall Benefit Cap as outlined above in paragraph 3.4.6. Secondly housing benefit payments will be paid direct to claimants, rather than the current system that in most cases allows rent to be paid directly to the landlord. This will put increasing pressures on housing providers in terms of collecting rent, but also on tenants that could see themselves falling into arrears and facing eviction.
- 3.4.9 As a region London has relatively high levels of unemployment and housing costs are considerably higher than in the rest of Britain. However the cap will be the same across the country, and as the cap for families does not vary depending on the number of children, there will be a greater adverse impact the larger the household. These changes are likely to increase demand for social housing assistance, as the private rented sector will become increasingly unaffordable for unemployed households.
- 3.4.10 Housing Benefit Subsidy for Temporary Accommodation
The government is currently reviewing the subsidy regime for temporary accommodation, but has indicated its intention to bring temporary accommodation rents in line with LHA payments in the private rented sector by 2013.
- 3.4.11 Localism Act
The Localism Act 2011, which is intended to give local authorities considerable freedom over the policy changes they implement, was given Royal Assent in November 2011. This included specific changes in relation to homelessness and allocations policy, which are set out in the paragraphs below. The relevant

provisions of the Localism Act regarding allocations and homelessness are not yet in force.

3.4.12 Homelessness

In terms of homelessness, the Act contains provisions to allow local authorities to discharge their homeless duty to an accepted household by securing an offer in the private rented sector, without the agreement of the applicant. Authorities are already able to end their duty this way through the use of a qualifying offer but this is only with the express agreement of the customer. Any private sector tenancy secured in this way would need to be for a minimum of twelve months, and the same considerations regarding the suitability of the offer and decision review rights would apply as when an offer of permanent accommodation is made. In cases where duty is discharged into the private rented sector in this way, the homeless duty would be re-instated if the applicant became homeless unintentionally within two years of the original end of the duty.

3.4.13 The regulations that will allow local authorities to discharge their homeless duty in this way are not yet in force, but are expected to be brought into force during 2012/13.

3.4.14 This proposal could assist the Council in managing its temporary accommodation costs, since making use of the private rented sector in this way could reduce the overall number of households in TA, and the length of stay. However as outlined earlier in this report, the Council's ability to procure property in the private rented sector has been affected by the LHA caps and associated changes, and this would impact on this client group as well. The Council's ability to make best use of this change may therefore be limited to some extent.

3.4.15 Allocations

The Localism Act also makes provision to allow local authorities more flexibility to determine which households should be placed on the Housing Register, based on local needs and policy. However the existing statutory reasonable preference categories would remain (these include homeless households to whom a statutory duty is owed; overcrowded households; and those who need to move on medical or welfare grounds). The Act also gives the Secretary of State the power to make regulations specifying other classes of persons who must (or must not) qualify for an allocation of accommodation and setting criteria for local authorities when deciding whether or not a person qualifies for an allocation of accommodation.

3.4.16 The regulations bringing this part of the Act into force have not yet been introduced. However, Members will be aware that there would be a need for comprehensive consultation on proposals to amend the Allocations Scheme, and that the outcome of equality impact assessments on any proposed alterations would need to be taken into consideration before finalising any changes.

3.4.17 A separate report on a review of the existing Allocations Scheme and any proposals to amend it will be brought to the Executive during 2012/13.

3.4.18 Tenancy Strategy

The Localism Act includes a requirement for local authorities to produce a Tenancy Strategy, setting out how it will use the new flexible tenancies (fixed term tenancies, at either a social or affordable rent), and how it expects partner housing providers to implement the policy. This policy would need to be consulted on with stakeholders, including tenants and housing associations.

- 3.4.19 Existing tenants are not affected, but local authorities / housing associations can choose to offer flexible, fixed term tenancies, for a minimum period of two years. The tenancy would then be subject to some form of review, to determine whether a further tenancy period would be granted. However housing providers could also continue to offer secure (permanent) tenancies.
- 3.4.20 Brent is currently carrying out consultation on a draft Tenancy Strategy for the borough, and a separate report regarding this will be presented to the Executive later this year.
- 3.4.21 Housing Needs Transformation Project
The paragraphs above have outlined some of the issues and challenges facing the housing service in 2012/13 and beyond. To support the housing needs service in managing what undoubtedly continues to be a challenging and fast-changing environment, a major transformation project has been carried out during 2011/12 as part of the One Council project programme.
- 3.4.22 During the year a major service review of both the Housing Resource Centre and the Housing Solutions Service has been undertaken. This has looked at performance, efficiency of processes, staff resources, benchmarking, best practice in other local authorities and customer and stakeholder feedback.
- 3.4.23 A detailed action plan for further service improvement has been developed and is currently being implemented. In addition, a major organisational restructure has been completed, resulting in the merging of the existing functions provided by the two units into one consolidated Housing Needs Service, and an overall reduction of 30 posts across the service area. The new Housing Needs structure formally goes live at the beginning of April 2012.
- 3.4.24 This report has outlined some of the challenges facing the service in 2012/13 and beyond. However the revised structure and the processes underpinning this have been designed to manage a significant increase in demand. This will be achieved by continuing to streamline processes, make best use of resources and having a clear focus on achieving value for money, whilst effectively managing customer expectations.

4.0 Financial Implications

- 4.1 The total agreed revised budget for expenditure on Temporary Accommodation for 2011/12 is £2,306,000. This figure includes a Housing Benefit subsidy loss budget of £500k. Officers are currently forecasting an overspend against the Temporary Accommodation budget of £354k for this financial year, as a result of the pressures outlined earlier in this report. This forecast overspend is currently

held against a central contingency budget; however work is continuing to further reduce this forecast.

- 4.2 Members may recall that officers were previously forecasting a potential overspend of up to £1m against the 2011/12 budget. Significant work has been undertaken during this financial year to reduce this forecast and to control costs effectively. Costs have been reduced in a number of ways, such as developing more cost effective temporary accommodation schemes as an alternative to the use of hotels, which has reduced the original forecast expenditure on Housing Benefit subsidy loss. In addition there has been a reduction of around 45% on expenditure on furniture storage costs for homeless households following an exercise to ensure full collection of charges, and the delivery or disposal of goods which had been in store for some years.
- 4.3 The total agreed budget for expenditure on Temporary Accommodation for 2012/13 is £3,440,000. This includes growth of £1,134,000 in order to assist in managing the cost pressures and increased service demand. The growth figure has taken into consideration an efficiency savings target of £500k in relation to a planned One Council project in relation to the commissioning of temporary accommodation across the entire Council.
- 4.4 Based on current projections officers expect to break even against this budget. However, as outlined earlier in this report, there continue to be significant risks attached to the Council's ability to control demand led pressures relating to this particular service whilst ensuring that statutory duties are met.
- 4.5 Actions that have already been taken to ensure that costs are controlled in 2012/13 include a significant staffing restructure (as outlined in paragraph 3.4.21) to ensure that services are being delivered as efficiently as possible, a continued emphasis on preventing homelessness, increased monitoring of expenditure in all areas, and the sourcing of accommodation outside the borough and outside London itself. In addition, voids created as part of the South Kilburn regeneration scheme will be used as temporary accommodation during 2012/13 – this will have a positive impact on hotel costs as this is a cost-effective scheme. However it should be noted that this remains an area of pressure, and officers will be closely monitoring the impact of both the LHA changes and the wider welfare reform agenda on the service budget.

5.0 Legal Implications

- 5.1 The primary legislation that governs the allocation of new secure tenancies is set out in Part VI of the Housing Act 1996 ("the 1996 Act"), as amended by the Homelessness Act 2002 ("the 2002 Act"). As enacted, the 1996 Act introduced a single route into council housing, namely the Housing Register, with the intention that the homeless have no greater priority than other applicants for housing. Since the enactment of the 2002 Act, councils are required to adopt an allocations policy which ensures that "reasonable preference" is given to certain categories of applicants (which are set out in section 167 of the 1996 Act as amended by the 2002 Act and includes homeless households and persons living in overcrowded conditions), and to allocate strictly in accordance with that policy.

An allocation of accommodation under Part VI of the 1996 Act which is not in accordance with the Council's own allocation policy will be "ultra vires" and deemed to be unlawful. Allocation of temporary accommodation is not governed by Part VII of the 1996 Act.

- 5.2 Brent adopted Locata, a choice-based Allocations Scheme, working in partnership with other local authorities and Housing Associations in the West London Alliance in 2003. Locata applies to all categories of applicant, including those seeking a transfer within Council housing. Although an analysis of demand and lettings is made with reference to (i) homelessness, (ii) Housing Register and (iii) transfer demand; there is no legal difference in the duties owed to people in each of these categories for the provision of accommodation under Part VI of the Housing Act 1996.
- 5.3 The primary legislation governing decisions on homeless applications is Part VII of the Housing Act 1996, which was amended by the Homeless Act 2002. The Council is required to make decisions on homeless applications within the scope of the legislation bearing in mind local demand.
- 5.4 Although paragraph 3.4.15 of this report is correct to say that the Localism Act 2011 will give local authorities more flexibility in framing its allocation schemes, the Localism Act gives the Secretary of State the power to make regulations to specify factors which a local housing authority must not take into account in allocating housing accommodation. The Localism Act also states that the allocations scheme must be framed in accordance with such principles which the Secretary of State may prescribe by regulations. Such draft regulations have not been published and it is not yet clear whether the Secretary of State has any plans to make such regulations when the relevant provisions of the Localism Act 2011 come into force. As indicated in 3.4.16 of this report, any substantive changes to the Council's Allocation Scheme will require consultation (including every private registered provider of social housing and registered social landlord with which the Council has nomination agreements in the borough as set out in section 166A(13) of the 1996 Act) and approval from the Council's Executive.
- 5.5 Local authorities have a duty under Part VII of the Housing Act 1996 to house homeless persons in temporary accommodation who satisfy the qualifying criteria (i.e. eligibility, homeless, priority need, not intentionally homeless and local connection). The Council can only discharge its duty to those qualifying homeless persons in temporary accommodation under the circumstances set out in section 193 of the Housing Act 1996 and the circumstances in which this duty can be discharged are as follows: (i) if the homeless person accepts an offer of permanent accommodation from the Council in the form of a secure tenancy under Part VI of the Housing Act 1996; (ii) if the homeless person accepts an offer of an assured tenancy (other than an assured shorthold tenancy) from a private landlord; or (iii) as the law currently stands, if the homeless person accepts a qualifying offer of an assured shorthold tenancy with the Council's approval and is advised in writing in advance that he is under no obligation to accept the offer of accommodation. It should be noted that the Localism Act 2011 will make a number of amendments to section 193 of the Housing Act 1996, which include allowing local authorities to discharge their duties to

homeless applicants by using private rented accommodation for a fixed term of at least 12 months without requiring the agreement of the homeless applicant.

- 5.6 The duty under section 193 of the Housing Act 1996 will cease to exist if: (I) the applicant ceases to be eligible for assistance; (II) the applicant ceases to occupy the accommodation as his/her only or principal home, or (III) the applicant becomes homeless intentionally from the temporary accommodation provided.

6.0 Diversity Implications

- 6.1 The most recent census data shows that Brent has the second highest ethnic minority population in London. The lettings targets, which are set annually, could potentially have a disproportionate impact on a particular ethnic group or groups. It is important therefore that this area continues to be closely monitored. Previous impact assessments have not demonstrated any adverse impact as a result of the letting process.

7.0 Staffing/Accommodation Implications (if appropriate)

None specific.

Background Papers

Executive

Supply and Demand and Temporary Accommodation (11/04/11)

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Appendix A – Supply & Demand Model

SUPPLY AND DEMAND

	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015
DEMAND						
Transfers	1907	2234	2160	2250	2300	2365
Register (Non-homeless)	12408	11637	6288	6602	6933	7279
Homeless Applications	1107	1048	1253	1410	1622	1865
Acceptance Rate	30%	35%	46%	47%	46%	45%
Homeless Acceptances	333	367	572	635	730	839
Fall Out Rate	-159	-136	-144	-150	-173	-183
Total New Demand	174	231	428	484	556	657
Families in T.A. Brought Forward	3651	3037	3019	3120	3600	3724
Net Homeless Demand	3825	3268	3447	3604	4156	4381
DEMAND FROM ALL GROUPS	18133	17139	11895	12457	13389	14025
PERMANENT SUPPLY						
Brent lets	353	401	320	415	420	420
Housing Association	654	487	620	553	498	473
PERMANENT SUPPLY (RSL's & Brent)	1007	888	940	968	918	893
LETTINGS						
Transfers	185	233	200	342	324	315
Register (Non-homeless)	300	313	260	256	243	236
Homeless	450	342	480	370	351	341
ALL LETTINGS (INCLUDING PERMANENT)	1007	888	940	968	918	893
Direct Lettings in the Private Sector	160	85	106	95	100	100
Out of Borough Lettings	20	10	8	5	3	3
PFI Permanent Accommodation	0	114	118	132	0	0
Settled Homes Initiative (BHP)	0	6	0	0	0	0
Conversion of specific T.A. Schemes to settled accommodation	200	0	0	0	0	0
Other (LCHO; intermediate renting)	0	0	0	5	10	10
ALL LETTINGS (Incl Private Sector)	1407	1103	1172	1205	1031	1006
RESIDUAL DEMAND						
Transfers	1722	1921	1900	1908	1976	2050
Register (Non-homeless)	12108	11324	6028	6346	6690	7043
Homeless (In T.A.)	3175	3119	3220	3134	3703	3936
UNMET DEMAND (After Lettings)	17005	16364	11148	11389	12368	13029
T.A. BREAKDOWN						
AST / HALS / PSL/SHI etc	2344	2280	2105	2040	1950	1910
B&B, EHL incl. annexes	117	151	300	470	580	520
PLA	60	34	50	100	120	150
ALS	114	107	85	75	70	60
BDL	349	301	289	310	350	400
PFI	0	96	200	364	364	364
PMA	0	0	50	150	200	250
Hostel	53	50	40	35	30	30
South Kilburn Lets	0	0	1	56	60	60
ALL TEMPORARY ACCOMMODATION	3037	3019	3120	3600	3724	3744

Note – Housing Register (non-homeless) figures exclude applications from households in Band D from 2011/12 onwards.

Appendix B - Current Live Applications

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		Studio	1	2	3	4	5	6	7	8	Sum:
HOUREG	Adult Social Care	8	1	2	2	2					15
	CHILDREN LEAVING CARE	59		3							62
	CONTRIBUTION TO MOBILITY			1							1
	EMERGING HOUSEHOLDS	3		17	4						24
	FORMER SERVICE TENANT	1			1						2
	HOUSING REGISTER (APPROVED)	29	6	46	245	120	32	6	1		485
	HOUSING REGISTER (NON APPROVED)	5602	661	4613	2833	749	211	38	2	1	14710
	MEDICAL A (HOU REG)	18	6	15	33	20	7				99
	OUT OF BOROUGH APPLICANTS	549	59	299	148	40	8	1	1		1105
	PROBATION SERVICE QUOTA	8									8
	SOCIAL SERVICES (HOU REG)	1		1	1	4					7
	SUCCESSION (UNDEROCCUPATION)	23		8	1						32
	VOLUNTARY ORGANISATION QUOTA	27		2							29
HOUREG	Sum:	6328	733	5007	3268	935	258	45	4	1	16579

TRNLIST	#1000 UNDER OCCUPATION	60	6	7							73
	DECANT	27		19	17	2	1				66
	INTRA-ESTATE TRANSFER	3	1	7	3	2					16
	MANAGEMENT TRANSFER	21	1	21	25	14	7	2			91
	MEDICAL A (TRANSFER)	19	4	12	9	1					45
	TENANCY SEPARATION	2									2
	TRANSFER LIST (APPROVED)	466	55	438	466	137	21	1			1584
TRNLIST	Sum:	598	67	504	520	156	29	3			1877

TOTAL	Sum:	6926	800	5511	3788	1091	287	48	4	1	18456
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Appendix C - Lettings Performance 2011/12 (April to February)

BRENT AND HOUSING ASSOCIATION

Note: The monthly targets are calculated on a pro rata basis. Rounding errors may result on the 'TAR' and 'VAR' columns.


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	TARGET	PRO RATA	TOTALS		BSR				1 BED				2 BED				3BED				4 BED+			
	P.A.	TAR	ACT	VAR	TAR P.A.	PR TAR	ACT	VAR	TAR P.A.	PR TAR	ACT	VAR	TAR P.A.	PR TAR	ACT	VAR	TAR P.A.	PR TAR	ACT	VAR	TAR P.A.	PR TAR	ACT	VAR
HOUSING REGISTER																								
HOUSING REGISTER (HMLSS)	318	292	346	54	8	7	12	5	73	67	80	13	172	158	167	9	55	50	76	26	10	9	11	2
EMERGING HOUSEHOLDS SCHEME	13	12	23	11	0	0	0	0	2	2	2	0	8	7	16	9	3	3	5	2	0	0	0	0
CHILDREN LEAVING CARE (HMLESS)	28	26	54	28	5	5	7	2	20	18	41	23	3	3	6	3	0	0	0	0	0	0	0	0
MEDICAL 25 (HMLESS)	11	10	16	6	1	1	0	-1	4	4	2	-2	2	2	2	0	3	3	6	3	1	1	6	5
														0										
SUB-TOTAL	370	340	439	99	14	13	19	6	99	91	125	34	185	170	191	21	61	56	87	31	11	10	17	7
HOUSING REGISTER (OTHER)	130	119	142	23	25	23	20	-3	73	67	73	6	30	28	44	16	2	2	4	2	0	0	1	1
MEDICAL 25 (REGISTER)	15	14	15	1	0	0	1	1	5	5	7	2	5	5	6	1	4	4	8	4	1	1	9	8
VOLUNTARY ORGANISATIONS	55	50	42	-8	10	9	6	-3	45	41	35	-6	0	0	1	1	0	0	0	0	0	0	0	0
CONTRIBUTION TO MOBILITY	40	37	41	4	5	5	0	-5	16	15	19	4	15	14	11	-3	3	3	11	8	1	1	0	-1
SOCIAL SERVICES/CHILDREN IN NEED	6	6	3	-3	0	0	0	0	0	0	0	0	2	2	0	-2	3	3	1	-2	1	1	2	1
ADULT SOCIAL CARE	20	18	7	-11	2	2	1	-1	17	16	5	-11	1	1	1	0	0	0	0	0	0	0	0	
PROBATION SERVICE	6	6	5	-1	2	2	1	-1	4	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0
FORMER SERVICE TENANTS	2	2	1	-1	0	0	0	0	0	0	0	0	1	1	0	-1	1	1	0	-1	0	0	1	1
SUB-TOTAL	274	252	256	4	44	41	29	-12	160	147	143	-4	54	51	63	12	13	13	24	11	3	3	13	10
TRANSFERS																								
DECANTS	70	64	55	-9	2	2	10	8	15	14	29	15	30	28	13	-15	20	18	3	-15	3	3	0	-3
TRANSFER SCHEME	58	53	55	2	0	0	1	1	15	14	23	9	25	23	20	-3	15	14	9	-5	3	3	2	-1
MEDICAL 25 (TRANSFERS)	6	6	7	2	0	0	0	0	2	2	1	-1	2	2	1	-1	2	2	1	-1	0	0	4	4
MANAGEMENT TRANSFER	22	20	27	7	0	0	1	1	3	3	11	8	10	9	7	-2	7	6	6	0	2	2	2	0
INTRA-ESTATE TRANSFER	6	6	1	-5	0	0	0	0	1	1	0	-1	3	3	1	-2	2	2	0	-2	0	0	0	0
£1000 UNDER OCCUPATION	65	60	36	-24	2	2	0	-2	51	47	26	-21	10	9	8	-1	2	2	2	0	0	0	0	0
SUB-TOTAL	227	208	181	-27	4	4	12	8	87	80	90	10	80	74	50	-24	48	44	21	-23	8	8	8	0
TOTAL	871	800	876	76	62	58	60	2	346	317	358	41	319	295	304	9	122	113	132	19	22	21	38	17

BRENT AND HOUSING ASSOCIATION - Projected Lettings 2012/13

	BSR	1 BED	2 BED	3BED	4 BED+	Total
Brent	20	140	175	65	15	415
RSL	20	165	260	80	28	553
Total	40	305	435	145	43	968

	BSR	1 BED	2 BED	3BED	4 BED+	TOTAL
HOUSING REGISTER (HOMELESS)						
HOUSING REGISTER (HMLSS)	2	48	185	61	13	309
MEDICAL 25 (HMLSS)	0	0	5	3	5	13
CHILDREN LEAVING CARE	3	20	5	0	0	28
EMERGING HOUSEHOLDS SCHEME	0	0	17	3	0	20
SUB-TOTAL	5	68	212	67	18	370
HOUSING REGISTER						
HOUSING REGISTER (OTHER)	10	53	46	2	0	111
MEDICAL 25 (REGISTER)	0	4	6	4	1	15
VOLUNTARY ORGANISATIONS	8	40	0	0	0	48
CONTRIBUTION TO MOBILITY	7	18	19	5	1	50
CHILDREN IN NEED	0	0	2	3	1	6
ADULTS SOCIAL CARE	4	10	4	0	0	18
PROBATION SERVICE	2	4	0	0	0	6
FORMER SERVICE TENANTS	0	0	1	1	0	2
SUB-TOTAL	31	129	78	15	3	256
TRANSFERS						
DECANTS	2	45	92	39	15	193
TRANSFER SCHEME	1	10	25	11	3	50
MEDICAL 25 (TRANSFERS)	0	1	2	2	2	7
MANAGEMENT TRANSFER	1	5	7	7	2	22
INTRA-ESTATE TRANSFER	0	0	3	2	0	5
£1000 UNDER OCCUPATION	0	47	16	2	0	65
SUB -TOTAL	4	108	145	63	22	342
TOTAL	40	305	435	145	43	968

	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Regeneration and Major Projects</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Locata Housing Services Ltd – Amendments to Company Memorandum and Articles of Association</p>	

1.0 Summary

- 1.1 This report seeks Members' approval that Brent, as a member of Locata Housing Services Ltd, votes to agree proposed amendments to the company's Memorandum of Association and Articles of Association. The reasons for the proposed changes are set out in paragraph 3.2.1 of this report.
- 1.2 This report also seeks Members' approval to give the Director of Regeneration and Major Projects delegated authority to approve any further minor amendments to the Memorandum and Articles of Association of Locata Housing Services Ltd.

2.0 Recommendations

- 2.1 That Members agree that the Council, as a member of Locata Housing Services Ltd, approves the amendments to the existing Memorandum and Articles of Association of Locata Housing Services Ltd as set out in Appendix A to this report.
- 2.2 That Members agree to give the Director of Regeneration and Major Projects delegated authority to approve any further minor amendments to the Memorandum and Articles of Association of Locata Housing Services Ltd, where these changes would support the achievement of the objectives as set out in paragraph 3.2.1 of this report.

3.0 Detail

3.1 Background

- 3.1.1 Locata Housing Services Ltd (LHS) was created in 2002 as a partnership between five Local Authorities and three Housing Associations to provide IT solutions and support services in relation to the then new West London Choice Based Lettings (CBL) scheme.
- 3.1.2 The partnership was created in the form of a company limited by guarantee, with the members being the London Boroughs of Brent, Ealing, Harrow, Hillingdon and Hounslow, along with Ealing Family Housing Association (now Catalyst), Paddington Churches Housing Association (now Genesis) and the Paradigm Group.
- 3.1.3 In Brent, Members approved the setting up of LHS as a company limited by guarantee at the meeting of the Public Services Deciding Committee held on 31/07/01.
- 3.1.4 The company has significantly expanded since its original formation. It began by serving the founder members, who are all based in West London, but now provides housing needs related software and support to 285 organisations (70 local authorities and 215 housing associations) across the country.
- 3.1.5 All the founder members of LHS are represented on the company's Board, with Brent being represented by the Assistant Director of Housing.

3.2 Reasons for Proposed Changes

- 3.2.1 The Locata Board now proposes that the company's Memorandum of Association and Articles of Association be amended to allow the following objectives to be achieved:
- To enable the company to distribute to its members surpluses which are currently "locked up" in the business.
 - To enable the Board to appoint additional independent directors in order to ensure that collectively the board has the necessary expertise and experience to manage an organisation that has grown considerably since its formation in 2002.
 - To enable independent directors to be paid for their services. (Directors appointed by the founder members will continue to be unpaid.)
 - To simplify director voting rights as set out in section 6 of the current Articles of Association.
- 3.2.2 The option of changing the company from one limited by guarantee to a company limited by shares was considered by the Board, but would have required a separate company to be set up and all staff and assets to be transferred to the new company. The main benefit of a shareholder company,

compared to a company limited by guarantee, is the ability to raise money by selling shares. This is not something that the existing Board considered to be necessary to take the company forward at this stage. The present proposal is therefore a less radical alternative option which would achieve current goals, but does not preclude further changes in the future. If it is proposed and recommended in future by the Locata Board that a separate company needs to be set up that is limited by shares and for the staff and assets of LHS to be transferred to such a separate company, officers will revert to the Executive to seek Members' approval in this regard.

3.3 Details of Proposed Amendments to the existing LHS Company Memorandum and Articles of Association

3.3.1 Memorandum, Paragraph 5, Application of Income and Property

It is proposed that this section is deleted, so that there are no restrictions on the use or application of property and income.

Without these restrictions the company can decide how to apply its income and property, including the distribution of surpluses to members.

3.3.2 Memorandum, Paragraph 8, Winding Up

It is proposed that the current wording is deleted, and replaced by the following: "If upon winding up or dissolution of the Company there remains, after satisfaction of all debts and liabilities, any property whatsoever, the same shall be distributed among the Members of the Company."

This proposal follows the principle that any surpluses should be distributed to members.

3.3.3 Articles, Paragraphs 11.3 and 11.4, Appointment and Retirement of Directors

It is proposed that a new article needs to be inserted between paragraphs 11.3 and 11.4 as follows: "The directors shall be entitled to appoint directors of the Company subject to there being no more than 3 such persons appointed pursuant to this Article 11.4 at any one time."

In addition, the current wording of 11.3 is proposed to be amended by including after the words "Each director" and before "shall upon appointment" the words "other than those appointed pursuant to Article 11.4". The current paragraph 11.4 would be renumbered as 11.5.

The current Articles allow for independent directors to be appointed by independent members. However since there are no independent members, there is no provision for appointment of independent directors. There is a need to have the ability to bring in additional skills at the Board level, but not necessarily new members, and the amendments are proposed to allow for this.

3.3.4 Articles, Paragraph 12, Disqualification and Removal of Directors

It is proposed that a new article at 12(b) is included as follows: “A Director appointed by the Board under clause 11.4 shall and can be removed by a vote of a simple majority of the Board.”

This would allow for the removal of independent directors.

3.3.5 Articles, Paragraph 13, Remuneration of Directors

It is proposed that the existing article is re-numbered as 13.1 and that a new article is added at 13.2 as follows: “Any Director appointed under paragraph 11.4 shall be entitled to a remuneration which will be fixed by the Board from time to time.”

If the Board wishes to capture additional skills by appointing independent directors, then it will be necessary for those directors to be remunerated in some way, and this is the reason for the proposed amendment. It is now common practice for public sector owned companies to appoint and remunerate independent directors and it is proposed that LHS does so too. For the purposes of clarification, the existing article (numbered 13.1) ensures that directors appointed by the RSL and LA members will continue to be unpaid and only receive expenses.

3.5.6 Articles, Paragraph 15.1, Directors Appointments and Interests

It is proposed to delete the words “and Schedule 1 of the Housing Act 1996”, since this provision no longer applies in England.

3.5.7 Articles, Paragraphs 16.2 to 16.4, Proceedings of Directors

It is proposed to delete articles 16.3 and 16.4, and renumber subsequent paragraphs. It is also proposed to delete the words “in the first place” in article 16.2.

These proposals are made in order to remove the current complicated provisions for poll voting. Voting on the Board would then be by show of hands. The rules on quorum, requiring a percentage of local authority directors and RSL directors would continue.

3.4 **Arrangements for Further Minor Amendments to the LHS Company Memorandum and Articles of Association**

- 3.4.1 It is proposed that the Director of Regeneration and Major Projects be given delegated authority to approve any further minor amendments to the Memorandum and Articles of Association, where these amendments are designed to support or achieve the objectives as laid out in paragraph 3.2.1 of this report. Officers have been advised that the key proposed changes to the Articles and Memorandum of Association are those that are set out in section 3.3 of the report above.

- 3.4.2 If, in the future, major changes or other amendments which are not in line with these objectives are proposed, officers will revert to the Executive to seek approval of these.

4.0 Financial Implications

- 4.1 There are no immediate financial implications arising from the proposals contained in this report. However, if the amendments are agreed, and if the company's Board did resolve to distribute the accumulated surplus between the Members, the amount payable to Brent would be approximately £10,000.

- 4.2 As Brent Council has less than 20% control of Locata Housing Services Limited, Locata's accounts have not been consolidated into Brent Council's group accounts. However, the existence of Locata Housing Services is noted in the Council's accounts where the following entry was made in the Council's accounts for 2010/11:

"Brent, in partnership with other London boroughs and Housing Associations, is operating a joint lettings scheme for housing tenants. A company called Locata (Housing Services) Limited has been set up for this purpose. Locata's turnover was £2,379k in 2010/11 (£2,683k 2009/10). Locata's net assets were £462k in 2010/11 (£451k 2009/10).

Brent is liable to contribute to the debts and liabilities of Locata up to £10, if it was wound up.

Locata's accounts have not been consolidated into Brent's group accounts because the sums involved are not material to the Council's accounts and because Brent has limited influence on the company (less than 20% voting rights).

A copy of Locata's accounts can be obtained from Companies House, Crown Way, Maindy, Cardiff CF14 3UZ or from www.companieshouse.gov.uk."

These accounts are independently audited. The Council is also able to audit the accounts if the need should arise.

5.0 Legal Implications

- 5.1 LHS is a controlled company (as defined by the Local Government Act 1989, subsequently described as "regulated" by the Local Authorities (Companies) Order, 1995). The implications of being a controlled or regulated company are primarily implications for the company itself. The proposals contained within this report would not change the status of LHS as a controlled company. The objects of LHS as set out in the Memorandum of Association will remain the same and the proposed changes are in accordance with these objects.

- 5.2 The Council's Public Services Deciding Committee decided on 13 February 2002 to implement a choice based lettings scheme for Brent Council in conjunction with a number of partners, including other local authorities in West London, though the Locata scheme which went live on 26 April 2002.
- 5.3 Part VI of the Housing Act 1996 requires all allocations of social housing by local housing authorities to be made from their housing register and in accordance with their published allocations scheme. There are a number of provisions in the Housing Act 1996 requiring certain categories of applicants to be given "reasonable" preference.
- 5.4 Locata Housing Services Limited is a company limited by guarantee. The liability of members is limited by a £10 guarantee where members have acted within their powers as set out in clause 7 of the Memorandum of Association.
- 5.5 Under clause 4.14 of the Memorandum of Association, Locata Housing Services has the power to engage and pay persons, whether as consultant or employee, to supervise, organise and carry on the work of and advise the company.
- 5.6 Under clause 4.15 of the Memorandum of Association, Locata Housing Services Limited has the power to insure and arrange insurance cover to indemnify its members and officers from and against all such risks in the proper performance of their duties and to pay any premium in relation to indemnity insurance in respect of its liabilities Board Members so far as is permitted under section 310 of the Companies Act 1985. Such insurance does not extend to any liability in respect of an act or omission by Board Members which they knew or ought reasonably to have known was a breach of duty or trust or which was committed by Board Members recklessly without due regard as to whether such act or omission might be a breach of duty or trust.
- 5.7 The details of the proposed changes to the Articles and Memorandum of Association are set out in paragraph 3.3 of this report. What was initially considered by Locata Housing Services was to change the company from one limited by guarantee to a company limited by shares and this would have required a separate company to be set up and all staff and assets to be transferred to the new company. This has numerous legal and financial implications. This option is not being proposed in this report. If such an option is proposed in future, this will need the approval of the Members of Locata Housing Services Limited and Brent Council would need the necessary approval from its Executive after careful consideration and analysis of the legal and financial implications.

6.0 Diversity Implications

- 6.1 There are no specific diversity implications arising from this report.

7.0 Staffing/Accommodation Implications (if appropriate)

None specific.

Background Papers

Public Services Deciding Committee

Choice Based Lettings Pilot Scheme 31/07/01

Contact Officers

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Appendix A – List of Proposed Changes to Memorandum and Articles of Association

Appendix B – Existing Memorandum of Association

Appendix C – Existing Articles of Association

APPENDIX A **AMENDMENTS RECOMMENDED TO EXISTING MEMORANDUM AND ARTICLES OF ASSOCIATION**

The key clauses in the Memorandum and Articles of Association of Locata Housing Services Limited which need amendment are set out below:

Memorandum of Association

Para 5

Delete the current wording in its entirety

The whole of section 5 is being deleted so that there are no restrictions on use or application of property and income. Without such restriction the company can decide how to apply its income and property. If you want to have any specific provisions in this respect then they can be included in the member's agreement.

Para 8

Delete the current wording and replace with the following:

"If upon the winding up or dissolution of the Company there remains, after the satisfaction of all debts and liabilities, any property whatsoever, the same shall be distributed among the Members of the Company".

This amendment is not strictly speaking necessary but might be helpful if for example there are any assets left on winding up. As it follows the principle of any surpluses being distributed to the members we suggest to make this change too.

Articles of Association

Para 11.3

Amend the current wording by including the words "other than appointed pursuant to Article 11.4" after the words "Each director" and before the words "shall upon appointment".

This amendment is required if there will be additional directors to be appointed by the board. As the voting rights of the Directors are now to be equal, there is no need for any designation for such directors.

Para 11.4

Renumber the existing article 11.4 as 11.5.

It will read better if this particular article is the last one in section 11.

Para 11.4

Include the new article numbered as 11.4 as follows:

"The directors shall be entitled to appoint directors of the Company subject to there being no more than 3 such persons appointed pursuant to this Article 11.4 at any one time."

There is to allow additional skills to be brought on at the Board level, but not necessarily new members

Para 12

Include a new article as 12b as follows

"A Director appointed by the Board under clause 11.4 shall and can be removed by a vote of a simple majority of the Board

This is the opposite side of the appointment of Independent Directors.

Para 13

Re-number the existing clause as "13.1"

Add a clause at 13.2

Any Director appointed under para 11.4 shall be entitled to a remuneration which will be fixed by the Board from time to time.

It should be recognised that, if the Board wishes to capture those additional skills by appointing independent directors, then it will be necessary for those directors to be remunerated in some way.

For the purposes of clarification, the existing para (numbered 13.1) ensures that directors appointed by the members will continue to be unpaid and only receive expenses.

Para 15.1

Delete the words "and Schedule 1 of the Housing Act 1996"

This provision ceased to apply to England so it is appropriate to delete it.

Para 16.2

Delete the words "in the first place".

If poll voting is to be deleted then all decisions by the board are to be by show of hands and decided by a majority vote. The above wording therefore needs to be deleted.

Para 16.3

Delete the current wording in its entirety.

Para 16.4

Delete the current wording in its entirety.

This article relates to a poll voting and thus also needs to be deleted.

Appendix B

Company No:

The Companies Act 1985

COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

MEMORANDUM OF ASSOCIATION

-of-

LOCATA (HOUSING SERVICES) LIMITED

1. NAME

The name of the Company is Locata (Housing Services) Limited (the “Company”).

2. REGISTERED OFFICE

The Company’s registered office is to be located in England.

3. OBJECTS

The objects of the Company shall be:-

- 3.1 carry on the businesses of letting agents, hirers and letters on hire, managers, maintainers, lessors and lessees of any property of any description whatsoever, whether real or personal, corporeal or incorporeal, and whether consisting of choses in rem or choses in action whether under hire purchase agreements or otherwise;

Meeting
Date

Version no.
Date

- 3.2 providing services of any nature to registered social landlords, local authorities and other third parties in connection with the provision of housing, property and accommodation including inter alia the maintenance, updating, management and organisation of databases and other electronic or computer systems whether for the processing and arrangement of details relating to properties or tenants or otherwise and the development or procurement of computer software and hardware in connection therewith;
- 3.3 providing, improving or managing housing to be kept available for letting or hostels;
- 3.4 providing land, amenities or services, repairing or improving buildings, for the benefit of those persons occupying houses or hostels provided or managed by the Company; either exclusively or together with other persons;
- 3.5 acquiring, or repairing and improving houses to be disposed of on sale, on lease or on shared ownership terms;
- 3.6 managing houses which are held on leases or other lettings (not being houses to be kept available for letting, but including dwellings on which a licence to occupy has been granted) or blocks of flats;
- 3.7 providing services of any description for owners or occupiers of houses in arranging or carrying out works of maintenance, repair or improvement, or encouraging or facilitating the carrying out of such works;
- 3.8 enabling or assisting any residents of Members of the Company or any other parties to acquire, or to acquire and enter into occupation of, houses;
- 3.9 to prepare, create, publish and distribute books, journals, pamphlets, magazines, films, tapes and other publications relating to the work of the Company and whether alone or together with any other person or persons.

4. **POWERS**

The Company shall have the following powers exercisable in furtherance of its said objects but not otherwise, namely:

- 4.1 to advertise, promote and distribute information regarding the letting of accommodation in whatever way the Company sees fit including by way of the development or the setting up of internet sites, technology, information and software packages, systems and products;
- 4.2 to collect and provide or procure the collection and provision of information counselling advice and guidance in furtherance of the said objects or any of them;

- 4.3 to promote encourage or undertake any form of research relevant to the objects of the Company and to publish and disseminate the results of such research;
- 4.4 to hold or arrange exhibitions meetings lectures classes seminars and training courses either alone or with other organisations and whether public or private;
- 4.5 to purchase, take on lease, or in exchange, hire or otherwise acquire real or personal property and rights or privileges, and to construct, maintain and alter buildings or erections;
- 4.6 to sell, let, license, mortgage, charge or dispose of or turn to account all or any of the property or assets of the Company;
- 4.7 to purchase or otherwise acquire plant and machinery including computer hardware and software, furniture, fixtures, fittings and all other effects of every description and to apply for registration of any patents, rights, copyrights, licences and the like;
- 4.8 subject to such consents as may be required by law to borrow and raise money in such manner as the Company shall think fit and to secure the repayment of any money borrowed raised or owing by mortgage charge lien or other security upon the whole or any part of the Company's property or assets (whether present or future) and also by a similar mortgage charge lien or security to secure and guarantee the performance by the Company of any obligation or liability it may undertake or which may become binding on it;
- 4.9 to receive any money on deposit or loan upon such terms as the Company may approve and to guarantee the obligations and contracts of any person or corporation;
- 4.10 to take and accept any gift of money, property or other assets whether subject to any special trust or not;
- 4.11 to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments and to operate bank accounts;
- 4.12 to make any donations in cash or assets or establish or support or aid in the establishment or support of and to lend money (with or without security) to or for any charitable associations or institutions;
- 4.13 to undertake and execute or manage any trusts which may lawfully be undertaken, executed or managed by the Company;
- 4.14 to engage and pay any person or persons whether on a full-time or part-time basis or whether as consultant or employee to supervise, organise, carry on the work of and advise the Company and, subject to the provisions of clause 5 hereof, to make any reasonable and necessary provision for the payment of pensions and superannuation

to or on behalf of employees or former employees and their wives, husbands and other dependants;

- 4.15 to insure and arrange insurance cover for and (so far as permitted by Companies Act 1985 section 310) to indemnify its members, officers, servants and voluntary workers 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 Company **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;
- 4.16 to purchase or otherwise acquire or to encourage or promote any in any way support or aid the establishment and development of any subsidiary company established for the purposes of carrying on any trade or business which is a proper trade and business either for the purpose of raising funds for the Company or for the furtherance of the objects of the Company, and to subscribe to, purchase, or acquire in any other way, any chose in action (including but without prejudice to the generality of the foregoing any stock, share, security, unit, debenture or debenture stock in each case whether preferred, deferred or secured or unsecured) and to guarantee, indemnify and secure by mortgaging or charging all or any part of its assets the obligations and liabilities and to make available financial assistance or accommodation in any other way to any such subsidiary company;
- 4.17 to subscribe to become a member of or amalgamate or co-operate with any other organisation institution society or body not formed or established for purposes of profit (whether incorporated or not and whether in Great Britain or Northern Ireland or elsewhere) whose objects are wholly or in part similar to those of the Company and which by its constitution prohibits the distribution of its income and property amongst its members to an extent at least as great as is imposed on the Company under or by virtue of Clause 5 hereof and to purchase or otherwise acquire and undertake all such parts of the property assets liabilities and engagements as may lawfully be acquired or undertaken by the Company of any such organisation institution society or body;
- 4.18 to establish where necessary local committees (whether autonomous or not);
- 4.19 to pay out of funds of the Company the costs, charges and expenses of and incidental to the formation and registration of the Company;

- 4.20 to enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, or any person or company that may seem conducive to the objects of the Company, or any of them, and to obtain from any such government, authority, person or company any rights, privileges, charters, contracts, licences and concessions which the Company may think it desirable to obtain and to carry out, exercise and comply therewith;
- 4.21 to act as agents or brokers and as trustees for any person or company and to undertake and perform sub-contracts and to do all or any of the above things in any part of the world, and either as principals, agents, trustees, contractors or otherwise, and either alone or jointly with others, and either by or through agents, sub-contractors, trustees or otherwise.
- 4.22 to do all such other lawful things as shall further the attainment of the objects of the Company or any of them;

PROVIDED THAT:

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

5. APPLICATION OF INCOME AND PROPERTY

The income and property of the Company shall be applied solely towards the promotion of its objects as set forth in this Memorandum of Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to members of the Company and no director of the Company shall be appointed to any office of the Company paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Company.

PROVIDED THAT nothing herein shall prevent any payment in good faith by the Company:

- 5.1 of reasonable and proper remuneration to any Member, officer or servant of the Company (not being a director) for any services rendered to the Company and of travelling expenses necessarily incurred in carrying out the duties of any member, officer or servant of the Company;
- 5.2 of interest on money lent by a Member or director of the Company at a rate per annum not exceeding two percentage points less than the base lending rate for the time being of the Company's clearing bankers or 3% whichever is the greater;
- 5.3 to any director of reasonable out-of-pocket expenses;

- 5.4 of fees, remuneration or other benefit in money or money's worth to a company of which a Member of the Company or a director may be a member holding not more than one hundredth part of the capital of such company;
- 5.5 of reasonable and proper rent for premises demised or let by any Member of the Company or any director for use by the Company.

6. **LIMITED LIABILITY**

The liability of the Members is limited.

7. **MEMBER'S GUARANTEE**

Every Member of the Company undertakes to contribute to the assets of the Company, in the event of the same being wound up while he is a Member, or within one year after he ceases to be a Member, for payment of the debts and liabilities of the Company contracted before he ceases to be a member 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 £10.

8. **WINDING UP**

If upon the winding up or dissolution of the Company there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the Members of the Company for their own benefit, but shall firstly be applied towards the repayment of any monies paid to the Company by way of grant from the Department for Transport, Local Government and the Regions (or any similar or succeeding public or governmental authority) and any sums or property remaining thereafter shall be applied towards the costs of the Members in re-establishing the services provided and undertaken by the Company, whether by way of such services being performed by the Members personally, by another entity which succeeds to some or all of the functions of the Company, or otherwise.

We, the several persons whose names and addresses are subscribed are desirous of being formed into a Company in pursuance of this Memorandum of Company:-

<p align="center">NAMES, AND ADDRESSES OF SUBSCRIBERS</p>	<p align="center">Authorised Signatory</p>
<p>The Mayor and Burgesses of the London Borough of Brent Town Hall Forty Lane Wembley Middlesex HA9 9HD</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Council of the London Borough of Ealing Town Hall New Broadway Ealing London W5 2BY</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Mayor and Burgesses of the London Borough of Harrow Civic Centre Harrow Middlesex HA1 2XG</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

<p>The Mayor and Burgesses of the London Borough of Hillingdon Civic Centre Uxbridge Middlesex UB8 1UW</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Mayor and Burgesses of the London Borough of Hounslow The Civic Centre Lampton Road Hounslow TW3 4DN</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>Paradigm Housing Group Limited Hundreds House 24 London Road West Amersham Bucks HP7 0EZ</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

<p>Ealing Family Housing Association Limited St James' House 105-113 Broadway West Ealing London W13 9BE</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>Paddington Churches Housing Association Canterbury House Canterbury Road London NW6 5SQ</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

DATED this day of 2002

The Companies Act 1985
Company Limited By Guarantee And Not Having A Share Capital

ARTICLES OF ASSOCIATION
of
LOCATA (HOUSING SERVICES) LIMITED

9. INTERPRETATION

9.1 In these Articles:

‘THE ACT’ means the Companies Act 1985 including any statutory modification or re-enactment thereof for the time being in force

‘THE ARTICLES’ means the Articles of the Company

‘CLEAR DAYS’ in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect

“COMMUNICATION” means the same as in the Electronic Communications Act 2000

“ELECTRONIC COMMUNICATION” means the same as in the Electronic Communications Act 2000

‘EXECUTED’ includes any mode of execution

‘INDEPENDENT DIRECTORS’ means the directors appointed by the Independent Members pursuant to the Articles

‘INDEPENDENT MEMBER’ means a Member which is not an RSL Member or a Local Authority Member

‘LOCAL AUTHORITY DIRECTORS’ means the directors appointed by the Local Authority Members pursuant to the Articles

‘LOCAL AUTHORITY MEMBER’ means a Member which is a Local Authority as defined in Section 67(3) of the Local Government and Housing Act 1989

‘OFFICE’ means the registered office of the Company

‘RSL DIRECTORS’ means the directors appointed by the RSL Members pursuant to the Articles

‘RSL MEMBER’ means a Member which is registered as a social landlord pursuant to Section 1 of the Housing Act 1996

‘THE SEAL’ means the common seal of the Company

‘SECRETARY’ means the Secretary of the Company or any other person appointed to perform the duties of the Secretary of the Company, including a joint, assistant or deputy secretary

‘THE UNITED KINGDOM’ means Great Britain and Northern Ireland

Unless the context otherwise requires, words or expressions contained in these Articles bear the same meaning as in the Act but excluding any statutory modification thereof not in force when these Articles become binding on the Company.

10. **MEMBERS**

10.1 The subscribers to the Memorandum of Association of the Company and such other persons as are admitted to membership in accordance with the Articles shall be Members of the Company. No person shall be admitted a Member of the Company unless he or she is approved by the directors. Every person who wishes to become a Member shall deliver to the Company an application for membership in such form as the directors require executed by him or her.

10.2 A Member may at any time withdraw from the Company by giving at least 12 months’ notice to the Company in writing duly signed to the Secretary and thereupon such Member shall be deemed to have ceased to be a Member from the date of expiration of such notice. Membership shall not be transferable and shall automatically cease if the Member, being a corporation, passes a resolution for winding-up (otherwise than for the purpose of a solvent amalgamation or reconstruction where the resulting entity assumes all of the obligations of the Member) or a court makes an order to that effect, or being a partnership is dissolved, or being an individual commits any act of bankruptcy, becomes incapable by reason of mental disorder or dies, or if the Member (whether a corporation or

not) ceases to carry on its business or substantially the whole of its business, or becomes or is declared insolvent or commits any act of bankruptcy or convenes a meeting of or makes or proposes to make any arrangement or composition with its creditors or if a liquidator, receiver, administrator, trustee, manager or similar officer is appointed in relation to any of the assets of the Member or any analogous step is taken in connection with the Member's insolvency, bankruptcy or dissolution.

10.3 Every Member shall on admittance be designated by the directors as an Independent Member, Local Authority Member or RSL Member as defined by Article 1 and such status shall be entered in the Register of Members. If at any time a Local Authority Member or an RSL Member ceases to satisfy the relevant definition set out in Article 1 then it shall be reclassified as an Independent Member.

10.4 A corporation being a Member shall nominate a person to act as its representative in the manner provided in Section 375 of the Act. Such representative shall have the right on behalf of the corporation (and to the extent only to which the corporation would if a person be entitled to do so) to attend meetings of the Company and vote thereat and generally exercise all rights of membership on behalf of the corporation. A corporation may from time to time revoke the nomination of such representative and nominate another representative in his or her place. All such nominations and revocations shall be in writing.

11. GENERAL MEETINGS

11.1 The Company shall in each calendar year hold a general meeting as its annual general meeting in addition to any other meetings in that year and shall specify the meeting as such in the notices calling it, and not more than 15 months shall elapse between the date of one annual general meeting of the Company and that of the next, provided that so long as the Company holds its first annual general meeting within 18 months of its incorporation, it need not hold it in the year of its incorporation or in the following year. The annual general meeting in each year shall be held at such time and place as the directors shall appoint. All general meetings other than annual general meetings shall be called extraordinary general meetings.

11.2 The directors may call general meetings and, on the requisition of Members pursuant to the provisions of the Act, shall forthwith proceed to convene an extraordinary general meeting for a date not later than 8 weeks after receipt of the requisition. If there are not within the United Kingdom sufficient directors to call a general meeting, any director or any Member of the Company may call a general meeting.

12. NOTICE OF GENERAL MEETINGS

12.1 An annual general meeting and an extraordinary general meeting called for the passing of a special resolution or a resolution appointing a person as a director shall be called by at least 21 Clear Days' notice. All other extraordinary general meetings shall be called by at least 14 Clear Days' notice but a general meeting may be called by shorter notice if it is so agreed:

- (a) in the case of an annual general meeting, by all the Members entitled to attend and vote thereat; and
- (b) in the case of any other meeting by a majority in number of the Members having a right to attend and vote being a majority together holding not less than 95 per cent of the total voting rights at the meeting of all the Members.

The notice shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an annual general meeting, shall specify the meeting as such.

The notice shall be given to all the Members and to the directors and auditors.

12.2 The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.

13. **PROCEEDINGS AT GENERAL MEETINGS**

13.1 No business shall be transacted at any meeting unless a quorum is present. A Member may be present in person or through a proxy for the purposes of determining the quorum. A quorum shall comprise not less than 60% in number of the Local Authority Members together with not less than 25% of the RSL Members.

13.2 A director shall, notwithstanding that he or she is not a Member, be entitled to attend and speak at any general meeting.

13.3 If such a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting such a quorum ceases to be present, the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other time as the directors may determine (the "Adjourned Meeting").

13.4 The chairman, if any, of the board of directors or in his or her absence some other director nominated by the directors shall preside as chairman of the meeting, but if neither the chairman nor such other director (if any) be present within 15 minutes after the time appointed for holding the meeting and willing to act, the directors present shall elect one of their number to be chairman and, if there is only one director present and willing to act, he or she shall be chairman.

- 13.5 If no director is willing to act as chairman, or if no director is present within 15 minutes after the time appointed for holding the meeting, the members present and entitled to vote shall choose one of their number to be chairman.
- 13.6 The chairman may, with the consent of a meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned for 14 days or more, at least 7 Clear Days' notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted. Otherwise it shall not be necessary to give any such notice.
- 13.7 A resolution put to the vote of a meeting shall be decided on a show of hands unless before, or on the declaration of the result of, the show of hands a poll is duly demanded. Subject to the provisions of the Act, a poll may be demanded:
- (a) by the chairman; or
 - (b) by at least two Members having the right to vote at the meeting;
- and a demand by a person as proxy for a Member shall be the same as a demand by the Member.
- 13.8 Unless a poll is duly demanded a declaration by the chairman that a resolution has been carried or carried unanimously, or by a particular majority, or lost, or not carried by a particular majority and an entry to that effect in the minutes of the meeting shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- 13.9 The demand for a poll may, before the poll is taken, be withdrawn but only with the consent of the chairman and a demand so withdrawn shall not be taken to have invalidated the result of a show of hands declared before the demand was made.
- 13.10 A poll shall be taken as the chairman directs and he or she may appoint scrutineers (who need not be Members) and fix a time and place for declaring the result of the poll. The result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- 13.11 A poll demanded on the election of a chairman or on a question of adjournment shall be taken forthwith. A poll demanded on any other question shall be taken either forthwith or at such other time and place as the chairman directs not being more than 30 days after the poll is demanded. The demand for a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which the poll was demanded. If a poll is demanded before the

declaration of the result of a show of hands and the demand is duly withdrawn, the meeting shall continue as if the demand had not been made.

13.12 No notice need be given of a poll not taken forthwith if the time and place at which it is to be taken are announced at the meeting at which it is demanded. In any other case at least 7 Clear Days' notice shall be given specifying the time and place at which the poll is to be taken.

13.13 A resolution in writing executed by or on behalf of each Member who would have been entitled to vote upon it if it had been proposed at a general meeting at which such Member was present shall be as effectual as if it had been passed at a general meeting duly convened and held and may consist of several instruments in the like form each executed by or on behalf of one or more Members.

14. **VOTES OF MEMBERS**

14.1 On a show of hands Members present in person shall have one vote. Where a poll is demanded each class of Members shall together be entitled to cast the following number of votes (the "Voting Portion"):

- (a) Independent Members = 10
- (b) Local Authority Members = 65
- (c) RSL Members = 25

14.2 On a poll each Member shall be entitled to cast a vote which shall be calculated as follows:-

$$\frac{A}{B}$$

where

A = the Voting Portion of the class to which that Member belongs

B = the number of Members of same class voting on such poll

In calculating the above, fractions shall be taken into account in order to establish the overall percentage of those voting for and against any resolution.

14.3 No objection shall be raised to the qualification of any voter except at the meeting or adjourned meeting at which the vote objected to is tendered and every vote not disallowed at the meeting shall be valid. Any objection made in due time shall be referred to the chairman whose decision shall be final and conclusive.

- 14.4 An instrument appointing a proxy shall be executed by or on behalf of the appointer and shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the directors may approve):

I/We _____ of _____

being a [Local Authority/RSL/Independent] Member of the above-named Company, hereby appoint _____

of _____ or failing him or her _____

of _____

as my/our proxy to vote in my/our name[s] and on my/our behalf at the annual/extraordinary general meeting of the Company to be held on [_____] 20[] and at any adjournment thereof.

Signed on _____ 20[].

- 14.5 Where it is desired to afford Members an opportunity of instructing the proxy how he or she shall act the instrument appointing a proxy shall be in the following form (or in a form as near thereto as circumstances allow or in any other form which is usual or which the directors may approve):

I/We _____ of _____

being a [Local Authority/RSL/Independent] Member of the above-named Company, hereby appoint _____

of _____ or failing him or her _____

of _____

as my/our proxy to vote in my/our name[s] and on my/our behalf at the annual/extraordinary general meeting of the Company, to be held on _____ 20[], and at an adjournment thereof.

This form is to be used in respect of the resolutions mentioned below as follows:

Resolution No 1 +for +against

Resolution No 2 +for +against

+ strike out whichever is not desired.

Unless otherwise instructed, the proxy may vote as he or she thinks fit or abstain from voting.

Signed this day of 20[].

14.6 The instrument appointing a proxy and any authority under which it is executed or a copy of such authority certified notarially or in some other way approved by the directors may:

- (a) in the case of an instrument in writing be deposited at the office or such other place within the United Kingdom as is specified in the notice convening the meeting or in any instrument of proxy sent out by the Company in relation to the meeting not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote; or
- (b) in the case of an appointment contained in an electronic communication, where an address has been specified for the purpose of receiving electronic communications
 - (i) in the notice convening the meeting, or
 - (ii) in any instrument of proxy sent out by the company in relation to the meeting, or
 - (iii) in any invitation contained in an electronic communication to appoint a proxy issued by the company in relation to the meeting, be received at such address not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the appointment proposes to vote
- (c) in the case of a poll taken more than 48 hours after it is demanded, be deposited or received as aforesaid after the poll has been demanded and not less than 24 hours before the time appointed for the taking of the poll; or
- (d) where the poll is not taken forthwith but is taken not more than 48 hours after it was demanded, be delivered at the meeting at which the poll was demanded to the chairman or to the Secretary or to any director;

and an appointment of proxy which is not deposited, delivered or received in a manner so permitted shall be invalid.

In this regulation and the next, “address”, in relation to electronic communications, includes any number or address used for the purposes of such communications.

14.7 A vote given or poll demanded by proxy or by the duly authorised representative of a corporation shall be valid notwithstanding the previous determination of the

authority of the person voting or demanding a poll unless notice of the determination was received by the Company at the Office or at such other place at which the instrument of proxy was duly deposited or, where the appointment of the proxy was contained in an electronic communication, at the address at which such appointment was duly received, before the commencement of the meeting or adjourned meeting at which the vote is given or the poll demanded or (in the case of a poll taken otherwise than on the same day as the meeting or adjourned meeting) the time appointed for taking the poll.

15. NUMBER OF DIRECTORS

15.1 Unless otherwise determined by ordinary resolution, there shall be no maximum number of directors and the minimum number of directors shall be two. The first directors shall be those persons delivered in the statement delivered pursuant to Section 10(2) of the Act who shall be deemed to have been appointed under the Articles. Future directors shall be appointed in accordance with the Articles.

16. ALTERNATE DIRECTORS

16.1 Any director (other than an alternate director) may appoint any other director, or any other person approved by resolution of the directors and willing to act, to be an alternate director and may remove from office an alternate director so appointed by him or her.

16.2 An alternate director shall be entitled to receive notice of all meetings of directors and of all meetings of committees of directors of which his or her appointor is a member, to attend and vote at any such meeting at which the director appointing him or her is not personally present and generally to perform all the functions of his or her appointor as a director in his or her absence but shall not be entitled to receive any remuneration from the Company for his or her services as an alternate director. But it shall not be necessary to give notice of such a meeting to an alternate director who is absent from the United Kingdom.

16.3 An alternate director shall cease to be an alternate director if his or her appointor ceases to be a director; but, if a director retires by rotation or otherwise but is re-appointed or deemed to have been re-appointed at the meeting at which he or she retires, any appointment of an alternate director made by him or her which was in force immediately prior to his or her retirement shall continue after his or her re-appointment.

16.4 Any appointment or removal of an alternate director shall be by notice to the Company signed by the director making or revoking the appointment or in any other manner approved by the directors.

16.5 Save as otherwise provided in the Articles, an alternate director shall be deemed for all purposes to be a director and shall alone be responsible for his or her own acts

and defaults and he or she shall not be deemed to be the agent of the director appointing him or her.

17. POWERS OF DIRECTORS

17.1 Subject to the provisions of the Act, the Memorandum and the Articles and to any directions given by special resolution, the business of the Company shall be managed by the directors who may exercise all the powers of the Company. No alteration of the Memorandum or Articles and no such direction shall invalidate any prior act of the directors which would have been valid if that alteration had not been made or that direction had not been given. The powers given by this regulation shall not be limited by any special power given to the directors by the Articles and a meeting of directors at which a quorum is present may exercise all powers exercisable by the directors.

17.2 The board of directors may following the passing of an appropriate resolution at a duly convened meeting of the board of directors, by power of attorney or otherwise, appoint any person to be the agent of the Company for the purpose of empowering such agent to negotiate, approve and/or enter into contracts or other transactions on behalf of the Company and on such conditions as they determine, including authority for the agent to delegate all or any of his or her powers.

18. DELEGATION OF DIRECTORS' POWERS

18.1 The directors may delegate any of their powers to any committee consisting of one or more directors. They may also delegate to any managing director or any director holding any other executive office such of their powers as they consider desirable to be exercised by him or her. Any such delegation may be made subject to any conditions the directors may impose, and either collaterally with or to the exclusion of their own powers and may be revoked or altered. Subject to any such conditions, the proceedings of a committee with two or more Members shall be governed by the Articles regulating the proceedings of directors so far as they are capable of applying.

19. APPOINTMENT AND RETIREMENT OF DIRECTORS

19.1 Each Member shall be entitled to appoint one director at any time and to remove from office and replace any director which it has previously appointed.

19.2 Any appointment or removal of a director pursuant to Article 11.1 shall be in writing signed by or on behalf of the relevant Member and served on the Company at its registered office. Any such removal or appointment shall take effect as at the time of such lodgement at the registered office of the Company or such later time as may be specified in the notice. The Company shall arrange for a copy of any such notice to be sent to all other Members

19.3 Each director shall upon appointment be designated as an Independent Director, a Local Authority Director or an RSL Director in accordance with Article 1.

19.4 No directors shall be appointed or removed otherwise than pursuant to the Articles save as may be provided by law. No director shall be obliged to retire or resign upon the attaining of any specified age or by way of retirement by rotation.

20. **DISQUALIFICATION AND REMOVAL OF DIRECTORS**

20.1 The office of a director shall be vacated if:

- (a) he or she ceases to be a director by virtue of any provision of the Act or he or she becomes prohibited by law from being a director; or
- (b) he or she becomes bankrupt or makes any arrangement or composition with his or her creditors generally; or
- (c) he or she is, or may be, suffering from mental disorder and either:
 - (i) he or she is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or, in Scotland, an application for admission under the Mental Health (Scotland) Act 1984; or
 - (ii) an order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his or her detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his or her property or affairs; or
- (d) he or she resigns his or her office by notice to the Company; or
- (e) he or she shall for more than 6 consecutive months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that his or her office be vacated; or
- (f) he or she shall be removed by the Member which appointed him or her pursuant to Article 11.

21. **REMUNERATION OF DIRECTORS**

21.1 The provisions of the Memorandum of Association as to the remuneration of directors shall apply.

22. **DIRECTORS' EXPENSES**

- 22.1 The directors may be paid all travelling, hotel, and other expenses properly incurred by them in connection with their attendance at meetings of directors or committee of directors or general meetings or separate meetings of the holders of debentures of the Company or otherwise in connection with the discharge of their duties.

23. **DIRECTORS' APPOINTMENTS AND INTERESTS**

- 23.1 Subject to the provisions of the Act and of the Memorandum of Association and Schedule 1 of the Housing Act 1996, the directors may appoint one or more of their number to the office of managing director or to any other executive office under the Company and may enter into an agreement or arrangement with any director for his or her employment by the Company or for the provision by him or her of any services outside the scope of the ordinary duties of a director. Any such appointment, agreement or arrangement may be made upon such terms as the directors determine and, subject as aforesaid, they may remunerate any such director for his or her services as they think fit. Any appointment of a director to an executive office shall terminate if he or she ceases to be a director but without prejudice to any claim to damages for breach of the contract of service between the director and the Company.

- 23.2 Subject to the provisions of the Act and the Memorandum of Association and provided that he or she has disclosed to the directors the nature and extent of any material interest of his or her, a director notwithstanding his or her office:

- (a) may be a party to, or otherwise be interested in, any transaction or arrangement with the Company or in which the Company is otherwise interested;
- (b) may be a director or other officer of, or employed by, or a party to any transaction or arrangement with, or otherwise interested in, any body corporate promoted by the Company or in which the Company is otherwise interested; and
- (c) shall not, by reason of his or her office, be accountable to the Company for any benefit which he or she derives from any such office or employment from any such transaction or arrangement or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the ground of any such interest or benefit.

- 23.3 For the purposes of Article 15.2

- (a) a general notice given to the directors that a director is to be regarded as having an interest of the nature and extent specified in the notice in any transaction or arrangement in which a specified person or class of persons is interested shall be deemed to be a disclosure that the director

has an interest in any such transaction of the nature and extent so specified; and

- (b) an interest of which a director has no knowledge and of which it is unreasonable to expect him or her to have knowledge shall not be treated as an interest of his or her.

23.4 An Independent Director shall not be entitled (irrespective of the disclosure of the nature and extent of his or her interest) to vote at a meeting of the directors or a committee of the directors on any resolution concerning a matter in which he or she has, directly or indirectly, an interest or duty which is material. A Local Authority Director or an RSL Director shall be entitled to vote at a meeting of the directors or a committee of the directors on any resolution notwithstanding that he or she has, directly or indirectly, an interest or duty which is material provided that the nature and extent of such interest has been disclosed to the directors.

24. PROCEEDINGS OF DIRECTORS

24.1 Subject to the provisions of the Articles, the directors may regulate their proceedings as they think fit. A director may, and the Secretary at the request of a director shall, call a meeting of the directors. It shall not be necessary to give notice of a meeting to a director who is absent from the United Kingdom. A director who is also an alternate director shall be entitled in the absence of his or her appointor to a separate vote on behalf of his or her appointor in addition to his or her own vote.

24.2 Questions arising at a meeting shall be decided in the first place by a majority of votes on a show of hands and each director present and entitled to vote shall have one vote.

24.3 A poll may be demanded on or before the declaration of the result of a vote on a show of hands by any Local Authority Director present and entitled to vote at the meeting. The poll shall be conducted, including with respect to timing, at the direction of the chairman. Where a poll is demanded each class of directors shall together be entitled to cast the following number of votes (the "Voting Portion"):

- (a) Independent Directors = 10
- (b) Local Authority Directors = 70
- (c) RSL Directors = 20

24.4 On a poll each Director shall be entitled to cast a vote which shall be calculated as follows:-

$$\frac{A}{B}$$

where

A = the Voting Portion of the class of directors to which that Director belongs

B = the number of Directors of same class voting on such poll

In calculating the above, fractions shall be taken into account in order to establish the overall percentage of those voting for and against any resolution.

- 24.5 The quorum for the transaction of the business of the directors shall be not less than 50% of the Local Authority Directors (if any) and 25% of the RSL Directors (if any).
- 24.6 The directors may appoint one of their number to be the chairman of the board of directors and may at any time remove him or her from that office. Unless he or she is unwilling to do so, the director so appointed shall preside at every meeting of directors at which he or she is present. But if there is no director holding that office, or if the director holding it is unwilling to preside or is not present within 5 minutes after the time appointed for the meeting, the directors present may appoint one of their number to be chairman of the meeting. The chairman shall not be entitled to a casting vote on a vote on any proposed resolution.
- 24.7 All acts done by a meeting of directors, or of a committee of directors, or by a person acting as a director shall, notwithstanding that it be afterwards discovered that there was a defect in the appointment of any director or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote, be as valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.
- 24.8 A resolution in writing signed by all the directors entitled to receive notice of a meeting of directors or of a committee of directors shall be as valid and effectual as if it had been passed at a meeting of directors as (as the case may be) a committee of directors duly convened and held and may consist of several documents in the like form each signed by one or more directors; but a resolution signed by an alternate director need not also be signed by his or her appointor and, if it is signed by a director who has appointed an alternate director, it need not be signed by the alternate director in that capacity.
- 24.9 A director shall not be counted in the quorum present at a meeting in relation to a resolution on which he or she is not entitled to vote.
- 24.10 The Company may by ordinary resolution suspend or relax to any extent, either generally or in respect of any particular matter, any provision of the Articles prohibiting a director from voting at a meeting of directors or of a committee of directors.

24.11 If a question arises at a meeting of directors or of a committee of directors as to the right of a director to vote, the question may, before the conclusion of the meeting, be referred to the chairman of the meeting and his or her ruling in relation to any director other than himself or herself shall be final and conclusive.

25. **SECRETARY**

25.1 Subject to the provisions of the Act, the Secretary shall be appointed by the directors for such term, at such remuneration and upon such conditions as they may think fit; and any Secretary so appointed may be removed by them.

26. **MINUTES**

26.1 The directors shall cause minutes to be made in books kept for the purpose:

- (a) of all appointments of officers made by the directors; and
- (b) of all proceedings at meetings of the Company, and of the directors, and of committees of directors, including the names of the directors present at each such meeting.

27. **THE SEAL**

27.1 If the Company has a Seal, it shall only be used by the authority of the directors or of a committee of directors authorised by the directors. The directors may determine who shall sign any instrument to which the Seal is affixed and unless otherwise so determined it shall be signed by a director and by the Secretary or by two directors.

28. **NOTICES**

28.1 Any notice to be given to or by any person pursuant to the Articles shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice except that a notice calling a meeting of the directors need not be in writing.

In this regulation “address”, in relation to electronic communications, includes any number or address used for the purposes of such communications.

28.2 The Company may give any notice to a Member either personally, by fax or by sending it by first class post in a prepaid envelope addressed to the Member at its registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the company by the member. A Member whose registered address is not within the United Kingdom and who gives to the Company an address within the United Kingdom at which notices may be given to it or an address to which notices may be sent using electronic communications shall be entitled to have notices given to it at that address, but

otherwise no such Member shall be entitled to receive any notice from the Company.

In this regulation and the next, “address”, in relation to electronic communications, includes any number or address used for the purpose of such communications.

28.3 A Member present, either in person or by proxy, at any meeting of the Company shall be deemed to have received notice of the meeting and, where requisite, of the purposes for which it was called.

28.4 Any notice if given personally shall be deemed served when delivered; if sent in an electronic communication shall be deemed served at the expiration of 48 hours after the time it was sent; if sent by fax shall be deemed served when despatched, and if served by first class post shall be deemed served two days after posting. In proving the service of any notice it will be sufficient to prove, in the case of a letter, that such letter was delivered to the address given for notice or properly stamped, addressed and placed in the post; or, in the case of a fax, that such fax was duly despatched to a current fax number of the addressee; or, in the case of a notice contained in an electronic communication, that such notice was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators.

29. **WINDING UP**

29.1 On the winding-up and dissolution of the Company the provisions of the Memorandum of Association shall have effect as if repeated in these Articles.

30. **BY-LAWS**

30.1 The directors may from time to time make such Rules and By-laws as they deem necessary or expedient or convenient for the proper conduct and management of the Company and for the purposes of prescribing the conditions of membership.

30.2 The Company in general meeting shall have power to alter or repeal the Rules and By-laws and to make additions thereto and the directors shall adopt such means as they deem sufficient to bring to the notice of Members of the Company all such Rules and By-laws, which so long as they shall be in force, shall be binding on all directors and Members of the Company provided nevertheless, that no Rule or By-law shall be inconsistent with, or shall effect or repeal anything contained in the Memorandum or Articles of the Company.

31. **INDEMNITY**

31.1 Subject to the provisions of the Act but without prejudice to any indemnity to which a director may otherwise be entitled, every director or other officer or auditor of the Company shall be indemnified out of the assets of the Company against any liability incurred by him or her in defending any proceedings, whether civil or criminal, in

which judgement is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Company.

We, the subscribers to these Articles of Association, wish to be formed into a Company pursuant to these Articles.

<p align="center">NAMES, AND ADDRESSES OF SUBSCRIBERS</p>	<p align="center">Authorised Signatory</p>
<p>The Mayor and Burgesses of the London Borough of Brent Town Hall Forty Lane Wembley Middlesex HA9 9HD</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Council of the London Borough of Ealing Town Hall New Broadway Ealing London W5 2BY</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Mayor and Burgesses of the London Borough of Harrow Civic Centre Harrow Middlesex HA1 2XG</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

Meeting
Date

Version no.
Date

<p>The Mayor and Burgesses of the London Borough of Hillingdon Civic Centre Uxbridge Middlesex UB8 1UW</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>The Mayor and Burgesses of the London Borough of Hounslow The Civic Centre Lampton Road Hounslow TW3 4DN</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>Paradigm Housing Group Limited Hundreds House 24 London Road West Amersham Bucks HP7 0EZ</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

<p>Ealing Family Housing Association Limited St James' House 105-113 Broadway West Ealing London W13 9BE</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>
<p>Paddington Churches Housing Association Canterbury House Canterbury Road London NW6 5SQ</p>	<p>.....</p> <p>WITNESS to the above Signature:-</p> <p>SIGNATURE:</p> <p>NAME:</p> <p>ADDRESS:</p>

DATED this day of 2002

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Executive
23 April 2012

Report from the Chief Executive

Wards Affected:
ALL

Brent Civic Centre – Authority to Tender Contract for Furniture, Furnishings and Equipment (FFE)

1.0 Summary

- 1.1 This report follows the report to Executive in October 2010 where Members agreed to award the contract for the Design & Build contractor for the Civic Centre. As previously reported to Executive in October 2009, the contracts for the construction and fit out of the Civic Centre would remain separate. This report now requests approval to tender for the Furniture, Furnishings and Equipment (FFE) for the Civic Centre.

2.0 Recommendations

- 2.1 The Executive to give approval to the pre-tender considerations and the criteria to be used to evaluate tenders for the Furniture, Furnishings and Equipment for the Civic Centre as set out in paragraph 3.5.
- 2.2 The Executive to give approval to officers to invite tenders for the Furniture, Furnishings and Equipment in accordance with European procurement regulations using the Restricted Procedure and to evaluate them on the basis and in accordance with the approved evaluation criteria referred to in paragraph 3.5.

3.0 Detail

- 3.1 Following the approval from Executive in October 2009 to procure the design and build contractor for the Civic Centre, Skanska Construction UK were

appointed. Construction started in November 2010 and practical completion and handover of the building is on programme for December 2012. On handover, there will be a three month fit out period before occupation. Fit out will encompass furniture delivery, assembly and installation of all items described in paragraph 3.5.

- 3.2 Sufficient FFE will be procured to enable 2300 people to work from the Civic Centre. The FFE will allow the council to run the range of activities in all the public and democratic areas to meet service needs but also cater for a significant number of community and corporate events.
- 3.3 The FFE for the building will be procured using the EU restricted procurement route, following a two stage process. Some specialist joinery items will be procured separately due to the specialist nature of the products.
- 3.4 An ergonomist has been appointed to provide support to the procurement process to ensure national ergonomic standards are met.
- 3.5 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response	
(i)	The nature of the service.	Furniture, Furnishings & Equipment contracts for the fit out of the Civic Centre. Lot 1: Workstation Desks, Storage and Lockers Lot 2: Loose Furniture for Administration Areas Lot 3: Loose Furniture for Public and Democratic Areas Lot 4: Specialist Furniture for Conference Rooms and Civic Hall Lot 5: Workstation Chairs	
(ii)	The estimated value.	£2.4m - £3m	
(iii)	The contract term.	<ul style="list-style-type: none"> • Appointment and manufacture prior to practical completion of the building • Fit out • End date: July 2013 	
(iv)	The tender procedure to be adopted	EU Restricted Procedure. The lots will be advertised under one notice which will allow potential tenderers to bid for one or more lots. Consortia bids will be allowed. Tenderers will be required to submit a fixed price based on schedule of quantities.	
(v)	The procurement timetable.	Indicative dates are: Trade adverts and OJEU contract notice placed Expressions of interest returned Shortlist drawn up in accordance with	April 2012 May 2012 June 2012

		<p>the Council's approved criteria</p> <p>Invite to tender</p> <p>Deadline for tender submissions</p> <p>Panel evaluation and interviews</p> <p>Conclusion of Panel assessment</p> <p>Executive approval to award contract</p> <p>Mandatory minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers</p> <p>Award date and Contract start date</p>	<p>June 2012</p> <p>July 2012</p> <p>July/August 2012</p> <p>August 2012</p> <p>September/October 2012</p> <p>September/October 2012</p> <p>October 2012</p>
(vi)	The evaluation criteria and process.	<p>Shortlists are to be drawn up in accordance with the Council's Contract Procurement and Management Guidelines. This will involve interested parties submitting a pre qualification questionnaire and thereby meeting the Council's financial standing requirements, technical capacity and technical expertise. The Council's standard PQQ will be adapted to reflect the nature of the project and legal constraints. Once tenders are received, the evaluation panel will evaluate the tenders on the basis of assessing which is the most economically advantageous tender using the following criteria:</p> <ul style="list-style-type: none"> (1) Cost (50%) (2) Quality (50%), divided into <ul style="list-style-type: none"> (a) Understanding Brent objectives for the project (b) Demonstrating key product requirements in line with Brent's specification (c) Project specific methodology (d) Programme (e) Management & Resources (f) Quality Management (project specific) 	

		(g) Sustainability (project specific) (h) Risk Management (i) Health & Safety Management (j) Client Care (post installation)
(vii)	Any business risks associated with entering the contract.	No business risks are considered to be associated with entering into the proposed contract. In addition Financial Services and Legal Services have been consulted concerning this contract and risks associated with entering into this contract are set out sections 4 and 5 of the report.
(viii)	The Council's Best Value duties.	The Council has a duty to achieve Best Value in all its procurement and service delivery activities. Tenders will therefore be assessed on the basis of quality and cost and the successful tenderer will be one that provides the most economically advantageous tender.
(ix)	Any staffing implications, including TUPE and pensions.	See Section 7 below. There are no TUPE implications.
(x)	The relevant financial, legal and other considerations.	See sections 4 and 5 below.

- 3.6 The Executive is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

- 4.1 The Civic Centre programme has a budget set aside for Furniture, Furnishings and Equipment. It is expected that the Furniture, Furnishings and Equipment contract value will be within this sum. There are no additional financial resources outside the existing Civic Centre programme necessary for this contract.

5.0 Legal Implications

- 5.1 The proposed Furniture, Furnishings & Equipment contract is a supply contract under the Public Contracts Regulations 2006 ("the EU procurement regulations") and needs to be tendered in compliance with these. This involves placing a contract notice in the Official Journal of the European Union. By using a restricted (two-stage) procedure only those companies able to meet the Council's minimum standards of technical capacity and financial standing will be invited to tender. An award of contract will then be made in accordance with the regulations on the basis of the most economically advantageous tender.

- 5.2 In addition the contract is a High Value contract under Brent's Contract Standing Orders and so pre-tender considerations and subsequent contract award both need to be approved by the Executive.
- 5.3 The Council's powers to furnish the Civic Centre are within section 132 of the Local Government Act 1972, which allows local authorities to acquire or provide and furnish offices. Other various powers exist to provide libraries and other facilities.
- 5.4 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.

6.0 Diversity Implications

- 6.1 A comprehensive equality impact assessment (EqIA) was completed as part of the planning approval for the Civic Centre and followed by a predictive EqIA in March 2011. This later assessment reviewed in detail the impact on staff of the implementation of new working practices, change in workplace culture and change to accommodation.
- 6.2 Improving access to the council's facilities is a key principle of the Civic Centre project. This will mean that all sections of Brent's community and all staff will both be welcome and comfortable in the new building. Under the Disability Discrimination Act 1995 there is a duty to make reasonable adjustments. A range of adjustable and flexible furniture, inclusive of particular needs, will ensure people can use the new facilities regardless of any disabilities.
- 6.3 The procurement process for the FFE will seek to ensure the tenderers approach to manufacture, transportation and installation processes considers equality and diversity issues as a high priority. After requesting to participate, these companies will be asked in the PQQ to provide evidence of an equality policy and answer a range of equality questions. The Invitation to Tender pack will ask for information on how equality issues will be factored into the programme and delivery process.

7.0 Staffing Implications

- 7.1 The development of a high quality modern building will provide vastly improved office space and working conditions for Brent staff. With the majority of services relocating to the Civic Centre, its development provides an opportunity for the more strategic deployment of staff resources together with enhanced opportunities for better interdepartmental working in support of the 'One Council' agenda.
- 7.2 Recent staff survey results have shown that more than 1 in 2 of our staff are less than satisfied with their physical working conditions. The Civic Centre will provide new spaces in which staff can work and with high quality, durable and

suitable FFE, could impact on retention of staff and work performance, especially longer-term, by improving staff morale and the associated positive traits in improved sickness levels and greater positive staff engagement.

8.0 Environmental Implications

- 8.1 The Council aspires to be one of the most sustainable local authorities in the UK and be an exemplar of environmental practice and performance on sustainability issues. It also wishes to be seen as a leading light, pro-actively tackling the issue of climate change and dealing with its potential impact on the borough.
- 8.2 The Council recognises that the development of the Civic Centre is fundamental to achieving its vision for the future of the borough. 'Environment and sustainability' has been established as one of the four key priority themes for this development. The Council also aspires to have a BREEAM (Building Research Establishment Environmental Assessment Method) 'Outstanding' building and if this is achieved, it is envisaged that the Civic Centre will be a global icon for sustainability.
- 8.3 Sustainability has been a fundamental aspect of the design and construction stages and will continue through the fit out stage when the FFE will be installed. Tenderers will be asked to demonstrate how they support the council's sustainability and BREEAM objectives.

Background Papers

- Report to Executive 18 October 2010: Brent Civic Centre - Authority to award contract for Design and Build contractor
- Report to Executive 19 October 2009: Brent Civic Centre – Concept Design Proposals and Authority to Tender Contract for a Design and Build Contractor
- Equality Impact Assessment March 2011
- Equality Impact Assessment November 2009


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Gareth Daniel
Chief Executive

	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p style="text-align: center;">Authority to Award a Framework for Passenger Transport Services for Participating Boroughs in the West London Alliance</p>	

Appendices 2 and 5 of this report are Not for Publication

1.0 Summary

- 1.1 This report requests authority to award a Framework Agreement as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering this Framework Agreement and, following the completion of the evaluation of the tenders, recommends which organisations should be appointed to the Framework Agreement.

2.0 Recommendations

- 2.1 That the Executive agrees to the appointment to four Lots of the Framework Agreement for Passenger Transport Services of those organisations detailed in Appendix 1 for a period of 4 years from 1st June 2012.

3.0 Detail

Background

- 3.1 Brent Council is participating in the West London Alliance Transport Efficiency Programme ("the Programme") in collaboration with the London Boroughs of Barnet, Ealing and Hounslow (known here collectively as the "Participating Boroughs"), with the potential for wider collaboration over the next few years with other future partner

organisations including London boroughs, the NHS, Transport for London and other relevant public sector providers.

- 3.2 The Programme seeks to deliver savings in the cost of transport provision for participating partners, whilst maintaining or improving service standards, through a wide range of collaborative initiatives including the procurement of a single framework for the provision of contracted passenger transport services for the carriage of vulnerable adults, children/young people with Special Educational Needs (SEN) children, disabled people, patients and other authorised individuals ("the Framework"). The provision of high quality accessible passenger transport services is a crucial enabler for these groups to access services and facilitates inclusion and independence.
- 3.3 At the September 2011 Executive meeting, Members gave approval for Brent to act as lead borough for the procurement of the Framework. The new Framework will replace existing frameworks and contracts for passenger transport services held by Participating Boroughs.

The tender process

- 3.4 Advertisements were placed in the Official Journal of the European Community (OJEU), the trade press and the local paper in late August 2011 to seek initial expressions of interest and forty three contractors returned a pre qualifying questionnaire.
- 3.5 Shortlisting was carried out on the basis of the contractors' financial viability, business probity, technical ability and experience of undertaking similar work. On the 20th December 2011, thirty contractors were invited to tender.
- 3.6 The tendering instructions stated that the Framework would be awarded on the basis of the most economically advantageous offer and that in evaluating tenders, the Council would have regard to the following Quality criteria (40% of the total):
- Proven ability to meet the requirements of the Service Specification.
 - Approach to the delivery of the service
 - Approach to ensuring standards are achieved
 - Development of good working relationship with the Council.
- 3.7 Tenderers were required to provide pricing on a per mile basis, across distance bands, according to vehicle type (including cars, wheel chair accessible vehicles, minibuses and coaches). Price was 60% of the total weighting; with a weighting of 57% attributable for the pence per mile rate with the remaining 3% for volume discount. Tenderers were

also invited to participate in any one, all or some of the Lots offered (based on geographical areas) without limitation.

Evaluation process

- 3.8 The tender evaluation was carried out by a panel of officers with a representative from each of the four participating boroughs. As lead borough, Brent was on hand to provide Procurement expertise and additionally made available Legal and Finance advice.
- 3.9 Tenders had to be submitted no later than midday on 2nd February 2012. Tenders were opened the same day and twenty six valid tenders were received. Members are referred to Appendix 2 for details of all the organisations submitting tenders. Of the four that were not returned, two companies had confirmed their intention not to return, a third was not expected to return due to requirements of the specification not allowing certain livery on vehicles and no reason was given by the fourth bidder.
- 3.10 Due to concerns that the number of invited bidders may not provide sufficient competition, the panel initially met on 3rd February to assess the tender responses in terms of geographical coverage and vehicle type. The Panel agreed to proceed with full evaluation following this initial assessment and each panel member marked each submission relevant to their geographical area against the award criteria, in isolation.
- 3.11 The Panel then reconvened on 9th March to agree the final scores for each of the returned tenders. Of the returned tenders, only one response was deemed not to meet the minimum requirements. The company concerned primarily operates as a Care Home provider and was not able to sufficiently demonstrate an understanding of the requirements for staff continuity or account/contract management. A second response required further clarification as contradictory information was contained within the tender response as to the PQQ. The provider later confirmed they were able to provide the service via an in house fleet rather than as a managed service via sub-contractors.
- 3.12 Due to the nature of the framework, not all of the twenty five providers meeting minimum requirements will be appointed to the framework. For each of the four geographical locations and eleven vehicles categories, a maximum number providers was set. Subsequently as a result of concerns raised regarding the capacity of providers to service the needs of all Participating Boroughs, the number of providers to be appointed to each vehicle category was increased by 2 providers per vehicle category; for example for Multi-Purpose Vehicles, it was deemed that nine providers, where possible, would be required for each of the four geographical locations.
- 3.13 The Quality scores received by each of the tenderers are included in Appendix 3. It is not possible to provide the Pricing information in a

similar manner, each bidder was required to provide prices for up to eleven vehicle types, with and without Passenger Attendants for up to four geographical locations over four different journey band widths. The tenderers returned all pricing information via electronic spreadsheets, these were then reviewed by two members of the panel for errors before being fed in to a master spreadsheet to calculate the relevant score. Full details of Price scoring are available to Members if required. A more detailed explanation of the price evaluation can be found in Appendix 4 'Tender Evaluation Document' that was supplied to all bidders at tender stage.

- 3.14 In addition to Quality scores, Appendix 3 also contains the percentage score awarded for Volume Discount. Each bidder was invited to provide a percentage discount based on volumes and marks were awarded as per the Evaluation Document attached.
- 3.15 The maximum number of providers is to be appointed to the vast majority of vehicle category. The category least served is 'Wheelchair Accessible Large', however, there are a minimum of three providers for each of the four Lots so this is not deemed as critical to the success of the project.
- 3.16 The Framework will commence as soon as possible after 1st June 2012 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.3 below.
- 3.17 Participating Boroughs and other public partner organisations will call off from the new Framework subject to acceptance and completion of appropriate access agreements.
- 3.18 As part of the West London Alliance Transport Efficiency Programme, the four participating Boroughs are establishing a Bureau to operate call offs under this contract.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval of the award of the contract.
- 4.2 The estimated value of this Framework is £46M over 4 years for all Participating Boroughs with the value of call-off made by Brent Council under the Framework estimated to be £5.6m over 4 years.
- 4.3 A representative of Brent Financial Services met with the Procurement lead and Project Manager to agree the final scores
- 4.4 It is anticipated that the cost of call-off contracts under this Framework

will be funded from existing budget provisions.

- 4.5 Using the price schedules supplied by the tenderers, a route price calculator has been constructed to enable the price to be paid for a given route distance, with a given type of vehicle, supplied with or without a Passenger Attendant, to be calculated. This calculator has been used to assess the price that would be paid for a sample of 10 current routes operated by Participating Boroughs in the Programme.
- 4.6 In summary, use of the Framework would appear to offer savings of between 5-12% for Hounslow, Brent and Ealing, based on the small sample of routes examined and assuming that routes are operated on a 'like-for-like' basis. Additional savings may accrue to Hounslow, and to a much lesser extent to Ealing, in future, if it is decide to transfer the provision of PAs to providers within the Framework.
- 4.7 The original sample of routes provided by Barnet included a number of in-house routes and a number of long distance routes which would not be relevant for use of the Framework. Additional sample routes were obtained but further work was required to determine a 'like-for-like' comparison of costs between Barnet's current route costs and those offered by the Framework. Notwithstanding these issues, the initial indications from the small sample provided are that Barnet would not make overall net savings from use of the Framework and that some routes would cost significantly more than at present.

5.0 Legal Implications

- 5.1 The estimated value of this Framework over its lifetime is higher than the EU threshold for Services. The provision of transport services are classified as Part A Service under the Public Contracts Regulations 2006 (the "EU Regulations") and the award of the Framework therefore is governed in full by the. EU Regulations. The award is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations. As a result Executive approval is required for the award of the Framework.
- 5.2 As advised in the Executive Report requesting authority to tender this Framework dated 19 September 2011, the Council must observe the EU Regulations relating to the observation of a mandatory minimum 10 calendar day standstill period before the Framework can be awarded. Therefore once the Executive has determined which tenderer should be appointed to the Framework, all tenderers will be issued with written notification of the award decision. A minimum 10 calendar day standstill period will then be observed before the Framework is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. As soon as possible after the standstill period ends, the

successful tenderers will be issued with a letter of acceptance notifying them of appointment to the Framework with the intention that the Framework will be available to call-off from 1 May 2012.

- 5.3 Following award of the Framework, the Council will be required to publish a contract award notice in the Official Journal of the European Community within 48 days of award
- 5.4 In procuring the Framework, Brent Council has acted as a central purchasing body under the EU Regulations. On award of the Framework, it is proposed that other public bodies identified in the Contract Notice posted in the Official Journal of the European Union will be able to access transport service under the Framework. Such bodies will sign an access agreement with Brent Council requiring them to observe the terms of the Framework.
- 5.5 Further Legal Implications are contained in Appendix 5 regarding Framework capacity.

6.0 Diversity Implications

- 6.1 Officers have screened the proposals in this report and believe that there are no diversity implications. The Framework will simply replace the existing provision of contracted transport services in Participating Boroughs.

7.0 Staffing/Accommodation Implications

- 7.1 This service is currently provided by external contractors and there are no implications for Council staff arising from retendering the contract.

8.0 Background Papers

- Authority to Tender report 19 September 2011
- Price Score Spreadsheet

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CLIVE HEAPHY
Director of Finance and Corporate Resources

APPENDIX 1

	Lot 1	Table 1 (Driver)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	WELCOME	ATOZ	CRUISE	STARCARS	PARKERS	OLYMPIC	Chequers	CITY FLEET
Estate Car	I.H.S	WELCOME	CRUISE	PARKERS	STARCARS	N/A	ATOZ	BECKET	Chequers
MPV	I.H.S	CRUISE	WELCOME	STARCARS	OLYMPIC	PARKERS	ATOZ	ELITEBDWY	BECKET
MPV	I.H.S	IMPACT	CRUISE	B&LCOACHES	STARCARS	PARKERS	WELCOME	BECKET	ATOZ
Minibus Small	CRUISE	I.H.S	WELCOME	IMPACT	TWELVES	B&LCOACHES	STARCARS		
Minibus Medium	I.H.S	IMPACT	B&LCOACHES	ECT	STARCARS	OLYMPIC	PARKERS		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	PARKERS				
Coach	IMPACT	STARCARS	PARKERS	GOLDENSTAND	N/A				
Wheelchair Accessible Small	IMPACT	CRUISE	I.H.S	TWELVES	PARKERS	WELCOME	STARCARS		
Wheelchair Accessible Medium	TWELVES	IMPACT	CRUISE	GOLDENSTAND	STARCARS	B&LCOACHES	I.H.S		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	PARKERS	N/A				

	LOT 1	TABLE 2 (Driver + PA)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	CRUISE	STARCARS	OLYMPIC	Chequers	BECKET	Brent Courier	GOLDENSTAN D	WHEELGET YOUTHER
Estate Car	I.H.S	CRUISE	STARCARS	Chequers	BECKET	Brent Courier	GOLDENSTAND	WHEELGETY OUTHER	ELITEBDWY
MPV	I.H.S	CRUISE	STARCARS	OLYMPIC	GOLDENSTAND	Brent Courier	Chequers	ELITEBDWY	WHEELGET YOUTHER
MPV	I.H.S	CRUISE	B&LCOACHES	IMPACT	STARCARS	OLYMPIC	GOLDENSTAND	Brent Courier	ELITEBDWY
Minibus Small	I.H.S	CRUISE	B&LCOACHES	IMPACT	ECT	STARCARS	GOLDENSTAND		
Minibus Medium	I.H.S	B&LCOACHES	ECT	IMPACT	STARCARS	OLYMPIC	Brent Courier		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	BECKET				
Coach	IMPACT	STARCARS	GOLDENSTAND	N/A	N/A				
Wheelchair Accessible Small	CRUISE	I.H.S	IMPACT	B&LCOACHES	STARCARS	ECT	GOLDENSTAND		
Wheelchair Accessible Medium	I.H.S	CRUISE	IMPACT	B&LCOACHES	GOLDENSTAND	ECT	STARCARS		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	N/A	N/A				

	LOT 2	TABLE 1 (Driver)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	WELCOME	ATOZ	PARADrive	STARCARS	PARKERS	OLYMPIC	Chequers	CITY FLEET
Estate Car	I.H.S	WELCOME	PARADrive	PARKERS	STARCARS	City Fleet	ATOZ	BECKET	Chequers
MPV	I.H.S	WELCOME	STARCARS	OLYMPIC	PARKERS	PARADrive	ATOZ	ELITEBDWY	Cavendish
MPV	I.H.S	IMPACT	B&LCOACHES	STARCARS	PARADrive	PARKERS	WELCOME	ATOZ	CITY FLEET
Minibus Small	I.H.S	WELCOME	B&LCOACHES	IMPACT	STARCARS	ECT	ELITEBDWY		
Minibus Medium	I.H.S	B&LCOACHES	IMPACT	STARCARS	ECT	OLYMPIC	PARKERS		
Minibus Large	IMPACT	STARCARS	I.H.S	PARKERS	OLYMPIC				
Coach	IMPACT	STARCARS	PARKERS	N/A	N/A				
Wheelchair Accessible Small	I.H.S	IMPACT	PARKERS	B&LCOACHES	WELCOME	STARCARS	Chequers		
Wheelchair Accessible Medium	B&LCOACHES	IMPACT	STARCARS	I.H.S	ECT	OLYMPIC	WHEELGETYOUTHER		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	PARKERS	N/A				

	LOT 2	TABLE 2 (Driver + PA)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	STARCARS	OLYMPIC	Chequers	BECKET	Brent Courier	ELITEBDWY	WHEELGETY OUTHER	N/A
Estate Car	I.H.S	STARCARS	Chequers	BECKET	Brent Courier	ELITEBDWY	WHEELGETUTHER	N/A	N/A
MPV	I.H.S	STARCARS	OLYMPIC	Brent Courier	Chequers	ELITEBDWY	BECKET	WHEELGETY OUTHER	N/A
MPV	I.H.S	B&LCOACHES	IMPACT	STARCARS	OLYMPIC	Brent Courier	ELITEBDWY	BECKET	WHEELGET UTHERE
Minibus Small	I.H.S	B&LCOACHES	IMPACT	STARCARS	ECT	OLYMPIC	ELITEBDWY		
Minibus Medium	I.H.S	B&LCOACHES	IMPACT	ECT	STARCARS	OLYMPIC	Brent Courier		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	BECKET				
Coach	IMPACT	STARCARS	N/A	N/A	N/A				
Wheelchair Accessible Small	I.H.S	B&LCOACHES	IMPACT	STARCARS	Chequers	Brent Courier	OLYMPIC		
Wheelchair Accessible Medium	B&LCOACHES	I.H.S	IMPACT	STARCARS	ECT	OLYMPIC	WHEELGETYOUTHER		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	N/A	N/A				

	LOT 3	TABLE 1 (Driver)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	WELCOME	ATOZ	CRUISE	STARCARS	Parkers	Olympic	City fleet	Manor
Estate Car	I.H.S	WELCOME	CRUISE	PARKERS	STARCARS	City Fleet	ATOZ	Manor	Beckett
MPV	I.H.S	CRUISE	WELCOME	STARCARS	OLYMPIC	Parkers	ATOZ	Manor	Beckett
MPV	I.H.S	IMPACT	CRUISE	STARCARS	PARKERS	Welcome	Beckett	Manor	ATOZ
Minibus Small	CRUISE	I.H.S	WELCOME	IMPACT	TWELVES	STARCARS	ECT		
Minibus Medium	I.H.S	IMPACT	ECT	STARCARS	OLYMPIC	PARKERS	GOLDENSTAND		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	PARKERS				
Coach	IMPACT	STARCARS	PARKERS	SIHOTA	GOLDENSTAND				
Wheelchair Accessible Small	IMPACT	CRUISE	I.H.S	TWELVES	PARKERS	WELCOME	WHEELGETYOUTHER		
Wheelchair Accessible Medium	TWELVES	IMPACT	CRUISE	GOLDENSTAND	STARCARS	I.H.S	ECT		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	PARKERS	N/A				

	LOT 3	TABLE 2 (Driver + PA)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	CRUISE	STARCARS	OLYMPIC	BECKET	WHEELGETYOUTHER	GOLDENSTAND	Brent Courier	N/A
Estate Car	I.H.S	CRUISE	STARCARS	BECKET	GOLDENSTAND	WHEELGETYOUTHER	Brent Courier	N/A	N/A
MPV	I.H.S	CRUISE	STARCARS	OLYMPIC	GOLDENSTAND	WHEELGETYOUTHER	BECKET	Brent Courier	Masons
MPV	I.H.S	CRUISE	IMPACT	STARCARS	OLYMPIC	GOLDENSTAND	BECKET	WHEELGETU THERE	Brent Courier
Minibus Small	I.H.S	CRUISE	IMPACT	ECT	STARCARS	GOLDENSTAND	OLYMPIC		
Minibus Medium	I.H.S	ECT	IMPACT	STARCARS	OLYMPIC	GOLDENSTAND	Brent Courier		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	BECKET				
Coach	IMPACT	STARCARS	GOLDENSTAND	N/A	N/A				
Wheelchair Accessible Small	CRUISE	I.H.S	IMPACT	STARCARS	GOLDENSTAND	ECT	WHEELGETYOUTHER		
Wheelchair Accessible Medium	I.H.S	CRUISE	IMPACT	GOLDENSTAND	STARCARS	ECT	OLYMPIC		
Wheelchair Accessible Large	IMPACT	STARCARS	OLYMPIC	N/A	N/A				

	LOT 4	TABLE 1 (Driver)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	WELCOME	ATOZ	CRUISE	STARCARS	PARKERS	OLYMPIC	CITY FLEET	MANOR
Estate Car	I.H.S	WELCOME	CRUISE	PARKERS	STARCARS	N/A	ATOZ	MANOR	BECKET
MPV	I.H.S	CRUISE	WELCOME	STARCARS	OLYMPIC	PARKERS	ATOZ	MANOR	BECKET
MPV	I.H.S	CRUISE	IMPACT	STARCARS	PARKERS	WELCOME	BECKET	MANOR	ATOZ
Minibus Small	CRUISE	I.H.S	WELCOME	TWELVES	IMPACT	STARCARS	ECT		
Minibus Medium	I.H.S	ECT	IMPACT	STARCARS	OLYMPIC	PARKERS	SIHOTA		
Minibus Large	IMPACT	STARCARS	I.H.S	PARKERS	OLYMPIC				
Coach	IMPACT	STARCARS	PARKERS	SIHOTA	N/A				
Wheelchair Accessible Small	CRUISE	I.H.S	IMPACT	TWELVES	PARKERS	WELCOME	WHEELGETYOUTHER		
Wheelchair Accessible Medium	TWELVES	CRUISE	IMPACT	STARCARS	I.H.S	ECT	OLYMPIC		
Wheelchair Accessible Large	STARCARS	IMPACT	OLYMPIC	PARKERS	N/A				

	LOT 4	TABLE 2 (Driver + PA)							
Vehicle Type	1	2	3	4	5	6	7	8	9
Car	I.H.S	CRUISE	STARCARS	OLYMPIC	BECKET	WHEELGETYOUTHER	Brent Courier	N/A	N/A
Estate Car	I.H.S	CRUISE	STARCARS	BECKET	WHEELGETYOUTHER	Brent Courier	N/A	N/A	N/A
MPV	I.H.S	CRUISE	STARCARS	OLYMPIC	WHEELGETYOUTHER	BECKET	Brent Courier	MASONS	N/A
MPV	I.H.S	CRUISE	IMPACT	STARCARS	OLYMPIC	BECKET	WHEELGETYOUTHER	Brent Courier	MASONS
Minibus Small	I.H.S	CRUISE	IMPACT	ECT	STARCARS	OLYMPIC	WHEELGETYOUTHER		
Minibus Medium	I.H.S	ECT	IMPACT	STARCARS	OLYMPIC	Brent Courier	MASONS		
Minibus Large	IMPACT	STARCARS	I.H.S	OLYMPIC	BECKET				
Coach	IMPACT	STARCARS	N/A	N/A	N/A				
Wheelchair Accessible Small	CRUISE	I.H.S	IMPACT	STARCARS	ECT	WHEELGETYOUTHER	OLYMPIC		
Wheelchair Accessible Medium	I.H.S	CRUISE	IMPACT	ECT	STARCARS	OLYMPIC	WHEELGETYOUTHER		
Wheelchair Accessible Large	STARCARS	IMPACT	OLYMPIC	N/A	N/A				

- Lot 1 - London Borough of Brent and north west London area
- Lot 2 - London Borough of Barnet and north London area
- Lot 3 - London Borough of Ealing and west London area
- Lot 4 - London Borough of Hounslow and south west London area

- Table 1 – Driver with Vehicle only
- Table 2 – Driver with Vehicle and Passenger Attendant

Appendix 3.

Tenderer	Quality Score (Max 40)	Discount (max 3%)
Tenderer 1	Fail	N/A
Tenderer 2	21.3	1.5
Tenderer 3	31.8	2.3
Tenderer 4	23.3	0.0
Tenderer 5	19	0.8
Tenderer 6	17.3	0.0
Tenderer 7	22.8	2.3
Tenderer 8	23.8	0.0
Tenderer 9	17.8	0.0
Tenderer 10	30.5	1.5
Tenderer 11	32.8	0.0
Tenderer 12	21.5	1.5
Tenderer 13	25.3	1.5
Tenderer 14	24	1.5
Tenderer 15	28	1.5
Tenderer 16	20.5	1.5
Tenderer 17	26.8	0.8
Tenderer 18	29.8	0.0
Tenderer 19	22	1.5
Tenderer 20	22	1.5
Tenderer 21	22.5	0.0
Tenderer 22	29.5	0.0
Tenderer 23	24.5	0.0
Tenderer 24	26.3	2.3
Tenderer 25	21.3	0.0
Tenderer 26	21.5	0.0

London Borough of Brent



**in partnership with the
LONDON BOROUGH OF BARNET, EALING AND HOUNSLOW**



FRAMEWORK FOR PASSENGER TRANSPORT SERVICES FOR VULNERABLE CHILDREN, YOUNG PEOPLE AND ADULTS

Tender Evaluation Methodology

Document (g)

1 Purpose

This document defines the method of evaluation of tenders for the procurement of a framework being established by the London Borough of Brent ("the Council") for passenger transport services for vulnerable children, young people and adults for the London Boroughs of Barnet, Brent, Ealing and Hounslow, and for other public bodies across London that may wish to make use of these services.

2 Evaluation Approach

2.1 Principles

A Tender Evaluation Panel has been established which consists of at least one representative from each of the four Boroughs of Barnet, Brent, Ealing and Hounslow. The Panel will evaluate tenders based on the information provided in the tender documents submitted.

The members of the Tender Evaluation Panel will evaluate tenders in accordance with the process described in this document with the aim of establishing suitable suppliers for each of the four lots and for each category of vehicle to meet the Council's requirements.

2.2 Confidentiality

Information relating to the evaluation will not be divulged to anyone outside the Tender Evaluation Panel process as to do so may undermine the integrity of the contract award process

2.3 Guidance

The procurement is being undertaken in line with the Council's Best Practice guidelines, with an officer from the Council's Legal and Procurement Team involved in all steps of the procurement.

The Tender Evaluation Panel will conduct the evaluation in accordance with the award criteria set out in Section 3 below.

2.4 Decision Making Process

The Tender Evaluation Panel will evaluate bids against the Evaluation Criteria for Price and Quality, taking account of all of the information supplied in response to the Specification, to include Method Statements. The Tender Evaluation Methodology will be strictly adhered to during the course of the evaluation process.

All tenders will be checked for completeness and to ensure they are fully compliant. All complete and compliant bids will then be evaluated in accordance with the tender evaluation criteria in terms of their ability to meet the technical requirements specified.

Following the completion of all stages of the evaluation process, the Tender Evaluation Panel will make a recommendation that will be presented to the Council's Executive. Only following approval from the Executive will the bidders be notified of the decision.

3 Evaluation Criteria

3.1 Evaluation Criteria

Tenders for each Lot will be evaluated on the basis of the most economically advantageous proposal using the following criteria. Each criterion has been assigned a weighting to reflect the relative importance of such criterion to the Evaluation Panel members; the criteria and weightings are the same for each Lot.

Evaluation Heading	Criterion	Weighting
Price	Price	60%
Quality	Proven ability to meet the requirements of the Service Specification.	10%
	Approach to the delivery of the service	12%
	Approach to ensuring standards are achieved	16%
	Development of good working relationship with the Council.	2%

Further details of the Quality criteria, sub criteria, and the Council's requirements for the assessment/scoring of each of them are tabulated at Appendix 1.

3.2 Detailed description of evaluation

a) Evaluation of 'Price'

The total available weighting for Price is 60% and this will be broken down as:

Journey Price – 57%

Volume Discount – 3%

Journey Price will be evaluated separately for each vehicle category (and for each vehicle sub-category (ie 'Driver Only' or 'Driver and Passenger Attendant')) shown in the Pricing Document. This method recognises that not all tenderers will have submitted prices for all vehicle categories and sub-categories.

Failure to complete all prices for the different mileage bands for a particular vehicle category/sub-category will result in your submission for that category/sub-category being rejected. However you are not required to submit a price for all of the vehicle categories and sub-categories.

For each vehicle category (and sub-category) the price quoted by the tenderer in each mileage band will be first multiplied by the median mileage in that band (for the 'Unlimited' Band a figure of 30 miles will be used) and the resulting price compared with the minimum charge quoted by the tenderer. Where the resulting figure is higher than the minimum charge, that figure will be used for the next stage of the calculation. Where the resulting figure is lower than the minimum charge, the minimum charge will be used in the next stage in the calculation.

The figures obtained will then be multiplied by the weighting given in the Pricing Document for that vehicle category (and sub-category) in each mileage band, to reflect the proportion of the volume of requirements in each category (and sub-category) and mileage band that has been anticipated by the Authority.

Then the resulting weighted scores in each category (and sub category) in each mileage band will be added to give a total 'score' for that tenderer. The resulting scores for each tenderer that has bid for that category (and sub-category) will be divided into the lowest score achieved in that category/sub-category and multiplied by 57% to give a percentage score for Journey Price for that category/sub-category.

Volume Discount carries a total weighting of 3% and will be scored as follows:-

Score	Interpretation
0	No volume discount offered
1	Minimal discount (<1%) for 'high' invoice value only
2	Reasonable discount (1-5%) for 'high' invoice value and nil, minimal or reasonable discount on 'medium' and/or 'low' invoice value
3	Good discounts (>5%) offered on 'high' invoice value and nil, minimal or reasonable discount on 'medium' and/or 'low' invoice value
4	Good discount (>5%) offered for 'high', 'medium' and 'low' invoice value

Monthly invoice levels - 'high','medium','low' are defined in the Pricing Document.

The score awarded will be divided by 4 (maximum score) and multiplied by 3 (total weighting) to provide percentage score for Volume Discount.

The percentage score for Volume Discount will be added to the percentage score for Journey Price for each vehicle category/sub-category to provide a total score for Price out of 60% for each vehicle category/sub-category.

b) Scoring of Qualitative Criteria

There are 4 qualitative evaluation criteria with a total weighting of 40% of the marks:

Proven ability to meet the requirements of the Service Specification - 10%
Approach to the delivery of the service -12%
Approach to ensuring standards are achieved -16%
Development of good working relationship with the Council -2%

These criteria are further sub-divided into sub-criteria which directly relate to Method Statements as tabulated at Appendix 1. Only the information supplied by tenderers against the Method Statements will be used to evaluate Quality.

Each evaluation sub-criterion may attract up to a maximum of 4 marks as per the table below, and the mark awarded will be multiplied by the weighting for each of the sub-criterion to provide a total Quality score of out of the maximum score of 160. The total score will then be divided by 160 (maximum score) and then multiplied by the 40 to provide a percentage score for Quality.

Assessment	Score	Interpretation
Unacceptable	0	Fails to meet requirement - major omissions/weaknesses
Weak	1	Limited evidence of ability to meet requirement - omissions/weaknesses in key areas
Adequate	2	Meets requirement but with some minor omissions/weaknesses
Good	3	Fully meets requirement
Excellent	4	Fully meets requirement demonstrating added value in proposals for delivery of service

Note: A Score of '0' in any sub-criterion will result in disqualification of the tender from further consideration.

c) Scoring for Qualitative Criteria and 'Price'

For each vehicle category (and sub-category) the percentage score for Price obtained by a tenderer will be added to the percentage score for Quality achieved by that tenderer, to give a total score for that tenderer for that vehicle category/sub-category.

The total scores, taking into account Price and Quality, obtained by each tenderer for each vehicle category/sub-category will be ranked.

For each Lot, the total number of providers required by the Authority for each vehicle category and sub-category is shown in the tables at Appendix 2. Therefore, a tenderers position in the ranking of scores for a given vehicle category (and sub-category) will determine whether the Evaluation Panel recommends that tenderer should be appointed on to the Framework. It follows that the total number

of tenderers that the Evaluation Panel recommends should be taken into the Framework for each Lot will be determined solely by the total number of unique tenderers that is required to satisfy all of the Authority's requirements for the given number of providers in every category and sub-category.

4 Evaluation Process

4.1 Price Evaluation

The Price evaluation will be carried out by one member of the Evaluation Panel and the scores will be verified by a member of the Finance Team.

4.1 Qualitative evaluation

Each member of Evaluation Panel will initially score the tenders in isolation.

4.2 Evaluation Meeting – Consolidated Scores

The Tender Evaluation Panel will then meet to agree a single consolidated score for each qualitative criteria for each tender received. The scores and comments for each tender will be considered in order to reach a consensus on the final qualitative scores to be awarded to each tender.

The Evaluation Panel will also consider the results of evaluation of Price and may seek clarification of any score. If the Evaluation Panel is satisfied with the scoring of Price, it will formally accept the results of the Price evaluation.

The Evaluation Panel will agree a final score for each tender, including both Price and Quality scoring.

QUALITY EVALUATION

Criterion	Sub - Criterion	Evaluation	Score	Weighting	Weighted Score
Proven ability to meet the requirements of the Service Specification	General Requirements	Compliance with all aspects of the Specification with regard to General Requirements as evidenced in Method Statement 01.		5	
Approach to the delivery of the service	Service-Delivery - Operating Requirements	Compliance with all aspects of the Specification with regard to Service Delivery and Operating Requirements as evidenced in Method Statement 02.		5	
Approach to ensuring standards are achieved	Staff Employment and Vetting	Compliance with all aspects of the Specification with regard to Staff Employment and Vetting as evidenced in Method Statement 03.		5	
Approach to ensuring standards are achieved	Staff Competence	Compliance with all aspects of the Specification with regard to Staff Competence as evidenced in Method Statement 04.		5	
Approach to ensuring standards are achieved	Staff Retention and Continuity	Compliance with all aspects of the Specification with regard to Staff Retention and Continuity as evidenced in Method Statement 05.		4	


Criterion	Sub - Criterion	Evaluation	Score	Weighting	Weighted Score
Approach to the delivery of the service	Risk Assessment and Management	Compliance with all aspects of the Specification with regard to Risk Assessment and Management as evidenced in Method Statement 06.		5	
Proven ability to meet the requirements of the Service Specification	Vehicle Requirements	Compliance with all aspects of the Specification with regard to Vehicle Requirements as evidenced in Method Statement 07.		5	
Approach to ensuring standards are achieved	Complaints Handling & Continuous Improvement	Compliance with all aspects of the Specification with regard to Complaints Handling & Continuous Improvement as evidenced in Method Statement 08.		2	
Approach to the delivery of the service	Accident and Incident Management	Compliance with all aspects of the Specification with regard to Accident and Incident Management as evidenced in Method Statement 09.		2	
Development of good working relationships with the Council	Account and Contract Management	Compliance with all aspects of the Specification with regard to Account and Contract Management as evidenced in Method Statement 10.		2	

APPENDIX 2

NUMBER OF PROVIDERS REQUIRED IN EACH VEHICLE CATEGORY FOR EACH LOT

Category	Sub-Category	Number of Providers
Car	Driver Only	7
	Driver and Escort	7
Estate Car	Driver Only	7
	Driver and Escort	7
MPV 5/6	Driver Only	7
	Driver and Escort	7
MPV 7/8	Driver Only	7
	Driver and Escort	7
Minibus S	Driver Only	5
	Driver and Escort	5
Minibus M	Driver Only	5
	Driver and Escort	5
Minibus L	Driver Only	3
	Driver and Escort	3
Coach	Driver Only	3
	Driver and Escort	3
W/Chr Access. S	Driver Only	5
	Driver and Escort	5
W/Chr Access. M	Driver Only	5
	Driver and Escort	5
W/Chr Access. L	Driver Only	5
	Driver and Escort	5

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	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>National Non-Domestic Rate Relief</p>	

1.0 Summary

- 1.1 The Council has 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.
- 1.2 This report includes applications received for discretionary rate relief since the Executive Committee last considered such applications in January 2012.
- 1.3 An application has also been received for 100% discretionary rate relief from Meanwhile Space CIC who are working with the Council in bringing empty shop units in Wembley back into use. These are detailed in Appendix 3.

2.0 Recommendations

- 2.1 Members are requested to agree the discretionary rate relief applications in Appendix 2.
- 2.2 Members are asked to agree granting Meanwhile Space CIC 100% discretionary rate relief in respect of their short term occupation of units in Wembley as detailed in Appendix 3.

3.0 Details

- 3.1 Details of the Council's discretion to grant rate relief to charities, registered community amateur sports clubs and non-profit making organisations are contained in the financial and legal implications sections (4 and 6).

- 3.2 Appendix 1 sets out the criteria and factors to consider for applications for NNDR relief from Charities and non-profit making organisations. This was agreed by the Executive in February 2008.
- 3.3 Appendix 2 lists new applications from local charities that meet the criteria. It also shows the cost to the Council if discretionary relief is awarded, which is the Council's normal policy.
- 3.4 Appendix 3 details the work of Meanwhile Space CIC in the Wembley Regeneration Programme (project known as Why Don't You Wembley) and their application for rate relief in respect of the properties that they will be using for this project.
- 3.5 The criteria for awarding discretionary rate relief focuses on ensuring that the arrangements are consistent with corporate policies and relief is directed to those organisations providing a recognised valued service to the residents of Brent. Further detail is set out in Appendix 1. Any relief granted in 2012/13 will be for a three-year period which follows the policy previously agreed by the Executive.
- 3.6 Charities and registered community amateur sports clubs are entitled to 80% mandatory rate relief and the council has discretion to grant additional relief up to the 100% maximum.
- 3.7 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum.

4.0 Financial Implications

4.1 Discretionary Rate Relief

- 4.1 Charities and registered community amateur sports clubs receive 80% mandatory rate relief, for which there is no cost to the Council. The Council has the discretion to grant additional relief up to the 100% maximum, but has to bear 75% of the cost of this from the Discretionary Relief Budget.
- 4.2 Non-profit making organisations do not receive any mandatory relief, but the Council has the discretion to grant rate relief up to the 100% maximum. The Council has to bear 25% of the cost of any relief granted.
- 4.3 The Council, where it has decided to grant relief, has followed a general guideline of granting 100% of the discretionary element to local charities and 25% of the discretionary element to non-local charities.
- 4.4 It has also granted 25% of the whole amount requested (which is entirely discretionary) to non-profit making organisations. This general policy was endorsed for continuation by the Executive in February 2008.
- 4.5 The total 2011/12 budget available for discretionary spending is £91,000. £96,890 has already been committed in respect of applications approved and

entitlement to relief for 2011/12. If Members agree relief as set out in Appendix 2, it would result in a further spend of £1,002 for 2011/12, this would bring the total spend for 2011/12 to £97,892. Whilst this is an overspend of £6,892 the final figure for 2011/12 will be further adjusted to reflect adjustments to liability, e.g., vacations, reductions in rateable value.. There is no implication on the discretionary relief budget for awarding relief as set out in Appendix 3

5.0 Staffing Implications

5.1 None

6.0 Legal Implications - Discretionary Rate Relief

6.1 Under the Local Government Finance Act 1988, charities are only liable to pay 20% of the NNDR that would otherwise be payable where a property is used wholly or mainly for charitable purposes. This award amounts to 80% mandatory relief of the full amount due. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. Under the Local Government Act 2003, registered Community Amateur Sports Clubs also now qualify for 80% mandatory relief.

6.2 The Council has discretion to grant relief of up to 100% of the amount otherwise due to charities, Community Amateur Sports Clubs, and non-profit making organisations meeting criteria set out in the legislation. These criteria cover those whose objects are concerned with philanthropy, religion, education, social welfare, science, literature, the fine arts, or recreation.

Guidance has been issued in respect of the exercise of this discretion and authorities are advised to have readily understood policies for deciding whether or not to grant relief and for determining the amount of relief. Further details of the Brent policy are shown in Appendix 1.

6.3 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow Brent to grant the relief for a fixed period. One year's notice is required of any decision to revoke or vary the amount of relief granted, if in the case of a variation, it would result in the amount of rates increasing. The notice must take effect at the end of the financial year.

6.4 The operation of blanket decisions to refuse relief across the board would be susceptible to legal challenge on grounds that the Council would be fettering its discretion. The legal advice to officers and Members is that each case should be considered on its merits.

7.0 Diversity Implications

7.1 Applications have been received from a wide variety of diverse charities and organisations, and an Impact Needs Analysis Requirement Assessment (INRA) has been carried out on the eligibility criteria. All ratepayers receive

information with the annual rate bill informing them of the availability of discretionary and hardship rate relief. Ratepayers who have previously applied for relief are sent annual discretionary application forms. Details of all the applicants are shown in the Appendices.

8.0 Background Information

- 8.1 Report to Executive 11th February 2008 – National Non-Domestic Relief and Hardship Relief.
- 8.2 Report to Executive 16th January 2012 – Non Domestic Rate Relief

9.0 Contact Officers

- 9.1 Paula Buckley, Head of Client Team - Brent House, Tel. 020 8937 1532
- 9.2 Richard Vallis, Revenues Client Manager – Brent House, Tel 020 8937 1503
- 9.3 Alex Hearn, Regeneration Officer – Brent House, Tel 020 8937 1048

CLIVE HEAPHY
Director of Finance and Corporate Services

ELIGIBILITY CRITERIA FOR APPLICATIONS FOR NNDR DISCRETIONARY RELIEF FOR CHARITIES & FROM NON PROFIT MAKING ORGANISATIONS

Introduction

The following details the criteria against which the Local Authority will consider applications from non profit making organisations. In each case the individual merits of the case will be considered.

- (a) Eligibility criteria**
- (b) Factors to be taken into account**
- (c) Parts of the process.**

(a) Eligibility Criteria

- The applicant must be a charity or exempt from registration as a charity, a non-profit making organisation or registered community amateur sports club (CASC).
- All or part of the property must be occupied for the purpose of one or more institutions or other organisations which are not established or conducted for profit and whose main objects are charitable or otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts; or
- The property must be wholly or mainly used for the purposes of recreation, and all or part of it is occupied for the purposes of a club, society or other organisation not established or conducted for profit.

(b) Factors to be taken into account

The London Borough of Brent is keen to ensure that any relief awarded is justified and directed to those organisations making a valuable contribution to the well-being of local residents. The following factors will therefore be considered:

- a. The organisation should provide facilities that indirectly relieve the authority of the need to do so, or enhance or supplement those that it does provide
- b. The organisation should provide training or education for its members, with schemes for particular groups to develop skills
- c. It should have facilities provided by self-help or grant aid. Use of self-help and / or grant aid is an indicator that the club is more deserving of relief
- d. The organisation should be able to demonstrate a major local contribution.
- e. The organisation should have a clear policy on equal opportunity.
- f. There should be policies on freedom of access and membership.

- g. It should be clear as to which members of the community benefit from the work of the organisation.
- h. Membership should be open to all sections of the community and the majority of members should be Brent residents
- i. If there is a licensed bar as part of the premises, this must not be the principle activity undertaken and should be a minor function in relation to the services provided by the organisation.
- j. The organisation must be properly run and be able to produce a copy of their constitution and fully audited accounts.
- k. The organisation must not have any unauthorised indebtedness to the London Borough of Brent, including rate arrears. Rates are due and payable until a claim for discretionary rate relief is heard.

(c) Parts of the process

No Right of Appeal

Once the application has been processed, the ratepayer will be notified in writing of the decision. As this is a discretionary power there is no formal appeal process against the Council's decision. However, we will re-consider our decision in the light of any additional points made. If the application is successful and the organisation is awarded discretionary rate relief, it will be applied to the account and an amended bill will be issued.

Notification of Change of Circumstances

Rate payers are required to notify any change of circumstances which may have an impact on the award of discretionary rate relief.

Duration of award

The current policy awards relief for one year only and the applicant has to reapply on an annual basis.

The new policy will award relief for a period of two years if the application is made in 2008/09 and for three years if made in 2009/10. However, a confirmation will be required from the successful applicants that the conditions on which relief was previously awarded still apply to their organisation. This will help ensure that the Council's rate records remain accurate.

Withdrawal of relief

One years notice has to be given by the Council for the withdrawal of relief.

Unlawful activities

Should an applicant in receipt of discretionary rate relief be found guilty of unlawful activities for whatever reason, entitlement will be forfeited from the date of conviction.

	Type of Charitable/Non-Profit Making Organisation	Current Policy
		Discretionary Relief Limited to
1	Local charities meeting required conditions (80% mandatory relief will apply)	20% (100% of remaining liability)
2	Local Non-profit-making organisations (not entitled to mandatory relief)	25%
3	Premises occupied by a Community Amateur Sports Club registered with HM Revenue & Customs. (80% mandatory relief will apply)	20% (100% of remaining liability)
4	Non-Local charities (80% mandatory relief will apply)	25% (of remaining liability)
5	Voluntary Aided Schools (80% mandatory relief will apply)	20% (100% of remaining liability)
6	Foundation Schools (80% mandatory relief will apply)	20% (100% of remaining liability)
7	All empty properties	NIL
8	Offices and Shops	NIL
9	An organisation which is considered by officers to be improperly run, for what ever reason, including unauthorised indebtedness.	NIL
10	The organisation or facility does not primarily benefit residents of Brent.	NIL
11	Registered Social Landlords (as defined and registered by the Housing Corporation). This includes Abbeyfield, Almshouse, Co-operative, Co-ownership, Hostel, Letting / Hostel, or YMCA.	Nil
12	Organisations in receipt of 80% mandatory relief where local exceptional circumstances are deemed to apply.	Up to 20% (100% of remaining liability)

LOCAL CHARITIES

Financial year: 2011-12

Non-Local Charities		2011-12 Charge	Bill net of statutory relief	Cost to Brent at 75%
	<u>New Applications</u>			
32938830	South Kilburn Neighbourhood Trust 2b Canterbury Road	£6062.00	£1212.40	£909.30
Total		£6062.00	£1212.40	£909.30

Financial year: 2010-11

Non-Local Charities		2010-11 Charge	Bill net of statutory relief	Cost to Brent at 75%
	<u>New Applications</u>			
32938830	South Kilburn Neighbourhood Trust 2b Canterbury Road (21/2/2011 – 31/3/2011)	£609.30	£123.86	£92.89
Total		£609.30	£123.86	£92.89

NON PROFIT MAKING ORGANISATIONS - APPLICATION FOR 100% DISCRETIONARY RATE RELIEF

Why Don't You Wembley Project - Meanwhile Space C.I.C.

Address	Period of relief	Amount of relief	Cost of relief (25%) – to be borne by the project
3-5, Wembley Hill Road, HA9 8DL	1/4/2012 – 30/9/2012	£6,412.00	£1,603.00
Total		£6,412.00	£1,603.00

Background

1. In February 2012 the London Borough of Brent entered into an agreement with Meanwhile Space CIC to deliver a project within empty shops and or commercial premises within Wembley town centre and regeneration area. The project will deliver opportunities that will facilitate training and skills development of Brent residents with a view to improving people's chances of gaining employment. The project is funded by the council from the New Initiatives budget from the Regeneration and Major Projects Department.
2. Wembley is expected to be the main driver for growth in the long term due to the scale of the development expected. Parts of Wembley High Road are performing relatively well, with few vacant retail units; this is particularly the case from Ealing Road through to Cecil Avenue.
3. However, the Wembley 'triangle' area and some units on Wembley Hill Road are sitting vacant with a handful of stubborn long term vacant sites. Additionally, due to the scale and timeframe of the regeneration around the stadium, there are a number of vacant and underused parcels of land that could be used to deliver similar projects.
4. These empty spaces provide opportunities for activities to allow local people, visitors and the council understand how they can use, explore and enjoy Wembley between empty land and units and the large buildings that dominate the area.
5. Brent Council is committed to the regeneration of Wembley and to deliver the Vision for the area. This is both as the facilitator of private sector led development and as a builder and provider itself with the forthcoming new Civic Centre. The Why Don't You Wembley project will develop opportunities on a finer grain to explore the spaces between the big and the empty, to allow people to understand how Wembley is a curious and interesting place and to support the delivery of economic and skills development.

6. The Council have procured Meanwhile CIC to deliver 'Why Don't You Wembley' - a project designed to spark the change of Wembley town centre and the regeneration area at a human scale by giving local people the opportunity to use and change spaces to enable entrepreneurship and create a more attractive destination, a place to try new ideas and stimulate a new pride in place.
7. The project incorporates the following core elements;
 - **Occupation of up to 5 empty commercial units within Wembley town centre and/or regeneration area.** Empty spaces will be made available to potential users from the local area for creative, community or business ideas.
 - **Workshops and capacity building** to understand the opportunities and constraints of delivering 'meanwhile projects' in Wembley involving local residents, businesses organisations and council officers
 - **Trainee and Mentoring Opportunities;** working in partnership with local education providers and/or other training providers, 25 people will be mentored to set up their own meanwhile opportunities and at least 5 traineeships will delivered
 - **A meanwhile strategy for Wembley;** with identified opportunities and deliverable long term interventions to provide affordable workspace to drive economic development and opportunities for small and medium sized business formation and a programme of training and learning for local people..

The realisation of the benefits will continue into a second phase of the project which runs from June 2012 for potentially 5 – 10 years on the basis of the formulation of a charitable Legacy vehicle.
8. The vacant premises will be secured by Meanwhile Space CIC who will enter into a meanwhile lease with the landlord to occupy premises. The vacant premises will then be improved and made available to local people at little or no cost who will act as guardians of the space to keep it open and animated by running a business from the shops/properties whilst simultaneously working to engage the local community. By example for taking on a local trainee or leading workshops for local people.
9. Phase 2 will deliver lasting social and economic benefits through; providing opportunities for small medium enterprises to grow, bringing new audiences to the area, improving the cultural offer on within the town centre and the regeneration area delivering much needed skills and training in the area. The skills and training will be targeted particularly at young people in response to the current high levels of youth unemployment.


Local trainees from the College of North West London and other training providers will also be engaged to assist with the delivery physical improvements to the vacant shops/premises to make them more marketable.

10. Meanwhile Space CIC has already secured a meanwhile lease on the anchor shop at 3-5 Wembley Hill Road, London, HA9 8DL which is being used to promote the project. Up to 4 further units will then be secured which will be used to allow start-up enterprises and be used to train and skill people in running a business and other commercial skills. They will also be used as an outlet for displaying and marketing their products.
11. Meanwhile Space CIC is a non-profit organisation and as such would normally only be considered for 25% discretionary rate relief based on the current policy (as set out in Appendix 1). Incurring the remaining 75% rates liability for the properties secured on a meanwhile lease would mean a significant proportion of the project budget allocated to deliver Why Don't You Wembley would be spent on business rates, rather than driving and delivering the social and economic regeneration of the town centre. The Council has previously agreed to award Meanwhile Space CIC 100% rates relief for properties it occupies as part of the Willesden Green project. The 25% cost of awarding the relief will be met from the budget allocated to the Why Don't You Wembley project

Recommendation

Meanwhile Space CIC are a non-profit making organisation working with the Council to promote the regeneration of Wembley. They will be taking on the leases of shops in order to train and skill potential new businesses who it is hoped will ultimately trade from vacant shop units in the area. It is therefore recommended that the Council grants 100% discretionary rate relief to the units occupied by Meanwhile Space CIC. Should they occupy any other units these will be reported to the Executive. The cost of awarding the relief will be met from the project's budget.

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	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Services</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Authority to award contract for the to implement an Oracle R12 HR/payroll system</p>	

Appendix 2 of this report is not for publication

1.0 Background

- 1.1 Brent plans to replace its underperforming Logica based HR/Payroll system with a proven HR/payroll system that will provide self-service, streamlined processes, improved functionality and quality management information and to upgrade its financial system to Oracle R 12.
- 1.2 This report requests authority to award contracts as required by Contract Standing Order No 88. This report summarises the process undertaken in tendering framework **agreements** and, recommends the award of call-off contracts.

2.0 Recommendations

- 2.1 That the Executive note the collaborative procurement process undertaken for Oracle 12 Joint Service Implementation Services and the award of Framework Agreements by Lambeth to Capgemini UK plc for the implementation of Oracle R12 HR/payroll. The contract awarded to Capgemini is divided into:
 - Lot 1 (Systems Integration and new functionality)
 - Lot 2 (Systems Housing Solutions)
- 2.2 That the Executive authorise the Director of Finance and Corporate Services to award two contracts to Capgemini plc by calling off from the framework described in paragraph 2.1 for the provision of Lot 1 and Lot 2 services in

respect of Oracle HR and Payroll systems (Phase 1), for the reason set out in paragraph 3.49 of the report, subject to the Director of Finance and Corporate Services being satisfied that the final contract value is in line with the costs estimates in section 4 and Appendix 2 of the report.

- 2.3 That the Executive note that a further report will be brought to the Executive to outline the cost of Phase 2 and to seek agreement to re-engage with the SI for the second phase of the programme in due course.

3. Detail

- 3.1 Brent currently operates an Oracle Release 11 (R11) IT platform for its Financial and procurement processes. The HR and payroll processes utilise a Logica based system (Interact), a talent management system (ETWeb) and an online recruitment system iGrasp.
- 3.2 Oracle has announced that systems support for R11 will discontinue in October 2013 making it necessary for R11 users to obtain patches and upgrades from non-Oracle sources or from Oracle at a premium price.
- 3.3 Brent is proposing to rationalise its current IT systems by moving to a single R12 platform in two phases over a two year period. The systems rationalisation will provide Brent with a fully functioning Enterprise Resource Planning (ERP) system that will provide managers with the tools to make resource deployment decisions based on up to date financial and staffing data.
- 3.4 A rationalisation of this scale will be complex and technically challenging for Brent to complete on its own. The Pan-London Project Athena provided an ideal opportunity for Brent to work with other London boroughs to procure a contract framework to engage a Systems Integrator (SI) to assist with the implementation process.
- 3.5 The collaborative procurement is now complete and an SI has been identified. This report outlines the procurement process and seeks approval for the engagement of the SI to perform the first phase of Brent's move to R12.
- 3.6 In Phase 1 Brent plans to replace its underperforming Logica based HR/Payroll system with a proven HR/payroll system that will provide self-service, streamlined processes, improved functionality and quality management information.
- 3.7 The Council's current contract with Logica runs out in October 2012. Whilst theoretically it would be possible to renew the existing agreement, in practice the system is not widely used in local government and it is unlikely that Logica would put resources into upgrading the system. The current system has limited capacity to provide the council with functionality that is expected of a modern system including high degrees of self-service and good quality information. The result is that the council retains inefficient HR processes which impact on the number of staff required in the People and Development

Service Unit and means that significant numbers of staff are required throughout the organisation to carry out business support functions that are needed because of manual processes. It also makes it very difficult for the council to carry out effective workforce planning and management at a time of significant change as a result of budget reductions.

- 3.8 The implementation schedule identifies a go-live for HR/payroll in October, although a later date may be chosen for operational reasons.
- 3.9 Phase 1 will also adopt a 'cloud' solution for the storage and retrieval of data. Currently data is stored on Brent servers that are maintained by staff of the ITU. The Cloud approach locates Brent data on servers that could be located anywhere in the EU. Dedicated data warehouses have the advantages of high levels of security, resilience (interruption of services because of power failure or physical damage to servers) and ease of capacity expansion.
- 3.10 Phase 2 of the project will focus on the move from R11 to R12 Financials. The start date for Phase 2 has yet to be confirmed but it is likely that the Brent will engage with the SI again soon after the financial year end in April 2013 with a plan to go live with R12 financials and procurement in April 2014.

The Contract Framework

- 3.11 To procure the services of a Systems Integrator (SI) to implement an Oracle HR and Payroll system and upgrade the finance system to Oracle Release 12 Brent has been working collaboratively with 5 other London boroughs to procure a contract framework. The Framework has been split into 3 lots namely:
 - Lot 1 (Systems Integration and new functionality)
 - Lot 2 (Systems Housing Solutions)
 - Lot 3 (Licensing and Software Support)
- 3.12 The Framework has been established by Lambeth as lead borough in this collaborative procurement. Lambeth has agreed the award of single supplier framework agreements for Lots 1 and 2. The actual award of those framework agreements occurred on the 2nd April 2012 following the conclusion of the standstill period.
- 3.13 Currently, Officers consider that Brent will need to call off from all three lots on the letting of the Framework for Phase 1. A detailed proposal will be presented to the Executive for Phase 2.
- 3.14 Brent will access the contract framework as soon as it becomes available in May 2012 and will work with the SI to install Oracle HR/payroll for a target go-live date for payroll in October 2012.

Project Athena – The One Oracle Group

- 3.15 Brent Council is an active member of the Oracle users group (One Oracle Group) of the pan-London Project Athena. Brent worked closely with Lambeth, Lewisham, Barking and Dagenham, Croydon and Havering throughout the procurement exercise.
- 3.16 The aim of this collaboration is to:
- a. enable the councils involved in upgrading to the new version of Oracle (version 12) – or moving onto Oracle HR/Payroll for the first time - to procure support for that upgrade on a joint basis. Funding to support the procurement process has been provided by Capital Ambition which reduces the overall procurement costs. In addition, by procuring support for the procurement collectively, there is an expectation that economies of scale will reduce the cost of bids.
 - b. allow councils to share the hosting of the hardware needed to support the system. This means that individual councils will not have to incur costs maintaining and upgrading the hardware although there will be costs in paying for hosting;
 - c. provide long term resilience to changes in the IT required to run the system by ensuring that any costs involved will be shared with others using the system;
 - d. provide options in the longer term to look at closer integration of back office processes leading potentially to the sharing of services between councils which have adopted the same IT platform.

The Tender Process

- 3.17 The procurement exercise has been led by the London Borough of Lambeth but all six active partner boroughs were involved in the planning and completion of the procurement exercise. To express commitment to the procurement approach, Officers signed a Memorandum of Understanding that links the objectives of Project Athena with the ambitions of the One Oracle Group.
- 3.18 To manage the procurement process, the Procurement Exercise Group was established to ensure that at all stages, there was appropriate input from the councils involving a significant number of officers including business unit representatives. A technology working group was established comprising ICT representatives from across the boroughs to provide guidance and support throughout the entire procurement process.

Pre-Qualification Questionnaire (PQQ)

- 3.19 The OJEU notice was published in August 2011. The evaluation of the responses at the PQQ stage was a joint undertaking across the councils led by the Procurement Exercise Group. Those involved in this stage were from five fields including Procurement, Technology, Finance, HR & Payroll and Legal. The membership of this evaluation panel was spread across the councils, with regular group meetings to discuss progress. This included use

of the Procurement Exercise Group meetings, to ensure all partners were fully briefed.

- 3.20 The Oracle 12 Joint Service Pre-Qualification Questionnaire was issued by Lambeth and Lewisham in August 2011 (and referenced the following authorities to whom the framework would be available:

Option	Wave	Combination	London Borough	County Council	Total
Active partner (Tier 1)	1	Phase 1 - Create combined instance of Oracle E-Business Suite R12	Brent (HR) Lambeth Lewisham Barking & Dagenham,		4
Active partner (Tier 1)	2	Phase 2 - Integrate existing R12 instances into combined system	Croydon Havering		2
Option open for the future (Tier 2)	3		Bexley, Bromley, City of London Hounslow (HR) Hillingdon Royal Borough of Kingston-upon-Thames Greenwich (HR) Royal Borough of Kensington & Chelsea Newham Westminster City Council	Kent	11
		Total	16	1	17

- 3.21 Bidders were invited to respond to the PQQ and were free to collaborate with other organisations to form consortia. Where a consortium was formed, bidders were required to provide detailed responses for the 'Lead Organisation' and any 'Relevant Organisation' where applicable. The

Consortia as whole had to meet all the criteria as set out in the Prequalification Questionnaire.

3.22 Responses to the PQQ were received by Lambeth in September 2011, and evaluated as per the PQQ evaluation guidance issued in the PQQ documentation. The PQQ process was used to establish the supplier's capability – allowed us to create a shortlist of the best suppliers that we then invited to tender.

3.23 Following the evaluation of each PQQ response received, the following participants were invited to Tender for each of the lots as described in this report. The suppliers invited to tender were:

Oracle 12 Joint Service - Supplier Status ITT stage	Lots		
	1	2	3
Agilisys Limited			
Capgemini			
SunGard Availability Services (UK) Ltd.			
Liberata UK Ltd.			
Oracle Corporation UK Limited			
PWC Limited Liability Partnership			
IBM United Kingdom Ltd.			
Atos IT Services UK Ltd.			
Tata Consulting Services Ltd.			
Infosys			
Parity Resources Limited			

3.24 Compliance checks in respect of each of the participants' responses were undertaken by Lambeth in accordance with the tender evaluation methodology. The key aim of the compliance checks was to confirm the completeness of the information submitted against the tender requirements. All respondents and relevant organisations submitted all the necessary information; however some of the responses received were qualified in some respects, requiring further clarification and analysis by the respective work stream leads of the evaluation; for instance, matters relating to legal aspects of the response or financial matters and assumptions.

InvitationTo Tender (ITT)

- 3.25 The development of the tender specification was coordinated by the project team at Lambeth with content provided by each of the individual councils through their members on the joint procurement exercise working group, along with significant input from a joint technology working group. Each document that formed part of the tender specification underwent significant review by both groups, with responsibility for ensuring effective engagement at individual councils resting with the appropriate members of these groups. There was a significant data gathering exercise as part of this process, to ensure that the tender specification would provide accurate and reliable data to the shortlisted suppliers, again making use of the network of officers engaged through the two groups.
- 3.26 Once the tender specification was released to shortlisted suppliers, the online EU Supply tendering system was used to manage the clarifications received. This involved assigning responsibility for developing a response to each clarification either to an individual or to either the Procurement Exercise Group or the Technology Working Group. In developing responses, there was significant engagement with stakeholders from across the partnership to ensure that suppliers received the right information and that all councils agreed on any interpretation of the tender specification. All responses were discussed within appropriate groups before being issued to suppliers.
- 3.27 As with the PQQ stage, the evaluation of submitted tender responses in the Invitation to Tender stage was a joint effort across five of the six councils. Those who had been involved in the development of the tender specification, along with select business users were assigned to the scoring group of the panel, while a significant number of business users were assigned as members of reference groups who were called upon during the evaluation period. Details of these groups and Brent's representation on these groups are included in Appendix 1 of this report. The process involved a mix of individual and group evaluation and moderation, to ensure that the final result was a collaborative effort informing the conclusion by Lambeth.
- 3.28 Evaluation for each tender response received was based on:

Quality - General Specification (for completion by all suppliers)	Quality & Performance Management Customer Service Environmental & Sustainability Programmes Health & Safety Equalities
Technical Specifications	Method Statements for each or all Framework Lots Implementation & Change Management Plans Data Protection & Intellectual Property Rights Management Added Value Contract Management
Price	Offer Price

- 3.29 Details of the results and scoring methodology for the financial evaluation are shown in Appendix 2 of this report. The financial evaluation has been performed by the financial evaluation work stream, comprising of officers from Lambeth, Lewisham, Croydon, Brent and Barking & Dagenham, the work stream lead was Head of Corporate Finance for the London Borough of Croydon.
- 3.30 It is noted that the operational obligations to be undertaken on this project are expected to extend for four years, with a co-terminus end to all contracts to be called off the framework. The London Borough of Lambeth and the partner boroughs can offer no opinion on the potential long-term future financial standings of the bidders. This must be taken into account when finalising the contractual relationship with any selected bidder by the respective partners in this exercise.
- 3.31 Reasons for award for recommended bidders for Lot 1 and Lot 2 are as detailed below.

Lot 1 - Reimplementation and Systems Integration

- 3.32 Following the Pre Qualification Questionnaire stage, in September and October 2011 a total of 8 suppliers were invited to submit a bid. Three formal bids were received on time, by the due date from:
- Capgemini UK plc
 - PriceWaterhouse Coopers Limited Liability Partnership (PwC)
 - Tata Consultancy Services Limited (TCS)
- 3.33 All three bids were thorough and comprehensive, demonstrating that each supplier had invested heavily in the preparation and submission of their bid. However, of the three tender responses received on lot 1 Systems Integrator, one tender was confirmed as non-compliant during the evaluation process.. The bids were individually scored by the evaluation panel. After individual scoring the panel came together and assessed the scores and came to a collective, moderated score. Clarifications questions were compiled and sent to suppliers in advance of the supplier interview stage. Answers were sought from their respective delivery teams.
- 3.34 The preferred bid from Capgemini UK plc provided evidence of a substantive understanding of the aims of the Joint Service project. The bid demonstrated both experience and gave a level of reassurance regarding knowledge in implementing Oracle R12 in a complex environment and the current challenges that may be faced. The bid outlined a Go Live date of April 2013 and Capgemini set out clearly they considered the Brent payroll to Go Live by October 2013 as challenging and offered a number of alternate options for the Brent solution, none of which are currently priced.

- 3.35 Cap Gemini also demonstrated they would work in collaboration with all suppliers and their bid proposed setting up a suppliers forum to help manage the inter relationships. On the whole the answers to individual questions more than addressed the question asked. Cap Gemini demonstrated a clear understanding of the challenges and opportunities that 6 boroughs working together may bring.
- 3.36 The technical response was particularly strong on project management tools and techniques offering real confidence of a well thought out and workable approach to delivering the ambitions of Programme Athena. The example documentation and techniques demonstrated an ability to hit the ground running.

Lot 2 - Hosting and Applications Support for the E-Business Suite –

- 3.37 Following the PQQ stage, in September / October, nine suppliers were invited to submit a bid and three formal bids were received on time from:
- Agilisys Limited
 - Capgemini UK plc
 - SunGard Availability Services (UK) Limited
- 3.38 After individual scoring by tender panel members, the panel came together and assessed the scores and came to a collective, moderated score. This moderation included using the technical expertise of the Lambeth DBA team; the team leader was a scoring member of this panel. Clarifications questions were compiled and sent to suppliers in advance of the supplier clarification presentation stage.
- 3.39 The preferred bidder, Capgemini UK plc provided sound evidence of a robust, secure solution. The bid demonstrated the solution offered could be flexible and responsive to the evolving needs of The Joint Service without the need to engage sub contracted support. The bid clearly set out the proposed arrangements for engaging with the potential multiple suppliers across the three lots and the number of Councils involved in the project. One suggestion was to create a suppliers forum, attended by key representatives from the Councils to manage any issues as they arise. The bid gave a high degree of reassurance to the technical members of the team in terms of their patching plan and their technical arrangements. On the whole the answers to individual questions more than addressed the question asked and demonstrated real added value to the services and strong understanding of the shared service vision.
- 3.40 Capgemini showed a clear understanding of the challenges and opportunities that 6 boroughs working together can bring, was technically competent with a strong client focused approach.

Lot 3 – Software Support and Maintenance

- 3.41 Following the PQQ stage, in September / October, seven suppliers were invited to submit a bid and one bid was received from Oracle Corporation. Unfortunately the Oracle bid non-compliant for the proposed licensing terms and was not suitable for execution or incorporation into a contract. It is therefore proposed that the restricted procedure be cancelled for this lot on the ground of absence of tenders as the lone tender received is non-compliant and unsuitable and that a negotiated procedure is adopted for the further procurement. Officer's will report back to the Executive in due course in respect of the award of a call-off contract for this lot.

The Specification

- 3.42 The service specification contains a schedule of key performance indicators for each lot within the contract. These indicators are themed on four areas of service delivery:
- Maximising productivity and improved business efficiency
 - Enhancing the reputation of the Partnership
 - Minimising Costs
 - Providing a Customer Centric Service
- 3.43 The Specification includes a service credits performance regime linked to the milestones and key performance indicators reflecting the need for the contract to be delivered in a timely manner.
- 3.44 The preferred bidder is to be given a reasonable time to meet each milestone and key performance indicator and the milestone date is to be agreed as part of the project implementation plan. A retention or percentage of the contract price is allocated to each Milestone and key performance indicator and where the preferred bidder achieves a milestone and key performance indicator by the agreed date then the Council will pay the Retention to the preferred bidder in accordance with the contract.

Value for Money

- 3.45 By working together to procure the services detailed in Lot 1 and Lot 2 will mean that Value for Money is achieved by:
- achieving economies of scale across the authorities:
 - learning from those authorities who are already on R12 and having a single instance of Oracle across all those authorities.
- 3.46 Further VFM should be achieved as tier 2 authorities' draw from the framework as there is a "finder's fee" which would then be distributed amongst tier 1 authorities and the cost of upgrades and patching would be reduced as it would only be "done" to one system.
- 3.47 In broad terms the likely savings from across the partnership are:

- Lower total cost of ERP system ownership as the future costs associated with the future upgrades and patching of the system will be greatly reduced as there will be one cost over the boroughs instead of each authority having to pay for this separately as there would only be one system to upgrade (which is a key aim on Programme Athena)
- Reduced operational and performance management staff numbers
- Reduced cost of change by each of the boroughs in Tier 1 is saving procurement costs by joining together in the procurement and the cost of the upgrade/reimplementation has been mitigated by the way the 6 tier 1 councils are working together and sharing learning and ultimately a single instance of the system, this has meant that the preferred bidder can cost this shared learning into the pricing
- Reduced costs of third party integrations
- Potential for strategic collaboration with other authorities, hence further possibilities for reducing costs. Each borough will have savings to achieve through the implementation of the single shared instance and the changes to standard practices across each of the boroughs
- As tier 2 boroughs/councils use the framework the boroughs in tier 1 will benefit from a “finder’s fee” which will contribute to the “sunk” costs of the procurement and the implementation of the single shared instance of Oracle.

Brent Call-off Contracts

- 3.48 Following award of the Framework Agreements by Lambeth for Lots 1 and 2 Brent intends to enter into call-off contracts with Cap-Gemini for both Lots for phase 1. As the Framework Agreements are single supplier frameworks Brent is able to enter into call-off contracts directly with Cap-Gemini without the need for a mini-competition. It is anticipated that call off contracts will commence on **2nd May 2012** and will be for a **four** year period. Details of the value of these contracts is contained in the Financial Implications below.

Timetable for Implementation

- 3.49 The table below shows the stages, milestones and deadlines for implementing the contract. The timetable to complete the implementation of Oracle HR/payroll by October 2012 is challenging and any delay in engaging the SI could jeopardise the go-live date. The Framework contract will become available on 2nd May and it is proposed that Brent will call off at the earliest opportunity, which will be before the Executive meeting on 21st May.

	Item Description	
1	Standstill period ends	23rd March 2012
2	Contract award and Contract mobilisation Prepare contract documents to be uploaded Update the Council's 3 year commissioning plan	2nd April 2012
3	Post contract award notice for Framework Agreements in OJEU	3rd April 2012
4	Approval by Brent Executive	23rd April 2012
5	Contract call off	2 nd May 2012
6	Mobilisation	May 2012
7	Go-Live HR/Payroll	October 2012

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval of the award of the contract.
- 4.2 The estimated value of this contract is above £1million and a breakdown of revenue and capital costs are shown in Appendix 2 of this report.
- 4.3 It is anticipated that the cost of this contract will be funded in part from the OneCouncil budget. Details of the implementation, hosting and licensing costs and funding arrangements are detailed in Appendix 2 of this report.

5.0 Legal Implications

- 5.1 The value of Framework Agreements are higher than the EU threshold for Services/ and accordingly the Framework Agreements have been procured pursuant to the Public Contract Regulations 2006.
- 5.2 The values of the Brent call-off Contracts for lots 1 and 2 are also higher than the EU Threshold for Services and the award of those contracts is therefore also governed by the Public Procurement Regulations. The award is subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.3 The Public Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. 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.

- 5.4 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 approved by the relevant Chief Officer and provided that the Director of Legal and Procurement has advised that participation in the Framework is legally permissible. Legal Services has been consulted throughout the procurement of the Framework Agreements and is able to confirm that participation in the Framework is legally permissible.

6.0 Diversity Implications

- 6.1 An Equality Impact Assessment was carried for the Joint Service Project and the results focused on the following areas:

- Staff affected by the establishment of the shared service.
- Staff affected by the introduction of online HR self-service.

- 6.2 An initial screening equalities impact assessment for the reimplementation to Oracle HR/ payroll R 12 has been undertaken with the following result:

Relevance identified	Race	Gender and transgender	Disability	Age	Sexuality	Faith or belief	Social and economic factors
Low/Medium /High	Low	Low	Low	Low	Low	Low	Low

- 6.3 The Shared Service, proposed as part of the Athena project, will impact on the way that back-office transactional functions are carried out by Brent. There are a number of models currently under discussion by the Joint Service Partnership, and these range from a Virtual Managed service (staff remain in their current office locations but are managed by a single manager from one of the partnership boroughs), to a centralised function (all back-office staff are located in a single office and managed on behalf of a manager employed by the partnership).
- 6.4 At this point in time the scale and the scope of the shared service is yet to be determined, but it is likely that staff from HR and Finance will be affected. It is proposed that a separate EIA will be produced for the creation of the shared service operational arrangements.

7.0 Staffing/Accommodation Implications

- 7.1 It is anticipated that the introduction of HR self service and other operational improvements will impact on staff numbers. The exact scale of staff reductions will be determined by a linked One Council project - Business Systems Processes and Support.
- 7.2 The establishment of a shared service will have an impact on staff numbers and the way that they are deployed around the borough. Proposals for a shared service model are still being developed and will be reported to the

Executive in due course. It is likely that the mobilization of a shared service will occur during or after Brent moves to R12 financials – potentially in 2014.

Contact Officer(s)

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Clive Heaphy
Director of Finance and Corporate Services

Appendix 1 – Tender Evaluation Panels

1.0 Tender Evaluation –

Brent's representatives for the evaluation groups are as shown below:

Invitation to Tender Stage		
Evaluation areas	Panel Members	Tender Scoring
General Specification	Paul Davies	Y
Technical Specification Lot 1	Denis Turner	Y
Lot 1 Reference Group	Tracey Connage	N
Technical Specification Lot 2	Denis Turner	Y
Technical Specification Lot 3	Denis Turner	Y
Pricing & Financial	Denis Turner	Y
Legal	Bridget Larson	N
The Procurement Process	Paul Davies	Y
Procurement Exercise Working Group		
Paul Davies		Y
Denis Turner		Y
Technology Working Group		
Conrad Chambers		N
Denis Turner		Y

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	<p style="text-align: center;">Executive 23 April 2012</p> <p style="text-align: center;">Report from the Director of Finance and Corporate Services</p>
<p style="text-align: right;">Ward Affected: All</p>	
<p style="text-align: center;">Authority to award contracts for Insurance Services.</p>	

Appendices 1 and 3 of this report are not for publication

1.0 Summary

- 1.1. This report informs Members of the award of contracts for the provision of Insurance services by the Director Of Finance & Corporate Services, which were set out within 4 lots, as required by Contract Standing Order 88. This report summarises the procurement process undertaken by officers to procure suppliers for the provision of services and, following completion of the evaluation of tenders, to whom the contract was awarded.

2.0 Recommendations

- 2.1 That Members acknowledge the contract for the provision of Insurance Service was awarded to Zurich Municipal PLC trading as Zurich Municipal.
- 2.2 That Members acknowledge the contract for the provision of Insurance Service was awarded for three years with an optional two year extension to 31 March 2016 to commence on 1 April 2012.
- 2.3 That Members acknowledge the value of the contract for the provision of Insurance Services is estimated to be £4,073,024 over the 5 years.

3.0 Background

- 3.1 The Executive gave approval to tender the insurance services specified within 4 lots on 19th September 2011.

- 3.2. The Executive delegated authority to award the Insurance Services contract(s) to the Director of Finance & Corporate Services on the 12th December 2012; with an anticipated commencement date of 1 April 2012.
- 3.3. The Insurance Service contract provides for a comprehensive insurance cover for the Council. The contract was last tendered in 2008 when Zurich Municipal was awarded the contract for a 1 year term with an option to extend for two further years. The option to extend has been exercised with the current contract due to expire on 31 March 2012.
- 3.4. In the Executive report dated 19th September 2011 approval was given to appoint Marsh Ltd, one of the largest Insurance Brokers to assist and advise on the specification and tender process. Their appointment terms could not be agreed therefore Officers decided to use an alternative consultant firm, Sector Treasury Services Ltd trading as Sector; who have expertise in the insurance market for the same cost.

The Tender Process and Council's Contract Standing Orders

- 3.5. The provision of Insurance Services were procured using the Restricted Procedure (two Stage process) in accordance with the Council's Standing Orders and the Public Contract Regulations 2006 (the "EU Regulations") as required by the Executive. In order to meet the Council's Contract Standing Orders, EU regulations and achieve best value, the Council carried out a competitive tender process in an open, fair and transparent manner with full advertising of the requirements and compliance when inviting and evaluating tenders to ensure Value for Money for the Council in the delivery of the Insurance Services contracts.

Stage One - Pre-Qualifying Stage

- 3.6. On 14th October 2011 a contract notice was placed in the Official Journal of the European Union (OJEU) to seek expressions of interest. The notice specified the Council's requirement to procure providers of Insurance Services for 4 separate Lots for Brent Council and included an additional Lot 5 for Brent Housing Partnership, the latter contract to be executed as a separate contract by BHP.

The tender was split into five 'lots' (Property, Casualty (principally employee & public liability), Motor, Additional Cover and Lot 5 - Brent Housing Partnership - BHP) to allow for more than one provider depending on the best option for the Council upon evaluation of the tenders.

LOT	DESCRIPTION
LOT 1	<p>Property Insurance</p> <p>The property portfolio extends to all Council buildings- offices, lodges, pavilions, other properties and Council housing and leasehold properties as well as schools under direct Council control or those which have chosen to join our portfolio.</p>
LOT 2	<p>Motor Vehicle Insurance</p> <p>Insurance of Council vehicles including those of Brent Transport Services, Mayor's leased car, enforcement vehicles (CCTV cars etc), lawn mowers/tractors and BHP leased pool cars along with our minibuses and vehicles insured via our policy used by schools or other similar providers.</p>

LOT 3	Casualty Insurance Includes public liability, officials indemnity, libel and slander, local land charges, professional negligence (external losses) and employers liability.
LOT 4	Additional covers Terrorism, industrial commercial and financial policies (fidelity guarantee, money).
LOT 5	Insurance Services for Brent Housing Partnership Property insurance for the properties owned by BHP; casualty insurance including public and employers liability, material damage, business interruption, all risks, money, legal expenses and additional covers including fidelity guarantee, personal accident, professional indemnity; engineering cover; libel and slander, fidelity guarantee, 3 rd party hirers liability, terrorism, trustee indemnity.

3.7. Eleven organisations expressed an interest in tendering for 1 or more of the lots. A Pre-Qualification Questionnaire(PQQ) was issued to all the organisations that expressed an interest for return by 21 November 2011.

3.8. The PQQ's were evaluated on the ability to meet the following criteria:

- Financial and liquidity capacity through Standard and Poor's rating (or equivalent) and evaluation of last set of audited accounts.
- Technical capacity of evidence of at least 2 years in underwriting the classes of insurance in the contract notice; and
- Business probity to ensure the tenderer was capable and suitable to deliver the contract.

3.9. Six organisations submitted completed PQQ's. These were evaluated and met the above criteria and were invited to tender. Three organisations indicated they would bid for all 5 lots; one company indicated they would bid for lots 1 to 4; one indicated they would bid for Lot 4 only and one organisation indicated they would bid for Lot 5.

Stage Two - Invitation to Tender

3.10. Invitation to Tender documents was sent to the six shortlisted organisations on 19th December with a return by date of 20th February 2012. The tendering instructions stated that contracts would be awarded on the basis of the most economically advantageous tender to the Council that would be evaluated using two high level criteria as follows:

Criteria	Percentage of Total Score
Price , including premiums and remuneration proposed <ul style="list-style-type: none"> • 20% pure price on day 1 of the 	40%

Contract <ul style="list-style-type: none"> 20% sustainability 	
Quality of the proposals 45% for the generic topics applying to all lots 10% for the specific lot 5% for clarification presentations	60%

The Quality sub-criteria which the Council used to determine that a Tender is the most economically advantageous are listed in Table 1.0 below:

TABLE 1.0: EVALUATION QUALITY SUB CRITERIA FOR SELECTION OF PROVIDER(S)		
SUB CRITERION		% Weighting
(1)	Administration of the programme and Implementation Plan	10%
(2)	Service excellence, resourcing, flexibility and continuous improvement	14%
(3)	Understanding LBB & BHP	5%
(4)	Scope of cover, including the quality of the Insurance Policy wordings proposed	15%
(5)	Technical ability	12%
(6)	Claims management approach and Management Information	15%
(7)	Economic Standing of Proposed Risk carriers	12%
(8)	Insurable Risk Management / Loss Control strategy and our training needs	12%
(9)	Added value services and additional information	5%
	Total of general Sub Criteria, equating to 45% of total scoring	100% equating to 45% of whole
Lot Specific	Lot specific criteria for each individual lot with sub criteria breakdown set out in order of importance in Table 1.1 below:	10% of whole
Presentation Stage	Clarification presentations <ul style="list-style-type: none"> Responses to clarification questions Responses to overall generic questions Overall quality of presentation including team involved Clarity of key points 	5% of whole

TABLE 1.1: EVALUATION QUALITY LOT SPECIFIC SUB CRITERIA FOR SELECTION OF PROVIDER(S)		
SUB CRITERION		% Weighting
Lot 1 - Property	<ul style="list-style-type: none"> • Material Damage • Business Interruption • Material Damage-Computer 	
Lot 1 Total		10%
Lot 2 – Motor Schedule	Lot 2 Total	10%
Lot 3 - Casualty	<ul style="list-style-type: none"> • Public & Employers Liability & POL • Excess Liability • All Risks • Officials Indemnity • Land Charges • Libel & Slander • Contract Works/WIP • Professional Negligence/TP Financial Loss 	
Lot 3 Total		10%
Lot 4 – Additional Cover	<ul style="list-style-type: none"> • Material Damage • Fidelity Guarantee • Business Interruption • Money • Terrorism 	
Lot 4 Total		10%
Lot 5 – BHP	<ul style="list-style-type: none"> • Material Damage • Material Damage-Computer • Business Interruption • Public & Employers Liability • Excess Liability • Professional Indemnity/ Financial Loss • All Risks • Libel & Slander • Fidelity Crime • Group Personal Accident • Commercial Legal Expenses/EPL • 3rd Party Hirer's Indemnity • Engineering Inspection • Terrorism • Money • Trustees & Trust Fund Indemnity 	
Lot 5 Total		10%

The marking scheme for the Quality evaluation is shown in table 1.2 below:

Marking Scheme		
Rating	Coverage of Item	Scoring Range
Excellent:	Fully dealt with the issue and added additional value with new ideas, concepts and/or perspectives. Provided comprehensive, detailed and specific evidence of actual examples that demonstrate the methodologies used to lead to successful delivery. Must be relevant to meeting the requirements of this procurement.	9-10
Good:	Fully dealt with the issue. Provided detailed and specific evidence of actual examples that demonstrate the methodologies used to lead to successful delivery. Must be relevant to meeting the requirements of this procurement.	7-8
Satisfactory:	Mostly dealt with the issue. Provided some evidence of general examples that demonstrate the methodologies used to lead to successful delivery.	5-6
Poor:	Dealt with some aspects of the issue. Little significant evidence of capability or ability relevant to meeting the requirements of this procurement.	3-4
Very Poor:	Dealt with very few aspects of the issue. Very little evidence of capability or ability relevant to meeting the requirements of this procurement. Significant omissions or mistakes.	1-2
	Failed to address the issue and provided no relevant material.	0

Evaluation Process

3.11. Each of the lots were assessed independently. However if the Council could achieve savings by appointing a Contractor for two or more of these Lots, then the Council reserved the right to do so at its discretion. This was made clear to all the tenderers in the invitation to tender. Those tenderers tendering for more than one lot were asked to indicate any discounts that apply if being appointed for more than one lot and show how this discount would apply to each specific Lot. They were also made aware that the successful tenderer will be appointed from the highest aggregate score (i.e. quality + price) of the tender submission.

- 3.12. The Restricted Procedure does not allow any negotiations once the Invitation to Tender has been issued, although specific clarifications are permitted. The Insurance Services contract is normally considered by the Insurer as being the Policy document. However, Officers wanted terms and conditions to govern the service provision that laid out obligations on the Insurer and/or Broker (as the case may be). With this in mind a draft contract containing terms and conditions was included in the ITT sent to each organisation as part of the tender. The intention of this was to determine any common issues that could result in non compliant tenders being returned. All organisations were advised that the purpose was for clarification only and that the Council was not bound to accept their changes.
- 3.13. During the tender period, several clarifications were raised and additional information requested in respect of all lots. These were recorded and distributed to all the tenderers in writing. Due to the number and the complexity of clarifications received from the tenderers, Officers extended the tender time from 9th February 2012 to 20 February 2012
- 3.14. The council received tenders from 5 different organisations. After clarification this was reduced to 4 tenders as two organisations submitted a joint bid (Broker and Insurer). One tender was for all five lots, one tender was for Lots 1 to 4, one tender was for Lots 1, 4 and 5, and one tender was for Lot 4 only and one tender was for Lot 5 only.
- 3.15. Following the assessment by the Category Manager within Legal & Procurement the organisation that tendered for Lots 1,4 and 5 was found not to be compliant for Lot 5 and the organisation that tendered for Lot 4 was also found to be non compliant as they had only tendered for part of the Lot.
- 3.16. Evaluation of the tenders for all lots was carried out by a panel of two Council officers and the consultant from Sector. Each panel member evaluated the tenders independently and produced a list of general and specific questions to be put to the tenderers.
- 3.17. Each tenderer was invited to a clarification session and to give a presentation on their proposals. These sessions took place on the 1st and 2nd March 2012. The Panel asked a series of pre-set questions at the end of the presentations, supplemented by other questions where necessary to clarify responses. This was overseen by two BHP officers, a Lawyer and the Senior Category Manager (chair of the Panel). Prior to the presentations all tenderers were advised that these presentations were part of the evaluation process and therefore scored. The tenderers were advised that the clarifications responses could result in their scores being revisited.
- 3.18. The presentations and clarification sessions did raise the need for the panel to issue some further clarifications. These were issued to each tenderer with a return date by Thursday 8th March 2012.
- 3.19. The clarifications were all received and the panel revisited the scoring.
- 3.20. The detailed evaluation results for each Lot are available on request. (It has not been included as it is 67 pages) The Price Summary for each Lot as set out in Appendix 3. The estimated pricing for each lot based on Rate Guarantees and Long Term Agreements is set out at Appendix 1. It will be noted from Appendix 2 that the most economically advantageous tender for Lots 1 to 4 is Zurich Municipal, Zurich House, 2 Gladiator Way, Farnborough,

Hants, GU14 6GB and officers are recommending that they are appointed to provide the services set out in Lots 1-4.

4.0 Financial Implications

- 4.1 The contract price for Insurance Services Lots 1-4 in total is estimated to be £4,073,024 (inclusive of Insurance Premium Tax at 6%) for the five years of the contract period. As this exceeds £500k, the council's contract Standing Orders require the award of contract to be referred to the Executive for approval.
- 4.2 Due to the several delays in producing the tender documentation in addition to the high volume of clarifications required the original timetable slipped and a Delegated Authority Report was approved by the Executive on 12th December 2011 for the Director of F&CS to award the contracts.
- 4.3 The price for this contract includes a Rate Guarantee for 2 years and an annual increase by RPI (calculated at 5%) for the remaining three years, less 10% discount for awarding all 4 Lots to one provider.
- 4.4 The price of Insurance Services for 2011/12 is £754901.42. Normal uplift would have been expected to be around 4% however the uplift was nearer 6% as there was a 6 month extension period from 1 October 2011 to 31 March 2012 which is more expensive than a full year rate. The full year price for 1 October 2010 to 30 September 2011 was £716,487.12. The price of Insurance Services for 2012/13 is calculated to be £767,029.85 which is an uplift of 2%.
- 4.5 A comparison of the projected price for Insurance Services Lots 1-4 as given in the report to Executive on 19th September to the estimated price from the result of the tender is shown in the table below;

Lot	Projected Price	Tender Estimate
1. Property	£746,000	£536,078
2. Motor	£1,100,000	£1,356,197
3. Casualty	£884,000	£996,501
4. Additional	£1,400,000	£1,184,249
Total	£4,130,000	£4,073,024

- 4.6 The price may change as a result of amendments to the cover requirements and our claims history during the period of the contract.
- 4.7 Moving to the Civic Centre in 2013 and the disposal, or having unoccupied building due to non disposal of council buildings may have an impact on the price of Property cover. Motor cover is related to the number of vehicles on the policy and the volume of claims. Casualty cover will be assessed on the volume and value of Public Liability claims as a result of any changes to council policy i.e. alteration to our road inspections that increase successful claims against the council for pot holes, subsidence and any other damage. Additional cover is dependant on measures to effectively reduce the of risk; to loss of money (cash handling, duplicate transactions etc); due to fraudulent activity by staff; security of the community and appropriate contract management.

- 4.8 The Insurance limits, excesses and aggregates for each type of cover is set out in Appendix 4.
- 4.9 A full assessment of the financial standing of each of the tenderers and proposed insurers was made as part of the procurement process.

5.0 Legal Implications

- 5.1 The value of these insurance contracts over their lifetime is higher than the EU threshold for Services. Insurance contracts are also classified as Part A services and so the award of the contracts is governed by the Public Procurement regime as set out in the Public Contracts Regulations 2006 (as amended). The award is also subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.2 The Council's power to purchase insurance is mainly under section 111 of the Local Government Act 1972 as being ancillary or incidental to its main functions although there are some specific express powers to insure. Employers' liability insurance is compulsory. As identified in the pre-tender report, the Council would be in a position of unacceptable risk if it did not have adequate insurance.
- 5.3 The procurement of these insurance services contracts were conducted in accordance with the Public Contract Regulations 2006 (as amended). The Council acted as a Central Purchasing Body on behalf of Brent Housing Partnership (BHP) and was expressly stated within the contract notice advertised in the OJEU. The contract notice was explicit in that it stated on award of contract, BHP will execute its own insurance contract separately to the council.
- 5.4 The tender evaluation panel was made of 2 Brent Council officers and the consultant from Sector; it was originally envisaged that members of the panel ought to consist of council officers and a representative from BHP with technical advice being provided by the consultant. However, due to the expertise and market knowledge of the consultant officers decided to include the consultant on the panel.
- 5.5 In considering the recommendation of this panel, the Director was satisfied that an award of contract to the recommended tenderer, Zurich Municipal ensured best value for the Council.
- 5.6 The Council observed the Public Contract Regulations 2006 (as amended) relating to the observation of a mandatory minimum 10 calendar day standstill period before the contract can be awarded. The Director determined that Zurich Municipal PLC should be awarded the contract (as contained in Lots 1-4). All tenderers were issued with written notification of the contract award decision. The minimum 10 calendar day standstill period was observed before the contract was concluded – this period began the day after all Tenderers are sent notification of the award decision 9 March 2012 – the additional debrief information was provided to unsuccessful tenderers. The successful tenderer was issued with a letter of acceptance on 30 March 2012 and the contract commenced on the 1 April 2012.

6.0 Diversity Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications.

7.0 Staffing / Accommodation issues

- 7.1 There are no implications for Council staff arising from tendering the contract as the services are currently outsourced.

Background papers

- Report to Executive 19th September 2011- Authority to Tender
- Report to Executive 12 December 2011- Delegated Authority to Award

Appendices

1. Confidential (tenderers details)
2. Financial and qualitative evaluation.
3. Confidential (pricing summary)
4. Insurance Cover

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APPENDIX 2

FINANCIAL AND QUALITATIVE EVALUATION

INSURANCE SERVICES

LOT 1 PROPERTY

Insurance Services 2011/12 London Borough of Brent & Brent Housing Partnership		Max Score	Contractor Scoring without discount			
CRITERIA			BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 1						
General Method Statements 1-10 (weighted to 45% of overall scoring)	45	20.81	31.64	26.96		
Presentations (5% of overall scoring)	5	2.47	3.89	2.67		
Lot 1 Specific Method Statement (10% of overall scoring)	10	6.81	6.81	7.54		
60% Quality Score	60	30.09	43.07	36.05		
pure price on day 1 of the Contract weighting	20	13	20	5		
Pricing Sustainability	20	8	11.60	11		
Lot 1 40% Pricing Score	40	21	31.6	16		
Lot 1 Aggregate(Quality+Price) Score	100	51.09	74.67	52.05		

Insurance Services 2011/12 London Borough of Brent & Brent Housing Partnership		Max Score	Contractor Scoring with discount			
CRITERIA			BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 1						
General Method Statements 1-10 (weighted to 45% of overall scoring)	45	20.81	31.64	26.96		
Presentations (5% of overall scoring)	5	2.47	3.89	2.67		
Lot 1 Specific Method Statement (10% of overall scoring)	10	6.81	6.81	7.54		
60% Quality Score	60	30.09	43.07	36.05		
pure price on day 1 of the Contract weighting	20	11.83	20	4		
Pricing Sustainability	20	8	11.60	11		

Lot 1 40% Pricing Score	40	19.83	32	15.00	
Lot 1 Aggregate(Quality+Price) Score	100	49.92	74.67	51.05	

LOT 2 MOTOR

Insurance Services 2011/12 London Borough of Brent & Brent Housing Partnership	Max Score	Contractor Scoring without discount			
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 2					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		30.93	26.99	
Presentations (5% of overall scoring)	5		3.89	2.67	
Lot 2 Specific Method Statement (10% of overall scoring)	10		7.7	6.51	
60% Quality Score	60		42.52	36.17	
pure price on day 1 of the Contract weighting	20		16	20	
Pricing Sustainability	20		12.80	9	
Lot 1 40% Pricing Score	40		28.80	29	
Lot 2 Aggregate(Quality+Price) Score	100		71.32	65.17	

Insurance Services 2011/12	Max Score				
London Borough of Brent & Brent Housing Partnership		Contractor Scoring with discount			
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 2					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		30.93	26.99	
Presentations (5% of overall scoring)	5		3.89	2.67	
Lot 2 Specific Method Statement (10% of overall scoring)	10		7.70	6.51	
60% Quality Score	60		42.52	36.17	
pure price on day 1 of the Contract weighting	20		18	20	
Pricing Sustainability	20		12.80	9	
Lot 1 40% Pricing Score	40		30.80	29	
Lot 2 Aggregate(Quality+Price) Score	100		73.32	65.17	

LOT 3 CASUALTY

Insurance Services 2011/12	Max Score	Contractor Scoring without discount			
London Borough of Brent & Brent Housing Partnership					
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 3					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		31.38	27.02	
Presentations (5% of overall scoring)	5		3.89	2.70	
Lot 3 Specific Method Statement (10% of overall scoring)	10		7.38	6.59	
60% Quality Score	60		42.65	36.31	
pure price on day 1 of the Contract weighting	20		20	16	
Pricing Sustainability	20		13.00	10.40	
Lot 1 40% Pricing Score	40		33	26.40	
Lot 3 Aggregate(Quality+Price) Score	100		75.65	62.71	

Insurance Services 2011/12	Max Score	Contractor Scoring with discount			
London Borough of Brent & Brent Housing Partnership					
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 3					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		31.38	27.02	
Presentations (5% of overall scoring)	5		3.89	2.70	
Lot 3 Specific Method Statement (10% of overall scoring)	10		7.38	6.59	
60% Quality Score	60		42.65	36.31	
pure price on day 1 of the Contract weighting	20		20.00	14.00	
Pricing Sustainability	20		13.00	10.40	
Lot 1 40% Pricing Score	40		33	24.40	
Lot 3 Aggregate(Quality+Price) Score	100		75.65	60.71	

LOT 4 ADDITIONAL COVER

Insurance Services 2011/12 <i>London Borough of Brent & Brent Housing Partnership</i>		Max Score	Contractor Scoring without discount			
CRITERIA			BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 4						
General Method Statements 1-10 (weighted to 45% of overall scoring)	45	20.60	31.19	26.79		
Presentations (5% of overall scoring)	5	2.42	3.95	2.55		
Lot 4 Specific Method Statement (10% of overall scoring)	10	5.06	6.83	6.61		
60% Quality Score	60	28.08	41.98	35.95		
pure price on day 1 of the Contract weighting	20	19.56	20.00	17.00		
Pricing Sustainability	20	9.40	13.20	10.60		
Lot 1 40% Pricing Score	40	28.96	33.20	27.6		
Lot 4 Aggregate(Quality+Price) Score	100	57.04	75.18	63.55		

Insurance Services 2011/12 <i>London Borough of Brent & Brent Housing Partnership</i>		Max Score	Contractor Scoring with discount			
CRITERIA			BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 4						
General Method Statements 1-10 (weighted to 45% of overall scoring)	45	20.60	31.19	26.79		
Presentations (5% of overall scoring)	5	2.42	3.95	2.55		
Lot 4 Specific Method Statement (10% of overall scoring)	10	5.06	6.83	6.61		
60% Quality Score	60	28.08	41.98	35.95		
pure price on day 1 of the Contract weighting	20	17.61	20.00	15.61		
Pricing Sustainability	20	9.40	13.20	10.60		
Lot 1 40% Pricing Score	40	27.01	33.20	26.21		
Lot 4 Aggregate(Quality+Price) Score	100	55.09	75.18	62.16		

LOT 5 BHP

Insurance Services 2011/12 London Borough of Brent & Brent Housing Partnership	Max Score	Contractor Scoring without discount			
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 5					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		29.49		32.60
Presentations (5% of overall scoring)	5		3.45		4.33
Lot 3 Specific Method Statement (10% of overall scoring)	10		6.90		7.04
60% Quality Score	60		39.84		43.97
pure price on day 1 of the Contract weighting	20		15.00		20.00
Pricing Sustainability	20		14.00		12.40
Lot 1 40% Pricing Score	40		29		32.40
Lot 1 Aggregate(Quality+Price) Score	100		68.84		76.37

Insurance Services 2011/12	Max Score	Contractor Scoring with discount			
London Borough of Brent & Brent Housing Partnership					
CRITERIA		BIDDER 1	BIDDER 2	BIDDER 3	BIDDER 4
OVERALL SCORE FOR LOT 5					
General Method Statements 1-10 (weighted to 45% of overall scoring)	45		29.49		32.60
Presentations (5% of overall scoring)	5		3.45		4.33
Lot 1 Specific Method Statement (10% of overall scoring)	10		6.90		7.04
60% Quality Score	60		39.84		43.97
pure price on day 1 of the Contract weighting	20	16.00			20.00
Pricing Sustainability	20		14.00		12.40
Lot 1 40% Pricing Score	40		30		32.40
Lot 1 Aggregate(Quality+Price) Score	100		69.84		76.37

APPENDIX 4

INSURANCE COVER

Lot No.	Policy	Description
1 Property Insurance	Material Damage	General contents , Housing Properties, Education properties, buildings and contents
	Business Interruption	Additional expenditure and Rent receivable
2 Motor	Comprehensive	£500 excess
3 Casualty	Public Liability (includes Professional Indemnity)	£300K per event excess, £30m per event but per period for tree roots.
	Libel & Slander	£300K per event excess, £5m per annum
	Employers Liability	£300K per event excess, £30m per event.
	Officials Indemnity	£300K per event excess, £5m per annum
	Local Land Charges	£300K per event excess, £5m per annum
	All Risks	£1k excess, Museum contents and civic regalia (within EU limit £10K)
	Works in Progress	£300K per event excess, £70m works
	Claims Handling	Employers and Public Liability claims handling charge
4 Additional cover	Fidelity Guarantee	£300K excess, £5M in aggregate per insurance period
	Industrial & Commercial Properties	£250 excess for malicious damage, Storm, Flood, Escape of water, impact own vehicle. Tenant are responsible for unauthorised use of electricity, gas or water by squatters to a limit of £25k. Landscaping costs restricted to £25K.
	Terrorism	£300k excess. Same qualifiers as Material Damage.
	Money	£300K excess. £1000 Limit any one loss in locked safes or strong rooms, £250 limit any one loss not held in a locked safe or strong room, £400 limit any n e event money held in private residence of any employee.

Annual Aggregate - £3,500,000 cross- class aggregate stop-loss against Material Damage, Works in Progress (General and Education Property claims only), Additional Expenditure, Rent Receivable in respect of two Commercial leased premises only, Money , Theft, Employers Liability, Libel & Slander, Land charges, Fidelity Guarantee and Official's indemnity.