



Executive

Monday 21 May 2012 at 7.00 pm

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

Membership:

Lead Member Councillors:

Portfolio

To be confirmed at the
Annual Meeting
on 16 May 2012

Leader/Lead Member for Corporate Strategy and Policy
Co-ordination
Deputy Leader/Lead Member for Resources
Lead Member for Children and Families
Lead Member for Crime and Public Safety
Lead Member for Regeneration and Major Projects
Lead Member for Customers and Citizens
Lead Member for Housing
Lead Member for Highways and Transportation
Lead Member for Adults and Health
Lead Member for Environment and Neighbourhoods

For further information contact: Anne Reid, Principal Democratic Services Officer
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The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item **Page**

1 Declarations of personal and prejudicial interests

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

2 Minutes of the previous meeting

3 Matters arising (if any)

4 Deputations (if any)

Adult and Social Care reports

5 Brent Carers Hub 1 - 24

The purpose of this report is to seek Executive authority to invite tenders for a carers' services contract as required by Contract Standing Orders 88 and 89. Following a departmental review and consultation of the Council's services for carers, Adult Social Care is proposing the development and procurement of a Carers Services Hub to provide a single point of contact for carers through the coordination and delivery of a wide range of services. In addition this report provides an analysis of the extensive consultation with carers that was undertaken jointly with NHS Brent.

Ward Affected:
All Wards

Lead Member: Councillor
Contact Officer: Alison Elliott, Director of Adult Social Services
Tel: 020 8937 4230 alison.elliott@brent.gov.uk

Environment and Neighbourhood Services reports

6 Animals at events in Brent council parks and open spaces 25 - 38

The use of performing animals within circuses is becoming more controversial and there is increasing public concern about the welfare of animals in circuses. This report to members proposes that the Council adopts a policy regarding animals at events in Council owned parks and open spaces.

Ward Affected:

Lead Member: Councillor

All Wards **Contact Officer:** Jenny Isaac, Assistant
Director, Neighbourhood Services
Tel: 020 8937 5001 jenny.isaac@brent.gov.uk

7 Progress report on the Libraries Transformation Project 39 - 44

This report sets out the progress made on the Libraries Transformation Project one year on and the plans for further improvements.

Ward Affected: All Wards **Lead Member:** Councillor
Contact Officer: Jenny Isaac, Assistant
Director, Neighbourhood Services
Tel: 020 8937 5001 jenny.isaac@brent.gov.uk

8 Air Quality Action Plan 2012-14 45 - 72

This report summarises the significant progress made since the Council's adoption of its first Air Quality Action Plan (AQAP) in 2005. The report also summarises the key concerns about the air pollution arising from the waste processing uses at Neasden Goods Yard, discusses the effectiveness of existing powers to control that pollution and recommends that the Council lobby Government over the licensing of waste sites.

Ward Affected: All Wards **Lead Member:** Councillor
Contact Officer: Yogini Patel, Safer Streets
Tel: 020 8937 5262 yogini.patel@brent.gov.uk

Regeneration and Major Projects reports

9 Disposal of 45a Milman Road 73 - 84

This report seeks Executive approval to proceed with the disposal of the Council's long leasehold interest in the dilapidated and vacant residential housing revenue account dwelling at 45a Milman Road, London NW6 6EG.

Ward Affected: Queens Park **Lead Member:** Councillor
Contact Officer: Sarah Chaudhry, Head of
Strategic Property
sarah.chaudhry@brent.gov.uk

Central Reports

10 Voluntary Sector Initiative Fund: Themed Grant Round 2012 - 2015 85 - 94

This report seeks agreement to grant fund 12 projects led by voluntary organisations for two years and nine months, subject to performance, following assessment of the latest round of bids for grant funding against

the criteria set by the Executive in January 2012.

Ward Affected:
All Wards

Lead Member: Councillor
Contact Officer:

11 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.

Children and Families reports - none

12 Reference of item considered by Call in Overview and Scrutiny Committee (if any)

13 Exclusion of Press and Public

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

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

APPENDIX
Disposal of 45a Milman Road

Date of the next meeting: to be confirmed at the Annual Meeting on 16 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



Executive
21st May 2012

Report from the Director of Adult Social Services

Wards affected:
ALL

Authority to invite tenders for the procurement of carers services in a hub model to provide a central point for coordinating and/or delivering a wide range of services.

1.0 Summary

- 1.1 The purpose of this report is to seek Executive authority to invite tenders for a carers' services contract as required by Contract Standing Orders 88 and 89. Following a departmental review and consultation of the Council's services for carers, Adult Social Care is proposing the development and procurement of a Carers Services Hub to provide a single point of contact for carers through the coordination and delivery of a wide range of services.
- 1.2 In addition this report provides an analysis of the extensive consultation with carers that was undertaken jointly with NHS Brent. This is set out in Appendix A along with an equalities impact assessment in Appendix B.

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 5.1 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 The Executive to give approval to a ten week extension to the existing carers contracts detailed at Appendix D until the 15th February 2013 for the reasons set out in paragraph 5.3 of the report.

3.0 Background – Review of Carers Services

- 3.1 In October 2011, the Executive granted officers approval to extend contracts to the incumbent providers of carers services for a further eight (8) months (until 30th of November 2012) to ensure, in the short term, continuity of the range of services currently being delivered to support carers. The extension also provided officers time to review carers services and carry out a consultation with carers and stakeholders about proposed changes to services.
- 3.2 The review was informed by the findings of the Standing Commission on Carers¹. In October 2011 the Commission reviewed services for carers in Brent. This included a fact finding visit during which they spoke to a number of Council and NHS officers and a large number of carers.
- 3.3 The Commission commended the Council on a number of aspects of the service, but they also highlighted those areas that the department was seeking to improve, and made the following recommendations:
- a. Improve pathways into the service so that carers understand where to go and all carers experience similar journey through the system
 - b. Improve communication of the vision for the service
 - c. Do more to reach hidden carers
- 3.4 The Council knows that carers experience inconsistency in their journey throughout the system, and is aware of the frustrations of navigating a system without a clear pathway to access help and support. There is a need to go further in ensuring that carers have access to employment and training and provide support to prevent carers from having to give up employment due to caring responsibilities. Therefore, Adult Social Care is proposing an approach addressing the Standing Commission recommendations and which would also achieve:
- A single point of contact for carers
 - Better co-ordination of services for carers
 - Reduced duplication of services
 - Better value for money
 - Shared quality standards for carers
- 3.5 Adult Social Care is proposing that this is achieved through a 'hub model' where organisation(s) and/or a consortia contracted and involved can provide a seamless network of referral. The Carers Hub model was first developed and endorsed by the Princess Royal Trust for Carers as a best practice model. It promotes comprehensive care support and interventions used to deliver the outcomes of the National Carers Strategy.
- 3.6 It is expected that a Carers' Hub would coordinate and provide a comprehensive range of information and advice as a single point of access for unpaid carers. It would provide a reference point for all the voluntary sector organisations providing support services to carers of all client groups in the

¹ The SCoC is an independent advisory body, providing expert advice to ministers on delivering the national Carers Strategy.

borough. The Hub would also be expected to influence the commissioning and development of services to meet the needs of local carers. The hub model provides a greater degree of flexibility around the types of services that may be on offer with the possibility of an element of home based respite support for specialist groups.

- 3.7 The Council and NHS Brent commission joint services for carers through a pooled budget arrangement established under a partnership arrangement (the “s.75 Agreement”) established pursuant to s.75 National Health Service Act 2006. This s.75 Agreement is in place until 31st March 2013 with a pooled budget of £677,565. Officers will shortly be commencing discussions with NHS Brent regarding future arrangements for the s.75 Agreement. The Council is committed to funding its element of the contract through existing budgets.
- 3.8 The proportion that is currently spent on information and advice services is £250,000 - £300,000. NHS Brent is considering whether it has additional funding for information and advice services. If this funding is approved through their governance structures, it foresees investing the funding through the Carers Hub. This funding would be in addition to that already identified.
- 3.9 Members should note that although Children’s and Families Services do not currently envisage investing in the Carers Hub, this position may change within the lifetime of the contract.

4.0 Consultation with carers and stakeholders

- 4.1 Officers have undertaken a more comprehensive and prolonged consultation than originally anticipated at the time of the October 2011 Executive report. This consultation has been very beneficial for officers in terms of identifying carers and providers views on the priorities for service delivery. It also prepared the market for significant change; a hub model will require a developmental approach from providers in recognition of the fact that this a step change from current arrangements. However, due to the extensive nature of the work involved, it has impinged on the timetable.
- 4.2 In conjunction with NHS Brent, the Council consulted with carers and service providers throughout January, February and March 2012,² regarding the shape of the hub model, and in particular their views about the key priorities needed to improve the support available for carers in Brent. Throughout the consultation period, providers were invited to a developmental session, preparing them for the procurement process. This was in recognition of the fact that there many of the current providers of carers services are small, local voluntary organisations.
- 4.3 A more detailed analysis of the consultation findings is set out in Appendix A of this report. However it should be noted that the there was an impressive turn out both from providers and carers. The carers consultation events in

² Please see Appendix 1 for full details and analysis of the consultation process.

particular were extremely well attended with an average of 70 people at each event. To summarise:

- The proposal was first presented at the Carers Rights Day on 5th December by the Head of Integrated Commissioning. This was accompanied with a questionnaire which all carers were encouraged to complete and return. This questionnaire was also made available on the Council's website from the start of February.
- Officers ran an event with providers at the Carers Partnership Board on the 1st February 2012. At the workshop officers presented the hub model, and providers worked together to identify on what they felt to be the most crucial priorities for a Carers Hub. The current providers represent a diverse client group of carers for all the Adult Social Care client groups. Officers returned to the Carers Partnership Board the following month to discuss the outcomes of the workshop and the first consultation event with carers and service users.
- Two consultation meetings with carers were held on the 27th February and 8th March jointly hosted by Brent Council and the PCT. These sessions were held in afternoon and late evening, in different venues, to facilitate carers needs. Approximately 70 people attended each event representing a diverse mix of age and ethnicity and provided support to a range of clients across the Adult Social Care client groups.

4.4 The consultation provided an excellent opportunity to work with providers and carers to describe and define the hub model. Carers are not opposed to the hub model as long as it demonstrates improvements to services for carers in Brent. In particular carers voiced their current frustrations with difficulties in how statutory agencies communicate with them, confusion about where to get information from and the quality of that information. A hub model would provide a single point of access for carers to get high quality information and be sign-posted in a consistent way to any relevant agencies.

4.5 Officers asked carers and providers were asked to identify key priorities from the priorities listed on the Carers Hub model (see Appendix C). Whilst officers recognise that all of the priorities are important, the funding allocation means it is it is necessary to prioritise those that carers feel are fundamental to delivery. Those priorities are set out in more detail in Appendix B and include the following:

- Information and advice
- Access to health and wellbeing services
- Whole family support
- Money and benefits advice
- Access to work and training
- Caring support and training
- Emergency support

The Carers' Hub may also include an element of short break services for specialist groups.

4.6 In addition to those service priorities detailed in paragraph 4.5, the following services may be developed and subsequently procured through the Carers Hub:

- Emotional support and counselling;
- Advocacy;
- Brokerage;
- Housing support
- Peer and community support;
- Activities and clubs;
- Education and 1:1 support;
- Carers shaping policy and services
- Carers assessments and supporting carers to manage the provision of care

5.0 Pre-Tender Considerations

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

Ref.	Requirement	Response
(i)	The nature of the service.	Provision of carers services in a hub model, which could be a sole provider, a sole provider with sub-contracting arrangements, a consortium (which identifies a lead organisation) which may also include an element of sub-contracting.

(ii)	The future estimated value of the contract	<p>To deliver the key priorities listed in paragraph 4.5 an annual spend of £250,000 - £300,000 from the s75 Agreement pooled budget will be invested in the contract, with a potential total value over the initial 3 year term and two 1 year extensions of £1.25million - £1.5million.</p> <p>There is a possibility that the value of the contract may be greater as:</p> <ul style="list-style-type: none"> • The additional services named in paragraph 4.6 may also be procured and officers envisage an approximate annual spend of no more than £250,000 on these services throughout the lifetime of the contract. • As detailed at paragraph 3.7, NHS Brent may invest further funding through the Carers' Hub. • As detailed at paragraph 3.8, Children's and Families Services may invest in the Carers Hub within the lifetime of the contract. 	
(iii)	The contract term	An initial term of 3 years followed by discretionary extensions of 1 year + 1 year	
(iv)	The tender procedure to be adopted.	<p>A two stage restricted tender process in accordance with the Council's Standing Orders.</p> <p>As Social Care transactions are 'Part B Services', under the Public Contract Regulations 2006 ("the Regulations"); the Regulations apply only in part to the tender namely, (adoption of a technical specification and forwarding a Contract Award notice etc.)</p>	
(v)	The procurement timetable	<p>Indicative dates are:</p> <ul style="list-style-type: none"> • Adverts placed • Expressions of interest (Pre-Qualification Questionnaire) returned 	<p>11.06.12</p> <p>13.07.12</p>

		<ul style="list-style-type: none"> • Shortlist drawn up in accordance with pre-determined minimum standards as to financial standing and technical competence • Invite to tender • Deadline for tender submissions • Panel evaluation • Report recommending Contract award circulated internally for comment • Executive approval • Contract start date 	<p>06.08.12</p> <p>10.08.12</p> <p>31.09.12</p> <p>03.9.12 – 25.09.12</p> <p>15.10.12 (subject to date of meeting)</p> <p>19.11.12 (subject to date of meeting)</p> <p>15.02.13</p>
(vi)	The evaluation criteria and process	<p><u>Stage 1: pre-qualification stage</u></p> <p>Shortlists are to be drawn up in accordance with the Council’s Contract Management Guidelines by a pre-qualification questionnaire (PQQ).</p> <p>The pre-qualification will test the capacity and capability of potential bidders as well as potential bidder eligibility to take part in the Procurement. This will include the following:</p> <ul style="list-style-type: none"> • Professional conduct • Economic and financial standing • Insurance • Resources • Health and safety • Quality assurance • Equality • Environmental • Business continuity • Previous experience and references 	

		<ul style="list-style-type: none"> • Safeguarding Adults policies <p>The outcome of this stage will be a list of pre-qualified bidders for the Procurement and a short-list of bidders to be invited to tender.</p> <p><u>Stage 2: Invitation to Tender (ITT)</u> For those that are selected by Stage 1 there will follow an Invitation to Tender (ITT) stage.</p> <p>Tenders will be evaluated on the basis of the most economically advantageous tender and the contract awarded using the following criteria</p> <p>1. Quality Quality will consist of 40% of the evaluation weightings. The quality assessment will be evaluated using the following criteria:</p> <ul style="list-style-type: none"> • Proven ability to meet the outcomes of the Service Specification for this procurement • Approach to the delivery of the service • Resource mobilisation and start up commitment plans if awarded a contract and ongoing management of the hub in relation to how carers can develop the hub model • Approach to ensuring standards are achieved • Development of good working relationship with the Council and its partners • Proposed plans for ensuring continuity of service <p>The relative weighting given to each individual evaluation criteria will be stated in the tender documentation.</p> <p>No less than three, but up to half of the tenderers who pass the minimum quality threshold will be invited to present to a panel comprised of service users and officers, which will evaluate tenderers presentations on a theme to be confirmed in the tender documentation. The intention is to involve service users in the evaluation of the</p>
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		presentation, with the results fed back to the main evaluation panel. 2. Price Price will consist of 60% of the evaluation weightings assessed through the application of a formula that underpins a proportional scoring which will award the maximum of 60% to the lowest priced tender
(vii)	Any business risks associated with entering the contract	No specific business risks are considered to be associated with agreeing the recommendations in this report.
(viii)	The Council's Best Value duties	This procurement process and on-going contractual requirement will ensure that the Council's Best Value obligations are met.
(ix)	Any staffing implications	See sections 7 below
(x)	The relevant financial, legal and other considerations	See sections 4, 5 and 6 below

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

5.3 The Executive is asked to extend existing contracts detailed at Appendix D with providers for a further 10 weeks. Existing contracts are due to expire on the 30th November. A ten week extension for all contracts would mean a contract end date of the 15th February. The extension is sought due to officers carrying out a more in-depth and comprehensive consultation than previously anticipated, which has been crucial in defining stakeholder priorities and shape of the Carers Hub.

6.0 Financial Implications

6.1 Spend on the carer's services for 2011/12 was £677,565. The NHS contribution towards this 11/12 expenditure was £195,000.

6.2. Expenditure falls into two main areas: £300,000 for information and advice services and £377,565 on home-based respite services for carers.

6.3 The committed expenditure for 2012/13 is £750,918 as detailed in appendix D. The NHS contribution towards the 2012/13 carer's services expenditure is £200,000.

7.0 Legal Implications

- 7.1 The contract for the Carers' Hub is a Part B services contract for the purposes of the Public Contracts Regulations 2006 ("EU Regulations"), and is thus only subject to partial application of the EU Regulations to include requirements in relation to technical specifications and the need to publish a Contract Award Notice.
- 7.2 The estimated value of the contract over its term (including possible extensions is in excess of £500k. As such the contract is a High Value contract for the purposes of Council Contract Standing Orders and Financial Regulations and thus Executive approval is required to invite tenders and to evaluate tenders for the contract.
- 7.3 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 contract and recommending award.
- 7.4 In the present case, a number of contractors are currently providing elements of the service being procured. As a result, the Transfer of Employment (Protection of Employment) Regulations 2006 ("TUPE") may apply if the contract is awarded to a new contractor where immediately before the change of contractor, there is an organised grouping of employees situated in Great Britain which has as its principal purpose the carrying out of the activities concerned on behalf of the Council and where the employees are assigned to that organised grouping. Subject to the right of the employee to object to transferring, the employee's contract of employment will transfer to new contractor. Further information concerning the staffing issues is detailed in Section 9.
- 7.5 As detailed in paragraph 3.7, there is currently an agreement under section 75 of the National Health Service Act 2006 with NHS Brent with regard to commissioning joint services for carers. A pooled budget is operated and it is proposed that monies from that pooled budget will fund the contract. As the existing s.75 Agreement expires on 31 March 2013, Officer will explore with NHS Brent the extension of the existing arrangement or the commencement of a new arrangement and will report back to Members on future s. 75 arrangements.
- 7.6 The Executive on 15 February 2011 gave approval for the award of 8 respite care and support contracts as detailed at Appendix D to incumbent providers for a period of one year from 1 April 2011 to 31 March 2012. To enable adequate consultation with stakeholders, the Council's Children and Families department and NHS Brent, the Executive on 17 October 2011 granted an extension to those contracts for a further eight (8) month period, to expire on 30 November 2012. As detailed in paragraph 4.1, Officers have undertaken a more comprehensive and prolonged consultation than originally envisaged with the result that it is now anticipated that the new contract will not

commence until 15 February 2013. Officers therefore seek a further 10 week extension to the contracts to enable their expiry to coincide with the commencement of Carers' Hub contract.

- 7.7 The respite care and support services are deemed Part B services for the purposes of the EU Regulations. Where such services are of interest to providers located in other EU Member States, they must be procured in line with EU Treaty principles of non-discrimination, equal treatment, fairness and transparency in the award process. Therefore, a contracting authority that makes a direct award of such Part B contract without adequately advertising the contract or indeed seeks to extend such contracts where this is not provided for in the contract will be in breach of the EU Treaty principles.
- 7.8 The proposed extension of contracts goes beyond the period of extension (if any) provided for in the current contracts. It is arguable whether the service contracts in issue would be of interest to providers located in other EU Member States, but there is a low risk of challenge to the Council given the lack of competition in extending existing respite support services contracts from other providers in the market capable of delivering the services. However, it is for Members to weigh up the limited potential for challenge against the need for current contracts to be extended by a limited period to enable their expiry to coincide with the commencement of a new competitively procured contract.

8.0 Diversity Implications

- 8.1 An equalities analysis has been completed (see Appendix B) in accordance with the Equality Act 2010.

9.0 Staffing Implications

- 9.1 There may be TUPE implications arising from the award of the Contract. The assumption is that TUPE may apply to those staff providing a service that will be included in the tender process. Such staff may transfer to a new employer under TUPE as a result of the proposed tendering process. Appropriate consultation with current employers will commence as soon as possible.

Background Papers

Executive Report titled Commissioning Adult Carer Services dated 17th October 2011

Contact Officers

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Alison Elliott
Director of Adult Social Care

Appendix A: Carers Consultation Report

1.0 Introduction/Background

- 1.1 The Council knows that carers experience inconsistency in their journey throughout the system when trying to access carers' services. In October 2011 a government appointed Standing Commission on Carers was invited to review carers' services in Brent. This included a fact finding visit during which they spoke to a number of Council and NHS officers and a large number of carers.
- 1.2 The Commission commended the Council on a number of aspects of the service but they also highlighted those areas where we know we must do better and made a number of recommendations including:
- Improve pathways into services so that carers understand where to go
 - Ensure all carers experience a similar journey through the system
 - Improve how we communicate our vision with carers
 - Do more to reach hidden carers
- 1.3 In order to meet the recommendations, Council officers proposed the development and procurement of a Carers Services Hub model where organisations contracted and involved can provide a seamless network of referral.
- 1.4 The Carers Hub model was first developed and endorsed by the Princess Royal Trust for Carers and promotes comprehensive care support and interventions used to deliver the outcomes of the National Carers Strategy. The aims of a Carers Hub are to achieve:
- A single point of contact for carers
 - Better co-ordination of services for carers
 - Reduced duplication of services
 - Better value for money
 - Shared quality standards for carers
- 1.5 At Carers' Rights Day on 5th December, the Head of Integrated Commissioning announced the attention to begin a consultation process with carers about potentially commission a Carers Services Hub.

2.0 Consultation Methodology

- 2.1 A survey questionnaire about the role of a Carers Hub, and the preferred priorities was made available in paper and online formats. The paper surveys were first distributed at Carers Rights Day in December. It was distributed throughout January and at both of the public meetings until the 9th March. Carers were also encouraged to complete the questionnaire online via the Council's Consultation Tracker.
- 2.2 Council officers ran a number of public events including two meetings with current providers of carers' services in Brent, and two public meetings with carers. Officers ran an event was held with providers at the Carers Partnership Board on the 1st February 2012.
- 2.3 At the workshop officers presented the hub model, and providers worked together to identify on what they felt to be the most crucial priorities for a

Carers Hub. The providers identified the following as their top five priorities for inclusion in a Carers Hub. It should be noted that officers asked the organisation to list only their top five, as investment in a hub model must be limited to the most crucial priorities.

- 1) Helping people identify themselves as carers
- 2) Skilled advice and information
- 3) Physical support such as respite/short breaks
- 4) Training for carers
- 5) Emotional support and counselling, including education and support for children and young carers

- 2.4 Officers returned to the Carers Partnership Board the following month (7th March) to discuss and reflect on the outcomes of the workshop, discuss the potential procurement timetable (should Executive approve the proposals) and an overview of the first consultation event with carers and service users.
- 2.5 For the two public meetings the Council invited stakeholders, who were predominantly carers from Brent Carers database. These events were held on Monday 27th February (5pm – 8pm) at Brent Town Hall, and Thursday 8th March (12pm – 2.30pm) at Pitader House. There was an estimated 70 stakeholders in attendance at each meeting.
- 2.6 Following presentations by the Council and NHS on “setting the scene” and “the vision for carers’ service” carers had an opportunity to ask a number of questions. Notes were made of stakeholder comments. Carers were particularly interested to access the Standing Commission on Carers report and to complete the “Proposal for a Carers Services Hub” questionnaire accessible as a hard copy at the event, or online on the consultation tracker www.brent.gov.uk/consultation.
- 2.7 Stakeholders were then invited to take part in an exercise rating the importance of service elements.

3. Forward planning

3.1 The key themes that emerged from the surveys were:

- In general carers were in favour of having one place from which to access information and advice and in particular knowing who to contact. They also see it is an opportunity for more ‘equal access’ to services
- In terms of how the hub could best meet carers’ outcomes, respondents listed respite, emergency services, whole family support and better support for working carers as being crucial. Some respondents also pointed out what they felt was missing from the hub. This included a drive to improve the Council’s services when carrying out carers’ assessments, retaining those organisations that have local knowledge and supporting a mediation service for the carer and cared for.
- In line with the priorities identified at the public meetings the key priorities for respondents of the survey are respite, information and advice, whole family support, access to health and wellbeing services, carer training and support and emotional support and counselling
- Some respondents felt that the hub is missing a focus on mediation and also establishing closer links with GPs.
- There is a concern that the Council will not be able to deliver even the crucial priorities of the Carers Hub, due to the financial climate. Carers

sought reassurance that this is not another red-tape exercise and that it will reduce bureaucracy. One respondent recommended that carers are kept up to date on the changes through regular communications channels.

- There is also substantial support for Brent Carers.

3.2 The key themes that emerged for the public meetings were:

- Questions related to the need to for improved communication by the Council identification of carers and problems, better understanding about thresholds and eligibility criteria for accessing services and the need for more respite care. Stakeholders at these meetings also highlighted difficulties with the One Stop Shop service, and what they saw as duplication and lengthy financial assessments. There were also many comments/concerns about GP responses, and particularly those residents with GPs across borough boundaries. Stakeholders emphasised that this exercise should not waste resources, but build on carers services currently in place.
- There was concern about including services for carers of mental health within the hub as this currently sits outside mainstream carers services.
- There were general criticism of the lack of 'streamlined knowledge', between social workers and GPs particularly around direct payments and personal budgets.
- Many stakeholders present also noted that for a long time, they had not thought of themselves as carers, there is a need to help people identify themselves as carers.

3.3 Officers carried out a 'ratings exercise' at each of the public meetings (including the meeting with the Carers' Partnership Board). The following priorities are a combination of the outcome of the two public meetings and provider workshop. It should be noted that officers asked attendees to list only their top five, as investment in a hub model must be limited to the most crucial priorities.

- Respite/short breaks
- Information and advice (including money and benefits advice)
- Access to health and wellbeing services
- Whole family support
- Emotional support and counselling

Carers were also voiced the need for better emergency support

4. Overall Conclusions

4.1 It can be concluded from the consultation exercise that there has not been any real opposition to the Carers Hub proposals. Instead, carers are more concerned with a service that delivers real improvements for carers' lives. In some cases there was support of the proposal and carers viewed accessing all services through a single point favourably.

4.2 The main criticisms that came to light throughout the consultation process was the lack of communication at all levels with carers, confusion about accessing correct information, the quality of information from GPs and the role/influence of GPs

4.3 There was recognition from all stakeholders that carers need greater support, and respite/short breaks is fundamental to achieving this.

4.4 Stakeholders advised that there should be much better clarification on carers assessments, the process and timescale involved, and better working and communication between NHS staff, Council staff and GPs.

5. Recommendation

5.1 Given the feedback from the consultation which is broadly in favour of the proposals, this report recommends that officers continue to move forward with the Carers Hub model, taking into account stakeholder views of how this could best be achieved.

5.2 Officers are working to hold a feedback event with stakeholders discussing the outcomes of the consultation. Pending approval by the Executive for commencing procurement, officers will invite carers to be involved in the process, with further details of this to be outlined at the feedback event.

Appendix B: Equalities Impact Assessment

Department: Adult Social Care	Person Responsible: Pauline Mason
Service Area: Integrated Commissioning	Timescale for Equality Impact Assessment :
Date: 19 th March 2012	Completion date: 4 th April 2012
Name of service/policy: Reviewing Carers Services – Carers Service Hub	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> <input type="checkbox"/> Old
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"/> No <input type="checkbox"/>	
Person responsible for arranging the review: Pauline Mason	Person responsible for publishing results of Equality Impact Assessment: Pauline Mason
Person responsible for monitoring: Steven Forbes	Date results due to be published and where: Published in an appendix to Executive report on the 21 st May 2012 on Brent Council's website
Signed:	Date: 4 th April 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?

Carers Review – Carers Services Hub

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 aim is to procure services for carers based on the outcomes of a departmental review of the Council's services for carers. Together with a review by Standing Commission on Carers October 2011, the department identified a number of recommendations to improve services. In order to meet the recommendations we are proposing the development and procurement of a Carers Services Hub model where organisations contracted and involved can provide a seamless network of referral. This model allows services to be provided in a more personalised way. The Carers Hub model was first developed and endorsed by the Princess Royal Trust for Carers and promotes comprehensive care support and interventions used to deliver the outcomes of the National Carers Strategy.

The aims of a Carers Hub are to achieve:

- A single point of contact for carers
- Better co-ordination of services for carers
- Reduced duplication of services
- Better value for money
- Shared quality standards for carers

A Carers Hub would improve pathways into services so that all carers experience a similar journey through the system and all carers know where to go. It would provide a reference point for all the voluntary sector organisations providing support services to carers of all client groups in the borough. The Hub would also be expected to influence the commissioning and development of services to meet the needs of local carers.

The department is currently consulting and engaging with carers and a variety of stakeholders to shape the hub and inform us about the type of services needed to improve the support available for carers in Brent.

This EIA assess the impact of the proposals and the Carers Hub should the Executive grant approval to begin a procurement process. The findings are based on an extensive consultation held with carers over a three month period.

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

Yes, implementing the proposed changes to carers services will have a positive impact on all carers and service users. The aim is to make services seamless and consistent for all carers in Brent, and to ensure that carers experience a similar journey throughout the system.

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 proposed Carers Services Hub seeks to improve access to services for all carers regardless of race/gender/disability/faith/sexual orientation/health. Therefore, no adverse impacts have been identified for any groups. The proposed new service provision aims to address some of the frustrations that carers experience when accessing the system, particularly the inconsistency in their journey throughout the system, without a clear pathway to access help and support.

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).

There are over 23,000 unpaid carers in Brent, some providing substantial levels of care per week. These carers provide care and support to older people, adults with disabilities, those with mental ill health, learning disabilities and substance misuse issues and children with disabilities. This review and proposed hub model will be developed to help people regardless of client group to identify themselves as a carer. It will have a single point of access so that carers have a more equitable experience. A consultation was conducted on two different days with an extremely large attendance of 70 people at each event. The attendees were from a range of ethnicities including Asian, Black African, Black Caribbean, White British, White Irish and carers of all client groups.

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)

None have been identified

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?

We conducted an extensive consultation with stakeholders about the proposal, how it impacts on their needs and seeking their views on how we shape the Carers Hub.

- The proposal was first presented to more than 150 carers at the Carers Rights Day on 5th December by the Head of Integrated Commissioning, with time for questions and answer session. This was accompanied with a questionnaire which all carers were encouraged to complete and return. The questionnaire included requests for monitoring information. This questionnaire was made available online on the Council's Consultation Tracker from the start of February. There was limited response to both forms of questionnaire, with a total of 11 completed questionnaires.
- An event was held with providers at the Carers Partnership Board on the 1st February 2012 to present and discuss the benefit of a Carers Hub and identify the key priorities for carers in Brent and the ways in which a hub could deliver these. It also sought views of the providers on what they felt the crucial priorities are. This list of priorities was then compiled and presented at the carers consultation events so that carers are aware of what the organisations providing services for them identified as priorities.

- The current providers represent a diverse client group of carers for all the Adult Social Care client groups.
- Two consultation meetings with carers were held on the 27th February and 8th March jointly hosted by Brent Council and the PCT. These sessions were held both afternoon and late evening, in different venues, to facilitate carers needs.
- Approximately 70 people attended each event. We asked all attendees to complete and return monitoring information but the response was minimal (5) to non-existent. However, based on discussions and questions and answers session, it could be seen that the carers represented a diverse mix of age and ethnicity and provided support to a range of clients of different ages with varying disabilities and thresholds, including those with mental health needs.
- The consultation closed 2 weeks ago and we are currently completing a consultation analysis which will inform the priorities for delivering the Carers Hub proposal and will be an appendix of the Executive report.
- Additionally we are organising a follow up session which carers and providers will be invited to discuss outcomes of consultation and what our future plans are. The Carers Partnership Board is also a key vehicle for discussing and disseminating the results.

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

The results of the consultation will be collated and included as part of the final report to the Executive regarding the procurement of the Carers Services Hub. Following the meeting of the Executive on the 21st May, the report will be available on the Brent Council website democratic services pages.

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

The council is not aware of a public concern about the Carers hub model being operated in a discriminatory manner.

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

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?

The service will be universally accessible service, for all carers. If Executive approve the procurement we will seek provider(s) who will put publicity mechanisms in place to ensure the service is adequately advertised and promoted, and that as many carers as possible are aware of the Carers Services Hub as the first point of contact

13. What is the justification for taking these measures?

These measures are in line with the recommendations made by the Standing Commission on Carers which reviewed the service in October 2011. One of the key recommendations made was around improving access to services for carers through a single point, and better coordination of services with a clear pathway to access health and support. The Carers Hub model is based on a best practice model devised by the Princess Royal Trust for Carers and has been implemented in a number of local authorities, including Kensington and Chelsea and the London boroughs of Lambeth, Barnet, Islington and Haringey. The London borough of Richmond is in the process of tendering for a Carers Hub. Development and delivery of the hub model will address the recommendations of the Standing Commission on Carers and the

priorities to be delivered by the hub will be those identified throughout the consultation with stakeholders, insofar as the budget allocation can deliver these.

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 service will be formally monitored by the Council's contract managers on a quarterly basis. The provider will be required to collate the following information (this is not an exhaustive list):

- Direct/indirect activity, with breakdown by:
 - Ethnicity
 - Age
 - Gender
 - Disability
 - Sexual orientation
 - Marriage and civil partnership
 - Faith and belief
 - Transgender
 - Pregnancy and maternity
- Number of carers who have benefited from the service
- Number of families from hard to reach groups supported
- Referrals
- Feedback from service users

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

No adverse impacts have been identified into any groups.

The Carers Hub would be regularly monitored, through regular and ongoing consultation and the quarterly monitoring meetings and reviews to ensure that any future/possible adverse impacts are avoided.

Should you:

1. Take any immediate action?
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.

N/A

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

The funding for this service has been allocated through the Carers Grant via the pooled budget arrangement with NHS Brent (PCT)

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: 4th April 2012

PAULINE MASON

Service Area and position in the council:

Integrated Commissioner, Adult Social Care

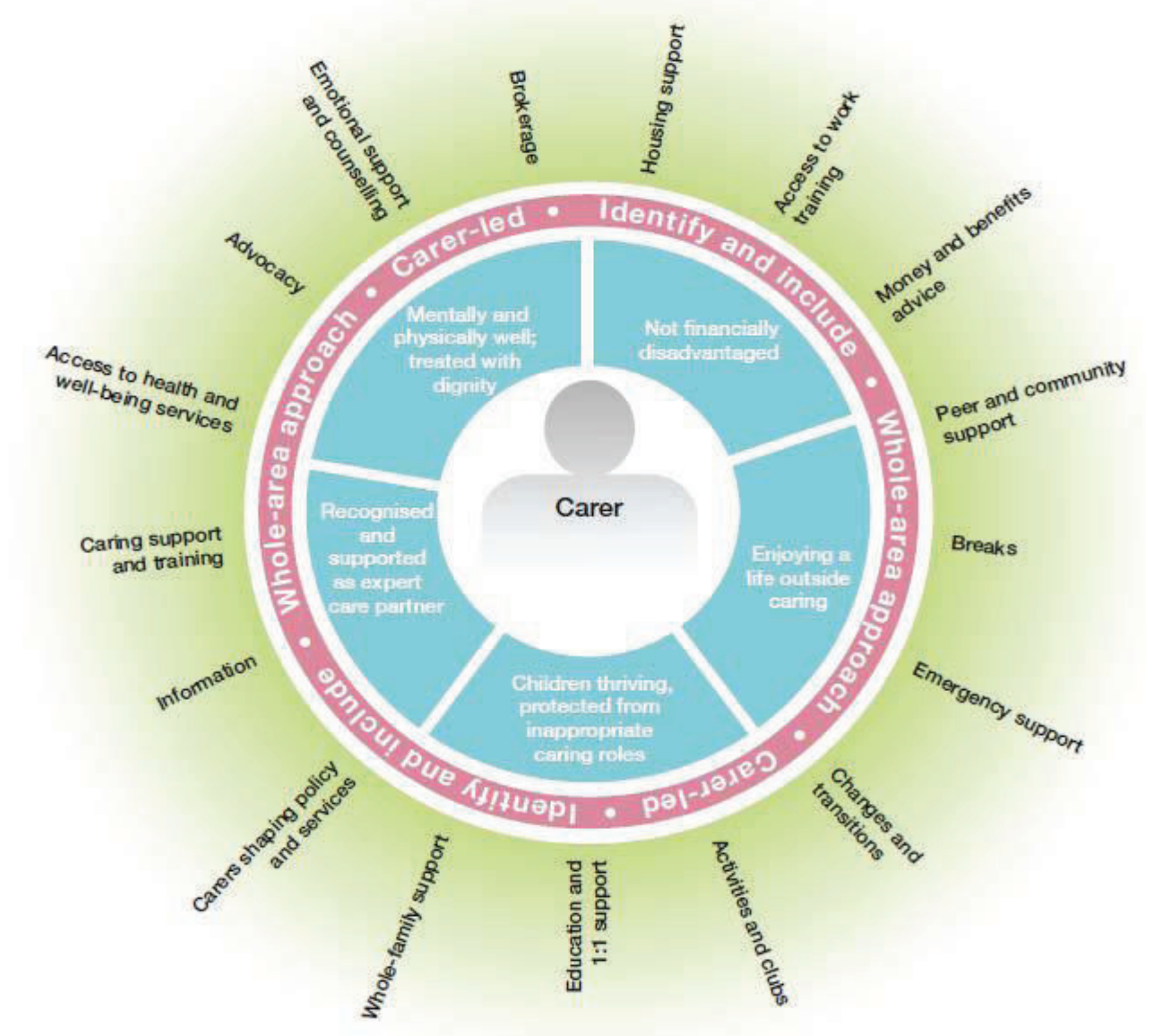
Details of others involved in the assessment - auditing team/peer review:

Council Diversity Team

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**

Appendix C: Carers' Hub Model

The Carers' Hub is a model of comprehensive carer support and interventions devised by the Princess Royal Trust for Carers. A Carers' Hub would coordinate and provide a comprehensive range of information and advice as a single point of access for unpaid carers. It would provide a reference point for all the voluntary sector organisations providing support services to carers of all client groups in the borough. The Hub would also be expected to influence the commissioning and development of services to meet the needs of local carers.



Appendix D

The eight organisations detailed below are contracted to provide respite and support services to carers of adults with disabilities and long term health conditions for the annual contract value detailed:

Provider	Service	Annual Contract Value in £
Crossroads West London (formally Brent Crossroads)	Respite at home OP/PD & long term health conditions	149,943
Friends of African Caribbean Carers &	Sufferers of Dementia Respite at Home dementia	106,168
Asian People Disability Alliance	Respite/Befriending Service	90,343
National Autistic Society	Respite at Home includes Service	92,085
Brent Carers Centre	Range of services including Info/Advice young carers /counselling training	180,183
Elders Voice	Respite Day Care - & Pilot outreach service	56,196
Harrow Helpline	Carers Emergency Support	28,000
St Luke's Hospice	Supporting Carers caring for someone at End of life	38,000
Help Somalia Foundation	Identifying & Supporting Carers to access support	10,000
Total		750,918



Executive
21 May 2012

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

Wards Affected:
ALL

Animals at events in Brent council parks and open spaces.

1.0 Summary

- 1.1 The use of performing animals within circuses is becoming more controversial and there is increasing public concern about the welfare of animals in circuses. This report to members proposes that the Council adopts a policy regarding animals at events in Council owned parks and open spaces.

2.0 Recommendations

- 2.1 The Executive adopts a policy regarding use of animals at events across the boroughs | Parks and open spaces which:
- a. Does not permit animals that come under the Schedule 'Kinds of Dangerous Wild Animals' in the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007, to be allowed to be part of any event including circuses and funfairs on the Council's parks and open spaces.
 - b. Does not permit the provision of live creatures as prizes at any event including circuses and funfairs on the Council's parks and open spaces.
 - c. Does permit animals that do not come under the Schedule 'Kinds of Dangerous Wild Animals' in the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 to be part of an event including circuses and funfairs on the Council's parks and open spaces. This would therefore allow for example dog shows, performing horses and falconry displays to take place.

3.0 Detail

- 3.1** In the past the Council has received requests to hold events in its parks from circuses with performing animals as well as events which have included animal rides, dog shows and falconry displays. More recently there has been a significant increase in the number of events which local community groups want to organise and host on Council owned land. In 2011 the Parks service received a request to have elephants, tigers and camels included in large community events.
- 3.2** The use of performing animals within circuses is becoming more controversial. In 2010 DEFRA undertook consultation on the use of wild animals in circuses and more than 90% of the 10,576 respondents said they wanted to see a total ban. The RSPCA is campaigning against the use of wild animals in circuses and lobbying the UK government to ban their use in England, as other countries have already done and in March 2012 the Government confirmed its intention to pursue a ban on the use performing wild animals in travelling circuses in England, although they recognize that this will take time to implement and are consulting on an interim new licensing scheme.
- 3.3** Because of increasing public concern over the welfare of animals in circuses, a number of local authorities in the UK do not allow animal circuses to perform on council-owned land.
- 3.4** The Council endorses the Animal Welfare Act 2006 principles of five freedoms for animals and in circumstances within its control will endeavour to ensure that they are met:
- Freedom from thirst, hunger and malnutrition
 - Freedom from discomfort
 - Freedom from pain, injury or disease
 - Freedom to express normal behaviour
 - Freedom from fear and distress
- 3.5** For as long as officers can recall the Council has not allowed circuses involving dangerous and wild animals on its parks and open spaces. There are no zoos on Council owned land.
- 3.6** The Council has no written policy to which officers may refer should they receive requests to hold events that include animals on its parks and open spaces. It is therefore proposed that the Council adopts the following policy which:
- a. Does not permit animals that come under the Schedule 'Kinds of Dangerous Wild Animals' in the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007, to be allowed to be part of any event including circuses and funfairs on the Council's parks and open spaces.
 - b. Does not permit the provision of live creatures as prizes at any event including circuses and funfairs on the Council's parks and open spaces.

- c. Does permit animals that do not come under the Schedule 'Kinds of Dangerous Wild Animals' in the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 to be part of an event including circuses and funfairs on Brent's parks and open spaces. This would therefore allow for example dog shows, performing horses and falconry displays to take place.

3.7 The revised Schedule detailing the kinds of mammals and invertebrates identified under the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 is attached as appendix 1.

4.0 Financial Implications

4.1 There is no loss of income as the Council has not accepted bookings from circuses or funfairs that have included wild and dangerous animals.

5.0 Legal Implications

5.1 There are a number of pieces of legislation that relate to animals but none specifically addressing which animals should be permitted to be used in public displays. The legislation focuses on a person being registered and provision about animal welfare.

5.2 The various legislation includes:

- Animal Welfare Act 2006.
- Performing Animals (Regulation) Act 1925
- Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007

5.3 The Animal Welfare Act makes provisions about animal welfare. The Act covers prevention of harm, promotion of welfare, licensing and registration and enforcement powers. This Act has consequences for all animal owners and carers and requires that they ensure that the needs of an animal (see paragraph 3.4) are provided for.

5.4 The Performing Animals (Regulation) Act 1925 places restrictions on the exhibition and training of performing animals such that no person shall exhibit or train any performing animal unless they have registered to do so and have obtained a Performing Animals Certificate of Registration.

5.5 The Council is the Licensing Authority for the purposes of issuing a Certificate of Registration. A Licence may impose conditions where it is considered necessary and reasonable to do so. The Licence holder will be expected to carry appropriate indemnity insurance in order to cover third party liability and damage to property caused by the performing animal. If a person commits offences under the Act they are liable to prosecution and a fine upto £1,000. Member's attention is drawn to the Councils Performing Animals Regulation Leaflet at Appendix 2.

5.6 The Dangerous Wild Animals Act 1976 requires that anyone wishing to keep a dangerous wild animal can only legally do so under the authority of a licence issued by a local authority granted in accordance with the provisions of the Act. As mentioned in paragraph 5.5 above similar offences are committed

under this Act if a license is not obtained from the Licensing Authority which can lead to prosecution and a fine upto £2,000. Members attention is also drawn to the Councils Dangerous Wild Animals Information and checklist requirements at Appendix 3

5.7 This proposed policy does not cover private land.

6.0 Diversity Implications

6.1 None

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None

Background Papers

None

Contact Officers

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Sue Harper

Director of Environment and Neighbourhood Services

SCHEDULE KINDS OF DANGEROUS WILD ANIMALS

NOTE: See section 7(5) of this Act for the effect of the second column of this Schedule

<i>Scientific name of kind</i>	<i>Common name or names</i>
<u>MAMMALS</u>	
Marsupials	
Family <i>Dasyuridae</i>: The species <i>Sarcophilus lanarius</i> .	The Tasmanian devil.
Family <i>Macropodidae</i>: The species <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> , <i>Macropus robustus</i> and <i>Macropus rufus</i> .	The western and eastern grey kangaroos, the wallaroo and the red kangaroo.
Primates	
Family <i>Cebidae</i>: All species except those of the genera <i>Aotus</i> , <i>Callicebus</i> and <i>Saimiri</i> .	New-world monkeys (including capuchin, howler, saki, uacari, spider and woolly monkeys). Night monkeys (also known as owl monkeys), titi monkeys and squirrel monkeys are excepted.
Family <i>Cercopithecidae</i>: All species.	Old-world monkeys (including baboons, the drill, colobus monkeys, the gelada, guenons, langurs, leaf monkeys, macaques, the mandrill, mangabeys, the patas and proboscis monkeys and the talapoin).
Family <i>Hominidae</i>: All species except those of the genus <i>Homo</i> .	Anthropoid apes; chimpanzees, bonobos, orang-utans and gorillas.
Family <i>Hylobatidae</i>: All species.	Gibbons and Siamangs.
Family <i>Indriidae</i>: All species of the genera <i>Propithecus</i> and <i>Indri</i> (<i>Avahi laniger</i> is excepted).	Leaping lemurs (including the indri and sifakas). The woolly lemur is excepted.
Family <i>Lemuridae</i>: All species except those of the genus	Large lemurs. Bamboo or gentle lemurs are excepted.

<i>Hapalemur.</i>	
Edentates	
Family Dasypodidae: The species <i>Priodontes maximus</i> .	The giant armadillo.
Family Myrmecophagidae: The species <i>Myrmecophaga tridactyla</i> .	The giant anteater.
Carnivores	
Family Canidae: All species except those of the genera <i>Alopex</i> , <i>Cerdocyon</i> , <i>Dusicyon</i> , <i>Otocyon</i> , <i>Pseudolopex</i> , <i>Urocyon</i> , <i>Vulpes</i> and <i>Nyctereutes</i> . The species <i>Canis familiaris</i> , other than the subspecies <i>Canis familiaris dingo</i> , is also excepted.	Wild dogs, wolves, jackals, the maned wolf, the bush dog and the dhole. Foxes, raccoon dogs and the domestic dog (but not the dingo) are excepted.
Family Felidae: All except— (a) the species <i>Felis silvestris</i> , <i>Otocolobus manul</i> , <i>Leopardus tigrinus</i> , <i>Oncifelis geoffroyi</i> , <i>Oncifelis guigna</i> , <i>Catopuma badia</i> , <i>Felis margarita</i> , <i>Felis nigripes</i> , <i>Prionailurus rubiginosus</i> and <i>Felis silvestris catus</i> ; (b) a hybrid which is descended exclusively from any one or more species within paragraph (a); (c) a hybrid of which— (i) one parent is <i>Felis silvestris catus</i> , and (ii) the other parent is a first generation hybrid of <i>Felis silvestris catus</i> and any cat not within paragraph (a); (d) any cat which is descended exclusively from any one or more hybrids within paragraph (c) (ignoring, for the purpose of determining exclusivity of descent, the parents and remoter ancestors of any hybrid within paragraph (c)); (e) any cat which is descended exclusively from <i>Felis silvestris catus</i> and any one or more	All cats including the bobcat, caracal, cheetah, jaguar, leopard, lion, lynx, ocelot, puma, serval and tiger. The following are excepted: (i) the wild cat, the pallas cat, the little spotted cat, the Geoffroy's cat, the kodkod, the bay cat, the sand cat, the black-footed cat, the rusty-spotted cat and the domestic cat; (ii) a hybrid cat which is descended exclusively from any one or more species within paragraph (a); (iii) a hybrid cat having as one parent a domestic cat and as the other parent a first generation hybrid of a domestic cat and any cat not within paragraph (a); (iv) any cat which is descended exclusively from any one or more hybrids within paragraph (c); (v) any cat which is descended exclusively from a domestic cat and any one or more hybrids within paragraph (c).

hybrids within paragraph (c) (ignoring, for the purpose of determining exclusivity of descent, the parents and remoter ancestors of any hybrid within paragraph (c)).	
Family Hyaenidae: All except the species <i>Proteles cristatus</i> .	Hyænas. The aardwolf is excepted.
Family Mustelidae: All species of the genera <i>Amblonyx</i> , <i>Arctonyx</i> , <i>Aonyx</i> , <i>Enhydra</i> , <i>Lontra</i> , <i>Melogale</i> , <i>Mydaus</i> , <i>Pteronura</i> and <i>Taxidea</i> . The genus <i>Lutra</i> except the species <i>Lutra lutra</i> . The species <i>Eira barbara</i> , <i>Gulo gulo</i> , <i>Martes pennanti</i> and <i>Mellivora capensis</i> .	Badgers (except the Eurasian badger), otters (except the European otter) and the tayra, wolverine, fisher and ratel (otherwise known as the honey badger).
Family Ursidae: All species including the species <i>Ailuropoda melanoleuca</i> and <i>Ailurus fulgens</i> .	All bears including the giant panda and the red panda.
Family Viverridae: All of the genus <i>Civettictis</i> . All of the genus <i>Viverra</i> . The species <i>Cryptoprocta ferox</i> .	The African, large-spotted, Malay and Indian civets and the fossa.
Pinnipedes	
Family Odobenidae: All species.	The walrus.
Family Otariidae: All species.	Eared seals.
Family Phocidae: All species except <i>Phoca vitulina</i> and <i>Halichoerus grypus</i> .	True or earless seals. The common seal (or harbour seal) and grey seal are excepted.
Elephants	
Family Elephantidae: All species.	Elephants.
Aardvark	
Family Orycteropodidae: The species <i>Orycteropus afer</i> .	The aardvark.
Odd-toed ungulates	
Family Equidae:	Asses, horses and zebras.

All species except <i>Equus asinus</i> and <i>Equus caballus</i> .	The donkey and domestic horse are excepted.
Family Rhinocerotidae: All species.	Rhinoceroses.
Family Tapiridae: All species.	Tapirs.
Even-toed ungulates	
Family Antilocapridae: The species <i>Antilocapra americana</i> .	The pronghorn.
Family Bovidae: All species except any domestic form of the genera <i>Bos</i> , <i>Bubalus</i> , <i>Capra</i> and <i>Ovis</i> .	Antelopes, bison, buffalo, gazelles, goats and sheep. Domestic cattle, buffalo, goats and sheep are excepted.
Family Camelidae: All species of the genus <i>Camelus</i> .	Camels.
Family Cervidae: All species of the genera <i>Alces</i> and <i>Rangifer</i> , except any domestic form of the species <i>Rangifer tarandus</i> .	The moose or elk and the caribou or reindeer. The domestic reindeer is excepted.
Family Giraffidae: All species	The giraffe and the okapi.
Family Hippopotamidae: All species.	The hippopotamus and the pygmy hippopotamus.
Family Suidae: All species except any domestic form of the species <i>Sus scrofa</i> .	Old-world pigs (including the wild boar and the wart hog). The domestic pig is excepted.
Family Tayassuidae: All species.	New-world pigs (otherwise known as peccaries).
Hybrids	
Any hybrid of a kind of animal specified (other than by way of exception) in the foregoing provisions of this column where at least one parent is of a kind so specified, and any animal of which at least one parent is such a hybrid. This does not include an excepted hybrid of the Family <i>Felidae</i> .	Any mammalian hybrids with at least one parent of a specified kind, and any animal of which at least one parent is such a hybrid. This does not apply to excepted cat hybrids.
<u>BIRDS</u>	

Cassowaries

Family <i>Casuariidae</i> : All species.	Cassowaries.
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Ostrich

Family <i>Struthionidae</i> : All species.	The ostrich.
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REPTILES

Crocodylians

Family <i>Alligatoridae</i> : All species.	Alligators and caimans.
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Family <i>Crocodylidae</i> : All species.	Crocodiles and the false gharial.
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Family <i>Gavialidae</i> : All species.	The gharial (otherwise known as the gavial).
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Lizards and snakes

Family <i>Atractaspididae</i> : All species of the genus <i>Atractaspis</i> .	Burrowing asps, also known as mole or burrowing vipers and stiletto snakes.
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Family <i>Colubridae</i> . All species of the genera <i>Malpolon</i> and <i>Thelotornis</i> . The species <i>Dispholidus typus</i> , <i>Rhabdophis subminiatus</i> , <i>Rhabdophis tigrinus</i> , <i>Elapomorphus lemniscatus</i> , <i>Philodryas offersii</i> , <i>Tachymenis peruviana</i> and <i>Xenodon severus</i> .	Certain rear-fanged venomous snakes, Montpellier snakes and African vine snakes (otherwise known as African twig or bird snakes). The boomslang, the red-necked keelback, the yamakagashi (otherwise known as the Japanese tiger-snake), the Argentine black-headed snake, the South American green racer, the Peruvian racer and the Amazon false viper.
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Family <i>Elapidae</i> : All species.	Certain front-fanged venomous snakes including cobras, coral snakes, kraits, mambas, whipsnakes and all Australian poisonous snakes (including the death adders).
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Family <i>Hydrophiidae</i> : All species.	Sea snakes.
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Family <i>Helodermatidae</i> : All species.	The gila monster and the (Mexican) beaded lizard.
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Family <i>Viperidae</i> : All species.	Certain front-fanged venomous snakes (including adders, the barba amarilla, the bushmaster, the fer-de-lance, moccasins, rattlesnakes and vipers).
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INVERTEBRATES

Spiders

Family Ctenidae: The genus <i>Phoneutria</i> .	Wandering spiders.
Family Hexathelidae: The genus <i>Atrax</i> .	The Sydney funnel-web spider and its close relatives.
Family Sicariidae: The genus <i>Loxosceles</i> .	Brown recluse spiders (otherwise known as violin spiders).
Family Theridiidae: The genus <i>Latrodectus</i> .	The widow spiders and close relatives.
Scorpions	
Family Buthidae: All species.	Buthid scorpions.
Family Hemioscorpiidae: The species <i>Hemiscorpius lepturus</i> .	Middle-Eastern thin-tailed scorpion."

EXPLANATORY NOTE
(This note is not part of the Order)

This Order substitutes, in England and Wales, the Schedule to the Dangerous Wild Animals Act 1976 ("the Act"), which specifies the kinds of animals to which the provisions of the Act apply. The changes effected by this order represent the outcome of a further review of the Schedule to the Act as last modified by S.I. 1984/1111. (The contents of the Schedule substituted by this Order differ slightly from those of the Schedule which would have been substituted by the Dangerous Wild Animals Act 1976 (Modification) Order 2007 (S.I. 2007/1437); the earlier Order is now revoked, before its coming into force, by this Order.)

This Order adds the following animals to the Schedule: the Argentine black-headed snake, the Peruvian racer, the South American green racer, the Amazon false viper, the Middle-Eastern thin-tailed scorpion and the dingo.

The following animals are no longer listed (other than by way of exception) in the Schedule and so the provisions of the Act no longer apply to them: certain smaller primates (woolly lemurs, tamarins, night (or owl) monkeys, titis and squirrel monkeys), sloths, the North American porcupine, the capybara, crested porcupines, certain types of cat (the wild cat, the pallas cat, the little spotted cat, the Geoffroy's cat, the kodkod, the bay cat, the sand cat, the black-footed cat, the rusty-spotted cat; cat hybrids descended exclusively from such excepted species; cat hybrids having a domestic cat as one parent and a first generation hybrid of a domestic cat and a non-excepted cat as the other parent, and cats which are descended exclusively from such excepted hybrids or from such excepted hybrids and a domestic cat), cacomistles, racoons, coatis, olingoes, the little coatimundi, kinkajou, binturong, hyraxes, guanaco, vicugna, emus, sand snakes, the mangrove snake, and the Brazilian wolf spider.



DANGEROUS WILD ANIMALS INFORMATION LEAFLET

GENERAL INFORMATION

1. The keeping of certain species of wild animals is controlled by the Dangerous Wild Animals Act 1976.
2. No person may keep any dangerous wild animal without first obtaining a licence from their local authority.
3. The animals for which a licence is required before they may be kept are listed in the Dangerous Wild Animals Act 1976 (Modification) Order (No.2) 2007

LICENCES TO KEEP DANGEROUS WILD ANIMALS

4. Applications for a licence must be made to Brent Council's Health Safety and Licensing Division, and a licence may be issued providing the applicant is not disqualified or has been convicted under the Dangerous Wild Animals Act 1976.
5. There is an application fee of **£302.00** payable at the time an application is made.
6. The applicant will also be required to pay the cost of inspections carried out by the Council's authorised Veterinary Surgeon or Veterinary Practitioner.
7. Except in exceptional circumstances, the person making the application must be the person who owns and possesses or proposes to own and possess the animal to which the application applies.
8. Where a licence is granted that licence and any subsequent licence will expire on the 31st. December of the year to which the licence relates and must be renewed before that date if the licence holder is to continue to keep the animal(s) named on the licence.

BRENT COUNCIL'S DUTIES

9. Before granting a licence the Licensing Inspector must be satisfied that:
 - a) it is not contrary to the public interest to do so on the grounds of safety, nuisance or other grounds.

- b) the applicant is a suitable person to hold a licence to keep the animals listed on the application.
- c) the animal(s) will be kept in accommodation that prevents its escape and is suitable in respect of construction, size, temperature, drainage and cleanliness.
- d) that the animal(s) will be supplied with adequate and suitable food drink and bedding material and be visited at suitable intervals.
- e) appropriate steps will be taken to ensure the protection of the animal(s) in case of fire or other emergency.
- f) all reasonable precautions are taken to prevent the spread of infectious diseases.
- g) the animal(s) accommodation is such that it can take adequate exercise.

10. Where Brent Council issues a licence, that licence will be subject to such conditions as the Council sees fit and in each case these conditions will specify that:

- a) only the person named on the licence shall be entitled to keep the animal.
- b) the animal shall only be kept on the premises named on the licence.
- c) the animal shall not be moved or may only be moved in accordance with conditions specified in the licence.
- d) the licensee must hold a current insurance policy, approved by Brent Council, which insures against liability for damage caused by the animal.
- e) only the species and number of animals listed on the licence may be kept.
- f) the licensee shall make a copy of the licence and its contents available to any other person listed on the licence as being able to look after the animal.

11. Brent Council may at any time revoke or amend any licence condition apart from those covered by 10 a) to 10 f) in this leaflet.

YOUR RIGHTS OF APPEAL

12. Any person aggrieved by a refusal to be granted a licence or by any conditions to which the licence is subject, may appeal to the Magistrates Court and the Courts may give such direction regarding the licence and its conditions as it thinks proper.

OFFENCES AND PENALTIES

13. Anybody found guilty of keeping an animal covered by the Dangerous Wild Animals Act 1976 without a licence to do so or anybody found guilty of failing to comply with any licence condition shall be subject to a fine not exceeding £2,000.

14. Any person found guilty of obstructing or delaying an Inspector or Authorised Veterinary Practitioner or Veterinary Surgeon shall be subject to a fine not exceeding £2,000.

15. Where a person keeps an animal without a licence or where a person fails to comply with a licence condition, Inspectors from Brent Council may seize the animal and may either retain it or have it destroyed or disposed of (to a zoo or elsewhere) without compensation to the owner.

16. Where Brent Council incurs any expense in seizing, retaining or disposing of an animal then the person who was the keeper of the animal shall be liable for those costs.

FURTHER INFORMATION

17. Copies of the Dangerous Wild Animals Act 1976 and other legislation mentioned in this information sheet can be purchased from Her Majesty's Stationery Office.

18. A copy of the Dangerous Wild Animals Act 1976 can be inspected at the Health Safety and Licensing Divisions Offices where you may also obtain an application form and further help or advice.

The Council's Licensing Inspectors may be contacted at:-


**The Health Safety and Licensing Division, P.O. Box 411, Brent House,
349-357, High Road, Wembley, Middlesex, HA9 6EP.
☎ 020 8937 5359. Fax: 020 8937 5357. EMAIL: hsl@brent.gov.uk
Website: <http://www.brent.gov.uk/hsl>**

If you require a copy of this leaflet in large print please ring 020 8937 5359

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes. For further information, see Brent Council's privacy statement <http://www.brent.gov.uk/privacy>.

Dangerous Wild Animals Inspection Check List

1. Is the licence readily available for inspection?
2. Is the animal(s) kept by the person or persons specified on the licence?
3. Is the animal(s) kept at the premises specified on the licence?
4. Does the licence holder hold a current insurance policy approved by Brent Council, which insures him and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal?
5. Does the licence holder only keep species and number of animals listed on the licence?
6. Is the animal(s) kept in accommodation that prevents its escape?
7. Is the animal(s) kept in accommodation that is suitable in respect of construction?
8. Is the animal(s) kept in accommodation that is suitable in respect of its size?
9. Is the animal(s) kept in accommodation that is suitable in respect of its temperature/ventilation?
10. Is the animal(s) kept in accommodation that is suitable in respect of its drainage and cleanliness?
11. Are the animal(s) supplied with adequate and suitable food and drink?
12. Are the animal(s) supplied with adequate and suitable bedding material?
13. Are the animal(s) visited at suitable intervals?
14. Are appropriate procedures in place to ensure the protection of the animal(s) in case of fire or other emergency?
15. Are all reasonable precautions being taken to prevent the spread of infectious diseases?
16. Is the animal(s) accommodation such that it can take adequate exercise?

	<p style="text-align: center;">Executive 21 May 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;">Progress report on the Libraries Transformation Project</p>	

1.0 Summary

- 1.1 This report sets out the progress made on the Libraries Transformation Project one year on and the plans for further improvements.

2.0 Recommendations

- 2.1 That Members note the progress of the strategy and next steps.

3.0 Detail

Background

- 3.1 Brent Council delivers a free public library service to its residents from its six library buildings, through its online services and by taking resources out to residents who are unable to visit a library. The service currently includes:

- Books, ebooks, audiobooks, DVDs and CDs for loan
- Reference material for in book and digital formats
- Space for study and relaxation
- Free internet and Wi-Fi access for library members
- Informal training, including online courses
- Information and advice
- A full programme of events and activities for all ages
- School visits and homework clubs
- A home visit and outreach service

3.2 In April 2011 the Executive agreed the Library Transformation Plan, centred around a clearly defined Library Transformation plan shaped by the Council's responsibilities and resources, the assessment of needs, consultation feedback and equalities considerations. The project aimed to improve the service, make better use of limited resources and to deliver savings to the Council of £816,000. This report is coming to the Executive now as one of the recommendations in the April 2012 report was for officers to report back on progress one year on from the original LTP decision.

3.3 The decision of the Council was challenged by way of Judicial Review proceedings. The High Court and the Court of Appeal ruled that the decision of the Council was lawful. The claimant's request to appeal to the Supreme Court was refused and the legal proceedings came to an end in February 2012.

The Library Transformation Plan

3.4 The Library Transformation Plan approved by the Executive in April 2011, sets out the ambitions of the library service in detail. The fundamental focus is on the creation of a library service that is accessible, inclusive and able to change according to resident needs. In 2012 and beyond the focus is on:

- Improving access to library services
- Improving the reading and learning offer
- Information, reference and study
- Improved online and digital services
- Improved offer for children, young people and families
- Creating a skilled workforce
- Customer and community engagement
- Library buildings and spaces improved.

Project Progress

3.5 The legal challenge has delayed implementation of many aspects of the project. However, as the table below shows, delivery of the Library Transformation Plan is now well under way.

LTP improvements as of April 2012	
Access to library services	<ul style="list-style-type: none"> • All six libraries are now open seven days a week • Ealing Road Library is now opening two extra evenings per week. • New user friendly online catalogue purchased; due to go live in May 2012 • Library app for smartphones introduced • 10 volunteers recruited for home visit service • Expansion of outreach service to children's

LTP improvements as of April 2012	
	centres and hospital wards
Reading and learning offer	<ul style="list-style-type: none"> • £550,000 stock budget retained for six libraries • Online stock suggestion scheme available • 'Books on Prescription' service launched in partnership with Brent Mind • Life in the UK citizenship course available in all six libraries and on line.
Information, reference and study	<ul style="list-style-type: none"> • Wider range of online reference resources purchased • PCs in the six libraries increased by 15% • Bookstart Bear Club launched in all libraries (encouraging families to read together)
Services for children, young people and families	<ul style="list-style-type: none"> • Investment in children's stock in all libraries • Termly loan collections for schools piloted • Joint Summer Programme being produced with Sports and Youth services
Creating a skilled workforce	<ul style="list-style-type: none"> • Training for frontline staff has taken place on: <ul style="list-style-type: none"> ○ Enquiry skills ○ Customer service ○ Use of online resources ○ Working with children ○ Story telling for under 5s
Customer and community engagement	<ul style="list-style-type: none"> • Valued Customer Panels meeting quarterly in all libraries from April 2012 • Email newsletter for customers now reaches 15,000 recipients
21st century library buildings and services	<ul style="list-style-type: none"> • Ealing Road Library refurbished in March 2012 • Kilburn Library will be refurbished in the summer of 2012 • The new Wembley Library in the Civic Centre will open in June 2013 • Willesden Green Library Centre redevelopment is proposed to start in the autumn of 2012 and is due to open in May 2014

- 3.6 Over 4,651 'active borrowers' who previously used one of the closed libraries has since moved their library usage to one of the six libraries; indicating that 46% have moved to using the new services. It is recognised that comparing overall 2011 usage of twelve libraries against 2012 usage of six libraries shows a reduction overall but this is to be expected initially as it will take time to build usage based on the new library offer. Usage and borrowing figures also need to take account of periods when libraries are closed for refurbishment.
- 3.7 The rationalisation of library buildings was achieved in October 2011, with the closure of six buildings. The current position on disposal of the buildings is set out in the table below:

Building	
Barham Park	Currently vacant. In March 2012 the Executive (acting as Trustees of Barham Park Trust) approved a feasibility study of the Barham Park complex which includes this former library space. This study is awaiting approval from the Charity Commission. Dependent upon the outcome of this study proposals for use will be considered and where necessary, approval sought from the Charity Commission. Note this land is held in Trust.
Cricklewood	Ownership of the land and building has reverted to All Souls College, Oxford
Kensal Rise	Ownership of the land and building has reverted to All Souls College, Oxford
Neasden	Offer from potential sub-tenant for five year term at passing rent. Council lease expires in 2022. Property will remain on the market for assignment.
Tokyngton	Freehold disposal recommended. Property Consultants appointed.
Preston Road	In March 2012 the Executive approved the proposal to review this asset as possibly providing temporary primary school expansion space as part of the Brent School Expansion Programme.

Strategy and Improvement Plan

- 3.8 The focus for the coming year is to lay the foundations for the improved service, in preparation for the unprecedented opportunities of the new Wembley Library in the Civic Centre and the new cultural centre in Willesden Green. Ealing Road was refurbished during February and March 2012 and Kilburn Library will be refurbished in 2012. By 2014 all six library buildings will be modern, in accessible locations and fit for purpose as libraries for the 21st century.

- 3.9 Access to library services will be increased by improving outreach and home visit services. Handheld devices for staff will enable housebound residents to order and reserve books from the catalogue. Monthly loans of books to care homes, community groups, children's centres and school will be expanded.
- 3.10 There will be investment in ebooks and online resources and a new stock policy will commit to involving customers directly in choosing books. Stock for children and young people will be improved through targeted projects and consultation. There will be homework clubs in all libraries and a wider range of study materials for loan.
- 3.11 Customer and community engagement are also a focus for 2012/13. Regular customer consultative groups for each part of the service will influence development. Targeted groups will be involved in shaping the look of new and refurbished buildings and deciding which stock and services are provided. The use of volunteers will increase, especially in the outreach and home visit services, providing added value for customers.
- 3.12 In the year ahead the service will also focus on increasing visits, issues and active borrowers across its six libraries, online service, home visits and outreach work. This will be challenging with the refurbishment of Kilburn library and the proposed redevelopment of Willesden Green Library Centre.

4.0 Financial Implications

- 4.1 The delay to the original closure date of the libraries has meant that only £317K of the £408K savings for 2011/12 were found from libraries. The Environment and Neighbourhood Services department found alternative savings to fund the remainder. Legal costs associated with confirming the council's actions were met from central resources.
- 4.2 The full year savings of £816k are on target to be achieved for 2012/13, as set out in the April 2011 report. A summary table is shown below showing the 2012/13 savings and beyond. The main challenge is a pressure of £60K relating to weekend enhancements. This will be resolved as part of the Employee Benefits project.

	2012/13	2013/14	2014/15	2015/16
	£'000	£'000	£'000	£'000
Staff savings	-758.4	-758.4	-758.4	-758.4
Property savings	-177.7	-177.7	-177.7	-177.7
Other savings	-61.3	-61.3	-61.3	-61.3
Gross Savings	-997.4	-997.4	-997.4	-997.4
Radio Frequency Identification Technology	66.0	66.0	66.0	66.0
Web Improvements	50.0	50.0	50.0	50.0
Seven day opening	65.5	65.5	65.5	65.5
Net Savings	-815.9	-815.9	-815.9	-815.9

4.3 All costs relating to redundancy were met in 2011/12 with the exception of approximately £50k pension related cost which will be met in equal instalments of £17k over the three years 2012/13 to 2014/15.

4.4 Receipts from property disposals will be brought into the council's capital receipts pool.

5.0 Legal Implications

5.1 The Council has a duty to provide a comprehensive and efficient library service under Section 7 Public Libraries and Museums Act 1964, (PLMA). The Council's compliance with this duty has been tested in the Courts and its Library Transformation Project was found to be lawful. It is being considered by the Secretary of State for Culture Media and Sport who has powers to intervene under Section 10 of the PLMA but the current indication is that he is satisfied with the Council's arrangements.

6.0 Diversity Implications

6.1 The Libraries Transformation Project and the report agreed by the April 2011 Executive was accompanied by an extensive Equalities Impact Assessment.

Background papers:

Report to Executive April 2011: Libraries Transformation Project

Contact Officers

Sue Mckenzie: Head of Libraries, Arts and Heritage 020 8937 3142

Jenny Isaac: AD Neighbourhood Services 020 8937 5001

Sue Harper
Director of Environment and Neighbourhood Services



Meeting of the Executive 21 May 2012

Report from the Director of Environment and Neighbourhood Services

Wards Affected: ALL

Air Quality Action Plan 2012-2015

1.0 Summary

- 1.1 This report summarises the significant progress made since the Council's adoption of its first Air Quality Action Plan (AQAP) in 2005.
- 1.2 As the levels of nitrogen dioxide (NO₂) and particulates (as PM₁₀) continue to exceed the national air quality objectives in some areas of Brent and will not meet future targets, the report proposes adoption of a new AQAP for the period 2012-15 to reduce levels of Nitrogen Dioxide (NO₂) and fine particulate matter smaller than 10 microns (PM₁₀) which are the key pollutants now contributing to health concerns in the Borough.
- 1.3 Finally, the report summarises the key concerns about the air pollution arising from the waste processing uses at Neasden Goods Yard, discusses the effectiveness of existing powers to control that pollution and recommends that the Council lobby Government over the licensing of waste sites.

2.0 Recommendations

- 2.1 The Executive notes the significant progress made in improving air quality since the adoption of the Council's first Air Quality Action Plan in 2005.
- 2.2 The Executive approves the proposed new Air Quality Action Plan 2012-2015 set out in Appendix 1.
- 2.3 The Executive notes the continuing problems of air pollution associated with the Neasden Goods Yard site and agrees that the Council should lobby Government over the relationship between the licensing of waste sites and the achievement of air quality improvements as set out in paragraph 3.2.7

3.0 Background

3.1 Introduction

- 3.1.1 Air pollution is thought to be responsible for 22,000 premature deaths in Britain each year and for greater numbers of worsening respiratory conditions such as asthma and many more. The Government has identified eight priority pollutants associated with poor respiratory health.
- 3.1.2 Local Authorities have a statutory duty under the Environment Act 1995 to review and assess local air quality in their area. They must identify and implement measures to reduce air pollution to levels below that prescribed in the National Air Quality Strategy. Local Authorities must continue to reduce pollutants to the lowest level possible once the objective is achieved.
- 3.1.3 Large areas of Brent do not meet the air quality objectives for two pollutants, nitrogen dioxide (NO₂) and particulate matter (as PM₁₀). Local Authorities must declare as Air Quality Management Areas (AQMAs) parts of the Borough which do not meet the air quality objectives
- 3.1.4 Following the declaration of AQMAs in 2001, the Council produced and implemented an Air Quality Action Plan (AQAP), which identified measures to reduce pollution levels of NO₂ and PM₁₀. A chronology of the actions taken by the Council is outlined in Appendix 2.
- 3.1.5 The Air Quality Action Plan (2005-2010), outlined 98 measures designed to reduce air pollution in the AQMAs. In 2006, following further detailed assessment of local air quality, the AQMA was extended (see Figure 1) to include areas such as the Wembley Development Area and Ealing Road.

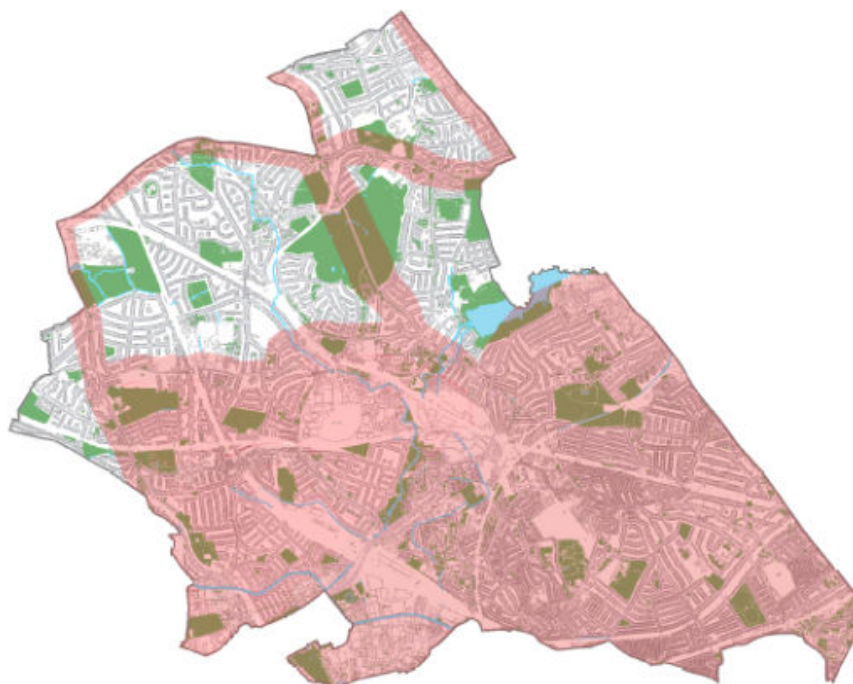


Figure1: Brent Air Quality Management Area (2006)

- 3.1.6 The Council has a statutory duty to undertake annual air quality reviews and report progress with the AQAP to DEFRA and the GLA.
- 3.1.7 The AQAP and the progress report is scrutinised by DEFRA who fund air quality projects via the Supplementary Credit Expenditure (SCE) Grant. Traditionally, all Local Authorities fund AQAP actions including monitoring from the SCE grant. It is therefore important that all the potential measures are outlined in the plan in order to obtain capital funding.
- 3.1.8 From 2007 to 2011, Brent has received approximately £40,000 per annum in grant funding for air quality monitoring and action planning. However, last year (2011/12) DEFRA changed the funding criteria, with bids only accepted for project work associated with emissions reduction. As a result Boroughs were not able to claim support for air quality monitoring and Brent did not receive grant funding for monitoring and action planning.
- 3.1.9 The Council has delivered 71 of the 98 measures listed in the AQAP 2005-2010; the remaining measures were not met because they were either impractical or no longer relevant. Implementation of these measures coupled with regional measures such as the implementation of the London Low Emission Zone and more stringent Euro classifications for vehicles has led to a marked reduction in local NO₂ (see Figure 2). Implementation of emissions based car parking charges and car free housing development in areas with high Public Transport Accessibility Levels like Wembley and Harlesden have contributed to the reduction of NO₂ levels.

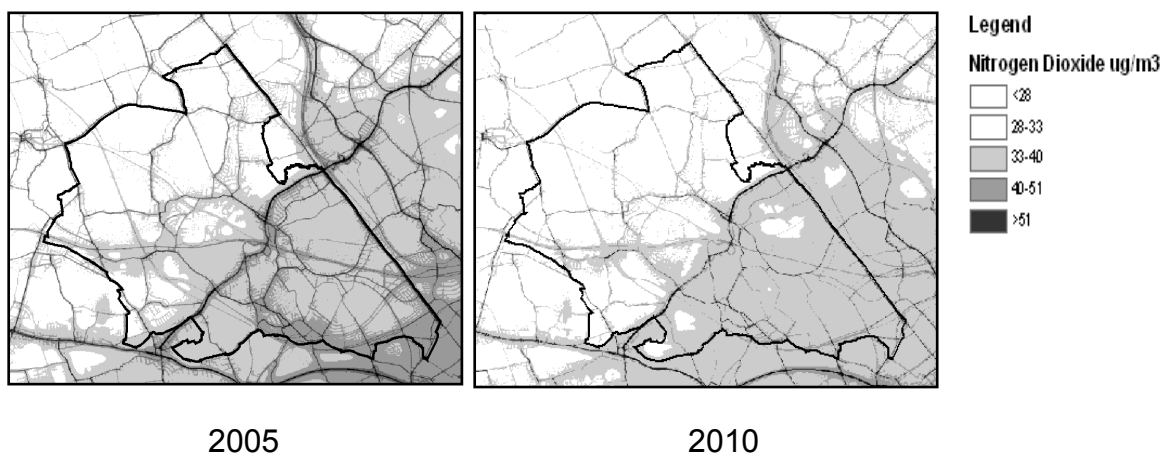


Figure 2: Borough maps - annual mean nitrogen dioxide (modelled) 2005 and 2010

- 3.1.10 The Air Quality Action Plan (2005-2010) has reduced levels of nitrogen dioxide (NO₂) and particulates (as PM₁₀) but Brent still exceeds the national objectives in some areas. Further interventions are needed to ensure future targets are met.

3.1.11 The current plan must be updated to take account of increasingly stringent National targets (introduced by the European Union), objectives set out in the Mayor's updated Air Quality Strategy, technological changes (which impact upon air quality monitoring and interpretation of monitoring data), and the publication of new guidance to local authorities to assist with Local Air Quality Management with specific emphasis on the need to quantify outcomes of AQAPs.

3.2 The Air Quality Action Plan 2012- 2015

3.2.1 The AQAP 2012-2015 sets out actions needed to reduce levels of NO₂ and PM₁₀.

3.2.2 The revised air quality action plan (see Appendix 1) comprises 15 key actions segregated into four main themes: Transport Measures, Commercial Measures, Community Measures, and Development Measures as well as nine Fundamental measures considered essential for maintaining the reduction in pollutant emissions achieved by the former AQAP.

3.2.3 The new plan recognises that traffic and transport remains the most significant contributor for NO₂ levels in the Borough but also identifies measures that can be taken to limit current and potential future impacts from new development. In addition, the new AQAP identifies measures which commercial operators within the Borough and the community at large can contribute to. The new AQAP also includes measures to integrate climate change policy and minimise air pollution arising from Council activities.

3.2.4 Meeting the targets for NO₂ and PM₁₀ will be more challenging since many of the 'quick wins' identified in the former plan have already been achieved or will be difficult to achieve in the short term in isolation, for example: reduction of vehicle numbers in the Borough. Therefore, the new plan focuses on changes to policy with the aim of securing reductions in pollution in the long term.

3.2.5 It is vital that measures in the proposed AQAP are aligned with other plans such as Brent's Borough Spending Plan and the Climate Change Strategy. The success of the plan is reliant on a more holistic approach to air quality issues within the Council.

3.2.6 The levels of PM₁₀ measured at Neasden Lane associated with the waste management activities undertaken at Neasden Goods Yard continue to breach the daily mean air quality objective. This is of national significance as it is only one of a few sites in the country reporting such exceedences and may lead to sanctions from the European Union in the future.

3.2.7 This is locally significant since we estimate that fine particles have an impact on mortality equivalent to 133 premature deaths across the whole of Brent. The local impact of the exceedences at Neasden Goods Yard cannot be estimated as the standard method for making health impact estimates are not applicable for smaller populations or geographical areas.

3.2.8 The way waste is managed has changed dramatically over the last 20 years. The European Landfill Directive and landfill levy has been the key driver in

waste being re-used and re-cycled in order to minimise waste taken to landfill (most cases away from urban areas). This has resulted in waste facilities being set up locally to segregate waste which results in dust, noise and traffic. The Environment Agency has the responsibility to regulate waste facilities by licensing the operators. The regulatory and enforcement regime used to licence the operator has proven to be ineffective in requiring commercial operators to upgrade their environmental controls as waste operations and the requirements of the European Air Quality Directive have both changed. Officers are recommending that the Council lobby central government to bring the regulation and enforcement regime up to date in order to make it more effective.

3.2.9 Brent has worked with the waste operators on site and the Environment Agency to enclose the majority of the dust generating activities on site. Whilst progress towards this aspiration has been made, a significant proportion of waste handling and transfer operations still take place in the open air.

3.2.10 Brent will continue to work with the Environment Agency and all operators in the vicinity of Neasden Lane to bring about the necessary improvements to reduce PM₁₀ levels, such as reducing the throughput of waste. Currently, the Greater London Authority (GLA) and Transport for London are funding the Council to undertake intensive cleaning of Neasden Lane and trialling the use of a dust suppressant to determine its efficacy in reducing levels of PM₁₀.

3.3 Monitoring and review of Action Plan Measures

3.3.1 The AQAP will be reviewed regularly to assess the effectiveness of the measures undertaken. The Council is required to report progress with Action Plan measures annually to DEFRA and the GLA

4.0 Financial Implications

4.1 The Government (DEFRA) originally provided SCE grant funding for monitoring air quality and implementing the AQAP. Funding is now limited to projects which can demonstrate emission reductions such as the implementation of Local Low Emission Zones.

4.1.1 DEFRA will limit funding to projects that will reduce NO₂ levels are linked to AQAPs and which demonstrate quantitative improvements in air quality.

4.1.2 DEFRA will no longer fund air quality monitoring, effective from 2011-2012. The average SCE grant received per annum prior to 2011-12 was £41,600. In 2012 we did not receive any grant funding for monitoring or towards implementation of AQAP. Brent has relied on this as the means to operate and maintain its monitoring stations. Consequently, the number of air quality monitoring stations has been reduced from six to three sites in order to meet the cost of monitoring from existing resources. Continuous monitoring is essential to monitor and quantify impact of actions taken.

4.1.3 The Council will continue to seek funds from DEFRA and will also identify additional means, such as sponsorships from external sources to continue air quality work.

4.1.4 There is significant risk that DEFRA may not fund any actions related to PM₁₀ at Neasden. The costs of intensive cleaning of Neasden Lane and application of dust suppressants may cease after the Olympic Games. Although the Environment Agency will encourage operators to continue to use dust suppressants after this time, it is unlikely that this intervention will resolve the problem. Measures to prevent release of pollutants (for example negative pressure enclosures) are more likely to succeed, over tactics to minimise re-suspension of dust that has already been released.

4.2 Publicity and Consultation on the Air Quality Action Plan

4.2.1 The Council will consult the public and other interested stakeholders such as other local authorities via the internet. We will also use the internet, Brent Magazine and bulletins in libraries to publicise the plan and update the public regarding progress with the action plan in the future.

5.0 Legal Implications

5.1.1 Part IV of The Environment Act 1995 places a duty on local authorities to review and assess local air quality, declare air quality management areas in areas exceeding national objectives and publish an AQAP detailing measures to be taken to reduce air pollution in these areas.

5.1.2 Action to manage and improve air quality is largely driven by EU legislation. The 2008 ambient air quality (2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particular matter described in the body of this report.

5.1.3 The 2008 Directive replaced nearly all the previous EU air quality legislation and was made law in England through the Air Quality Standards Regulations 2010, which also incorporates the 4th Air Quality Daughter Directive (2004/107/EC) that sets targets for levels in outdoor air of certain toxic heavy metals and polycyclic aromatic hydrocarbons. The Council is bound by these regulations when carrying out its statutory functions in order to comply with its local air quality management objectives.

5.1.4 Section 48 of the Localism Act 2011 makes provision for the government to require a Local Authority to make payment in respect of EU fines placed on the UK. This would seem to indicate that there is a potential for any EU fines for failing to achieve air quality objectives to be passed down to local authorities. The Act only recently came into force so it is debatable whether the same could be enforced successfully without some degree of challenge by local authorities on the grounds of reasonableness.

5.1.5 In relation to the payment of monies, this could have financial implications for the Council, particularly if the Council can only secure, funding for certain projects as referred to in the financial comments above.

5.1.6 It should be noted that the Council has a fiduciary duty towards the local tax payer and this should be borne in mind if such monies are to be used for the purposes of discharging fines which may not have been contemplated in budget terms.

6.0 Diversity Implications

- 6.1 The most socially and economically deprived areas in the Borough such as the south of the borough as well as Stonebridge, Neasden and St Raphael's suffer from poorest air quality. The Air quality action Plan has the potential to benefit all groups since its aims are to improve air quality for all.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 Existing staffing and resources will be used.

Background Papers

The Air Quality Action Plan 2012-2015 - Summary
Progress report 2010-2011

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London Borough of Brent

Air Quality Action Plan 2012-15

Executive summary

The link between poor health and air pollution is well established and for the last 13 years the Council has sought to improve air quality in the Borough for the benefit of Brent's residents and workers.

Air quality in Brent has generally improved over this time and action taken by the Council has reduced local levels of 1-3-butadiene, benzene, carbon monoxide, lead and sulphur dioxide such that further controls to reduce these pollutants are no longer required.

Air quality Action Plan 2005 – 2010

Measures to reduce oxides of nitrogen and particulates have been challenging and in 2005 the Council published its Air Quality Action Plan (AQAP) outlining specific measures to be taken to reduce levels of these pollutants in hotspots throughout the Borough. By 2010 the Council had completed 72% of the actions, the remaining actions being either impractical or no longer relevant.

The Council will maintain 9 fundamental elements of local air quality management in the new plan. These measures are considered essential for maintaining the reduction in pollution emissions achieved by the former plan and are summarised below in:

Fundamental measures

Action	Description
F.1	Monitor key air pollutants throughout the Borough
F.2	Reduce emissions to air from industrial installations and waste facilities
F.3	Implement all feasible options for reducing the impacts of idling engines from commercial and domestic vehicles
F.4	Implement measures to reduce carbon emissions in accordance with Council Carbon Strategies and promote the uptake of 'Green Deal' once it is introduced.
F.5	Review all new planning applications for potential air quality impacts and implement controls to limit impacts
F.6	Implement measures to restrict the burning of waste
F.7	Work with West London Partners to reduce emissions regionally and work towards limiting pollutant emissions from major infra-structure projects such as HS2 and Cross-rail.
F.8	Raise awareness, engage and educate stakeholders and residents about air quality issues
F.9	Support Mayoral, Government and EU initiatives to achieve emission reductions in the

Air quality Action Plan Measures 2012 – 2015

The air quality management area remains unchanged since it was amended in 2006. Nitrogen dioxide and particulates remain the focus of the new plan since concentrations of these pollutants continue to exceed targets set. Further action is required to ensure that all areas in the Borough meet national air quality objectives.

The new plan integrates air quality with climate change measures and identifies additional opportunities for emissions reductions, not only from Council activities but also from Brent businesses.

Integration of air quality into the emerging public health agenda is a high priority. It ensures consideration is given to protecting the public from serious health threats from policy planning to its implementation.

The London Borough of Brent's revised and updated Air Quality Action Plan 2012-2015 outlines the measures the Council will take to reduce air pollution in the Borough. The Council will implement 15 new air quality action plan measures to further reduce pollutant emissions associated with specific sources.

Progress in delivering the plan will be reported annually in accordance with the National Review and Assessment process.

Air Quality Action Plan Measures

Action	Description	Timescale
A.1	Integrate local air quality improvements into emerging Borough public health plan	Oct 2013
A.2	Increase the number of suitable tree species planted in new developments	Oct 2013
A.3	Develop a cohesive corporate strategy to ensure all proposed energy from waste plant has a minimal Air Quality impact whilst achieving 20% carbon reduction from renewables.	Mar 2015
A.4	Update the Sustainable Development Checklist to reflect the Borough's commitment to reducing the environmental impact of new development on air quality	Mar 2013
A.5	Set carbon and nitrogen dioxide reduction targets for regeneration schemes	Mar 2015

A.6	Review planning policies to safeguard against environmental impacts of new and existing Waste Facilities	Mar 2013
A.7	Achieve on-going reduction in car use through modal shift to non-car modes	Mar 2014
A.8	Install electric charging points at strategic locations in Brent	Mar 2014
A.9	Reduce congestion associated with new or proposed traffic management schemes	Mar 2015
A.10	Facilitate the delivery of new car clubs in the borough through links with transport and planning policy	Mar 2015
A.11	Work with Brent businesses to achieve 10% reduction in energy use from their operations	Mar 2015
A.12	Secure a 20% decrease of energy use in Council housing stock and 25% reduction in emissions arising from Council service delivery	Mar 2015
A.13	Reduce use of fossil fuels in council buildings	Mar 2015
A.14	Secure 10% reduction in nitrogen dioxide, particulates and carbon dioxide from major commercial fleet operators in Brent	Mar 2015
A.15	Lobby government to raise awareness of challenges to implementing waste licensing controls whilst achieving National Air Quality targets	Mar 2015

New Air Quality Action Plan Measures

London Borough of Brent's revised Air Quality Action Plan 2012-2015 outlines the Council's plans to reduce air pollution over the next four years. The measures offer the potential to deliver the greatest health benefits for those who visit, work and live in the Borough.

Action measures

Following the implementation of the previous Air Quality Action Plan air quality in Brent has improved but further reductions in nitrogen dioxide and particulate matter are required. Many of the actions detailed in the previous plan have been completed or superseded by changes in technology and lifestyle.

The measures below build on the success of the previous Action Plan and describe a positive way forward to achieve further improvements.

Theme 1: Community

Action 1: Integrate local air quality improvements into emerging Borough public health plans

Action 2: Increase the number of suitable tree species planted in all new development.

Although air pollution is not confined by geographical boundaries local and regional sources can make a difference between acceptable levels and levels considered prejudicial to health. Any improvement in air quality will benefit everyone. However, some areas of the Borough are more likely to be affected by poor air quality than others as the wider problems of poverty; deprivation and general poor health make people more vulnerable to the effects of pollution. This contributes to an almost 9-year difference in life expectancy between the most affluent and least affluent wards in the Borough.

The council is committed to reducing this gap. **Action Measure 1** we seek to limit Council actions or activities which further reduce quality of life or amenity whilst promoting positive improvements. This will include limiting further exposure of those worst affected to sources such as energy from waste, industrial plant or transport and ensuring that future development is not concentrated in these areas alone. We will also ensure that all opportunities to integrate air quality improvement to measures arising from the Council's implementation of the Public Health White Paper are considered.

Improved public realms have a significant and positive impact on general health and mental wellbeing and can facilitate an increase in physical activity and local exercise. Green space in Brent occupies approximately 8% of the Borough which is well below the 15% London average. Trees form an integral part of the urban environment and the air quality

management area is recognised as generally being deficient in tree cover. Brent's high population density means many Brent residents have little or no access to green or open space. We seek to address this by increasing planting in the Borough, contributing more generally to the Councils' commitment for improving health and wellbeing and tackling health inequalities. In addition, the Council seeks to improve the walk-ability of key routes to encourage walking and to make the street and public transport viable and attractive travel options. **Action Measure 2** contributes to this agenda by promoting an increase in the provision of trees to enhance existing green spaces and routes wherever possible, particularly in new development areas.

Theme 2: Development

Action 3: Develop a cohesive corporate strategy to ensure all proposed energy from waste plant has a minimal Air Quality impact whilst achieving 20% carbon reduction from renewables.

Action 4: Update the Sustainable Development Checklist to reflect the Borough's commitment to reducing the environmental impact of new development on air quality

Action 5: Set carbon and nitrogen dioxide reduction targets for regeneration schemes

Action 6: Review planning policies to safeguard against environmental impacts of new and existing Waste Facilities

The Core Strategy allows for the development of over 10,000 new homes between 2010 and 2016 and this increase is likely to give rise to significant pollution emissions in the short-, medium-, and long- term unless properly controlled. Development policies to increase mixed-used development and ensure that town centres are easily accessible by public transport means that some areas which are subject to further development are already exposed to high levels of pollution. This will require particular care to ensure it is managed.

Council policy and supplementary planning documents already address the long-term sustainability of development control, particularly renewable energy and climate change impacts. **Action Measures 4 and 5** seek to enhance this approach by including Air Quality in the sustainability checklist and setting targets to limit the pollution impacts of new development.

Nowhere is this more pronounced than when considering future use, location and impacts from biomass and similar combustion plant. Local energy generation and district heating schemes whether fuelled by waste, biomass or fossil fuels have the potential to severely impact local Air Quality. **Action Measure 3** will ensure that sufficient controls are in place to minimise the impacts of such plant on Air Quality without losing the opportunities to reduce

local energy demand and landfilling of waste. In addition, to further minimise the potential impacts, consideration will be given to the most suitable locations for their placement.

The core strategy also supports substantial commercial development in the borough. We have and continue to take action to limit the air quality impacts from some commercial operations and recognise the significant contribution of waste facilities to particulates (as PM₁₀) measured locally. We do not meet the national targets set for this pollutant in some areas in the Borough and are unlikely to meet future targets for ultra-fine particles (PM_{2.5}). We estimate that fine particles have an impact on mortality equivalent to 133 deaths in Brent compared to a target for traffic related deaths of less than 10 a year. Through implementation of **Action Measure 6** we will seek to actively resist proposals for the location of such activities close to residential or other sensitive land uses. We will also use all regulatory powers available to limit emissions from existing processes in the borough and use our influence to seek to limit the impact of processes in neighbouring boroughs.

It is important to note that Action Measures 3, 4, 5 and 6 will be subject to the satisfactory outcomes of statutory consultation processes required for changes to existing planning policy.

Theme 3: Transport Measures

Action 7: Achieve on-going reduction in car use through modal shift to non-car modes

Action 8: Install electric charging points at strategic locations in Brent

Action 9: Reduce overall congestion, including that associated with new or proposed traffic management schemes

Action 10: Encourage the delivery of new car clubs in the borough through links with transport and planning policy

Traffic and transport is the largest contributor to air pollution in Brent, as accounting for at least 52% of emissions, hence measures to reduce their impacts remain our highest priority for action. Congestion, increases in town centre traffic from buses and heavy goods vehicles, increased private car use, and idling vehicles all contribute significantly to pollutant emissions. The Council recognises it has a significant part to play in the local control of traffic and transport. The Borough Spending Plan is designed to reduce traffic impacts, encourage modal shift and increase the use of travel plans in schools and businesses to encourage take up of more sustainable modes of transport than the private vehicle.

The Council will target the impacts of increasing car ownership by increasing modal shift in favour of more sustainable methods such as car clubs, public transport, walking and cycling. Implementation of **Action Measure 7** will ensure that all measures, ranging from travel planning for schools and business, the use of cycle lanes and the take-up and use of sustainable modes of transport is measured. The future aim of this measure is to facilitate and map the continued shift from private cars to cycles or walking from an established baseline giving regard to guidance such as 'The Brent Placemaking Guide'.

Many residents in the Borough who do not currently own a car aspire to do so in the future. 36% drive or are driven to work and the opportunity exists to reduce this by implementing measures to encourage people to use other modes of transport or consider less polluting options where such travel is necessary. Measures such as the use of car clubs and designating areas as car-free will serve to reduce private car ownership and therefore pollution and the delivery of new car clubs in appropriate areas throughout the Borough shall be met by implementing **Action Measure 10**.

Any shift towards increased car use would undermine all positive efforts taken to date to reduce pollution and increase congestion in town centres. It is therefore vital that the reduction of congestion underpins any proposal for a new scheme and the implementation of **Action Measure 9** for new and proposed traffic management schemes seeks to achieve this.

The Council will continue to review the development of new technologies and fuels to identify appropriate recharging infrastructure and inform future policies as technologies mature. The current tiered parking charging scheme favours small and low or zero emission cars and promotes more environmentally-friendly choices of vehicle or modal shift to non-car modes of travel.

High level support must be secured and robust Council policies written to ensure the successful implementation of such measures as efforts made to date have had only limited impacts on traffic volumes. As a result the review of planning and transport policies is essential.

Electric vehicles are considered much less polluting than petrol or diesel vehicles such that the Mayor of London aims to increase the number of vehicles in the London Fleet by over 98,000 vehicles. The Council is wholly supportive of this and **Action Measure 8** seeks to install a number of charging points around the Borough in support of this aim. The Council will also conduct an analysis of the reduction in pollution emissions secured before considering the locations for additional points.

Theme 4: Commercial Measures

Action 11: Work with Brent businesses to achieve 10% reduction in energy use from their operations

Action 12: Secure a 20% decrease of energy use in Council housing stock and 25% reduction in emissions arising from Council service delivery

Action 13: Reduce use of fossil fuels in council buildings

Action 14: Secure 10% reduction in nitrogen dioxide, particulates and carbon dioxide from major commercial fleet operators in Brent

Action 15: Lobby government to raise awareness of challenges to implementing waste licensing controls whilst achieving National Air Quality targets

The Council seeks to exemplify best practice by reducing pollutant emissions generated by our operations and activities. We can then demonstrate the measures that could be appropriately adopted by local businesses. Although initially driven by the, now defunct, Best Value Performance Indicators our commitment to lead by example remains a core Council priority, building upon the gains of previous initiatives. **Action Measure 11** will achieve a measurable reduction in pollutant emissions from energy use by Brent Businesses throughout the life of the plan and beyond. The Council has established a baseline from which to reduce pollution emissions generated by energy use in the future and the data gathered to inform this process will also be invaluable for establishing realistic emission reduction targets for Brent businesses from the use of heating, lighting and transport.

Through the implementation of **Action Measure 14** we will secure reductions in emissions of nitrogen dioxide, particulates and carbon dioxide from commercial fleets. Transport and energy emissions are the main sources of air pollution in Brent and we recognise the role local businesses can play in securing reductions in pollution. Brent serves as a transport hub with the North Circular Road serving as a main arterial road connecting London and other main routes to key cities in the United Kingdom. Whilst the London Low Emission Zone helps to reduce the number of worst polluting vehicles from entering the Borough the opportunity exists to reduce fleet emissions further still. Using existing resources and with support from Transport for London, WestTrans and West London Freight Partners, the Greater London Authority will work with businesses in Brent to identify their contribution to local air quality options for reducing the impact of this. We will initially focus this work on those with large fleet operations.

Council operations and, more particularly, our ageing stock of housing are significant contributors to pollutant emissions. The majority of these emissions come from old and inefficient boilers in Council Offices, Schools and social housing. **Action measures 12 and 13** seek to address this issue by reducing fuel use through the promotion of improved boilers

and buildings and more efficient modes of service delivery. We will also support the uptake of alternative energy sources and district heating schemes.

We recognise that not all Air Quality improvements can be delivered directly by our actions and a particular area of concern is the licensing of Waste Facilities such as those on Neasden Lane. Current National and London wide policies seek to promote greater recycling, reuse and energy reclamation from waste. It is likely that these pressures will result in more waste infrastructure in Brent. **Action Measure 15** will seek to ensure that further development of waste infrastructure does not result in more pollution in Brent. This will be achieved by continuing to strengthen and deepen our working relationships with the Environment Agency, DEFRA and the GLA as well as lobbying for improvements in the relevant licensing regimes.

Air Quality Action Plan Summary

Action	Action measure	Key Performance indicator(s)	Delivery	Completion Date	Lead	Review period
A.1	Integrate local air quality improvements into emerging Borough public health plan	Air quality reduction measures incorporated into public health action plan	<p>Review core measures in emerging strategies and quantify potential benefits of air quality actions in areas targeted</p> <p>Ensure air quality regularly communicates progress to Public Health Board</p> <p>Evaluate impact of the improvements on the plan</p>	Oct 2013	<p>Brent Public Health Board</p> <p>Safer Streets</p>	Annual
A.2	Increase the number of suitable tree species planted in new developments	<p>Revised Supplementary Planning Document published and adopted</p> <p>Planting programme established</p> <p>Street trees maintenance contract revised</p>	<p>Devise list of most suitable species</p> <p>Create map of planting areas and align with planting programme</p> <p>Devise co-ordinated plan for the maintenance of each tree planted</p> <p>Evaluate environmental impacts of the planting programme</p>	Jun 2012	<p>Planning and Transport Strategy</p> <p>Safer Streets</p>	<p>Mar 2012</p> <p>Mar 2012</p> <p>Oct 2013</p>

A.3	Develop a cohesive corporate strategy to ensure all proposed energy from waste plant has a minimal Air Quality impact whilst achieving 20% carbon reduction from renewables.	Published Brent Biomass Strategy Achieved carbon reduction from onsite renewables.	Devise Strategy for determination of applications for energy from waste plant. Quantify provision of renewables required to meet target and monitor progress every 6 months	Oct 2012 Oct 2013	Planning and Transport Strategy	Oct 2012 Annual
A.4	Update the Sustainable Development Checklist to reflect the Borough's commitment to reducing the environmental impact of new development on air quality	Published Brent Biomass Strategy	Quantify reduction in air pollution secured by implementation of the Checklist	Mar 2013	Planning and Development	Annual
A.5	Set carbon and nitrogen dioxide reduction targets for regeneration schemes	Published guidance Reduction targets are set for carbon and nitrogen dioxide	Evaluate impacts of targets set	Mar 2015	Safer Streets Planning and Development	
A.6	Review planning policies to safeguard against environmental impacts of new and existing Waste Facilities	Adoption of Joint West London Waste DPD Publication of new planning policies	Protocol set up for joint approach to monitoring impacts of waste facilities New waste transfer facilities are monitored and appropriately located	Nov 2012 Mar 2013	Planning and Transport Strategy	Mid-term review

A.7	Achieve on-going reduction in car use through modal shift to non-car modes	Achieve walking modal share of 31.40% and cycling of 1.05%	Count number of additional walking schemes implemented, Count number of additional cycling schemes implemented	Mar 2014	Transportation	Annual
A.8	Install electric charging points at strategic locations in Brent	Annual increase electric vehicle charging points across the borough.	Count, number of points installed	Mar 2014	Transportation	Annual
A.9	Reduce overall congestion associated with new or proposed traffic management schemes	Evidence of reduced congestion in Harlesden	Comparison with baseline congestion map	Mar 2015	Transportation	Annual
A.10	Facilitate the delivery of new car clubs in the borough.	Increase in number of car club vehicles in use	Facilitate take-up and use via planning policy and actions Review planning and transport policies to require the installation of additional car clubs in key locations Review options for incorporating low emissions vehicles in the fleet	Mar 2014 Mar 2014	Transportation Planning and Transport Strategy	Annual

A.11	Work with Brent businesses to achieve 10% reduction in energy use from their operations	10% reduction in energy use in businesses surveyed	Work with Brent Businesses to determine local baselines and measures required to secure reduction Devise Action Plans for achieving target Monitor progress with Action plan	Mar 2015	Environmental Projects and Policy	Annual
A.12	Secure a 20% decrease of energy use in Council housing stock and 25% reduction in emissions from Council service delivery.	20% reduction in energy use 25% reduction in Council emissions	Survey Council stock and core activities to determine local baseline and measures required to secure reduction Devise Action Plan for achieving target Monitor progress with Action plan	Mar 2015	Environmental Projects and Policy Brent Housing Partnership	Annual
A.13	Reduce use of fossil fuels in council buildings	Reduction in council energy derived from fossil fuels	Secure target reduction council energy derived from fossil fuels	Mar 2015	Environmental Projects and Policy	Annual

A.14	Secure 10% reduction in NO ₂ , PM ₁₀ , CO ₂ from major commercial fleet operations in Brent	20% reduction secured	Determine baseline for fleet operators selected Devise Action Plans for achieving target Monitor progress with Action plan	Mar 2015	Transportation	Annual
A.15	Lobby government to raise awareness of challenges to implementing waste licensing controls whilst achieving National Air Quality targets	Improvement measures identified and addressed	Work with Stakeholders/ Partners to identify key issues Determine mechanism for reporting	Mar 2012	Safer Streets	Annual

Fundamental measures

This Council will continue to report on actions that are essential to local air quality management which need to be carried over from the original plan. These nine Fundamental Measures demonstrate the Council's continued commitment to reducing pollution from its activities as well as continuing to protect public health and the environment from polluting emissions. They will enable the Council to maintain the emission reductions achieved by the former Air Quality Action Plan (2005-2010). They will be subject to annual review for the lifetime of the Air Quality Action Plan (2012-2015) and are listed below:

Action F1: Monitor key air pollutants throughout the Borough

The Council will continue to regularly review the local air quality monitoring network to ensure that its scope remains responsive to changes in legislation and local needs whilst providing the most useful data. The Council remains committed to monitoring the key pollutants associated with health effects in the Borough and will continue to report progress in the form of annual progress reports demonstrating the trends in pollution emissions. Currently the potential impacts of PM_{2.5} are being debated and it has been established that these finer particles are associated with greater health impacts than PM₁₀ which is currently measured as a proxy for particulate matter. Although the target set for PM_{2.5} is 2020, and therefore monitoring is not mandatory, the potential for significantly greater health impacts arising from these emissions requires the Council to consider the implications of such emissions as soon as practicable.

Action F2: Reduce emissions to air from industrial installations and waste sites using regulatory powers

The Council has a legal duty to regulate emissions to air from the operation of some industrial processes, such as petrol stations and dry cleaners in the Borough under the Environmental Permitting Regulations 2007. The emissions from larger processes with greater polluting potential are regulated by the Environment Agency and the Council remains committed to working with the Agency to ensure that any processes operating within Brent do not increase local air pollution or otherwise operate at significant detriment to the local amenity. The use of such sites is necessary if we are to meet increasingly stringent targets for waste recycling and reuse and responsibly dispose of waste whilst the cost of disposal increases and the finite amount of space left for facilitating disposal dwindles. However, this should not be to the detriment of local residents or amenity and the council will continue to take enforcement action to limit the impacts of existing operations whilst making every effort to ensure that proposals for new facilities are considered carefully.

Action F3: Implement all feasible options for reducing the impacts of idling engines from commercial and domestic vehicles

The Council will continue to investigate complaints regarding idling engines and, using powers available, take action to limit the air quality impacts of idling engines wherever possible. We will proactively target areas where idling is a common occurrence, such as outside schools and at taxi ranks and bus stands, to raise awareness about the contribution this makes to air pollution.

Action F4: Implement measures to reduce carbon emissions in accordance with Council Carbon Strategies

Mitigation and adaptation to climate change impacts is fundamental to the sustainability of the Councils operations and future service provision. In addition, it is established that synergies and conflicts exist between climate change and air quality objectives and it [is](#) necessary to ensure that compliance with one does not detrimentally impact the other. The Council will ensure that all air quality actions contribute to our climate change objectives and that measures identified will provide the greatest reductions in greenhouse gases and air quality emissions. [The Government's proposed 'Green Deal' programme is designed to improve energy efficiency in homes, common spaces and businesses. The programme involves property owners investing in energy saving measures. It applies to privately owned, privately tenanted as well as commercially rented properties. The programme is due to be launched in Autumn 2012 and it is hoped it will include residents in social housing. If introduced the Green Deal has potential to reduce energy use which will reduce nitrogen dioxide and carbon emissions.](#) In addition, any proposals for reduction of greenhouse gases, such as the provision of an energy strategy for new development or installation of new combustion plant will be subject to an impact assessment to ensure that air quality impacts are quantified and eliminated as far as is practicable.

Action F.5: Review all new planning applications for potential air quality impacts and implement controls to limit impacts

The Council shall continue to review all applications for major development to ensure that future residents are not subject to poor air quality and that the development itself is not a source of poor air quality. Planning applications are concentrated in the south of the Borough, already subject to the worst air pollution, greatest traffic impacts and significantly occupation. Careful consideration of potential cumulative impacts will be undertaken for all future development in the borough with every effort made to improve the air quality in

specific hotspots in the south of the borough. To facilitate this we have ensure that air quality improvements are intrinsically linked to the Local Development Framework.

We will continue take action to minimise the impacts of emissions arising from construction sites including from the use of plant such as generators and mobile plant as well as from the activities themselves such as concrete crushing or the transfer of dusty materials; the Civic Centre development is an example of good practice. Where development is large-scale or of long duration consideration will be given to requiring air quality monitoring and action to mitigate against impacts that are considerable.

Inclusion of biomass plant in local development is increasing. It is established that some plant may increase pollutant emissions and therefore the use, installation and nature of biomass suggested must be carefully considered, especially where proposals for installation are within highly developed urban areas. The Council will continue to review applications for planning permission to ensure that such plant is only installed where it can be demonstrated that their impacts are minimal. The Council will also ensure that policy is reviewed regularly and is responsive to outcomes of ongoing research into the impacts of biomass plant and bio-fuel

Action F.6: Implement measures to restrict the burning of waste

Burning leads to the emission of gaseous pollutants and can lead to complaints of nuisance if uncontrolled or burning of certain materials is undertaken. We seek to reduce these and this will include continuing to encourage residents to dispose of waste more sustainably. Although the impact of this measure alone on reducing air pollution may be small. The Council would seeks to reduce impacts of any pollutant source wherever they occur.

Action F.7: Work with West London Partners to reduce emissions regionally

The London Borough of Brent has worked in partnership with other West London Boroughs to identify and implement measures to reduce pollutant emissions across the region. This strategic approach enables participating boroughs (the London Boroughs of Hammersmith and Fulham, Harrow, Ealing, Hillingdon, Hounslow and the Royal Borough of Richmond) to consider trans-boundary issues such as freight and air travel, wider impacts of local policy and ensure that where achieved the benefits of air quality improvements are experienced across as wide a geographical area as possible. [However, major infra-structure projects such as Cross-rail and HS2 may result in increased pollutant emissions for limited duration. For example, delivery of large pre-fabricated concrete sheets for tunnel lining at Westbourne Park will need to be brought to the site by articulated lorries through Harlesden Town Centre and Harrow Road, which will result in increased traffic congestion and pollution emissions.](#) We will continue to work closely with neighbouring boroughs [and Transport for](#)

[London](#) to identify and establish [the best options in order to limit such impacts as well as bring about](#) greater improvements across the West London region.

Action F.8: Raise awareness, engage and educate stakeholders and residents about air quality issues

The Council recognises the importance of personal behavioural change in securing a long term reductions in pollutant emissions and aims to communicate this widely to all sectors of the community. We will continue build on the successes of projects such as the Walk-it sustainable route planner and the Airtext pollution notification system to engage and educate Brent residents and stakeholders about air pollution and their potential influence to reduce pollutant emissions.

Chronology of Air Quality Review and Assessment Work in Brent

1999- Stage 1: Review and assessment – concluded carbon monoxide, particulates, sulphur dioxide (SO₂) and nitrogen dioxide (NO₂) required further assessment at stage 2.

2000- Stage 2: Review and assessment - concluded that no further action was needed for carbon monoxide. Further investigation required for SO₂, fine particles as PM₁₀ and NO₂.

2000 to 2001 - Stage 3: Review and assessment - predicted that levels of NO₂ and PM₁₀ would exceed National Air Quality objectives. Brent declared parts of the as Air Quality Management Areas (AQMA) in April 2001.

2002 to 2003- Stage 4: Detailed Assessment and Updating and screening assessment - identified exceedences of the annual mean NO₂ objective and the annual mean for PM₁₀. The major source of emissions was road transport.

The updating and screening assessment (USA) concluded that a further Detailed Assessment was necessary to identify air quality exceedences predicted outside of the AQMA declared.

2004- Detailed Assessment - confirmed air quality objectives for NO₂ and PM₁₀ will not be met at many locations including two key locations outside the existing Air Quality Management Area – Wembley Hill Road and Ealing Road.

Neasden Lane was also identified as an area of very high PM10 concentrations and control of emissions in this area recommended as a priority.

The impact of diesel train emissions from the Chiltern Line on SO₂ concentrations was determined as unlikely to breach the objectives and therefore no AQMA declared for this pollutant.

2005- Air Quality Action Plan - outlined the Council's commitment to reduce the impact of poor air quality in AQMA. 98 actions and annual reporting undertaken to chart progress.

2005- Updating and screening assessment - confirmed NO₂ and PM₁₀ concentrations continue to exceed the annual mean objective where there is relevant exposure. Additional monitoring in the Council's area indicates that the annual mean objective is exceeded outside of the AQMA.

2006-2008- Progress Reports - confirm air quality objectives for NO₂ and PM₁₀ exceeded at locations with relevant public exposure identified.

Brent Council extended the Air Quality Management Area in 2006 following further assessment to confirm that the objectives for NO₂ and PM₁₀ would not be met in these areas


Further monitoring also indicates concentrations of ozone exceeded in the north of the Borough.

2008- *Further Assessment* - confirmed NO₂ and PM₁₀ concentrations continue to exceed the annual mean objective where there is relevant exposure.

2009- *Updating and screening assessment* - concluded the need for a Detailed Assessment for nitrogen dioxide at Harrow Road, and at junction of Shaftesbury Avenue and Woodcock Hill.

Traffic and transport remained the key contributor to air quality exceedences within Brent. The annual and hourly mean objective for NO₂ and PM₁₀ continue to exceed the objectives in air the current quality management areas in the Borough.

2010- *Progress Report and Detailed Assessment* - confirm air quality objectives for NO₂ and PM₁₀ exceeded at locations with relevant public exposure identified.

	<p style="text-align: center;">Executive 21 May 2012</p> <p style="text-align: center;">Joint Report from the Director of Regeneration and Major Projects and The Chief Executive of Brent Housing Partnership</p>
<p style="text-align: right;">Wards Affected: Queen's Park</p>	
<p>Disposal of 45a Milman Road</p>	

Appendix 2 is not for publication as it contains the following category(ies) of exempt information as specified in the Local Government Act 1972, namely:

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

1.0 SUMMARY

1.1 This report seeks Executive approval to proceed with the disposal of the Council's long leasehold interest in the dilapidated and vacant residential housing revenue account dwelling at 45a Milman Road, London NW6 6EG.

2.0 RECOMMENDATIONS

2.1 That Members approve the disposal of the Council's long leasehold interest of the subject property on the open market for a capital receipt.

2.2 That Members approve the Assistant Director of Regeneration & Major Projects (Property & Asset Management) to agree the terms of the disposal, and to agree and approve any offers received in conjunction with the Director of Finance and Corporate Services.

2.3 That members approve the Assistant Director of Regeneration & Major Projects (Property & Asset Management) to agree the most appropriate disposal route, which may include disposal to a special purchaser by private treaty (providing the price finally agreed is at least equal to the best price achievable on the open market) and to instruct the legal department in the matter of the disposal.

3.0 DETAIL

- 3.1 Number 45 Milman Road is a semi-detached Victorian house that has been converted into two flats. The first floor flat, 45b Milman Road, is under private ownership. The Council owned flat, 45a Milman Road, is a ground floor one bedroom flat with a rear garden. The subject property has a floor area of approximately 184 square meters in total. The Council owns the flat in long leasehold form with a 985 years head lease remaining. The annual ground rent payable by the Council to the landlord (freeholder) is a peppercorn rent (i.e. nil rent). The property is located in a prestigious part of Queens Park and has good views over the park. The property is located in a conservation area.
- 3.2 The property, which is a housing revenue account dwelling, is managed by Brent Housing Partnership (BHP) and was being let to a secure Council tenant (general needs). The property has been void since 29th January 2012 and in its current dilapidated condition fails the Decent Homes Standard. BHP were in the process of refurbishing the property in order for it to be re-let but the works were put on hold following a review of the options with the Council. The current planning use class of the property is for a residential home, but despite the housing need across the borough for social housing, the property is disproportionately expensive to bring back to a lettable condition for future occupiers.
- 3.3 The property is currently in shell condition, without a bathroom and kitchen, and a considerable amount of plastering works and electrical installations is required. The initial estimated cost to undertake the works necessary to bring the property back into beneficial use is circa £35k-£40k. In addition, the Council also has ongoing repair liabilities under its head lease to contribute towards the repairs for the building and common parts.
- 3.4 The date the flat was last occupied and the rent it could potentially achieve is shown in Table 1 below.

Table 1 45a Milman Road

Site Address	Status	Size	Weekly Rent	Potential Annual Rent
45a Milman Road	Void since Jan 2012	1 bedroom ground floor flat & rear garden	£123.83 gross	£6,439.16 gross

- 3.5 The current options are as follows:

Option 1 – Do nothing

In its current condition, the property is incapable of beneficial use and represents a liability in terms of ongoing maintenance and security of circa £5,000-£10,000 per annum whilst void.

Option 2 – Reinstate the property for use as social rented accommodation

The repair and refurbishment of the property would be at an estimated cost of £35k-£40k. In addition, the Council would retain ongoing maintenance and repair liability for the building and common parts in accordance with the

obligations under its head lease. As stated in table 1, the annual rental income under this option is circa £6,439.

Option 3 – Dispose of the Council’s leasehold interest in the property on the open market

The property has been surveyed and valued by the Council’s RICS qualified surveyor and her opinion of value is set out in appendix 2. The opportunity cost under this option will be the loss of annual rents of circa £6,439 to the housing revenue account and a loss of one social housing unit. Under this option BHP would instruct the contractors to make good the works that had already begun in order to tidy up the property for sale (this would not represent a full reinstatement and refurbishment of the property and the property would be put to market more or less in its current structural and repair condition).

- 3.6 Doing nothing is not a viable option because it does not contribute to the Council’s aims and objectives. If the property is retained for social housing purposes, the net present value of the expected operating cash flow over a twenty year period is significantly less than the capital receipt that could be realised from the disposal of the property on the open market. No cost effective alternative or more valuable use has been identified for the property. By disposing of the property on the open market the Council will generate a capital receipt to support the overall capital programme and be relieved of future maintenance liability and ongoing responsibility for repairs under its head lease. Disposal of the property is also likely to bring the derelict property back into use and thereby have a positive impact on the perceptions of local residents and victims of crime in the local area.
- 3.7 As the Council owns the flat in long leasehold form with a 985 years head lease remaining, no decrease in value will be attributable to the length of the unexpired term of the lease. A formal report on the title is yet to be obtained but initial investigation into the title has not revealed any anomalies, restrictive covenants, encumbrances or other interests that may affect sale price achievable on disposal, which will be with vacant possession. A due diligence exercise will be carried out to ensure that all issues have been considered before placing the property on the market.
- 3.8 The housing market is said to be broadly stable with little overall movement in prices expected for the remainder of the year. Disposal in the current market is therefore considered to meet overall value for money considerations. Mortgage rationing, which has been in force since early 2008, is expected to become even more stringent later this year. Therefore, sale via auctioneer, marketing agent (sealed bids tender), or to a special purchaser by private treaty would represent the preferred disposal routes to maximise the potential for meeting the sales target. Disposal to a special purchaser, who by virtue of his or her freehold or leasehold interests in the building, may be willing to pay a premium on the market value, will be at a price reflecting current market value but may also include an additional latent marriage value. It is understood that In July 2011 the Council was offered a sum for its leasehold interest by the freeholder who also appears to own the first floor flat above. More recent communication from the freeholder’s solicitor has also been received indicating that the freeholder is still interested in purchasing the Council’s leasehold interest.

Value for money considerations will be taken into account and balanced against a timely disposal when considering the disposal route.

3.9 The recommendation in this report is for the Council to dispose of its leasehold interest in the property without full reinstatement or refurbishment, on the open market for a capital receipt. The reasons for the recommendation are as follows:

- I. Doing nothing is not a viable option because the property is void and will continue to deteriorate if left vacant. Despite any reasonable precautions by BHP, there is the risk from squatting and potential ongoing maintenance and security liability. The do nothing option has no strategic fit.
- II. Taking into consideration the costs of bringing the property up to a lettable standard, the potential level of rental income achievable is not sufficient to justify the Council retaining the property as social housing accommodation.
- III. As the costs of bringing the property up to a lettable standard far outweighs the benefits of ownership through the rental income, disposal of the property to a Registered Provider to retain the property within the overall social housing stock is not considered to be a viable option.
- IV. Disposal of the property is in line with the corporate objectives set out in the Council's Strategic Asset Management Plan and the emerging Property and Asset Management Strategy.
- V. Disposal of the property in its current condition provides the Council with a gross capital receipt as set out in appendix 2 to support the overall capital programme. There is a loss of a relatively small potential rental income to the housing revenue account in return for a significant capital receipt.

3.10 The Executive is therefore asked to give its approval to dispose of the property. Any delay in the sale of the property could lead to squatting and a further deterioration in the condition of the property, which may lead to an actual reduction in the potential capital receipt realisable on future sale. Disposal on the open market will satisfy the best consideration requirement and an early disposal is recommended in order to maximise the potential of meeting the sales target.

4.0 FINANCIAL IMPLICATIONS

4.1 The estimated gross capital receipt is given in appendix 2.

4.2 The annual rent loss is circa £6,439. However, in order to bring the properties up to a lettable standard, the repair and conversion works would be in the region of £35k-£40k making such action economically unviable.

4.3 Transaction costs for the disposal are to be covered by the capital receipt on disposal. This is estimated to be in the region of 1.5% of sale price, including legal costs estimated to be in the region of £3,000.

- 4.4 The disposal will remove completely all of the Council's ongoing maintenance liabilities under its head lease and site security liabilities at circa £5,000-£10,000 per annum.
- 4.5 The Council's general policy is that receipts arising from the disposal of land and properties are used to support the overall capital programme. The forecast receipt arising from 45a Milman Road was not included in the Council's Disposals Programme at the time of budget setting and as such does not form part of the resources identified to support the whole capital programme approved by the Council on 28 February 2011. As such if members approve the disposal of the property there would be a forecast reduction in the level of Unsupported Borrowing required to fund the Capital Programme with an associated reduction in pressure on the revenue account to meet borrowing costs centrally.
- 4.6 The HRA self financing settlement left the Council with a level of debt that could be supported over 30 years from the dwellings remaining in the HRA. That settlement included this dwelling. Therefore, the debt that would have been associated with this dwelling is to be written off in the HRA from the capital receipt to keep the HRA in line with the settlement. The sum to be written off is estimated to be around £20k.
- 4.7 Members should note that the Local Authority (Capital Finance and Accounting) (England) Regulations 2003 states that capital receipts a local authority derives from the disposal of an interest in other housing land (non Right to Buy) must be "pooled" at a rate of 50%. However, the regulations also state that a local authority can treat such receipts as reduced by an amount up to the value of its available Capital Allowance at the time the specified amount is calculated. For the purposes of these regulations the Capital Allowance is a provision that reflects the authority's past and current forecast investment in regeneration schemes and the provision of affordable housing. Currently the Council is maintaining a capital allowance significantly in excess of the forecast capital receipt and there will be no requirement to pool any of the derived income if Members elect to dispose of this property.

5.0 LEGAL IMPLICATIONS

- 5.1 Under Section 123 of the Local Government Act 1972 the Council has a general power to dispose of properties including by way of the sale of the freehold or the grant of a lease. The essential condition is that the Council obtains (unless it is a lease for 7 years or less) the best consideration that is reasonably obtainable.
- 5.2 Disposal on the open market either via auctioneer, marketing agent (sealed bids tender) or to a special purchaser by way of private treaty will satisfy the best consideration requirement.
- 5.3 Where the Council intends to dispose of housing land it requires the consent of the Secretary of State for Communities and Local Government. The General Consent 2005 issued under the Housing Act 1985 sets out a number of categories of disposal which have deemed consent.

5.4 However a successful bidder at an auction or tender may be an organisation which would not fall within the categories of purchaser which are covered by a deemed consent.

5.5 Therefore auction or tender conditions have to state that the disposal is conditional upon the Secretary of State giving consent to the disposal of the dwelling. A deemed consent will automatically apply if the successful bidder is an individual or individuals who have not previously purchased a vacant dwelling from the Council in the current financial year.

5.6 If the purchaser does not fall within the scope of a deemed consent the Council would make an application for a special consent.

6.0 DIVERSITY IMPLICATIONS

6.1 Impact Needs Requirement Assessment completed. There are no implications directly arising from this proposal as the property is currently void and in dilapidated condition.

7.0 STAFFING/ACCOMMODATION IMPLICATIONS

7.1 There is a loss of potential social housing stock although significant expenditure is necessary to bring the property up to lettable standard.

8.0 ADDITIONAL INFORMATION

Appendix 1: Location plan

Appendix 2: Opinion of value [below the line]

Contact Officers

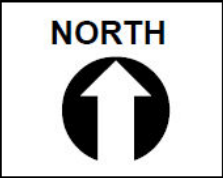
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EXECUTIVE COMMITTEE
45A Milman Road, London, NW6 6EG



Plan for information purposes only.
Premises shown cross-hatched black.



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Impact Needs/Requirement Assessment Completion Form

Department: Property and Asset Management,	Person Responsible: Denish Patel
Service Area: Regeneration & Major Projects	Timescale for Equality Impact Assessment :
Date: 02 May 2012	Completion date:02 May 2012
Name of service/policy/procedure/project etc: Disposal of 45a Milman Road, London	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 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 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 type="checkbox"/> No <input type="checkbox"/> N/A	
Person responsible for arranging the review: N/A	Person responsible for publishing results of Equality Impact Assessment:N/A
Person responsible for monitoring:	Date results due to be published and where:
Signed:	Date:

Impact Needs/Requirement Assessment Completion Form

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 disposal of 45a Milman Road

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

This is stated in the accompanying Exec report.

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

Yes

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

No evidence found or impact identified.

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

The fact that the property is currently void and in dilapidated condition.

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

No.

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

N/A

Impact Needs/Requirement Assessment Completion Form

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

N/A

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

None identified.

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.

No impact identified.

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

See above

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

N/A

13. What is the justification for taking these measures?

These are stated in the accompanying Exec report.

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.

N/A

Impact Needs/Requirement Assessment Completion Form

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

N/A

Should you:

1. Take any immediate action?
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.

N/A

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

N/A

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

Signed by the manager undertaking the assessment: Electronically signed below.


Full name (in capitals please): Denish Patel

Date: 02 May 2012

Service Area and position in the council: Development Project Manager

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 21 May 2012</p> <p>Report from the Director of Strategy, Partnerships and Improvement</p>
<p>Wards Affected: All</p>	
<p>Voluntary Sector Initiative Fund Themed Grant Round 2012 - 2015</p>	

1.0 Purpose of Report

This report seeks agreement to grant fund 12 projects led by voluntary organisations for two years and nine months, subject to performance, following assessment of the latest round of bids for grant funding against the criteria set by the Executive in January 2012.

2.0 Recommendations

Members are asked to:

- 2.1 note the summary of officer recommendations in Appendix 1, individual assessment reports set out in Appendix 2 and the Grant Criteria and Standard Conditions of Grant Aid set out in Appendix 3.
- 2.2 agree the voluntary sector led projects and grant funding allocations set out in 4.9 of this report which will run between 1st July 2012 and 31st March 2015
- 2.3. note that all grant funding allocations are subject to the Council's Grant Conditions and that where a bid is agreed, the organisation will sign an agreement with the Council, stating the purpose of the grant and expected outcomes before funding is released
- 2.4 note that in cases where an organisation either declines their grant during the funding period or the grant is withdrawn for performance reasons, that the decision to reallocate the fund is delegated to the Director of Strategy, Partnerships and Improvement.

3.0 Context

Voluntary Sector Initiative Fund

3.1 In January 2012 the Executive agreed to the creation of a 'Voluntary Sector Initiative Fund' combining existing 'Main Programme Grant' and 'Advice' budgets. The funding is now allocated to the following streams: (i) the remaining year of crime and regeneration grants, (ii) this round of themed grant funding for which this paper seeks a decision, and (iii) infrastructure support to enhance the capacity of the voluntary sector and an advice, guidance and advocacy stream. The funding for this stream is made up of some of the funding arising from the existing children and young people's themed grant agreements coming to an end in June 2012 and some of the funding from the one year non-themed grant funding agreements also coming to an end in June 2012.

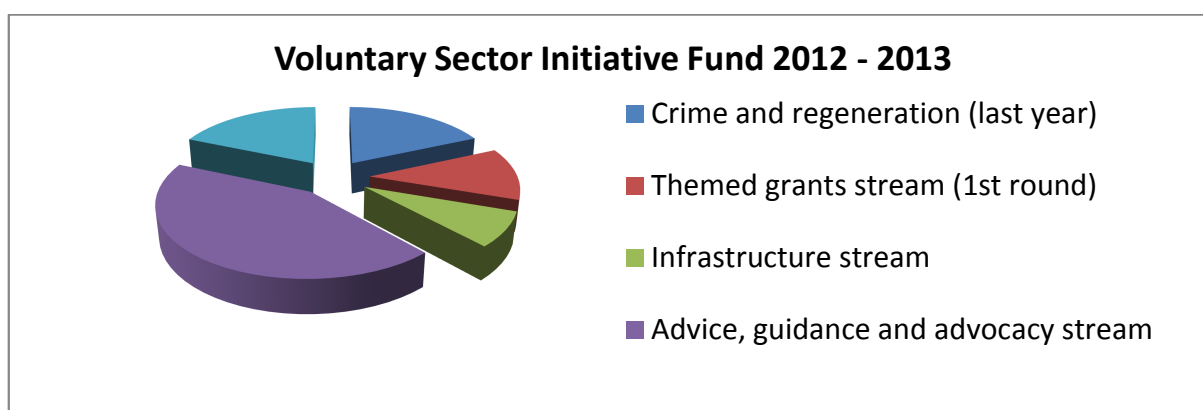


Figure 1: Voluntary Sector Initiative Fund

Themed Grant Funding 2012 -2015

3.2 This first round of themed funding was opened up to bids from the voluntary sector for four weeks until the 6th March 2012. This round differed from previous rounds by offering more themes at once in responses to consultation responses from the voluntary sector. Organisations could put forward bids for grant funding for two years and nine months to run projects which align to the borough plan under the following themes:

- Theme 1: Supporting children and Families and enabling young people to thrive
- Theme 2: Addressing Health and Well Being
- Theme 3: Protecting our environment and enhancing our cultural offer

Crime and regeneration theme funded projects are still running until March 2013 and this is why these priorities were not included this round.

3.3 Projects could benefit the whole borough or focus on priority neighbourhoods. The guidance set out that alignment to statutory provision and evidence of need for the project as critical for bids to be successful. The criteria, and standard terms and conditions are set out in appendix 3.

3.4 Members are asked to note their decision in January 2012 to create a further themed grant funding stream between April 2013 and March 2016. In 2013 the council will seek to fund projects which tackle crime and fear of crime, help regenerate the

borough, support children, young people and families, improve health and well being, protect the environment and encourage cultural and sporting activities in the borough.

4.0 Detailed Considerations

Grant Assessment

- 4.1 Details appeared in the local press, on the Council's website, and organisations on our database of presently funded organisations and those who have signed up for voluntary sector liaison forum were notified. CVS Brent and the BASIS project also notified organisations through their newsletters and emails. Organisations were invited to attend workshops held by officers in the Corporate Policy Team, where the funding criteria and process was discussed in detail and where organisations had the opportunity to discuss their proposed projects with officers. These workshops were held on Wednesday 15 February 2012 and Thursday 23 February 2012.
- 4.2 Organisations could download the application pack including the application form, grant criteria, links to key strategies and standard conditions of grant aid or have it sent to them on request. The closing date for receiving completed applications was 6th March 2012. The council received 51 bids from 49 organisations seeking a total of £3,017,367 over the 2 year and nine month period.
- 4.3 Grants were assessed in line with the grant criteria and standard grant terms and conditions agreed at the Executive Meeting in January 2012 and set out at appendix 3. The criteria for funding were updated in January 2012 in line with consultation responses from the voluntary sector; in particular a group of professionals from different service areas now feed in their expertise of statutory service provision and how a project might align to it as part of the grant assessment process. The assessment looked at both the organisation applying and the project proposal made.
- 4.4 The assessment of the organisation considered the structure, management, track record where funded before, commitment to equality and diversity and engagement of users in the management and development of projects. All organisations were required to submit references to verify their experience and ability to provide services within the proposed theme.
- 4.5 All applications were assessed by a management accountant to ascertain the financial viability of the organisation. This process was carried out in accordance with guidance from the Council's contract standing orders. The assessment included detailed financial analysis for each organisation.
- 4.6 The assessment of projects looked at alignment with Borough Plan priorities and statutory service provision in the borough, partnerships with other organisations in the borough and at a regional and national level, any other match funding proposed,

the quality of the proposal including how success would be measured, the exit strategy and the range of bids received. Officers noted the activities to be provided, their location, links with existing services and the outcomes and outputs to be achieved. Organisations which have or are benefiting from three year funding to deliver a project already were able to bid again but had to propose an entirely new project as an exit strategy had formed one of the funding criteria for all previous three year grant agreements.

- 4.7 Of the 49 organisations which applied, 23 were new to council grant funding or returning after a number of years. For a number of new organisations which applied in this round there was further development required to meet the funding criteria.
- 4.8 Funding has been recommended for 12 projects. These projects meet the funding criteria, offer value for money and align with Council's priorities and associated statutory service provision in the borough.

Recommended Projects

- 4.9 Details of the projects, including funding levels are as follows:

	Project	Organisation	Total	1st nine Months	2nd Year	3rd Year
1	Adolescents at Risk Counselling and support for mental health of young offenders	Brent Centre for Young People	68,750	18,750	25,000	25,000
2	Chalkhill Crea8 Creative activities for young people in Chalkhill	Chalkhill Community Centre	62,051	17,015	22,468	22,568
3	Creative Minds Peer mentoring for young people affected by mental health problems	Brent Active Citizen's	68,550	18,750	24,900	24,900
4	Comprehensive community care services for people affected by SCD, their carers and family Sickle Cell health advice	The Sickle Cell Society	68,750	18,750	25,000	25,000
5	Brent Youth HiCrEc Employment Project NEET activities and accredited training related to the 'Creative Industries'	SABA	68,750	18,750	25,000	25,000
6	Energise Brent Climate Change Champions	London Sustainability Exchange	60,000	16,364	21,818	21,818
7	Expanding Horizons youth activities for young people in South Kilburn	OK Club	27,500	7,500	10,000	10,000
8	Healthy Bodies+ Healthy Minds = Healthy Future Health and Well being activities for young people	Cricklewood Homeless Concern	68,750	18,750	25,000	25,000

9	Healthy Living activities for Older People Food growing, cooking and exercise classes for older people	Elders Voice	52,796	16,197	18,029	18,570
10	Reading for Life Reading support for school children to improve their literacy and personal development	Volunteer Reading Help	63,000	13,000	25,000	25,000
11	Supporting improvement of mental health for residents Club for Older People	Magnolia Senior Citizens Club	4,000	1,000	1,500	1,500
12	Happy and Healthy Families Project - Early Intervention with Families	Pakistan Community Centre	48,250	13,158	17,546	17,546
	TOTAL		661,147	177,985	241,261	241,902

- 4.10 If members agree to the funding recommendations in this report, each funded organisation will be issued with a written agreement clearly stating the activities to be provided and the outputs to be achieved and any special conditions will be included in this.
- 4.11 Officers in the Corporate Policy Team will monitor each organisation's performance against the output and outcomes set out in their funding agreement. As part of this process the team will have regular meetings with organisations and will carry out planned and unannounced inspection of projects. Officers will work closely with organisations to ensure links with the statutory organisations providing services within the proposed themes are established and that the projects continue to support the council's priorities. Success will be monitored through the council's performance management scorecards.
- 4.12 The competition for funding was high and so the need for high quality responses in line with the stated criteria was very important for success. The assessment of bids highlighted a number of aspects which need to be developed further by organisations in order to enhance their chances of success in obtaining funding. These aspects include better understanding of what others in the voluntary sector and statutory sector are already providing in the borough, a stronger evidencing of need and partnerships which enhance projects and stronger linkages between activities and proposed measures of success.
- 4.13 The council is working with CVS Brent already to arrange for more support in preparation for the next round of themed grant funding from the council based on these general themes. In addition the Council is willing on this occasion to provide written feedback to organisations who write to request it, if a bid is unsuccessful on this occasion. The council recognises the importance of this feedback to bid writers who are seeking funding from a range of sources. The council is also able to signpost organisations to alternative funding streams, where the bid appears to have the potential for this. The fact that there is a further round of funding available in the autumn is also being reiterated to the sector.

5.0 Conclusion

5.1 Members are asked to note and approve the voluntary sector led projects and grant funding allocations set out in 4.9 of this report which will run between 1st July 2012 and 31st March 2015, subject to performance.

6.0 Financial Implications

6.1 The Voluntary Sector Initiative Fund budget is £2,068,457. This round of themed grants offers £661,347 over 2 years and nine months.

6.2 The recommendations made in this report can be implemented within the available budget.

Figure 2: Allocation of funding in the Voluntary Sector Initiative Fund

Cost Item	2012/13	2013/14	2014/15
Last payments CYP Grants	59,554	0	0
Last Payment NT Grants	15,189	0	0
Crime & Regeneration	371,567	0	0
Themed Grants 2012 -2015	177,985	241,261	241,902
Themed Grants 2013 - 2016	0	371,567	371,567
Other	9,360	20,827	20,186
Infrastructure Stream	159,249	159,249	159,249
Advice, Guidance and Advocacy Stream	876,874	876,874	876,874
London Councils Contribution	377,097	377,097	377,097
TOTAL	2,046,875	2,046,875	2,046,875

7.0 Legal Implications

7.1 The Council has powers under s137 Local Government Act 1972 and s2 Local Government Act 2000 to make grants to voluntary organisations.

7.2 The decision to award a grant is discretionary. The Council's discretion must not be fettered by previous commitments they may have given and it should make its decision in the light of present circumstances.

7.3 The Council is bound to act reasonably and must take into account relevant considerations and to ignore irrelevant considerations and should consider its fiduciary duty towards local taxpayers.

7.4 Under section 3(1) of the Local Government Act 1999, Brent Council, as a "best value authority" is under general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard

to a combination of economy, efficiency and effectiveness". Under the duty of best value, the Council should consider overall value, including environmental and social value, when reviewing service provision.

7.5 Before deciding how to fulfil their best value duty, local authorities are required to consult a wide range of local persons, including voluntary and community sector organisations and businesses as set out in section 3(2) of the Local Government Act 1999.

7.6 In April 2011, the Government circulated draft Best Value Statutory Guidance ("the Guidance") for consultation. According to that Guidance, local authorities should be sensitive to the benefits and needs of voluntary and community sector organisations and should seek to avoid passing on disproportionate cuts. The Guidance also advises that a local authority intending to reduce or end grant funding or other support to a voluntary or community organisation that will materially threaten the viability of the organisation or service it provides should give at least three months' notice to both the organisation involved and the public/service users. The Guidance also advises that a local authority should actively engage the organisation as early as possible on the future of the service, any knock-on effect on assets used to provide this service and the wider impact both on service users and the local community. The Guidance also advises that where appropriate, local authorities should make provision for an affected organisation or wider community to put forward options on how to reshape the service or project and local authorities should assist this by making available all appropriate information.

7.7 As a public authority the Council is subject to a specific duty in relation to the Equality Act 2010:

'Meeting the general equality duty requires 'a deliberate approach and a conscious state of mind'. R (Brown) v Secretary of State for Work & Pensions [2008] EWHC 3158 (Admin).

Members must know and understand the legal duties in relation to the public sector equality duty and consciously apply the law to the facts when considering and reaching decisions where equality issues arise.

7.8 The Equality Act 2010 introduces a new public sector equality duty which came into force on 6th April 2011. The duty placed upon the council is similar to that provided in earlier discrimination legislation but those persons in relation to whom the duty applies have been extended.

7.9 The new public sector equality duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, 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. 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.

- 7.10 The previous public sector equalities duties only covered race, disability and gender.
- 7.11 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. Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.
- 7.12 In addition to the Equality Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty. The advice set out to members in this report is consistent with the previous Codes and published guidance.
- 7.13 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 relevant details. An equality impact assessment is attached to this report and a summary of this assessment is set out in the Diversity Implications of this report below
- 7.14 Members should be aware that the duty is not to achieve the objectives or take the steps set out in section 149 of the Equalities Act 2010. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions, which includes grant funding. “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must also be a proper regard for the goals set out in s.149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable to consider, which include budgetary pressures, economics and practical factors. The weight of these countervailing factors in the decision making process is for Members in the first instance.

8.0 Diversity Implications

- 8.1 The equality impact assessment for this round of projects recommended to members is provided and set out in appendix 4 to this report. This predictive equality impact assessment found no adverse impact arising from these recommendations. This work has been audited by the Diversity Team.
- 8.2 The analysis was based upon information obtained directly from organisations about people expected to benefit from projects based on criteria being applied to projects and data from existing work with these cohorts of people. The new application packs for grants and updated monitoring forms all include requirements for equality monitoring of those benefiting from projects which are grant funded.

9.0 Background Documents

- Brent Our Future 2010-2014
- Brent Council Voluntary Sector Initiative Fund Report January 2012

10. Appendices

- Appendix 1a: Summary of Recommended Projects
- Appendix 1b: Summary of all Projects with Recommendations
- Appendix 2a and 2b: Summary of Grant Assessments
- Appendix 3: Themed Grant Criteria and Standard Conditions of Grant Aid
- Appendix 4a and b: Equality Impact Assessment and Data

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